

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, July 1, 2024

PRESENT: Commissioners Kyle Anderson, John Avedisian, John Bazzano, Richard Bush, William A. DiBella, John Gale, Joan Gentile, James Healy, Allen Hoffman, Jean Holloway, Gary Johnson, Byron Lester, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, David Steuber, Alvin Taylor, James Woulfe and District Chairman Donald Currey (19)

REMOTE

ATTENDANCE: Commissioners Andrew Adil, Esther Clarke, Dimple Desai, Peter Gardow, Christian Hoheb, Maureen Magnan and Pasquale J Salemi (7)

ABSENT: Commissioners Clifford Avery Buell, David Drake, Mary LaChance, Diane Lewis, Michael Maniscalco, Calixto Torres and New Britain Special Representative Michael Carrier (7)

ALSO

PRESENT: Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Christopher Levesque, Chief Operating Officer
Robert Barron, Chief Financial Officer
Tom Tyler, Director of Facilities
Michael Curley, Manager of Technical Services
Nick Salemi, Communications Administrator
Carrie Blardo, Assistant to the Chief Executive Officer
Victoria Escoriza, Executive Assistant
Matthew McAulliffe, IT Consultant (Remote Attendance)
Jacob Aviles, IT Consultant (Remote Attendance)

CALL TO ORDER

The meeting was called to order by District Chairman Currey at 5:31 PM

Chairman Currey asked for a moment of silence in honor of Jose Diaz Nieves, the employee of Paramount Construction that was struck and killed by a motor vehicle on a MDC water main replacement construction site in Hartford on June 12, 2024.

APPROVAL OF MINUTES

On motion by Commissioner DiBella and duly seconded, the meeting minutes of June 12, 2024 were approved unanimously.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

REPORT FROM DISTRICT CHAIRMAN

Chairman Currey stated that he attended a meeting with the City of Hartford recently regarding MS4 and CEO Scott Jellison will update the Board during his CEO Report.

Commissioner Gardow entered the meeting virtually at 5:34 PM

Commissioner Mandyck entered the meeting at 5:35 PM

REPORT FROM CHIEF EXECUTIVE OFFICER

Chief Executive Officer, Scott Jellison, spoke regarding the MS4 issues with the City of Hartford and dredging the North Branch Park River. He stated the CDM Smith Study regarding the Park River is expected to be finished at the end of July.

Commissioner Woulfe entered the meeting at 5:40 PM

Commissioner Hoheb entered the meeting virtually at 6:04 PM

REPORT FROM DISTRICT COUNSEL

District Counsel, Christopher Stone, provided an update on the State Claims Commissioner hearing on the landfill and Buckingham Street Garage claims that occurred June 7th and that the post hearing briefs will go through September. He stated that the tunnel litigation is in the discovery phase and currently on track for a January 2025 trial. He also spoke regarding the meeting with City of Hartford on the Park River and mediations through CT DEEP and EPA regarding MS4 permit requirements.

WATER BUREAU
ABANDONMENT OF WATER MAIN 458 WINDSOR AVENUE, WINDSOR

To: District Board

July 1, 2024

From: Water Bureau

On June 18, 2024, the District received a letter from Suzanne Choate, P.E., Town Engineer of Windsor, requesting that the Metropolitan District abandon a portion of the existing water mains within 458 Windsor Avenue, Windsor, which is now part of the Wilson Gateway Park and formerly Deerfield Road and Drake Street rights of way in Windsor, as shown on the accompanying map. The purpose of the request is to enable the construction and installation of site improvements as part of the Wilson Park Revitalization Project within the property.

The proposal submitted includes the abandonment of approximately 95 feet of 6-inch, and 100 feet of 10-inch water main, as shown on the aforementioned map. The existing water mains were originally constructed in a public roadway; therefore, no easements exist. The existing water mains were built in 1923 and 1941. A portion of the 12-inch and 10-inch water mains on private property will remain to allow for service connections to the park. The Town of Windsor will grant the MDC new 20-foot easements for these portions of water main.

From an engineering standpoint, the abandonment of the existing water mains will not have a negative impact on the District's water distribution system, and no hardship or detriment would be imposed on others. All new connections and services to the buildings constructed as part of this project will utilize the existing utilities within private property off of Windsor Avenue.

At a meeting of the Water Bureau held on June 26, 2024 it was:

VOTED: That the Water Bureau recommends to the District Board passage of the following resolution:

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute the abandonment of the existing water mains within the former Deerfield Road and Drake Street rights of way in Windsor, as shown on the accompanying map.

Respectively submitted,



John S. Mirtle, Esq.
District Clerk

**ENGINEERING DEPT.**

June 18, 2024

Metropolitan District Commission
555 Main Street
Hartford, CT

Attn: Michael Curley, Engineering

RE: 485 Windsor Avenue, Water Lines

Mr. Curley,

I am requesting that the existing water mains (6 and 10 inch) on the subject property be abandoned. The lines were once within Deerfield Road across from East Wolcott Street. The road has since been relocated. A portion of the 10 and 12 inch mains are to remain on site for connection to rest rooms. The Town will grant an easement to MDC for water mains on private property.

I am also requesting abandonment of inch 6 inch water main and service line on the former Drake Street as it no longer exists.

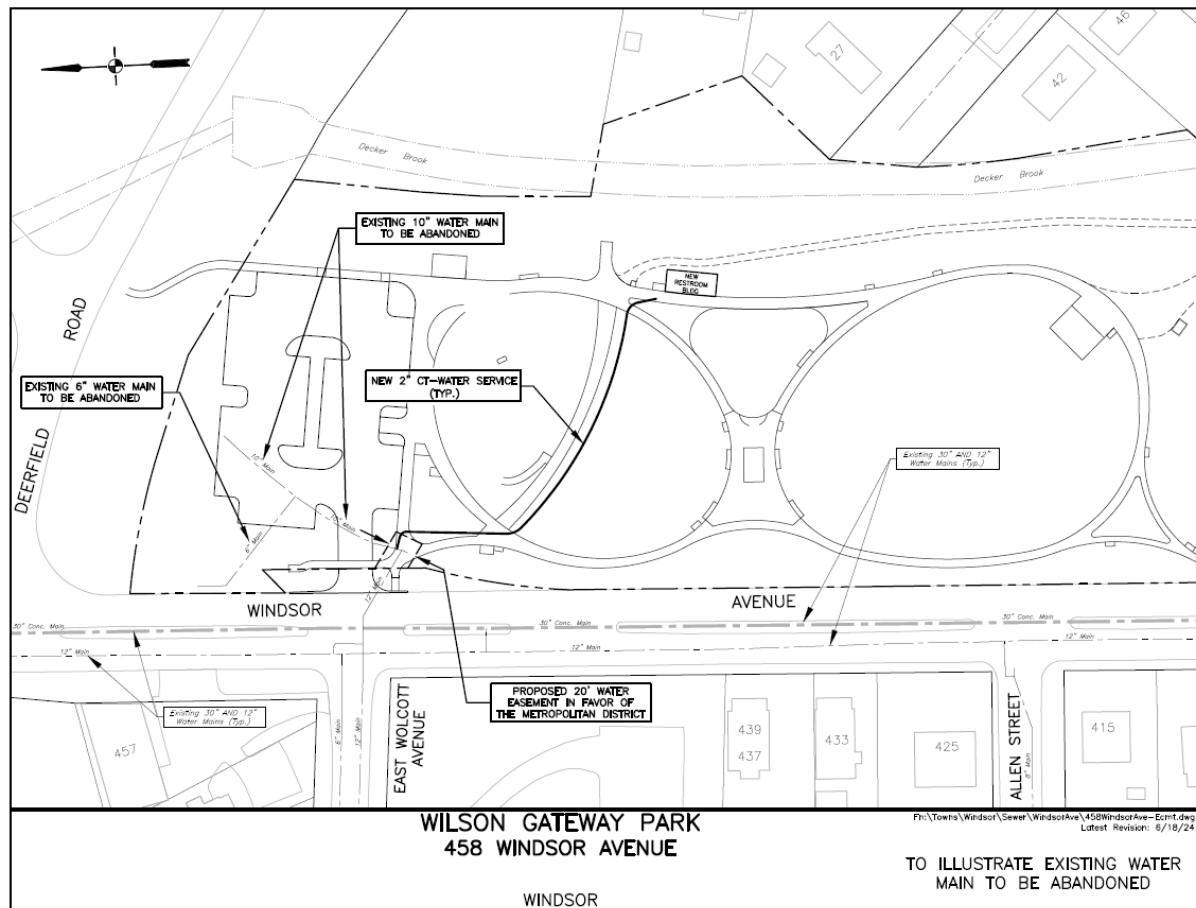
All mentioned water lines appear on the Water Bureau Map, The Metropolitan District, Hartford, Connecticut, Deerfield Road, Windsor dated 4-12-1955, scale 1"=40'.

Please let me know if you need further information. I appreciate your review and assistance.

Sincerely,

Suzanne Choate, P.E.
Town Engineer
Town of Windsor
275 Broad Street
Windsor, CT 06095

Cc: Jennifer Ottalagana, P.E., MDC



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

**WATER BUREAU
WATER TANKS EASEMENT TO
AQUARIUM WATER COMPANY OF CONNECTICUT
INDUSTRIAL PARK ROAD, NEW HARTFORD, CT**

To: District Board

July 1, 2024

From: Water Bureau

On August 9, 2023, The State of Connecticut Public Utilities Regulatory Authority approved the transfer of the New Hartford, Connecticut ("New Hartford") Water and Wastewater System Assets to Aquarion Water Company of Connecticut. As part of this transfer an existing lease of two (2) water tanks (collectively, the "Tanks") from The Metropolitan District ("MDC"), as landlord, to New Hartford, as tenant, was assigned to Aquarion (the "Lease"). The Lease will expire on October 19, 2024, and Aquarion has requested that MDC grant to Aquarion an easement for the Tanks. In connection with this request, Aquarion has agreed to pay \$41,375.00 to MDC for the easement.

At a meeting of the Water Bureau held on June 26, 2024, it was:

VOTED: That the Water Bureau of The Metropolitan District recommends to the District Board passage of the following resolution:

RESOLVED: That the Chief Executive Officer is hereby authorized to execute an easement for the Tanks to Aquarion Water Company of Connecticut upon and subject to the above enumerated terms and conditions, and such other terms and conditions that the District Counsel shall deem appropriate and in the best interests of the MDC;

and be it further

RESOVLED: That no entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Chief Executive Officer fail to execute the aforementioned easement; it being the intention of the District Board that all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the parties executing such easement, which are in form and substance, acceptable to the Chief Executive Officer and the District Counsel.

Respectfully submitted,



John S. Mirtle
District Clerk

On motion made by Commissioner Gale and duly seconded, the report was received and resolution adopted by unanimous vote of those present. Commissioner Healy abstained from consideration and vote. He stated for the record that he represented Aquarion on a recent matter.

Commissioner Hoffman made a motion to approve agenda items #10A "Encroachment Agreement – Clover Street Park, Windsor" and #10B "Encroachment Agreement – 923 Windsor Avenue, Windsor" and #10C "Encroachment Agreement – 2180 Berlin Turnpike, Wethersfield" together.

**BUREAU OF PUBLIC WORKS
CLOVER STREET PARK, WINDSOR ENCROACHMENT AGREEMENT**

To: District Board

July 1, 2024

From: Bureau of Public Works

In a letter dated April 19, 2024, Mr. Robert S. Newton, P.E., Senior Project Manager at BSC Group, on behalf of the Town of Windsor, owner of the above-referenced property ("Owner"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's existing 20-foot-wide Deckers Brook Trunk Sewer easement or right-of-way, encompassing an existing 15-inch sanitary trunk sewer and its appurtenant infrastructure (collectively, the "Sewer"), situated on the Property ("ROW") for the purpose of constructing and installing site improvements for and in connection with the Clover Street Park Revitalization Project (the "Project").

The proposed work for the Project entails (i) removal of topsoil, filling of up to 2 feet of fill, with loaming and seeding, (ii) installation of new cricket pitch, (iii) installation of new 3-inch underdrainage system, (iv) installation of new 12-inch drainage piping and catch basins, and (v) removal of existing and installation of new bituminous driveway and parking as shown on the accompanying map (collectively, the "Improvements"). The Sewer was built in 1956 under Contract 56-3, and was rehabilitated in 2010 under Contract 2008-63.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result, provided Owner enters into and executes an encroachment agreement with the MDC, whereby Owner complies with the following conditions and other conditions required hereby.

Owner has agreed to the following conditions in order to satisfy the District's concerns for protection of the Sewer located within the Property and to maintain accessibility along the length of the MDC's ROW:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the Sewer. All heavy construction equipment and materials must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the Sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.

4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC or MDC hired-consultant inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District and a preconstruction meeting shall be held prior to commencing any such activities within the ROW, except in the case of an emergency, in which case notice must be provided to the District as soon as practicable. Such inspector shall have the unilateral right to halt performance of any such work in the event the integrity of the Sewer is in any way threatened as determined by such inspector in his or her sole and absolute discretion.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the Sewer in the areas of the construction prior to and upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the pre- and post-activity condition of the Sewer.
7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which insurance shall remain in force and effect during the performance of any work with in the ROW pursuant to the encroachment contemplated herein.

Staff has reviewed this request and considers it feasible, subject to the terms and conditions herein.

Accordingly, a formal written encroachment agreement shall be entered into and executed by the Owner and the District, which agreement shall include the above conditions and any other conditions set forth herein, and filed on the Town of Windsor Land Records.

At a meeting of the Bureau of Public Works held on June 26, 2024 it was:

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, with the above conditions and subject to approval of form by District Counsel, granting permission to Owner to encroach upon the existing 20-foot sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the Project as

shown on the plan submitted by BSC Group entitled "Clover Street School Field Improvements, Clover Street in Windsor, Connecticut (Hartford County), Proposed Improvements Near MDC Sewer, April 19, 2024, Prepared for Town of Windsor, 275 Broad Street, Windsor, CT 06095", Sheet MDC, and (ii) maintain, repair and replace such Improvements, provided that: (a) the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, (b) Owner shall reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by the District and Owner, and recorded on the Windsor Land Records. In the event that such full execution and recording does not occur within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle

District Clerk



Engineers
Environmental Scientists
Software Developers
Landscape Architects
Planners
Surveyors

www.bscgroup.com

APRIP 19, 2024

Mr. Michael Curley
Manager of Technical Services
The Metropolitan District
555 Main Street, P.O. Box 800
Hartford, CT 06142-080

RE: Clover Street Park Revitalization
Clover Street
Windsor CT 06095

Dear Mr. Curley,

On behalf of the Town of Windsor CT (Town), BSC Group (BSC) would like to request an encroachment permit for the reconstruction of a cricket oval for the community at Clover Street Park. There is a 15" MDC Sanitary Sewer (Deckers Brook Trunkline) that is located across the field from west to east (from I-91 – Clover Street). No record of an easement in favor of the MDC has been found on town records.

The proposed improvements to the existing cricket field include the importing of well-draining material, installation of an underdrain system, improvements to the pitch, additional parking, and the replacement of the restroom facility.

Construction activities within 20' of the MDC trunkline will include:

- Removal of Topsoil
- Earthwork inclusive of importing fill (1-2 feet within the area of trunkline)
- Installation of new cricket pitch
- Installation of new underdrainage system.
- Installation of new drainage piping and catch basins.
- Removal of existing driveway
- Installation of new bituminous driveway and associated parking.
- Installation of temporary erosion controls during construction
- Loaming and seeding

Long-term maintenance activities within the easement will include:

- Mowing and other horticultural practices to maintain turf. Currently, fertilizer and other turf chemicals are not proposed for use.

A detailed drawing showing the improvements is included in Attachment 1.

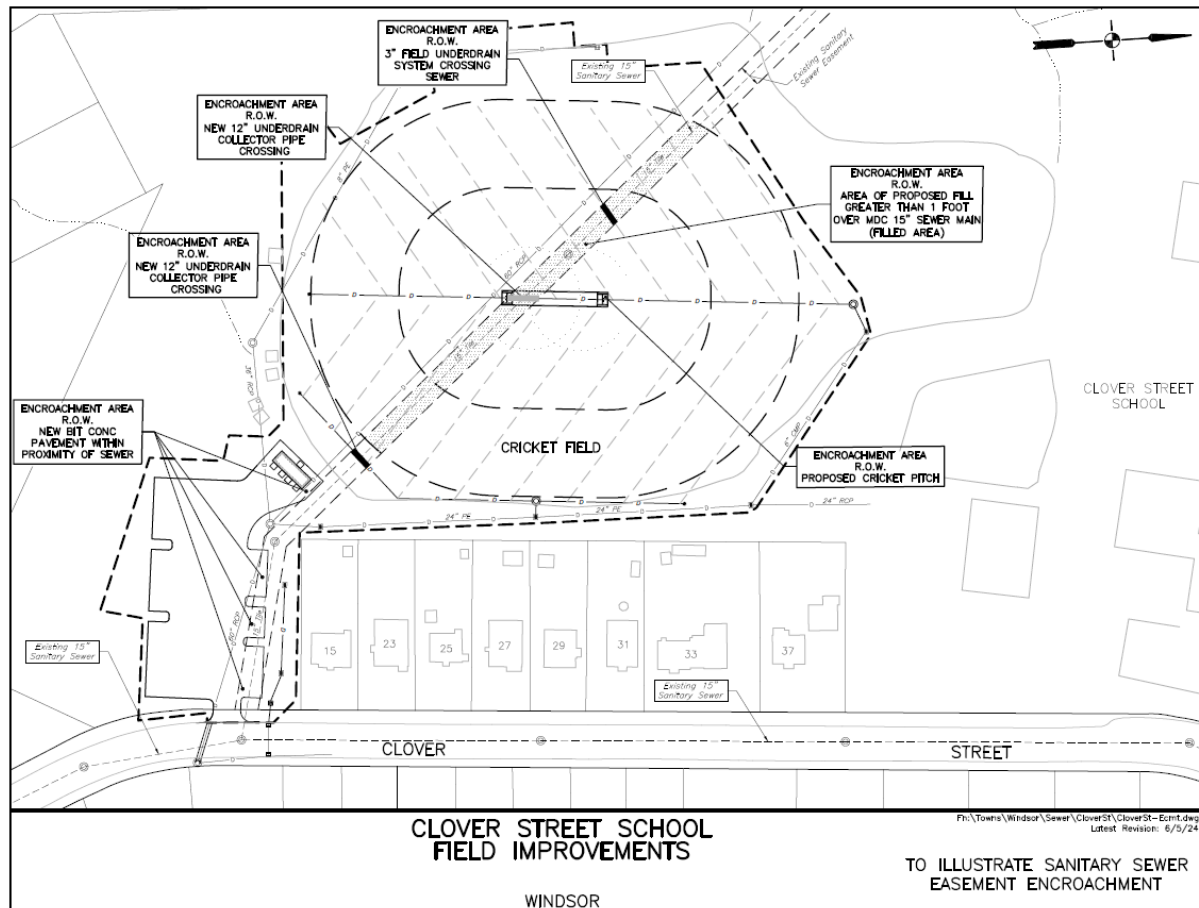
Please consider this a formal request for a permanent encroachment permit to develop and maintain site improvements within the vicinity of the MDC sanitary sewer trunk line. Please do not hesitate to contact me with any comments or questions regarding this request.

Best Regards,

Robert S. Newton, P.E.
Senior Project Manager

encl: Topographic Survey; Grading Drainage and Utility Plan
CC: Frank Vacca – BSC; Suzanne Choate – Town of Windsor

855 Winding Brook Drive / Glastonbury, CT 06033 / 860-852-8227



**BUREAU OF PUBLIC WORKS
923 WINDSOR AVENUE, WINDSOR ENCROACHMENT AGREEMENT**

To: District Board

July 1, 2024

From: Bureau of Public Works

In a letter dated July 20, 2023, Gregory Robertson (“Owner”) current owner of the above-referenced property (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty-foot-wide (20’) sewer easement situated on the Property (the “Easement”) for the purpose of installing a gas service line for 11 Woody Brook Road, Windsor. Both properties, 923 Windsor Avenue and 11 Woody Brook Road, are owned by Gregory Robertson and abut each other, as shown on the attached map (the “Map”).

The proposed work entails installing a ¾-inch gas service line through the property of 923 Windsor Avenue to serve the property located at 11 Woody Brook Road within the Easement as shown on the Map (the “Improvements”). The proposed line will be installed approximately 3-feet deep with minimal earthwork above the MDC’s existing eight-inch (8”) styrene plastic sanitary sewer and its appurtenances situated within the Easement (collectively, the “Sewer”) with a minimum of two- and one-half feet (2.5’) of vertical clearance between this Sewer and such line, and the grades will

not change. Eversource will require a fifteen-foot-wide (15') easement (centered on this line) which will overlap perpendicularly with the Easement (the "Eversource Easement"). The Sewer was built in 1964 and the Easement was acquired by the MDC through the Layout for Sanitary Sewers in Private Lands West of Windsor Avenue, Windsor, Near Scarborough Road and Woodybrook Road, Certificate of Certain Rights Acquired for Proposed Sewer, Bureau of Public Works, Volume 196, Page 546.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result, provided Owner enters into and executes an encroachment agreement with the MDC, whereby Owner complies with the following conditions and other conditions required hereby.

Owner has agreed to the following conditions in order to satisfy the District's concerns for protection of the Sewer located within the Property and to maintain accessibility along the length of the MDC's ROW:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the Sewer. All heavy construction equipment and materials must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the Sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.
4. An MDC or MDC hired-consultant inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District and a preconstruction meeting shall be held prior to commencing any such activities within the ROW, except in the case of an emergency, in which case notice must be provided to the District as soon as practicable. Such inspector shall have the unilateral right to halt performance of any such work in the event the integrity of the Sewer is in any way threatened as determined by such inspector in his or her sole and absolute discretion.

Staff has reviewed this request and considers it feasible, subject to the terms and conditions herein.

Accordingly, a formal written encroachment agreement shall be entered into and executed by the Owner and the District, which agreement shall include the above conditions and any other conditions set forth herein, and filed on the Town of Windsor Land Records.

At a meeting of the Bureau of Public Works held on June 26, 2024 it was:

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, with the above conditions and subject to approval of form by District Counsel, granting permission to Owner to encroach upon the existing 20-foot sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the Project as shown on the plan submitted by Gregory Robertson entitled "Property/Lot Line Revision Prepared for Gregory Robertson, Windsor Avenue & Woody Brook Road, Windsor, Connecticut, Scale: 1" = 30', Date: 10/31/2022, Drawn By: MLE, Checked By: JEJ, Jones Engineering LLC, Civil Engineering & Land Surveying, 962 Savage Street, P.O. Box 249, Southington, CT 06489", Sheet Number 1 of 1, and (ii) maintain, repair and replace such Improvements, provided that: (a) the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, (b) Owner shall reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by the District and Owner, and recorded on the Windsor Land Records. In the event that such full execution and recording does not occur within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink, reading "John S. Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle
District Clerk

July 20, 2023

Mr. Michael Curley, Manager of Technical Services
The Metropolitan District
Engineering & Planning
555 Main Street Hartford, CT 06103

RE: 923 Windsor Ave. Windsor (Easement)

Easement Encroachment Permit Request

Good day MDC's Engineering team,

I would like to request an Easement Encroachment Permit for the above-mentioned property. We are currently clearing an easement with EverSource Gas, to install a gas service through the property of 923 Windsor Ave. Windsor, CT. 06095. The purpose of the request is to service an adjacent property, which is located at 11 Woody Brook Rd, rear of 923 Windsor Ave. The existing gas main is located within Windsor Ave., (route 159). The EverSource gas construction team surveyed the site and determined a gas service can be provided to serve 11 Woody Brook Rd., by way of the rear of both properties. The existing MDC main sewer easement in the rear of 923 Windsor Ave. runs from Woody Brook Rd to the property next door which is 919 Windsor Ave. The main sewer services the two (2) Windsor Ave properties, 919 & 923 only. The construction activities within the MDC easement will consist of installing a ¾" gas service line, approximately 3' deep within an approximate 6' section of the MDC easement in the rear of 923 Windsor Ave. EverSource gas construction team will perform the installation and restoration of the site, back to its original position.

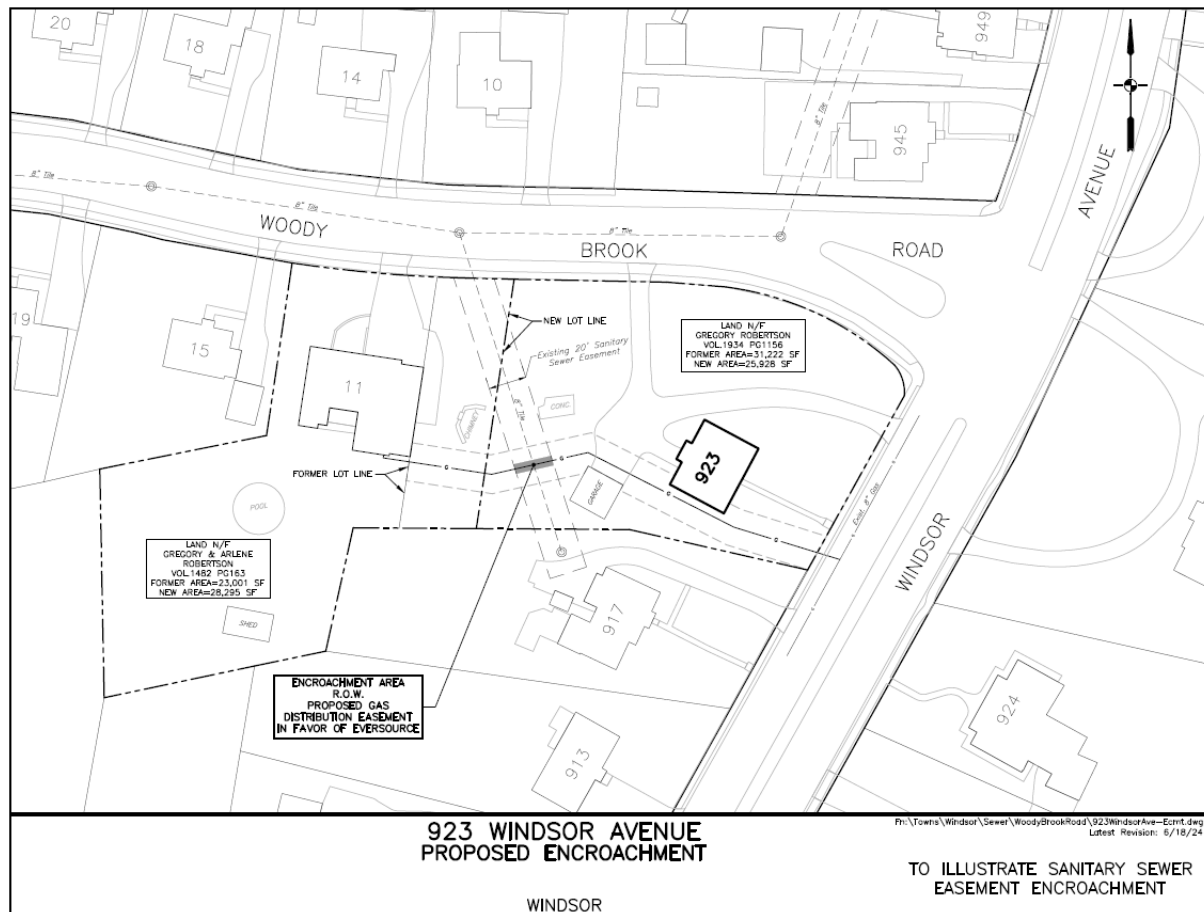
A sketch of the property and proposed work site is attached.

Please consider this a formal request for a permanent encroachment permit to install a gas service line within the MDC easement.

Respectfully,



Gregory Robertson, (properties owner)
11 Woody Brook Rd, Windsor CT 06095
Cell: 860-471-1507
email: Gcowboys62@gmail.com



BUREAU OF PUBLIC WORKS 2180 BERLIN TURNPIKE, WETHERSFIELD ENCROACHMENT AGREEMENT

To: District Board

July 1, 2024

From: Bureau of Public Works

In a letter dated January 25, 2024, Jason Montagno, P.E., of Solli Engineering, on behalf of Stack-N-Stor Wethersfield LLC, (“Owner”) owner of the above-referenced property (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty-foot-wide (20’) sewer easement situated on the Property (the “Easement”) for the purpose of constructing and installing site improvements for and in connection with a proposed self-storage development project, as shown on the attached map (the “Map”).

The proposed work for the Project entails (i) removal of topsoil, installation of fill varying from 3 feet to 11 feet, (ii) installation of curbing and guardrail, (iii) installation of electrical, telecom and cable conduits, (iv) installation of new natural gas service, (v) installation of water services and sanitary sewer lateral, (vi) installation of new 18” HDPE drainage piping, and (vii) installation of new bituminous driveway and parking as shown on the accompanying map (collectively, the “Improvements”). The eight-inch (8”) PVC sanitary sewer and its appurtenances situated within the Easement

(collectively, the “Sewer”) was built in 1985 and the Easement acquired by the MDC through Contract 85-55 known as “Berlin Turnpike North of Prospect St. #2, Newington-Wethersfield”.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result, provided Owner enters into and executes an encroachment agreement with the MDC, whereby Owner complies with the following conditions and other conditions required hereby.

Owner has agreed to the following conditions in order to satisfy the District’s concerns for protection of the Sewer located within the Property and to maintain accessibility along the length of the MDC’s ROW:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the Sewer. All heavy construction equipment and materials must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the Sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.
4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner’s expense, an appropriately sized bypass pump and appurtenances.
5. An MDC or MDC hired-consultant inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District and a preconstruction meeting shall be held prior to commencing any such activities within the ROW, except in the case of an emergency, in which case notice must be provided to the District as soon as practicable. Such inspector shall have the unilateral right to halt performance of any such work in the event the integrity

of the Sewer is in any way threatened as determined by such inspector in his or her sole and absolute discretion.

6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the Sewer in the areas of the construction prior to and upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the pre- and post-activity condition of the Sewer.
7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which insurance shall remain in force and effect during the performance of any work with in the ROW pursuant to the encroachment contemplated herein.

Staff has reviewed this request and considers it feasible, subject to the terms and conditions herein.

Accordingly, a formal written encroachment agreement shall be entered into and executed by the Owner and the District, which agreement shall include the above conditions and any other conditions set forth herein, and filed on the Town of Newington/Wethersfield Land Records.

At a meeting of the Bureau of Public Works held on June 26, 2024 it was:

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, with the above conditions and subject to approval of form by District Counsel, granting permission to Owner to encroach upon the existing 20-foot sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the Project as shown on the plan submitted by Solli Engineering entitled "Stack-N-Stor, 2176 & 2180 Berlin Turnpike, Newington/Wethersfield, CT, Utility Plan" Rev. #3 Date 01/25/24, Final Filing, Sheet #2.51, and (ii) maintain, repair and replace such Improvements, provided that: (a) the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, (b) Owner shall reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by the District and Owner, and recorded on the Newington/Wethersfield Land Records. In the event that such full execution and recording does not occur within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,



John S. Mirtle
District Clerk



January 25, 2024

Mr. Michael Curley, Manager of Technical Services
The Metropolitan District
Engineering & Planning
555 Main Street
P.O. Box 800
Hartford, CT 06142-0800

**RE: Encroachment Permit Request
2176 & 2180 Berlin Turnpike
Newington/Wethersfield, Connecticut
Solli Project Number: 22104401**

Dear Mr. Curley,

On behalf of the Applicant, Stack-N-Stor Wethersfield LLC, please except this request for an encroachment permit for the proposed self-storage facility located at 2176 & 2180 Berlin Turnpike in Newington/Wethersfield, CT. The project features the construction of an 84,920± SF self-storage facility, 5,000± SF of outdoor storage and associated site improvements, grading and drainage, utility work, landscaping, and lighting. The proposed project is located on approximately 11.40 acres of land east of the Berlin Turnpike and south of Lifeway Church. The portion of the project that will require an encroachment permit from The MDC is located at the northwestern corner of the site. The development is anticipated to begin construction in the spring of 2024.

Construction activities within the MDC Easement include:

- Clearing & grubbing
- Earth moving (excavation & fill)
- Installation of utility and stormwater system infrastructure
- Installation of bituminous concrete roadway and curbing

Detailed plans for all proposed construction within the MDC easement are enclosed with this letter. Please accept this letter as a formal request for a permanent encroachment permit. If you have any comments or questions, please provide them at your earliest convenience. We look forward to working with you on the application.

Respectfully,

Solli Engineering, LLC



Jason Montagno, P.E.
Senior Project Engineer

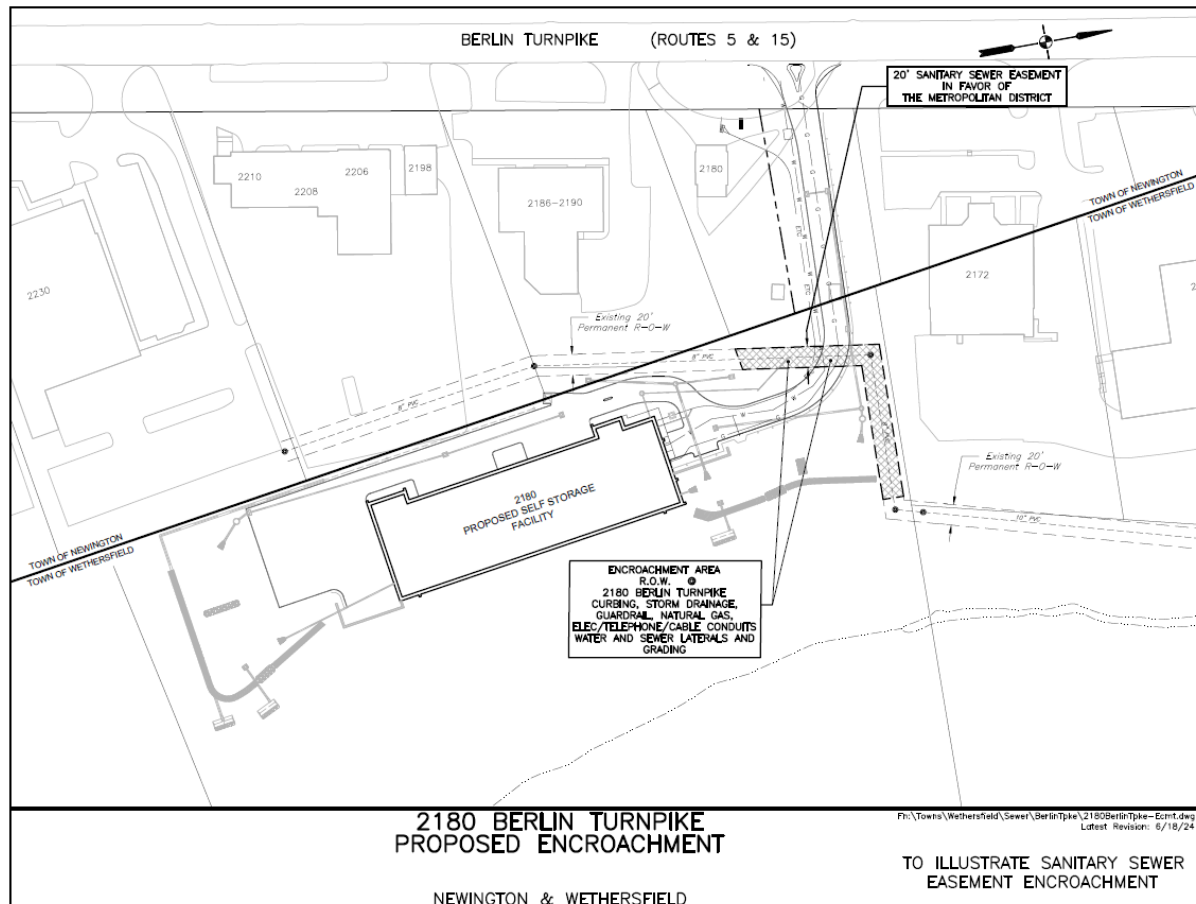
**Enclosures:**

Sewer Encroachment Map
Sanitary Profile
Civil Design Plans

CC:

Cosmo Marfione, The BDC Group
Shane Reynolds, The BDC Group
Jack Esler, The BDC Group
Jennifer Ottalagana, The Metropolitan District

X:\SE Files\Project Data\2022\22104401 - 2180 Berlin Turnpike - Wethersfield, CT\Office Data\Correspondence\2024-01-25 Encroachment Request Letter.docx



On motion made by Commissioner Hoffman and duly seconded, the reports for agenda items #10A “Encroachment Agreement – Clover Street Park, Windsor” and #10B “Encroachment Agreement – 923 Windsor Avenue, Windsor” and #10C “Encroachment Agreement – 2180 Berlin Turnpike, Wethersfield” were received and resolutions adopted by unanimous vote of those present.

Commissioner Salemi made a motion to approve agenda items #11A “Authorization for Issuance & Sale of General Obligation Bonds in an Amount not to exceed \$85,000,000”, #11B “Authorization for Issuance & Sale General Obligation Bonds in an amount not to exceed \$25,000,000”, #11C “Reallocation of Bond Proceeds in the amount of \$14,757,000”, #11D “Authorization for Issuance & Sale of Revenue Bonds for the Integrated Plan in an Amount not to exceed \$40,000,000” together.

**BOARD OF FINANCE
RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL
OBLIGATION BONDS OF THE METROPOLITAN DISTRICT IN AN AMOUNT NOT
TO EXCEED \$85,000,000**

To: District Board

July 1, 2024

From: Board of Finance

At a meeting of the Board of Finance held on June 24, 2024, it was:

VOTED: That the Board of Finance recommends to the District Board adoption of the following resolution:

BE IT RESOLVED:

SECTION 1. The Metropolitan District (the “**District**”) General Obligation Bonds (the “**Bonds**”) in an amount not to exceed \$85,000,000, are hereby authorized to be issued to: (a) fund Capital Improvement Projects (the “**Projects**”) and (b) pay certain costs of issuance for the Bonds. The Bonds are authorized to be issued to fund such portion of the authorized and unissued balances of the capital appropriations contained in certain bond resolutions adopted to finance capital budget items enacted by the District Board, and for such Projects as determined by the Chairman, or in his absence, the Vice Chairman, and the District Treasurer, or in his absence the Deputy Treasurer (the “**Authorized Officers**”). Proceeds of the Bonds shall be used to finance the expenditures for any of the purposes or Projects and for any supplemental purposes or projects the Board of Finance and the District Board may from the date hereof authorize to be financed by the issuance of bonds.

SECTION 2. The Bonds shall have maturity dates in accordance with the Connecticut General Statutes, as amended, and shall bear interest payable semiannually each year until maturity and be issued in fully registered form. The Bonds shall be payable at and certified by U.S. Bank Trust Company, National Association, which bank shall also serve as certifying, registrar, paying and transfer agent for the Bonds. The Bonds may be sold as a single issue or consolidated with any other authorized issues of bonds of the District. The Bonds shall be sold by the District Treasurer, or in his absence, the Deputy Treasurer, in one or more competitive offerings or negotiated offerings, in the discretion of the District Treasurer, or in his

absence, the Deputy Treasurer. If sold in one or more competitive offerings, the Bonds shall be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost to the District, and in no case for a sum less than par and accrued interest to the date of delivery, and the District Treasurer, or in his absence the Deputy Treasurer, is hereby authorized to determine the principal amount to be issued, the principal amount to mature in each year, the optional redemption date(s) and redemption premium(s), if any, and the rate or rates of interest on the Bonds, and deliver the Bonds to the purchaser(s) thereof in accordance with this resolution. If sold in one or more negotiated offerings, the Authorized Officers are authorized to negotiate, execute and deliver one or more bond purchase agreements for the Bonds setting forth all the terms and conditions of the sale in such form as they shall deem necessary and appropriate, and deliver the Bonds to the purchaser(s) thereof in accordance with this resolution.

SECTION 3. The Authorized Officers are authorized to prepare and distribute a Preliminary Official Statement and a final Official Statement of the District for use in connection with the offering and sale of the Bonds and are further authorized to execute and deliver a Continuing Disclosure Agreement in connection with the issuance and sale of the Bonds on behalf of the District in such form as they shall deem necessary and appropriate.

SECTION 4. The Bonds shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Authorized Officers, bear the District seal or a facsimile thereof, and be approved as to their legality by Shipman & Goodwin LLP, Bond Counsel to the District. The Authorized Officers are authorized to execute and deliver a Tax Certificate and Tax Compliance Agreement on behalf of the District in such forms as they shall deem necessary and appropriate, and to rebate to the federal government such amounts as may be required pursuant to the Tax Certificate for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended. The Authorized Officers are authorized to execute and deliver any and all agreements and documents necessary to effect the issuance and sale of the Bonds in accordance with the terms of this resolution. The Authorized Officers are authorized to execute and deliver on behalf of the District any documents or instruments necessary or desirable for the issuance of the Bonds.

SECTION 5. That the District hereby declares its official intent under Treasury Regulation Section 1.150-2 of the Internal Revenue Code of 1986, as amended, that project costs may be paid from temporary advances of available funds and that the District reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized for the Projects.

Respectfully submitted,



John S. Mirtle
District Clerk

BOARD OF FINANCE
RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL
OBLIGATION REFUNDING BONDS OF THE METROPOLITAN DISTRICT IN AN
AMOUNT NOT TO EXCEED \$25,000,000

To: District Board

July 1, 2024

From: Board of Finance

At a meeting of the Board of Finance held on June 24, 2024, it was:

VOTED: That the Board of Finance recommends to the District Board adoption of the following resolution:

BE IT RESOLVED:

SECTION 1. General Obligation Refunding Bonds of The Metropolitan District (the “**District**”) in a principal amount not exceeding \$25,000,000 (the “**Bonds**”) are hereby authorized to be issued, and the proceeds thereof appropriated, in such amount or in such lesser amount as shall be necessary to refund all or any portion of the District’s outstanding general obligation bonds, including, but not limited to, the District’s outstanding General Obligation Bonds, Series 2014A, dated and issued July 16, 2014 (the “**Refunded Bonds**”) as determined by the Chairman, or in his absence, the Vice Chairman, and the District Treasurer, or in his absence the Deputy Treasurer (the “**Authorized Officers**”). The Bond proceeds may be expended to fund the escrow account provided for in Section 3 hereof, to pay an underwriter’s discount on the Bonds and to pay all costs of issuance related to the Bonds.

SECTION 2. The Bonds shall have maturity dates in accordance with the Connecticut General Statutes, as amended, and shall bear interest payable semiannually each year until maturity and be issued in fully registered form. The Bonds shall be payable at and certified by U.S. Bank Trust Company, National Association, which bank shall also serve as registrar, certifying, paying, escrow and transfer agent for the Bonds. The Bonds may be sold as a single issue or consolidated with any other authorized issues of bonds of the District. The Bonds shall be sold by the District Treasurer, or in his absence, the Deputy Treasurer, in one or more competitive offerings or negotiated offerings, in the discretion of the District Treasurer, or in his absence, the Deputy Treasurer. If sold in one or more competitive offerings, the Bonds shall be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost to the District, and in no case for a sum less than par and accrued interest to the date of delivery, and the District Treasurer, or in his absence the Deputy Treasurer, is hereby authorized to determine the principal amount to be issued, the principal amount to mature in each year, the optional redemption date(s) and redemption premium(s), if any, and the rate or rates of interest on the Bonds, and deliver the Bonds to the purchaser(s) thereof in accordance with this resolution. If sold in one or more negotiated offerings, the Authorized Officers are authorized to negotiate,

execute and deliver one or more bond purchase agreements for the Bonds setting forth all the terms and conditions of the sale in such form as they shall deem necessary and appropriate, and deliver the Bonds to the purchaser(s) thereof in accordance with this resolution.

SECTION 3. The net proceeds from the sale of the Bonds, after payment of underwriter's discount and other costs of issuance, may be deposited in an irrevocable escrow account and invested in a portfolio of non-callable direct obligations of, or obligations guaranteed by, the United States of America, including United States Treasury State and Local Government Series ("**SLGS**") securities, Federal National Mortgage Association ("**FNMA**") securities and any other securities permitted by Section 7-400 of the Connecticut General Statutes, all of which shall not be callable or prepayable at the option of the issuer thereof (the "**Government Obligations**") in an amount sufficient to pay at maturity, or to redeem at the redemption price prior to maturity, the Refunded Bonds. The District Treasurer, or in his absence, the Deputy Treasurer, are authorized to appoint a verification agent to verify the sufficiency of the Government Obligations and to execute and deliver any and all escrow and related agreements necessary to provide for the payment when due of the principal of and interest on and the redemption premium, if any, on the Refunded Bonds.

SECTION 4. The Authorized Officers are authorized to prepare and distribute a Preliminary Official Statement and a final Official Statement of the District for use in connection with the offering and sale of the Bonds and are further authorized to execute and deliver a Continuing Disclosure Agreement in connection with the issuance and sale of the Bonds on behalf of the District in such form as they shall deem necessary and appropriate.

SECTION 5. The Bonds shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Authorized Officers, bear the District seal or a facsimile thereof, and be approved as to their legality by Shipman & Goodwin LLP, Bond Counsel to the District. The Authorized Officers are authorized to execute and deliver a Tax Certificate and Tax Compliance Agreement on behalf of the District in such forms as they shall deem necessary and appropriate, and to rebate to the federal government such amounts as may be required pursuant to the Tax Certificate for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended. The Authorized Officers are authorized to execute and deliver on behalf of the District any documents or instruments necessary or desirable for the issuance of the Bonds and the refunding of the Refunded Bonds.

SECTION 6. The Bonds, or any portion thereof, may bear interest which is includable in the gross income of holders thereof for Federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended, as the issuance of such taxable bonds is hereby determined to be in the public interest.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Mittle". The signature is written in a cursive, flowing style.

John S. Mirtle
District Clerk

**BOARD OF FINANCE
REALLOCATION OF PROCEEDS OF CERTAIN GENERAL OBLIGATION BONDS
OF THE METROPOLITAN DISTRICT**

To: District Board

July 1, 2024

From: Board of Finance

Staff is seeking authority for the District to reallocate \$14,757,000 of proceeds originally secured from the below three debt issues:

1. A total of \$236,000 of the District's \$110,770,000 General Obligation Bonds, Issue of 2018, dated July 31, 2018 from the capital improvement projects set forth on Exhibit A-1 (attached hereto) to the capital improvement projects set forth on Exhibit A-1;
2. A total of \$12,849,000 of the District's \$130,810,000 General Obligation Bonds, Issue of 2021, Series A, dated August 31, 2021 from the capital improvement projects set forth on Exhibit A-2 (attached hereto) to the capital improvement projects set forth on Exhibit A-2; and
3. A total of \$1,672,000 of the District's \$75,730,000 General Obligation Bonds, Issue of 2023, dated August 10, 2023 from the capital improvement projects set forth on Exhibit A-3 (attached hereto) to the capital improvement projects set forth on Exhibit A-3.

At a meeting of the Board of Finance held on June 24, 2024, it was:

Voted: That the Board of Finance recommends to the District Board passage of the following resolution:

BE IT RESOLVED:

**RESOLUTION AUTHORIZING THE REALLOCATION OF PROCEEDS OF
CERTAIN GENERAL OBLIGATION BONDS OF THE METROPOLITAN DISTRICT**

Proceeds from certain of the District's General Obligation Bonds are hereby reallocated as follows:

1. Proceeds from the District's \$110,770,000 General Obligation Bonds, Issue of 2018, dated July 31, 2018 from the capital improvement projects set forth on

Exhibit A-1 (attached hereto) to the capital improvement projects set forth on Exhibit A-1;

2. Proceeds from the District's \$130,810,000 General Obligation Bonds, Issue of 2021, Series A, dated August 31, 2021 from the capital improvement projects set forth on Exhibit A-2 (attached hereto) to the capital improvement projects set forth on Exhibit A-2; and

3. Proceeds from the District's \$75,730,000 General Obligation Bonds, Issue of 2023, dated August 10, 2023 from the capital improvement projects set forth on Exhibit A-3 (attached hereto) to the capital improvement projects set forth on Exhibit A-3.

Respectfully submitted,



John S. Mirtle
District Clerk

EXHIBIT A-1

District's \$110,770,000 General Obligation Bonds, Issue of 2018,
dated July 31, 2018

BOND	TYPE	FROM	DESCRIPTION	AMOUNT	TO	DESCRIPTION	AMOUNT
I. Reallocated from the 2018 GO Bond Sewer							
	Sewer	C-17008	2017 Hartford WPCF DAFT	(236,000)	C-15012	2015 Hartford WPCF DAFT 1 & 2 (SPB Solids)	236,000
			Total 2018 GO Bond Reallocations	(236,000)			236,000

EXHIBIT A-2

District's \$130,810,000 General Obligation Bonds, Issue of 2021, Series A,
dated August 31, 2021

BOND	TYPE	FROM	DESCRIPTION	AMOUNT	TO	DESCRIPTION	AMOUNT
II. Reallocated from the 2021 GO Bond Sewer							
	Sewer	C-20038	2020 Water Pollution Control Facilities Infrastructure Rehabilitation, Upgrades and Replacements	(5,800,000)	C-24S01	2024 General Purpose Sewer	67,000
					C-99P23	2023 Paving Program & Restoration	182,000
					C-99P21	2021 Paving Program and Restoration	236,000
					C-20044	2020 General Purpose Sewer Program	2,036,000
					C-20012	2020 Hartford Large Diameter Sewer Rehabilitation – Phase I	2,058,000
					C-15012	2015 Hartford WPCF DAFT 1 & 2 (SPB Solids)	142,000
					C-12007	2012 Hartford WPC Solids Handling & Processing	1,071,000
					C-22012	2022 Easement Sewer Lining Program - Phase 1	8,000
	Sewer	C-20001	2020 Levee Protection System, East Hartford and Hartford	(1,488,000)	C-20005	2020 Water Pollution Control Facilities Infrastructure Rehabilitation, Upgrades and Replacements	1,963,000

	C-21001	2021 Northern Interceptor Sewer Rehabilitation/Replacement, East Hfd	(283,000)			
	C-15025	2015 Sewer Rehabilitation Program	(192,000)			
Sewer	C-21003	2021 Large Diameter Sewer Cleaning Program	(1,244,000)	C-21005	2021 Various Sewer Pipe Replacement/Rehabilitation Program	5,000
				C-14019	2014 Levee Protection System Improvements, East Hartford and Hartford	98,000
				C-15024	2015 Sanitary Sewer Easements Acquisitions & Improvements	141,000
				C-99P20	2020 Paving Program and Restoration	1,000,000
Sewer	C-20037	2020 Water Pollution Control Facilities Infrastructure Rehabilitation, Upgrades and Replacements	(1,102,000)	C-22012	2022 Easement Sewer Lining Program - Phase 1	2,977,000
	C-19014	2019 Oakwood Avenue Area Sewer Replacement - Phase I	(928,000)			
	C-21004	2021 Sanitary Sewer Repair and Rehabilitation Program	(624,000)			
	C-17007	2017 WPC SCADA Upgrades	(213,000)			
	C-17012	2017 Sewer System Gate Replacement - Collection System	(110,000)			
Sewer	C-18005	2018 WPC Infrastructure Rehabilitation, Upgrades & Replacements	(844,000)	C-99P18	2018 Paving Program & Restoration	56,000
				C-20046	2020 Sewer Rehabilitation Program	247,000
				C-10007	2010 WPC Electrical Systems Modernization Program	541,000
	C-11004	2011 WPC Renewal & Replacements	(21,000)	C-13008	2013 WPC Plant Infrastructure Renewal and Replacements	9,000
				C-99P24	2024 Paving Program & Restoration	12,000
		Total 2021 GO Bond	(12,849,000)			12,849,000

EXHIBIT A-3

District's \$75,730,000 General Obligation Bonds, Issue of 2023,
dated August 10, 2023

BOND	TYPE	FROM	DESCRIPTION	AMOUNT	TO	DESCRIPTION	AMOUNT
III. Reallocated from the 2023 GO Bond Combined							
	Combined	C1H05	2023 Technical Services Staffing	(829,000)	C1H03	2024 Engineering Services	1,544,000
		C1H03	2023 Engineering Services Staffing	(715,000)			
	Combined	C1H04	2023 Construction/Inspection Services Staffing	(128,000)	C1H04	2024 Construction Services	128,000
			Total 2023 GO Bond Reallocations	(1,672,000)			1,672,000
			Grand Total Reallocations	(14,757,000)			14,757,000

**BOARD OF FINANCE
RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR NEW
MONEY FOR INTEGRATED PLAN PROJECTS**

To: District Board July 1, 2024

From: Board of Finance

At a meeting of the Board of Finance held on June 24, 2024, it was:

VOTED: That the Board of Finance recommends to the District Board adoption of the following resolution:

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING
\$40,000,000 REVENUE BONDS FOR INTEGRATED PLAN PROJECTS OF THE
METROPOLITAN DISTRICT, THE EXECUTION AND DELIVERY OF A
SUPPLEMENT TO THE SPECIAL OBLIGATION INDENTURE OF TRUST, AND
RELATED AGREEMENTS**

WHEREAS, the Metropolitan District (the "**District**") has entered into a consent decree of the United States District Court of the District of Connecticut, 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 "U.S. Consent Decree"), and a consent order and a general permit for nitrogen discharges, and existing municipal national pollutant discharge elimination system permits of the State of Connecticut Department of Energy and Environmental Protection,

formerly the State of Connecticut Department of Environmental Protection (“**CDEP**”) entered into by and between the District and the Commissioner of the CDEP (the “**Connecticut Consent Order**” and together with the U.S. Consent Decree, the “**Governmental Orders**”), including, but not limited to the obligation to provide for (i) the rehabilitation and reconstruction of portions of the District’s sanitary sewer systems, (ii) the renovation of the combined sewer system, (iii) improvements to water pollution control facilities, (iv) development of a nitrogen removal program, (v) the separation of sewerage and storm water drainage collection systems, (vi) the construction of additional storage, conveyance and treatment facilities (herein referred to as the “**Project**”);

WHEREAS, the District has by ordinance adopted October 1, 2007 adopted Section S12x of its Ordinances Relating to Sewers, which provides for a Special Sewer Service Charge for customers of the District who utilize the District’s sewer system and are furnished water directly by the District (the “**Special Sewer Surcharge**”), which Special Sewer Surcharge shall be established annually through the District’s budget approval process, shall be uniformly applied to, and be proportional to the quantity of water used by, such customers, and shall be used exclusively for the payment of principal and interest on certain bonds issued or which may be issued and other loans, to finance all costs associated with any and all measures necessary to comply with the Governmental Orders, including the costs of the Project;

WHEREAS, Chapter 103 of the General Statutes, the Municipal Sewerage Act (the “**Municipal Act**”) provides for the issuance of bonds, notes and other obligations by a municipality, including the District, which may be secured as to both principal and interest by a pledge of revenues to be derived from sewerage system use charges, including the Special Sewer Surcharge;

WHEREAS, the District’s Charter, as amended by Special Act 90-27, and as it may be amended from time to time (the “**Charter**” and together with the Municipal Act, the “**Authorizing Acts**”), provides for the issuance of bonds, notes and other obligations by the District, and in connection therewith to enter into reimbursement agreements or similar agreements in connection with credit facilities, including, but not limited to, letters of credit or policies of bond insurance, remarketing agreements and agreements for the purpose of moderating interest rate fluctuations;

WHEREAS, the District proposes to issue special obligation bonds to be secured by a pledge of the Special Sewer Surcharge pursuant to the Authorizing Acts;

WHEREAS, special obligation bonds issued pursuant to the Municipal Act are not subject to the limit on indebtedness of the District provided for in the Charter;

WHEREAS, the District proposes to issue bonds pursuant to the Special Obligation Indenture of Trust dated as of June 1, 2013 (the “**Special Obligation Indenture**”) and a Fifth Supplemental Indenture thereto (the “**Fifth Supplemental Indenture**” and together with the Special Obligation Indenture, the “**Indenture**”) with U.S. Bank Trust Company, National Association, to finance the costs of the Project;

WHEREAS, the Indenture provides for the issuance of the Special Obligation Bonds (the **"Bonds"**) of the District, payable solely from the Special Sewer Surcharge, and other receipts, funds or moneys pledged under the Indenture, if any, and that such Bonds shall be special obligations of the District, payable solely from Pledged Revenues, and other receipts, funds or moneys pledged under the Indenture, and respective supplemental indentures thereto for each series of Bonds;

WHEREAS, the District proposes to issue up to \$40,000,000 of its revenue bonds (the **"2024 New Money Obligations"**) to fund costs of the Project;

WHEREAS, the District intends to prepare a preliminary official statement and final official statement for the purpose of presenting information in connection with the offering and sale of the 2024 New Money Obligations;

WHEREAS, the District proposes to issue and sell the 2024 New Money Obligations to an underwriter or underwriters pursuant to a bond purchase agreement (the **"Contract for Purchase"**), to be negotiated between the District and the underwriters;

WHEREAS, the 2024 New Money Obligations are expected to be issued on terms such that the interest thereon shall be excludable from gross income for federal income tax purposes, and for the purpose of establishing such terms and giving assurance as to future compliance with the Internal Revenue Code of 1986, the District proposes to enter into a Tax Certificate and Tax Compliance Agreement;

WHEREAS, pursuant to Rule 15c2-12 promulgated by the U.S. Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, as part of the offering of the 2024 New Money Obligations the District proposes to enter into a Continuing Disclosure Agreement; and

WHEREAS, capitalized terms not defined herein shall have the meaning ascribed to such terms in the Indenture.

NOW THEREFORE, BE IT RESOLVED, by the District Board as follows:

Section 1. Not exceeding \$40,000,000 revenue bonds of the Metropolitan District, (the **"2024 New Money Obligations"**) are hereby authorized to be issued to fund such portion of the authorized and unissued balances of the capital appropriations for the Project, plus the costs of issuing the 2024 New Money Obligations. The 2024 New Money Obligations shall be dated the date of their delivery, shall mature in annual installments of principal and bear interest semi-annually each year until maturity. The 2024 New Money Obligations shall be payable at and certified by U.S. Bank Trust Company, National Association, which bank shall also serve as registrar and transfer agent for the 2024 New Money Obligations. The Chairman, or in his absence, the Vice Chairman, and the District Treasurer, or in his absence the Deputy Treasurer (the **"Authorized Officers"**) are authorized to execute and deliver one or more Tax Certificates and Tax Compliance Agreements for the 2024 New Money Obligations on behalf of the District in such form as they shall deem necessary and appropriate, and

to rebate to the federal government such amounts as may be required pursuant to the Tax Certificate for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended.

Section 2. The District Board determines it is advisable and in the best interest of the District to authorize, and does hereby authorize, the District to enter into the Fifth Supplemental Indenture to the Special Obligation Indenture and to effect the pledge of the Special Sewer Surcharge as provided for therein, such Fifth Supplemental Indenture to be in the form, or substantially the form, as has been or shall be distributed to the District Board, and authorizes the Authorized Officers to execute and deliver such Fifth Supplemental Indenture in such form, with such further changes and additions as they shall approve, such approval to be conclusively evidenced by the execution and delivery of such Fifth Supplemental Indenture by such Authorized Officers.

Section 3. The District Board also determines to deposit into the Rate Stabilization Fund established under the Indenture and subject to the pledge of the Indenture, all Special Sewer Surcharge revenues of the District which have not heretofore been used by the District to pay indebtedness of the District.

Section 4. The District Board authorizes the use of such preliminary official statement in connection with the public offering of the 2024 New Money Obligations as the Authorized Officers shall deem advisable, and authorizes the Authorized Officers, in the name of the District, to deem the preliminary official statement and such supplements final when appropriate and execute a final official statement and such supplements, and any further amendment or supplement thereto, in connection with and after the sale of the 2024 New Money Obligations.

Section 5. The Authorized Officers are hereby authorized to determine the principal amount, maturities, rate or rates of interest, redemption terms, and the other particulars of the 2024 New Money Obligations, and to deliver the 2024 New Money Obligations to the purchaser thereof in accordance with this resolution. The Authorized Officers are authorized to negotiate, execute and deliver one or more Contracts of Purchase setting forth all the terms of sale of the 2024 New Money Obligations, including the underwriters' discount for such sale, in such form as they shall deem necessary and appropriate. The 2024 New Money Obligations shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Authorized Officers, bear the District seal or a facsimile thereof, and be approved as to their legality by Shipman & Goodwin LLP, Bond Counsel to the District. The Authorized Officers are authorized to execute and deliver a Tax Certificate and Tax Compliance Agreement for the 2024 New Money Obligations issued on a tax-exempt basis on behalf of the District in such form as they shall deem necessary and appropriate, and to rebate to the federal government such amounts as may be required pursuant to the Tax Certificate for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended. The Authorized Officers are authorized to execute and deliver a Continuing Disclosure Agreement and any and all agreements and documents necessary to effect the issuance and sale of the 2024 New Money Obligations in accordance with the terms of this resolution. The Authorized Officers

and other proper officers of the District are hereby authorized to do and perform such acts, and execute and deliver, in the name of the District, such additional instruments, agreements and certificates as they deem necessary or appropriate to carry into effect the intent of the foregoing resolutions, and as shall not be inconsistent with the foregoing resolutions.

Section 6. The District hereby determines and declares, for purposes of Section 7-263 of the Connecticut General Statutes, that the 2024 New Money Obligations are part of a single plan of finance for the purpose of financing the Project, and all prior general obligation bonds of the District (but not any bond anticipation notes issued in anticipation of the issuance of such general obligation bonds) issued for purposes of financing the Project.

Section 7. The District hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations (the “**Regulations**”), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution, or otherwise as may be allowed under the Regulations, in the maximum amount and for the Project with the proceeds of the 2024 New Money Obligations authorized to be issued by the District. The 2024 New Money Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Authorized Officers are authorized to amend such expression of official intent to bind the District pursuant to such changes he deems necessary or advisable to maintain the continued exemption from federal income taxation of interest on the 2024 New Money Obligations.

Section 8. This resolution will take effect immediately.

Respectfully submitted,



John S. Mirtle
District Clerk

On motion made by Commissioner Salemi and duly seconded, the reports for agenda items #11A “Authorization for Issuance & Sale of General Obligation Bonds in an Amount not to exceed \$85,000,000”, #11B “Authorization for Issuance & Sale General Obligation Bonds in an amount not to exceed \$25,000,000”, #11C “Reallocation of Bond Proceeds in the amount of \$14,757,000”, #11D “Authorization for Issuance & Sale of Revenue Bonds for the Integrated Plan in an Amount not to exceed \$40,000,000” were received and resolutions adopted by unanimous vote of those present.

COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS

Commissioner Patel suggested that the Greater Hartford Flood Commission and members need to have a lesson about its history.

Commissioner Healy thanked Nick Salemi and Alex Rodriguez for organizing the water wagon at a recent event in West Hartford.

Commissioner Hoffman stated that the Board has had MS4 and Greater Hartford Flood Commission discussions 2 or 3 times in the past year.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 6:22 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval