

**THE METROPOLITAN DISTRICT COMMISSION**

555 Main Street  
Hartford, Connecticut 06103  
Monday, September 6, 2023

**PRESENT:** Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Dimple Desai, William A. DiBella, David Drake, Peter Gardow, Joan Gentile, Allen Hoffman, Jean Holloway, Gary Johnson, Byron Lester, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Pasquale J. Salemi, David Steuber, Alvin Taylor, Calixto Torres and James Woulfe (20)

**REMOTE ATTENDANCE:** Commissioners Richard Bush, Donald Currey and Christian Hoheb (3)

**ABSENT:** Commissioners Kyle Anderson, John Bazzano, John Gale, James Healy, Mary LaChance, Diane Lewis, Maureen Magnan, Michael Maniscalco, Jon Petoskey, and New Britain Special Representative Michael Carrier (10)

**ALSO PRESENT:** Citizen Member Linda Russo  
Citizen Member Awet Tsegai  
Scott Jellison, Chief Executive Officer  
Christopher Stone, District Counsel (Remote Attendance)  
John S. Mirtle, District Clerk  
Chris Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Robert Barron, Chief Financial Officer  
Dave Ruty, Director of Operations  
Jeff King, Construction Manager  
Nick Salemi, Communications Administrator  
Carrie Blardo, Assistant to the Chief Executive Officer  
Julie Price, Executive Assistant  
Alex Rodriguez, IT Consultant (Remote Attendance)  
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

The meeting was called to order by Chairman DiBella at 5:32 PM

**ROLL CALL AND QUORUM**

The District Clerk called the roll and informed Chairman DiBella that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

**PLEDGE OF ALLEGIANCE**

Those in attendance stood and recited the Pledge of Allegiance.

**APPROVAL OF MINUTES**

*On motion made by Commissioner Buell and duly seconded, the meeting minutes of August 7, 2023 were approved.*

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

Alma Elder, a member of Third Act, stated that the District's community outreach team deserves recognition. She also requested that when members of the Board or staff speak during meetings, that they identify themselves. She asked specifically about the progress and completion of Durham Street projects and the South Hartford Conveyance and Storage Tunnel.

**REPORT FROM DISTRICT CHAIRMAN**

No report was given.

**REPORT FROM CHIEF EXECUTIVE OFFICER**

Scott Jellison, Chief Executive Officer, stated that the South Hartford Conveyance and Storage Tunnel will be completed in January 2024.

Nick Salemi, Communications Administrator, gave an overview of the updated portion of the website that shows all information pertaining to the North Hartford sewer improvement projects.

Mr. Jellison then discussed the State of Connecticut Comptroller's Hartford Flooding Program. The MDC will be involved in providing inspectors to determine cause of the flooding in homes. Thus far the MDC has identified five qualified individuals to be inspectors (two from Hartford) and is assisting them with getting certified with the Department of Consumer Protection.

**REPORT FROM DISTRICT COUNSEL**

Christopher Stone, District Counsel, stated that, pertaining to the Comptroller's Flood Damage Program, MDC costs for inspectors will be reimbursed by the state. He then gave an update on the tunnel litigation and that the MDC's counterclaim should be filed next week. Lastly, he stated that tunnel mediation is scheduled for October 4<sup>th</sup> and 5<sup>th</sup>.

**BUREAU OF PUBLIC WORKS  
ACCEPTANCE OF SEWERS BUILT BY DEVELOPER’S  
PERMIT-AGREEMENT**

To: District Board

September 6, 2023

From: Bureau of Public Works

The sewers outlined in the following resolution have been constructed under Developer’s Permit-Agreement in accordance with the plans, specifications and standards of the District, and the Director of Engineering has certified to all of the foregoing.

At a meeting of the Bureau of Public Works held on August 30, 2023, and pursuant to Section S8g of the Sewer Ordinances re: “Acceptance of Developer’s Sewers,” it was:

**Voted:** That the Bureau of Public Works recommends to the District Board passage of the following resolution:

**Resolved:** That, in accordance with Section S8g of the District Ordinances, the following is incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

	<b>Sewers In</b>	<b>Built By</b>	<b>Completion Date</b>
1	CREC – Ana Grace School, 129 Griffin Road North, Bloomfield R19005	Developer: CREC (Capitol Region Education Council) Contractor: Bartlett Brainard Escoll, Inc. / Milton Beebe	March 17, 2023

Respectfully submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Adil and duly seconded, the report was received and resolution adopted by unanimous vote of those present.***

**BUREAU OF PUBLIC WORKS  
REQUEST TO MODIFY SUPPLEMENTAL ASSESSMENT  
50 MORGAN STREET HARTFORD**

To: District Board

September 6, 2023

From: Bureau of Public Works

On May 15, 2022, after a duly noticed public hearing, the Bureau of Public Works levied a supplemental benefit assessment on 50 Morgan Street in Hartford. The District Board approved the supplemental benefit assessment on July 11, 2022. The supplemental assessment was based on the conversion of the three hundred forty-two (342) room Crowne Plaza Hotel to a residential building with two hundred fifty-two (252) residential units as approved by the City of Hartford.

The supplemental assessment totaled \$155,430.00 (252 residential units x \$1,655.00 = \$417,060.00 - \$261,630.00 (a credit for the prior existing 342 hotel rooms x \$765.00)). The property owner, Shelbourne Axela LLC, submitted a request to the Bureau for modification of the supplemental assessment on the basis that the redevelopment plan for the property is for a lower number of residential units than the levied assessment. Shelbourne Axela LLC's request states the proposed total number of residential units is 192.

At a meeting of the Bureau of Public Works held on August 30, 2023 it was:

**Voted:** That the Bureau of Public Works recommends to the District Board passage of the following resolution:

**RESOLVED:** That the supplemental benefit assessment of 50 Morgan Street in Hartford calculated based on 252 residential units, approved by the Bureau of Public Works on May 15, 2022 and the District Board on July 11, 2022, totaling \$155,430.00 be modified to \$56,130 (192 residential units x \$1,655.00 = \$317,760 - \$261,630.00 (credit for the prior existing 342 hotel rooms x \$765.00)).

**BE IT FURTHER**

**RESOLVED:** That legal notice, in the form and manner as approved by District Counsel, be recorded on the land records that any future (re)development or conversion of the property in excess of 192 residential units shall be subject to supplemental assessment by the District.

Respectfully submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Torres and duly seconded,  
the report was received and resolution adopted by unanimous  
vote of those present.***

**BOARD OF FINANCE  
AUTHORIZATION FOR PROJECT GRANT AGREEMENT CWF 747-PG**

To: District Board

September 6, 2023

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the Project Grant Agreement between the District and the State of Connecticut for CWF No. 747-PG having a grant amount of \$519,949.65.

The Grant will be used to fund planning to complete the preliminary design for the sewer separation projects, in accordance with the Engineering Agreement approved by the Commissioner of the Department of Energy and Environmental Protection dated July 26, 2023.

Bond Counsel prepared the following resolution for your approval.

At a meeting of the Board of Finance held on September 6, 2023, it was:

**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 that certain Project Grant Agreement CWF No. 747-PG (the "Agreement") by and between the District and the State of Connecticut (the "State") and deliver said Agreement to the State. Subject to the terms and conditions of the Agreement, the State will provide a Project Grant to the District in an amount of \$519,949.65, or such additional amounts as may be made available thereunder, to fund planning to complete the preliminary design for the sewer separation projects, in accordance with the Engineering Agreement approved by the Commissioner dated July 26, 2023, and all modifications or amendments which are approved by the Commissioner. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Respectfully Submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Salemi and duly seconded,  
the report was received and resolution adopted by unanimous  
vote of those present.***

**BOARD OF FINANCE  
AUTHORIZATION FOR INTERIM FUNDING OBLIGATION AND/OR PROJECT  
LOAN AGREEMENT CWF 746-C**

To: District Board

September 6, 2023

From: Board of Finance

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 CWF 746-C having a principal amount not to exceed \$7,104,051.15 and having an interest rate of 2.00%.

The low interest loan and accompanying grant of \$7,104,051.15 will fund all labor, equipment, fees, permits, and other related costs necessary for the large diameter rehabilitation program phase II.

Bond Counsel prepared the following resolution for your approval.

At a meeting of the Board of Finance held on September 6, 2023, it was:

**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 a Project Loan and Project Grant Agreement CWF No. 746-C (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 746-C in an aggregate amount not to exceed \$7,104,051.15 to fund all labor, equipment, fees, permits, and other related costs necessary for the large diameter rehabilitation program phase II. 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 the 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. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. 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 the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully Submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Salemi and duly seconded,  
the report was received and resolution adopted by unanimous  
vote of those present.***

**BOARD OF FINANCE  
AUTHORIZATION FOR AMENDMENT TO INTERIM FUNDING OBLIGATION  
AND/OR PROJECT LOAN AGREEMENT CWF 719-C**

To: District Board

September 6, 2023

From: Board of Finance

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 CWF 719-C having a principal amount not to exceed \$11,783,655.52 and having an interest rate of 2.00%.

The low interest loan and accompanying grant of \$2,945,913.88 will fund the upgrade and replacement of the equipment and controls associated with the dissolved air flotation thickening (“DAFT”) and the structural rehabilitation and repair of the DAFT tanks at the Hartford WPCF.

Bond Counsel prepared the following resolution for your approval.

At a meeting of the Board of Finance held on September 6, 2023, it was:

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

**RESOLVED:**

Section 1. This resolution amends and restates a resolution of the District Board, passed at a meeting of the District Board held on October 4, 2021.

Section 2. 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 a Project Loan and Project Grant Agreement CWF No. 719-C and the First Amendment Agreement CWF No. 719-C1 to be entered into with the State of Connecticut (collectively, the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 719-C and CWF No. 719-C1 in an aggregate amount not to exceed \$11,783,655.52 to fund the upgrade and replacement of the equipment and controls associated with dissolved air flotation thickening ("DAFT") and the structural rehabilitation and repair of the DAFT tanks at the Hartford Water Pollution Control Facility. 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 the 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. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 3. 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 the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully Submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Hoffman and duly seconded,  
the report was received and resolution adopted by unanimous  
vote of those present.***



**PERSONNEL, PENSION & INSURANCE COMMITTEE  
REFERRAL RE: REMOVAL OF “COMMISSIONER COMMENTS &  
QUESTIONS” AGENDA ITEM**

***Commissioner Adil made a motion to refer the item to the Committee on MDC Government. The motion was duly seconded and the item was referred to the Committee on MDC Government by unanimous vote of those present.***

**SETTLEMENT OF PENDING LITIGATION  
JONATHAN CARDONA v MDC**

To: District Board

September 6, 2023

**RESOLVED**, that pursuant to Section B2f of the By-Laws of The Metropolitan District, the Board of Commissioners of The Metropolitan District hereby authorizes District Counsel, or his designee, to settle the pending state lawsuit caption of **JONATHAN CARDONA v. TOWN OF WEST HARTFORD & METROPOLITAN DISTRICT COMMISSION** Docket No. HDD-CV21-6138240, for the total sum of \$14,000.00, subject to the proper execution of any and all documents reasonably necessary to effect said settlement, including but not limited to a general release and the formal withdrawal of said action.

Respectfully submitted,



John S. Mirtle, Esq.  
District Clerk

***On motion made by Commissioner Adil and duly seconded, the report was received and resolution adopted by unanimous vote of those present.***

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

**COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS**

Commissioner Gardow thanked MDC for the technology to allow him to watch meetings on YouTube. He asked about Bylaw B2k being brought to a future meeting agenda. He also asked if closed captioning can be added to the YouTube videos, as is an option when watching live on WebEx.

**ADJOURNMENT**

The meeting was adjourned at 6:08 PM

ATTEST:

John S. Mirtle, Esq.  
District Clerk

\_\_\_\_\_  
Date of Approval