



The Metropolitan District
water supply · environmental services · geographic information

**BOARD OF FINANCE
REGULAR MEETING
WEDNESDAY, APRIL 26, 2023
5:00 PM**

| <u>Location</u> | <u>Commissioners</u> | <u>Citizen Members</u> |
|------------------------------------|----------------------|------------------------|
| Board Room | Adil | Iacovazzi |
| District Headquarters | Currey | King-Corbin |
| 555 Main Street, Hartford | DiBella (Ex-Officio) | Russo |
| | Hoffman (VC) | Tsegai |
| Dial in #: (415)-655-0001 | Salemi (C) | |
| Access Code: 43808661# | | |
| Meeting Video Link | Quorum: 5 | |

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. APPROVAL OF MEETING MINUTES OF FEBRUARY 1, 2023
4. CONSIDERATION AND POTENTIAL ACTION RE: SUPPLEMENTAL APPROPRIATION FOR CLEAN WATER PROJECT
5. CONSIDERATION AND POTENTIAL ACTION RE: MEETING TRANSCRIPT POLICY
6. DISCUSSION RE: LINBROOK DRIVE CLAIMS (POSSIBLE EXECUTIVE SESSION)
7. COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS
8. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
9. ADJOURNMENT

SUPPLEMENTAL APPROPRIATION FOR CLEAN WATER PROJECT

To: Board of Finance for consideration on April 26, 2023.

Bond Counsel prepared the following resolution for your approval.

It is therefore RECOMMENDED that it be

VOTED: That the Board of Finance recommends to the District Board passage of the following resolution from Bond Counsel

RESOLUTION APPROPRIATING A FURTHER \$67,413,015.52 FOR THE DISTRICT'S COMBINED SEWER OVERFLOW, SANITARY SEWER OVERFLOW AND NITROGEN REMOVAL PROGRAMS TO DECREASE LEVELS OF POLLUTION IN THE CONNECTICUT RIVER AND LONG ISLAND SOUND TO COMPLY WITH A CONSENT DECREE OF THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF CONNECTICUT AND A CONSENT ORDER OF THE CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

WHEREAS, the charter of the Metropolitan District of Hartford County, Connecticut (the "District"), and more particularly Section 14 of number 511 of the special acts of 1929, as amended by section 1 of number 332 of the special acts of 1931, number 127 of the special acts of 1947, section 2 of special act 79-102, special act 80-13, section 1 of special act 83-31, section 5 of special act 90-27, and section 2 of public act 15-114, now codified in Section 3-11 of the District's Compiled Charter, (Section 14, as amended, being referred to as the "Referendum Requirement"), provides as follows:

(a) Appropriations to be financed by the issuance of bonds, notes or other obligations of the district may be made at any time upon approval of the district board and recommendation of the board of finance in accordance with section 20 of number 511 of the special acts of 1929.

(b) (1) Any appropriation in excess of the amount set forth in subdivision (2) of this subsection for any single item of capital expense not regularly recurring, including, but not limited to, a capital purpose, a public improvement or an extraordinary expenditure which may properly be financed long-term rather than from current revenues, notwithstanding that such appropriation is included in the budget to be met from current revenues, shall be approved by a two-thirds vote of the entire district board and by a majority of the electors of the district at a referendum of the district called by the district board in accordance with the requirements of section 5 of number 511 of the special acts of 1929, as amended by special act 77-54; provided an appropriation for any reason involving not more than twice the amount set forth in subdivision (2) of this subsection in any one year for the purpose of meeting a public emergency threatening the lives, health or property of citizens of the district may be made upon approval by

a two-thirds vote of the entire district board without submission to the electors of the district; provided further, appropriations may be made in any amount without submission to the electors of the district for any public improvement all or a portion of which is to be paid for by assessments of benefits or from funds established to pay for waste or water facilities pursuant to section 13 of number 511 of the special acts of 1929, as amended by number 366 of the special acts of 1949, special act 77-54 and special act 83-31; and provided further, submission to the electors of the district shall only be required with respect to such portion, if any, of any appropriation approved by the district board on and after October 1, 2015, as exceeds the amount set forth in subdivision (2) of this subsection. The district board may determine, in the case of appropriations for water, sewer and utility line extensions and improvements, or the installation or replacement of service meters, the definition of what shall constitute a single item of capital expense for purposes of compliance with the referendum requirement of this section. Such determination may be contained in the capital budget or a resolution making such appropriation or authorizing the issuance of bonds, notes or obligations of the district and any such determination shall be final and conclusive.

(2) On and after October 1, 2015, the threshold amount for purposes of subdivision (1) of this subsection shall be twenty million dollars as adjusted annually thereafter on October first by a percentage equal to the increase, if any, in the consumer price index for urban consumers, as most recently determined by the United States Department of Labor, Bureau of Labor Statistics for the most recent twelve-month period available, provided for any appropriation adopted by the district board on and after October 1, 2015, the aggregate amount of federal and state grants available, committed to be made available or expected to be made available for the appropriation at issue, each as determined by the district board whose determination shall be conclusive, shall be deducted from the amount of the appropriation in determining whether such threshold is met.

WHEREAS, for purposes of this resolution, the amount referred to in section (b)(1) of the Referendum Requirement and further described in section (b)(2)(1) is hereinafter referred to as the Threshold Amount, and

WHEREAS, by resolution adopted on November 9, 2022 the District Board found and determined that the Threshold Amount for purposes of the Referendum Requirement on October 1, 2019, and as in effect on the date of this resolution, was \$24,908,434.00; and

WHEREAS, the District has by previous resolutions approved appropriations authorized expenditures aggregating \$1,785,800,000 for any and all projects necessary or desirable in connection with the planning, design, acquisition, construction and development of a combined sewer overflow program, a sanitary sewer overflow program and a nitrogen removal program of the District, in order to comply with a consent decree issued by the United States District Court, District of Connecticut, and entered into by and between the District, the United States Department Of Justice, the U. S. Attorney's Office, the United States

Environmental Protection Agency and the State of Connecticut Attorney General (the "Consent Decree"), and a consent order to be issued by the State of Connecticut Department of Environmental Protection, now the Connecticut Department of Energy and Environmental Protection ("DEEP") and to be executed by the District and the Commissioner of DEEP (the "Consent Order" and, together with the Consent Decree, the "Government Orders") (the "Project"); and

WHEREAS, the Chairman and the Chief Financial Officer/Treasurer in the name of and on behalf of the District applied for various federal and state loans and/or grants-in-aid for the Project under Section 22a-478 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Clean Water Fund Program"), including the portion of the Project involving the construction of the South Hartford Storage and Conveyance Tunnel and shaft relating to Contract 2 (the "South Hartford Tunnel Contract 2"), the portion of the Project involving the construction of the South Hartford Tunnel Contract 5: Arlington, New Britain and Newington conduits, and construction of inlet control gate chambers (the "South Hartford Tunnel Contract 5"), and the portion of the Project involving the construction of screening and pump station facilities for the South Hartford Conveyance and Storage Tunnel Contract 3 (the "South Hartford Tunnel Contract 3"); and

WHEREAS, in connection with the South Hartford Tunnel Contract 2, the District has executed a Project Loan and Project Grant Agreement, dated June 21, 2016, with the State of Connecticut (CWF No. 692-C) (the "CWF 692-C Agreement") involving a total project cost of \$313,156,346.00, of which \$140,925,166.05 would be funded by state grants under the Clean Water Fund Program (subject to the terms and conditions of such CWF 692-C Agreement), and the balance would be funded by the District and loans from the Clean Water Fund Program; and

WHEREAS, on October 4, 2016, the District appropriated an additional sum of \$140,000,000 of capital expenditures for the Project, specifically to the South Hartford Tunnel Contract 2, which such amount would be funded by state grants under the Clean Water Fund Program in accordance with the terms of the CWF 692-C Agreement; and

WHEREAS, the District has further determined to appropriate an additional \$925,166.05 of capital expenditures for the Project, specifically to the South Hartford Tunnel Contract 2, and to declare its determination that such capital expenditures are expected to be funded entirely by federal or state grants under the Clean Water Fund Program in accordance with terms of the CWF 692-C Agreement; and

WHEREAS, in connection with the South Hartford Tunnel Contract 5, the District has executed a Project Loan and Project Grant Agreement, dated July 27, 2020, with the State of Connecticut (CWF No. 729-C) (the "CWF 729-C Agreement") involving a total project cost of \$47,359,471.10, of which \$18,808,415.75 would be funded by state grants under the Clean Water Fund Program (subject to the terms and conditions of such CWF 729-C Agreement) and the balance would be funded by loans from the Clean Water Fund Program; and

WHEREAS, on September 2, 2020, the District appropriated an additional \$18,800,000 of capital expenditures for the Project, specifically to the South Hartford

Tunnel Contract 5, which such amount would be funded by state grants under the Clean Water Fund Program in accordance with the terms of the CWF 729-C Agreement; and

WHEREAS, the District has further determined to appropriate an additional \$8,415.75 of capital expenditures for the Project, specifically to the South Hartford Tunnel Contract 5, and to declare its determination that such capital expenditures are expected to be funded entirely by federal or state grants under the Clean Water Fund Program in accordance with the terms of the CWF 729-C Agreement; and

WHEREAS, in connection with the South Hartford Tunnel Contract 3, the District has executed a Project Loan and Project Grant Agreement, dated December 14, 2022, with the State of Connecticut (CWF No. 728-C)(the "CWF 728-C Agreement") involving a total project cost of \$138,711,820.25, of which \$66,479,433.72 would be funded by state grants under the Clean Water Fund Program (subject to the terms and conditions of such CWF 728-C Agreement), and the balance would be funded by the District and loans from the Clean Water Fund Program; and

WHEREAS, the District has determined to appropriate a further \$66,479,433.72 of capital expenditures for the Project, specifically to the South Hartford Tunnel Contract 3, and to declare its determination that such capital expenditures are expected to be funded entirely by federal or state grants under the Clean Water Fund Program under the CWF 728-C Agreement;

NOW THEREFORE BE IT RESOLVED:

Section 1. The additional sum of \$67,413,015.52 is hereby appropriated for the Project. The Project is a single item of capital expense, not regularly recurring, which may be financed on a long-term basis. For the avoidance of doubt, the appropriation hereby made shall be in addition to any prior appropriation for the Project. Of this \$67,413,015.52 appropriation, \$925,166.05 shall be allocated to the South Hartford Tunnel Contract 2 which shall be paid for by state grants under the CWF 692-C Agreement, \$8,415.75 shall be allocated to the South Hartford Tunnel Contract 5 which shall be paid for by state grants under the CWF 729-C Agreement, and \$66,479,433.72 shall be allocated to the South Hartford Tunnel Contract 3 which shall be paid for by state grants under the CWF 728-C Agreement.

Section 2. Based on the facts heretofore cited and other evidence presented to the District Board, the District Board FINDS and DETERMINES, that the appropriation made in Section 1 will be paid for by funds available, committed to be made available, or expected to be committed and made available, by federal and state grants; and further, FINDS and DETERMINES, that the appropriation made in Section 1 will not be in excess of the Threshold Amount, and therefore the appropriation made in Section is valid and effective without the requirement that the appropriation be submitted to the electors of the District at a referendum held for such purpose as provided in the Referendum Requirement.

Section 3. The applications by the Chairman and Chief Financial Officer/Treasurer in the name and on behalf of the District for any and all federal and state loans and/or grants-in-aid to meet any portion of the costs of the Project determined by DEEP to be eligible for

funding under Section 22a-478 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Clean WaterFund Program"), and in particular the South Hartford Tunnel Contract 2, the South Hartford Tunnel Contract 5, and the South Hartford Tunnel Contract 3, and the execution and delivery of the CWF 692-C Agreement, the CWF 729-C Agreement and the CWF 728-C Agreement, each of which provide for expenditures authorized hereby to be paid for by grants, combined with expenditures and borrowings authorized by other appropriations for the Project, be and they hereby are approved, ratified and confirmed.

Section 4. The Treasurer is authorized and directed to charge expendituresfor the South Hartford Tunnel Contract 2, the South Hartford Tunnel Contract 5, and the South Hartford Tunnel Contract 3 that have been or will be reimbursed by the state under the CWF 692-C Agreement, the CWF 729-C Agreement and the CWF 728-C Agreement, respectively, against the appropriation made hereby, and to charge no other expenditures against this appropriation.

Section 5. In the absence of the appointment of a Chief Financial Officer/Treasurer, the Chief Administrative Officer is authorized to act as Chief Financial Officer/Treasurer for all purposes of this resolutionand the Manager of Treasury is authorized to act as Deputy Treasurer.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott W. Jellison", written in a cursive style.

Scott W. Jellison
Chief Executive Officer

The Metropolitan District
DISTRICT BOARD MEETING
May 1, 2023

The South Hartford Tunnel Contract Summary

| Contract: | #2 | | #5 | | #3 | | Total |
|----------------------|-------------------|----------|-------------------|----------|-------------------|--------|-------------------|
| Total Project Costs: | \$ 313,156,346.00 | | \$ 47,359,471.10 | | \$ 138,711,820.25 | | |
| less Local Share: | \$ (977.00) | | \$ - | | \$ (213,000.00) | | |
| Eligible Costs | \$ 313,155,369.00 | 100.0% | \$ 47,359,471.10 | 100.0% | \$ 138,498,820.25 | 100.0% | |
| Project Grant | \$ 140,925,166.05 | 45.0% | \$ 18,808,415.75 | 39.7% | \$ 66,479,433.72 | 48.0% | \$ 226,213,015.52 |
| Project Loan | \$ 172,230,202.95 | 55.0% | \$ 28,551,055.35 | 60.3% | \$ 72,019,386.53 | 52.0% | |
| Total | \$ 313,155,369.00 | | \$ 47,359,471.10 | | \$ 138,498,820.25 | | |
| <hr/> | | | | | | | |
| Board Date: | October 4, 2016 | Approved | September 2, 2020 | Approved | May 1, 2023 | Agenda | |
| Amount Approved | \$ 140,000,000.00 | | \$ 18,800,000.00 | | | | |
| Available: | \$ 925,166.05 | | \$ 8,415.75 | | \$ 66,479,433.72 | #3 | |
| | | | | | \$ 925,166.05 | #2 | |
| | | | | | \$ 8,415.75 | #5 | |
| | | | | | \$ 67,413,015.52 | | \$ 226,213,015.52 |

Section 2. The Project

Section 2.1 Project Description

The Project shall consist of **Contract 2**; the construction of the South Hartford conveyance and storage tunnel and shaft. The project includes all modifications or amendments which are approved by the Commissioner. The Project will be owned and operated by the Municipality.

Section 2.2 Eligible Project Costs

The maximum allowable amount of the estimated Total Project Costs and Eligible Project Costs and sources of payment for such costs are set forth below:

| | |
|---------------------------|------------------|
| Total Project Costs: | \$313,156,346.00 |
| Funds from Other Sources: | \$ 0.00 |
| Local Share: | \$ 977.00 |
| Eligible Project Costs: | \$313,155,369.00 |
| Amount of Project Grant: | \$140,925,166.05 |
| Amount of Project Loan | \$172,230,202.95 |

The Amount of Project Grant is calculated per Section 3.1.

A list of the Total Project Costs is set forth in the Project Budget to which the Municipality must adhere in aggregate, attached hereto as **Exhibit VI**, and incorporated herein by reference. Before delivery of any Project Loan Obligation, the Municipality shall provide a completed Closing Statement, as required in Section 6.1(b); the form of which is set out as **Exhibit IX** to this Agreement.

(The remainder of this page has intentionally been left blank.)

Section 2. The Project

Section 2.1 Project Description

The Project shall consist of The South Hartford Tunnel **Contract 5: Arlington, New Britain, Newington** conduits; construction of inlet control gate chambers, in accordance with the State Bond Commission approval dated June 26, 2019, and all modifications or amendments which are approved by the Commissioner. The Project will be owned and operated by the Municipality.

Section 2.2 Eligible Project Costs

The maximum allowable amount of the estimated Total Project Costs and Eligible Project Costs and sources of payment for such costs are set forth below:

| | |
|------------------------------------|-------------------------|
| Total Project Costs: | \$ 47,359,471.10 |
| Less Funds from Other Sources: | \$ 0.00 |
| Local Share: | \$ 0.00 |
| Eligible Project Costs: | \$ 47,359,471.10 |
| Amount of Project Grant: | \$ 18,808,415.75 |
| Amount of General Obligation Loan: | \$ 28,551,055.35 |
| Amount of Sewer System Loan: | \$ 0.00 |
| Total Amount of Project Loan: | \$ 28,551,055.35 |

The Amount of Project Grant is calculated per Section 3.1.

A list of the Total Project Costs is set forth in the Project Budget to which the Municipality must adhere in aggregate, attached hereto as **Exhibit VI**, and incorporated herein by reference. Before delivery of the Project Loan Obligation, the Municipality shall provide a completed Closing Statement, as required in Section 6.1(b); the form of which is set out as **Exhibit IX** to this Agreement.

Section 2.3 Project Signage

Prior to the start of any work funded by this Agreement project signage shall be in place in accordance with DEEP's project signage guidelines. A Certificate of Compliance – Project Sign attached hereto as **Exhibit XII** must be completed and sent to the DEEP Municipal Wastewater Project Engineer prior to the first payment being made to the Municipality pursuant to this Agreement.

(The remainder of this page has intentionally been left blank.)

Section 2. The Project

Section 2.1 Project Description

The Project shall consist of the construction of screening and pump station facilities for the South Hartford Conveyance and Storage Tunnel (Contract #3), in accordance with the State Bond Commission approval dated June 26, 2019, and December 18, 2019, and all modifications or amendments which are approved by the Commissioner. The Project will be owned and operated by the Municipality.

Section 2.2 Eligible Project Costs

The maximum allowable amount of the estimated Total Project Costs and Eligible Project Costs and sources of payment for such costs are set forth below:

| | |
|---------------------------|-------------------|
| Total Project Costs: | \$ 138,711,820.25 |
| Funds from Other Sources: | \$ |
| Local Share: | \$ 213,000.00 |
| Eligible Project Costs: | \$ 138,498,820.25 |
| Amount of Project Grant: | \$ 66,479,433.72 |
| Amount of Project Loan | \$ 72,019,386.53 |

The Amount of Project Grant is calculated per Section 3.1.

A list of the Total Project Costs is set forth in the Project Budget to which the Municipality must adhere in aggregate, attached hereto as **Exhibit VI**, and incorporated herein by reference. Before delivery of any Project Loan Obligation, the Municipality shall provide a completed Closing Statement, as required in Section 6.1(b); the form of which is set out as **Exhibit VIII** to this Agreement.

Section 2.3 Project Signage

Prior to the start of any work funded by this Agreement, project signage shall be in place in accordance with DEEP's project signage guidelines. A Certificate of Compliance – Project Sign attached hereto as **Exhibit XII** must be completed and sent to the DEEP Municipal Wastewater Project Engineer prior to the first payment being made to the Municipality pursuant to this Agreement.

(The remainder of this page has intentionally been left blank.)

**BOARD OF FINANCE
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Wednesday, February 1, 2023**

PRESENT: Commissioners Andrew Adil, Donald Currey, Allen Hoffman, Pasquale J. Salemi and District Chairman William DiBella; Citizen Member Awet Tsegai (6)

**REMOTE
ATTENDANCE:** Citizen Member Linda Russo (1)

ABSENT: Citizen Members Drew Iacovazzi, Linda King-Corbin and Nick Lebron (3)

**ALSO
PRESENT:** Commissioner Jean Holloway
Commissioner Byron Lester
Commissioner Jacqueline Mandyck
Commissioner Alvin Taylor
Commissioner Joan Gentile (Remote Attendance)
Commissioner Dominic Pane (Remote Attendance)
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Chris Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Jamie Harlow, Director of Human Resources
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Services (Remote Attendance)
Thomas Tyler, Director of Facilities
Dave Rutty, Director of Operations
Tra Phan, Controller (Remote Attendance)
David Baker, IT Consultant (Remote Attendance)
Carrie Blardo, Assistant to the Chief Executive Officer
Julie Price, Executive Assistant
Joseph Szerejko, Independent Consumer Advocate

CALL TO ORDER

Chairperson Salemi called the meeting to order at 5:21 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Adil and duly seconded, the meeting minutes of the Board of Finance meeting of November 9, 2022 were approved.

Without objection, Commissioner Salemi took up agenda item #5 “State of CT Financing – DWSRF 2023-7110” prior to agenda item #4 “Amended Meeting Minutes of February 9, 2022”

**APPROVAL FOR STATE OF CONNECTICUT FINANCING
DWSRF 2023-7110**

To: Board of Finance for consideration on February 1, 2023

Staff seeks approval from your Board to execute and deliver the Interim Funding Obligation and/or Project Loan Obligation to the State of Connecticut for DWSRF 2023-7110 having a principal amount of \$1,934,303.55 and having an interest rate of 2.00%.

The low interest loan and accompanying grant will fund the replacement of water mains in the Boulevard & Garfield Road Area in West Hartford.

The State of Connecticut, through the Drinking Water State Revolving Fund Program, will provide \$2,084,303.55 in state funding with \$150,000.00 in grants and \$1,934,303.55 in low interest loans at 2.00% to fund the expenses associated with this agreement.

Bond Counsel prepared the following resolution for your approval.

It is therefore RECOMMENDED that it be

VOTED: That the Board of Finance recommends to the District Board passage of the following resolution from Bond Counsel

RESOLVED:

Section 1. The Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, are authorized to execute and deliver the Project Loan and Subsidy Agreement DWSRF 2023-7110 to be entered into with the State of Connecticut (the “Agreement”) and any and all Interim Funding Obligations and Project Loan Obligations for DWSRF 2023-7110 in the aggregate amount not to exceed \$1,934,303.55, to fund the replacement of water mains and associated appurtenances in the vicinity of Boulevard and Garfield Road in West Hartford, Connecticut. All previous actions taken by the District, including the actions of the Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, related to the Agreement and any and all related

documents, shall hereby be ratified and confirmed. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, as defined in the Agreement, shall bear interest at a rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement and, to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 2. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at a rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully Submitted,



Scott W. Jellison
Chief Executive Officer

On motion made by District Chairman DiBella and duly seconded, the report was received and resolution adopted by unanimous vote of those present.

Without objection, Commissioner Salemi took up agenda item #6 "Banking Services Update" prior to agenda item #4 "Amended Meeting Minutes of February 9, 2022"

BANKING SERVICES UPDATE

Robert Barron, Chief Financial Officer, provided an update on banking services. He stated that a banking services RFP has been awarded to JP Morgan. The current banking contract with Webster Bank was extended to allow for the transition to JP Morgan.

APPROVAL OF AMENDED MEETING MINUTES OF FEBRUARY 9, 2022

To: Board of Finance for consideration on February 1, 2023

VOTED: That the Board of Finance hereby approve the following resolution

RESOLVED: The meeting minutes of February 9, 2022 be amended as shown below in redline to include a memorandum read into the record by Chairperson Salemi:

*****Amendment to the February 9, 2022 Board of Finance meeting minutes starting on page 7 of the 2022 Board of Finance minutes.*****

DISPOSITION OF SURPLUS LAND

Commissioner Salemi made the following statement:

To; Members of the MDC Board of Finance

On Wednesday October 27th, 2021, the MDC's Board of Finance approved a resolution which establishes a Program to "identify Surplus Lands of the Metropolitan District eligible for sale ...". This Program represents a continuation of a program begun many years ago which eventually led to the sale of some of the Glastonbury property, (formerly lands of the East Hartford Water Company), the Tolland Street property in East Hartford, (also formerly of the East Hartford Water Company) and currently the possible sale or transfer of the Manchester property, (remaining acreage from the Glastonbury sale).

Inasmuch as this work continued after the Glastonbury sale as previously authorized, in September of this year, a new authorization to utilize District staff as in the past and external services as well, was required to continue. As noted above the Board has authorized District staff to proceed and I hereby request the establishment of a Budget item to continue the use of external services as before. The Memorandum below describes the services provided. Currently this work is suspended until such time as a budget item is established in order to proceed with work as planned.

Resolution offered by: Commissioner Pasquale Salemi

Continuation of Program for Disposition of MDC "Surplus Lands"

With the objective of identifying District land holdings which are deemed "unneeded non-watershed land" and determining the most efficient and profitable means of both relieving the District of the cost of maintaining the parcels and realizing the highest value from sale, an initial undertaking identified the prospective properties eligible for disposition.

1. Two parcels within the City of Hartford were considered; 45 Granby Street and 101 Walnut Street both were found to be currently inappropriate for sale by reason of use restriction or future District need.
2. Parcels selected after review of the holdings eligible for disposition: the following properties were chosen after review with staff:
 - a) Parcel number 22 Ratland Road, New Hartford = 4 acres
 - b) Parcels 23 and 23A, Barkhamsted = 93 acres
 - c) Parcel 3, Burlington = 75 acres
 - d) Parcel 32, Burlington = 4 acres
3. Together with District Staff each property will be analyzed to include:

- a) mapping to identify abutting owner property characteristics, encumbrances, access limitations and property conditions, wetlands, slope, etc) as well as any biological or archeological claims;
- b) The requirements of District Charter and Ordinances, as well as State regulations or conditions for required offerees and procedures for sale will be established;
- c) The "tax" consequences of the sale or transfer of lands currently owned by a Public entity (i.e.; the MDC), quasi-Public or non-profit and taxed as such, to private ownership and whether P.A. 490 could be utilized by private ownership to reduce or otherwise discount local property tax on lands not planned for "development".
- d) The most efficient, least costly and most profitable method for offering the parcels for the highest and best use for the District to realize the maximum value including offer to the municipality, private sale or proffer for open space or other reservation for public land use or land trust acquisition; and
- e) Together with mapping, land use and limitations study, market value determination, District and State approvals requirement determination and means of offering to prospective purchaser will be set to timelines to assure a committed and responsible project progress.

Based on recent work efforts and estimates of possible values in private sales we identified what we believe could be \$2,000,000.00 in proceeds from future sales.

The resolution of October 27th allows District Staff to provide services in pursuit of the goals of the resolution and hereby request an authorization to create a budget item for use in assigning and paying for external services.

We believe the work effort for external services (legal, appraisals and surveying/mapping) would be less than for recent sales and could collect sufficient information to turn over to the Committee of Cognizance or the District Board for creation of and/or publication of an RFP for said surplus lands with a reasonable effort.

We suggest here an amount of \$75,000.00 which represents about 3.5% of the estimated sales of six properties. The amount would be added to the 2022 Budget and no invoices will be submitted against it until the Budget is approved.

Now therefore, I move to establish a budget item for external services to be used in conjunction with staff services to pursue the "Program" as described throughout 2022.

District Chairman DiBella made the following motion:

Now therefore resolved to establish a budget item for external services to be used in conjunction with staff services to pursue the "program" as described in the October 27, 2021 Board of Finance Resolution herein for 2022 and transfer the sum of \$50,000 from the "Legal-Collection" budget to a new line item within the legal budget for this purpose.

The motion was duly seconded and adopted by unanimous vote of those present.

******End of February 9, 2022 Board of Finance amended minutes******

On motion made by District Chairman DiBella, the meeting minutes of February 9, 2022 were amended as shown above in redline by unanimous vote

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

Commissioner Tsegai exited the meeting at 6:38 PM

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Currey suggested that the minutes to be approved be sent out as part of the agenda packet.

Commissioner Taylor spoke about an article in the Hartford Courant regarding EPA and various meetings about flooding and sewer backups. He remembers an incident in West Hartford where residents were compensated for flooding and wants to ensure everyone is treated equitably.

District Chairman DiBella inquired if insurance paid for residents' damage from the West Hartford sewer lining failure.

Commissioner Salemi noticed that the Charter specifies Hartford is allowed to have combined sewers, but other towns are not. Other member towns have separated storm sewers. The recent Journal Inquirer article states that there is a lot of Federal, State and local money available to do sewer separation.

Commissioner Currey stated that a troubling aspect regarding the Hartford Courant Article is that CT DEEP took the position that the MDC should pay for a situation in which the MDC is not responsible.

Commissioner Hoffman recalled a flooding situation many years ago at the Maple Avenue MEWs in Hartford, but did not recall the outcome.

ADJOURNMENT

The meeting was adjourned at 6:41 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval