

**THE METROPOLITAN DISTRICT COMMISSION**

555 Main Street  
Hartford, Connecticut 06103  
Monday, September 9, 2024

**PRESENT:** Commissioners John Avedisian, Clifford Avery Buell, William A. DiBella, David Drake, Peter Gardow, Joan Gentile, James Healy, Allen Hoffman, Jean Holloway, Gary Johnson, Byron Lester, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, David Steuber, Alvin Taylor, Calixto Torres, and District Chairman Donald Currey (20)

**REMOTE**

**ATTENDANCE:** Commissioners Kyle Anderson, Richard Bush, Esther Clarke, Dimple Desai and Pasquale J Salemi (5)

**ABSENT:** Commissioners Andrew Adil, John Bazzano, John Gale, Christian Hoheb, Mary LaChance, Michael Maniscalco, James Woulfe and New Britain Special Representative Michael Carrier (8)

**ALSO**

**PRESENT:** Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Kelly Shane, Chief Administrative Officer  
Christopher Levesque, Chief Operating Officer  
Robert Barron, Chief Financial Officer  
Jamie Harlow, Director of Human Resources  
Robert Schwarm, Director of Information Services (Remote Attendance)  
Tom Tyler, Director of Facilities  
Michael Curley, Manager of Technical Services  
Rita Kelley, Equal Employment Opportunity Compliance Officer  
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

***Commissioners Hoffman, Lewis and Mandyck entered the meeting at 5:34 PM***

**PLEDGE OF ALLEGIANCE**

Those in attendance stood to recite the Pledge of Allegiance.

**APPROVAL OF MINUTES**

***On motion by Commissioner Patel and duly seconded, the meeting minutes of July 1, 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 Newington Town Manager and Newington Commissioners last week.

***Commissioner Anderson entered the meeting virtually at 5:35 PM***

**REPORT FROM CHIEF EXECUTIVE OFFICER**

Chief Executive Officer, Scott Jellison, spoke regarding the Learn to Earn Program and the newly created Try-a-Trade program. Jamie Harlow, Director of Human Resources, provided a presentation to the District Board regarding the Try-a-Trade program, which focused on technical high school students working at the MDC for a week during their April school vacation to get real world work experience.

Mr. Jellison also provided an update on the North Hartford Integrated Planning work related to the Durham Street Sewer Separation Project.

**REPORT FROM DISTRICT COUNSEL**

District Counsel, Christopher Stone, provided an update on the tunnel litigation. He stated that the court has ordered a trial-ready date of June 1, 2025, and a two day settlement conference has been scheduled for December. He stated that MDC continues to work toward a mediated settlement.

District Counsel Stone also provided an update on the landfill cases. He stated that the case was added to the complex litigation docket in Middletown Superior Court. He stated that the case will be assigned to one judge throughout the litigation.

District Counsel also provided a brief update on the progress on the MS4 permit issues with the City of Hartford.

***Commissioner DiBella entered the meeting at 6:18 PM***

**2023 UNASSIGNED FUND BALANCE**

Robert Barron, Chief Financial Officer, reported to the District Board that the 2023 unassigned fund balance excess was calculated at 5.9% per the fund balance policy, or \$5.5 million.

***Without objection, Commissioner Hoffman made a motion to approve agenda items #10A “Reimbursement Agreement with Town of Windsor – Baker Hollow Developer’s Permit Agreement”, 10B “Encroachment Agreement – Wilson Park, Windsor” together.***

**BUREAU OF PUBLIC WORKS  
BAKER HOLLOW ROAD, WINDSOR  
DEVELOPER’S PERMIT AGREEMENT AND REQUEST FOR  
REIMBURSEMENT AGREEMENT**

To: District Board

September 9, 2024

From: Bureau of Public Works

On December 19, 2022, The Metropolitan District received an application from the town of Windsor, through its Town Engineer, Robert Jarvis, P.E., requesting permission for the Town, acting as the Developer, to construct, at its expense under a Developer’s Permit-Agreement, approximately 1,626 feet of 10-inch sanitary sewer, manholes and laterals in a portion of Baker Hollow Road, from 105 Baker Hollow Road east to Marshal Phelps Road. The sewer is being constructed as part of the Baker Hollow Road Reconstruction Project, in part to promote commercial, business and industrial development along that portion of Baker Hollow Road.

By virtue of this proposed sanitary sewer passing by property of others, a public hearing or waivers for a public hearing were required under Section S1d of the District’s Sewer Ordinances. The waivers were received from the three affected property owners on June 5, 2023.

The Developer, the Town of Windsor, has requested reimbursement of the MDC’s linear foot frontage charge (presently, \$110.50 per linear foot of frontage, but subject to change) collected by the District for future connections to the Town-built sewer by other property owners along Baker Hollow Road, as provided for in Section S7n of the District’s Sewer Ordinances. The reimbursement only applies to connections over the next ten years, and the aggregate reimbursement amount will not exceed the certified cost of construction of said sanitary sewer and appurtenances, as confirmed by affidavit submitted by the Town of Windsor.

The Bureau of Public Works has in the past granted member towns permission to construct sanitary sewers in targeted areas to promote development, and in conjunction therewith, has granted to said towns reimbursement for its costs in

accordance with Ordinance (S7n), thus providing the towns with a method of recovering a portion of their construction costs for the sanitary sewer installation.

At a meeting of the Bureau of Public Works held on August 21, 2024, it was:

Voted: That permission be granted to the Town of Windsor to construct, under a Developer's Permit Agreement, approximately 1,626 feet of 10-inch sanitary sewer and appurtenances in a portion of Baker Hollow Road, in accordance with plans approved by the Director of Engineering and Planning, which sanitary sewer and appurtenances are to be incorporated into the public sewer system when accepted by the Metropolitan District, provided that, prior to construction, as has been allowed in the past with other member towns developing sewers, no payment for outlet charges will be declared due and payable prior to construction of said sewer; however, all lands abutting the said sewer be subject to monetary charges in effect at the time of development or connection; and that the Developer has eleven months from the date of the Bureau action to enter into and execute the Developer's Permit-Agreement.

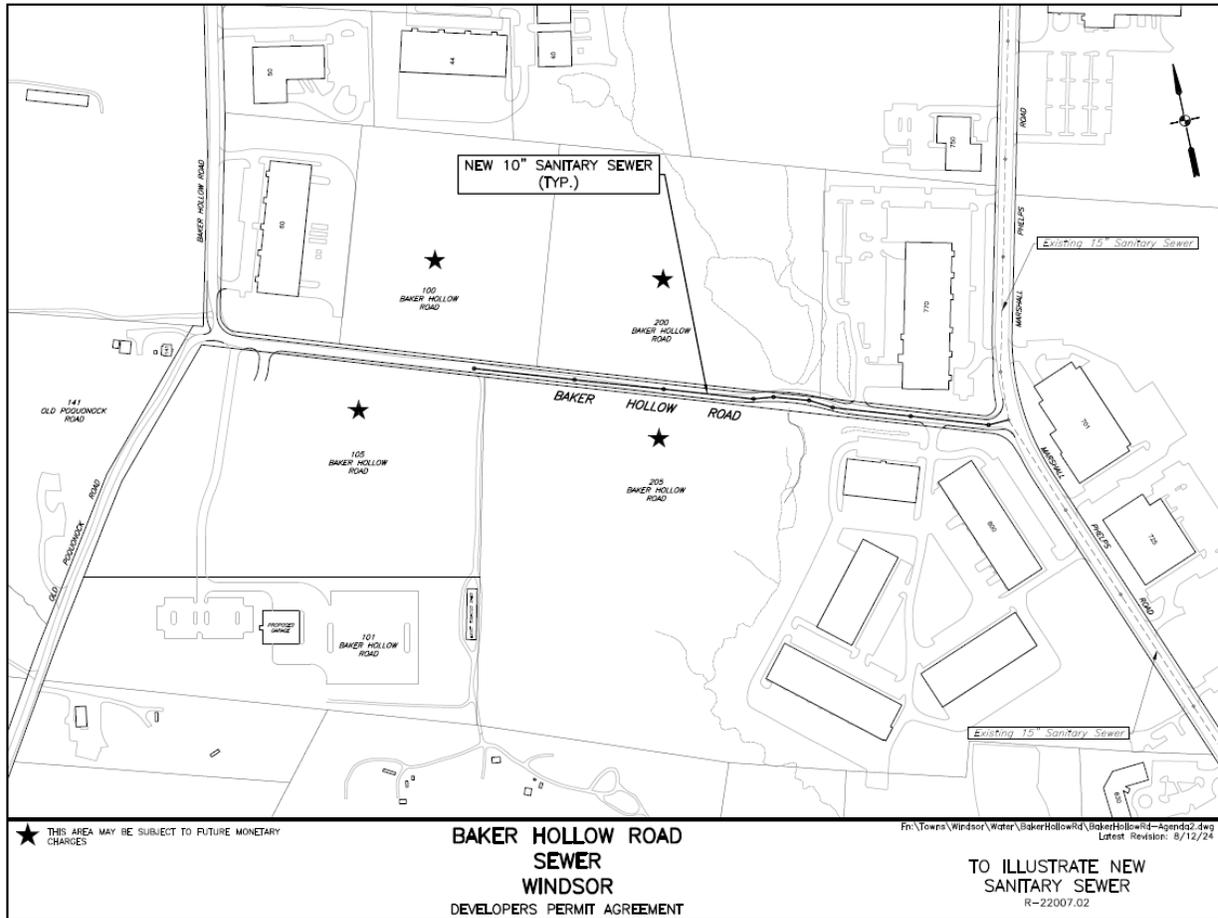
And

Voted: That, pursuant to Section S7n of the District's Sewer Ordinances, the Developer's Permit-Agreement shall provide for reimbursement from the District to the Developer for a ten (10) year period of the frontage charge component of any connection charges collected, on land directly connected to this proposed sanitary sewer, and reimbursable under said above- referenced Ordinance. Said frontage charge component shall be computed at the rates in effect at the time a connection charge agreement is executed.

Respectfully submitted,



John S. Mirtle, Esq.  
District Clerk



**BUREAU OF PUBLIC WORKS  
ENCROACHMENT AGREEMENT  
WILSON PARK, WINDSOR**

To: District Board

September 9, 2024

To: Bureau of Public Works

On August 7, 2024, Suzanne Choate, P.E., Town Engineer of the Town of Windsor (“Owner”), requested an amendment be made to the previously approved resolution to grant 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 and 12-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 Wilson Park Revitalization Project (the “Project”). This encroachment was previously approved by the BPW at a meeting held on March 4, 2024, the activities for which encroachment are shown on the attached map (the “Map,”

and such BPW approval is hereinafter referred to as the “Prior Approval”). This request is to include the installation of an additional electrical conduit within the District’s ROW.

The proposed new work for the Project entails the installation of one (1) additional (4) four-inch electrical conduit as shown on the accompanying map (collectively, the “Improvements”). The Sewer was built in 1947 and 1949, and was rehabilitated in 1998.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result, provided all the terms and conditions for these Improvements set forth in the Prior Approval and this resolution are complied with by Owner and any other party authorized by Owner to perform such Improvements.

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 August 21, 2024, it was:

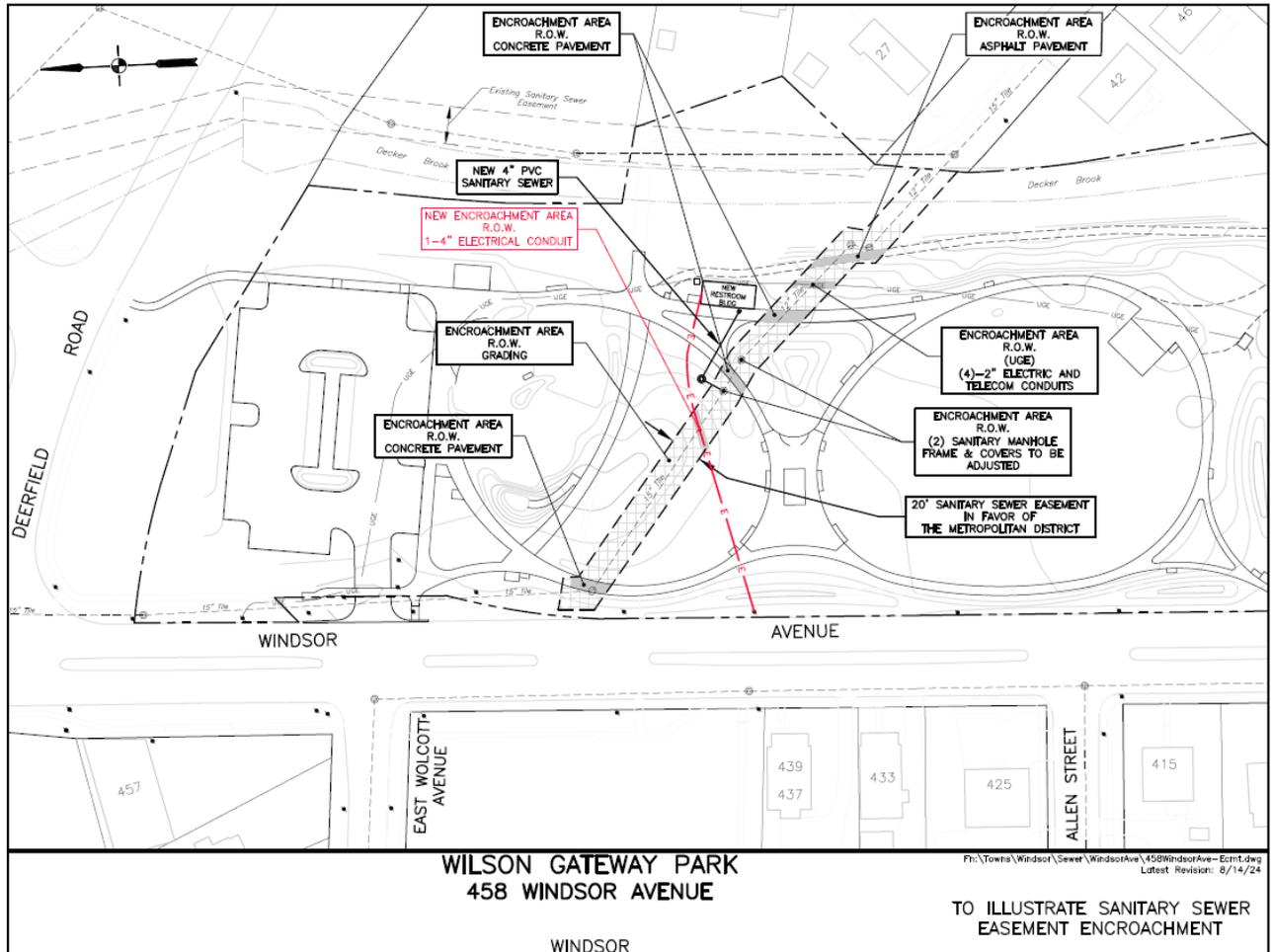
VOTED: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to: (i) all the terms and conditions for the Improvements in the Prior Approval, which terms and conditions are hereby incorporated into and made a part of this resolution, as well as: (ii) approval of form and content 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 “Wilson Gateway Park, 458 Windsor Avenue (CT-159) in Windsor, Connecticut, Restroom Add Alternate Plan (Alternate #1), October 1, 2023, Prepared for Town of Windsor, 275 Broad Street, Windsor, CT 06095”, Sheet L-4.5, and the plan submitted by Eversource dated 7/29/2024, “Address: 458 Windsor Ave, WO# 18041424, Town: Windsor, Sheet: 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) Owner shall obtain all required approvals and 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,

*John Mirtle*

John S. Mirtle, Esq.  
District Clerk



***On motion made by Commissioner Hoffman and duly seconded, the reports for items #10A "Reimbursement Agreement with Town of Windsor – Baker Hollow Developer's Permit Agreement", 10B "Encroachment Agreement – Wilson Park, Windsor" were received and resolutions adopted by unanimous vote of those present.***

**WATER BUREAU  
BAKER HOLLOW ROAD, WINDSOR  
CLASS 1 WATER MAIN EXTENSION AND REQUEST FOR  
REIMBURSEMENT AGREEMENT**

To: District Board

September 9, 2024

From: Water Bureau

On December 19, 2022, your staff received a petition from the town of Windsor, through its Town Engineer, Robert Jarvis, P.E., for the town to construct, under a Developer's Permit-Agreement ("DPA"), approximately 2,280 feet of water main in a portion of Baker Hollow Road, Windsor, to serve future development along Baker Hollow Road as part of the Baker Hollow Road Reconstruction Project.

The Town of Windsor, the Developer of this project, will be responsible for all costs associated with the construction of the water main, which, and once completed, would likely be accepted by the District and incorporated into our water distribution system. The water main will be available to serve a number of privately-held properties along Baker Hollow Road. Any property owners that want to connect to the water main must pay the District a frontage charge, or Class I fee (presently \$95.00 per linear foot of frontage, but subject to change) intended to offset the costs incurred if the District constructed the water main. In this case, however, the District would not incur any such construction costs. As such, and as part of its application for a DPA, the Developer has requested that the District enter into a Reimbursement Agreement providing that any Class I payments received by the District within ten years of the completion of the water main be turned over to the Developer, the party which incurred the costs and arguably entitled to the reimbursement. The aggregate reimbursement amount would not exceed the certified cost of construction of said water main and appurtenances, as attested to in an affidavit submitted by the Town of Windsor.

This reimbursement process has been used in the past on Class I water mains built by and at the expense of others. Section W4h of the District Water Ordinances authorizes agreements with developers to construct Class I water mains subject to terms "...*mutually determined an agreed upon.*"

It should be noted that this reimbursement process is more specifically authorized for sewer mains constructed by developers under Section S7n of our Sewer Ordinances.

At a meeting of the Water Bureau held on August 21, 2024, it was:

VOTED: To authorize the installation of about 2,280 feet of 12-inch ductile iron (Class 54) water main in a portion of Baker Hollow Road from 105 Baker Hollow Road east to Marshal Phelps Road, as a Class I Distribution Main.

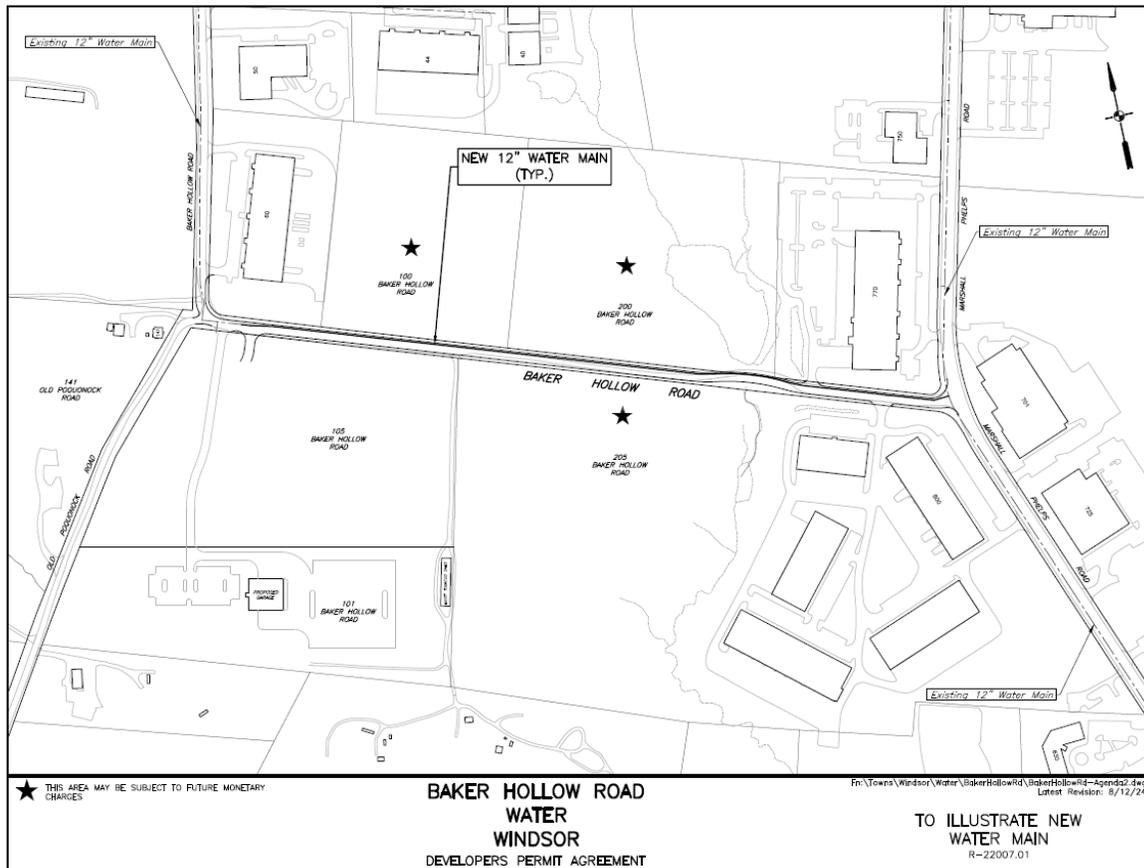
AND

VOTED: To authorize the Chairman or Vice Chairman to execute a Reimbursement Agreement with The Town of Windsor, for the return of any Class I

payments the District may receive within a ten-year period from the date of said agreement from land owned by others along this extension, to a maximum of the actual construction costs of this extension.

Respectfully submitted,

John S. Mirtle  
District Clerk



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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE  
EMPLOYEE MEDICAL INSURANCE OPT-OUT**

To: District Board

September 9, 2024

From: Personnel, Pension and Insurance Committee

In 2015 & 2016, the Personnel, Pension and Insurance Committee and District Board approved annual payment of \$1,000 to Exempt and Excluded employees per employee/spouse that opts-out of the District's medical insurance coverage:

- a. If an employee's spouse is eligible to be covered by the District medical insurance but that spouse is also eligible for insurance coverage through his/her own employer, the District will pay the one thousand dollars (\$1,000) in four (4) quarterly installments of two hundred and fifty dollars (\$250), if the spouse elects to take his/her own employer's health insurance and forego coverage under the District's medical insurance.
- b. If an employee is eligible for insurance through his/her spouse's employer, the District will pay the employee an additional one-thousand dollars (\$1,000) in four (4) quarterly installments of two hundred and fifty dollar (\$250). If the employee elects to take his/her spouse's employer's medical insurance. The employee is eligible for the \$1,000 payment for each year s/he elects not to participate in District medical Insurance.

After discussions with the District's Collective Bargaining Units, staff recommends extending the Medical Insurance Opt-Out Program currently available only to Exempt and Excluded employees to two of the three Unions that have expressed interest. Staff proposes that the Medical Insurance Opt-Out Program be amended to include Local 3713 and Local 1026 and that the following amendments to the current language be adopted for Exempt and Excluded, Local 3713 and Local 1026 participants.

- Employee Opt-Out: District employees who waive the District's medical insurance plan due to enrollment in comprehensive group medical coverage, outside of the District's group medical coverage, shall receive up to one thousand dollars (\$1,000) net of taxes per year, paid in equal installments of two hundred fifty dollars (\$250) net of taxes per quarter.
- Spouse Opt-Out: District employees who waive spousal coverage under the District's medical insurance plan due to their spouse's enrollment in comprehensive group medical coverage, outside of the District's group medical coverage, shall receive up to one thousand dollars (\$1,000) net of taxes per year, paid in equal installments of two hundred fifty dollars (\$250) net of taxes per quarter.
- To be eligible for such payments:
  - Employee must be on the active payroll of the District at the time of payment.
  - The employee must provide proof of comprehensive group medical coverage through an employer or other entity that covers all individuals in a group. Individual medical insurance purchased on an individual or family basis, or any enrollment in the District's group medical insurance plan, does not qualify.
  - Spousal waiver is subject to verification of spousal eligibility.

- The employee must adhere to qualifying event rules, where applicable.

At a meeting of the Personnel, Pension and Insurance Committee held on July 29, 2024, it was:

VOTED: That the Personnel, Pension and Insurance Committee recommend to the District Board passage of the following resolution:

RESOLVED: That the foregoing modifications to the Medical Insurance Opt-Out Program be adopted.

Respectfully Submitted,

  
John S. Mirtle  
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE  
APPROVAL OF AMAZING WORKPLACE, INC. FOR EMPLOYEE CLIMATE  
STUDY**

To: District Board September 9, 2024

From: Personnel, Pension and Insurance Committee

At the December 4, 2023 District Board meeting, the Board approved \$50,000 in the 2024 Budget for an employee climate study. In early 2024, the Personnel, Pension & Insurance Committee developed a Request for Information for industry information on technology for conducting employee climate surveys. The Request for Information was issued on May 3, 2024 and one respondent submitted information by the June 4, 2024 deadline. On July 2, 2024, the Personnel, Pension & Insurance Committee interviewed the respondent, Amazing Workplace Inc., and requested a quote to complete an employee climate study for the District. Amazing Workplace Inc. provided the enclosed service quote for unlimited employee climate surveys and unlimited users on its platform for an annual charge of \$24,000.

At a meeting of the Personnel, Pension and Insurance Committee held on July 29, 2024, it was:

VOTED: That the Personnel, Pension and Insurance Committee recommend to the District Board passage of the following resolution:

RESOLVED: That Staff shall execute a sales order with Amazing Workplace Inc. for a 1 year subscription for Amazing Workplace Inc's Employee Happiness Management System software as a service to administer a District employee climate study.

Respectfully Submitted,



John S. Mirtle  
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE  
PENSION & OPEB TRUST DISCOUNT RATE**

To: District Board September 9, 2024

From: Personnel, Pension and Insurance Committee

At a meeting of the Personnel, Pension and Insurance Committee held on August 26, 2024, it was:

**VOTED:** That the Personnel Pension and Insurance Committee recommend to the District Board passage of the following resolution:

**RESOLVED:** That the discount rate for the pension plan remain at 6.625%; and

**FURTHER**

**RESOLVED:** That the discount rate for the OPEB trust remain at 6.625%.

Respectfully Submitted,



John S. Mirtle  
District Clerk

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

**BOARD OF FINANCE**  
**APPROVAL FOR STATE OF CONNECTICUT FINANCING DWSRF 2024-7131**

To: District Board

September 9, 2024

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 DWSRF 2024-7131 having a principal amount of \$2,643,321.00 and having an interest rate of 2.00%.

The low interest loan and accompanying grant will fund the replacement of water mains and associated appurtenances in several streets in the vicinity of East Hartford, CT.

The State of Connecticut, through the Drinking Water State Revolving Fund Program, will provide \$4,143,321.00 in state funding with \$1,500,000.00 in grants and \$2,643,321.00 in low interest loans at 2.00% to fund the expenses associated with this agreement.

Bond Counsel prepared the following resolution for your approval.

At a meeting of the Board of Finance held on July 29, 2024, it was:

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

**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 2024-7131 to be entered into with the State of Connecticut (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for DWSRF 2024-7131 in the aggregate amount not to exceed \$2,643,321.00 to fund the project entitled Water Main Replacement East Hartford consisting of the replacement of water mains and associated appurtenances in several streets in the vicinity of East 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, in furtherance of this resolution or otherwise related to the Agreement and any and all related documents, shall hereby be ratified and confirmed in all respects. 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,



John S. Mirtle  
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  
SUPPLEMENTAL APPROPRIATION OF \$4,000,000 FOR 2023 CAPITAL  
IMPROVEMENT PROGRAM – WASTEWATER TREATMENT AND  
AUTHORIZATION FOR ISSUANCE OF BONDS OR NOTES NOT TO EXCEED  
\$4,000,000**

To: District Board

September 9, 2024

From: Board of Finance

The following is a request to increase the 2023 Capital Improvement Program by \$4,000,000. This supplemental appropriation will add **\$4,000,000** to the Wastewater Plan's project **C-23S07**, Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades, for a total project appropriation of **\$17,125,000**, as follows:

**Original Appropriation**

<b>Capital Improvement Program – Wastewater Plan</b>		
<i>Approved December 5, 2022</i>	<i>Appropriation</i>	<i>Fund</i>
Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades	\$13,125,000	2110

**Supplemental Appropriation**

<b>Capital Improvement Program – Wastewater Plan</b>		
<i>Supplemental Appropriation</i>	<i>Request</i>	<i>Fund</i>
Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades	\$ 4,000,000	2110

**Description**

Additional funding is needed for engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other cost related to the project.

**Purpose**

To update the headworks facility at the Rocky Hill Water Pollution Facility.

**Future Appropriations**

No additional appropriation requests are anticipated over the next year

**Bond Language**

The sum of \$4,000,000 is hereby appropriated to update the headworks facilities at the Rocky Hill Water Pollution Control Facility, including but not limited to engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other cost related to the project. District resources may be utilized for the projects. District costs may include salary, benefits and overhead.

**Funding Sources**

Project is eligible for a loan under the State of Connecticut Clean Water Fund. However, funding is a condition of priority ranking and fund availability.

At a meeting of the Board of Finance held on August 26, 2024, it was:

**Voted:** That the Board of Finance recommends to the District Board passage of the following resolutions from Bond Counsel:

**RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION OF \$4,000,000 FOR THE DISTRICT'S 2023 CAPITAL IMPROVEMENT PROGRAM – WASTEWATER TREATMENT PROJECT AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO FINANCE SAID APPROPRIATION**

WHEREAS, the District Board has resolved to make a supplemental appropriation and issue bonds or notes of the District for the Capital Improvement Program – Wastewater Treatment Project described in Resolution No. 1 herein; and

WHEREAS, the District Board wishes to determine the form, date or dates, maturities, manner of sale and other details concerning such bonds or notes.

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1. \$4,000,000 is hereby appropriated for the Capital Improvement Program projects set forth herein in the 2023 Capital Improvement Plan Project Resolution No. 1 (referred to herein as the “Resolution”), and bonds or notes of the District in an amount not to exceed \$4,000,000 are authorized to be issued to finance said appropriation. This appropriation is in addition to the appropriation of \$144,573,750 approved on December 5, 2022 by the District’s Board of Directors. The bonds are authorized to be issued in one or more series in accordance with the applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, “Connecticut laws”), and the District’s Charter. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by the District Board acting in accordance with the District’s Charter. Said bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The bonds may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District’s Charter. Each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with and that such bond is within every debt and other limit prescribed by law. The aggregate principal amount of the bonds to be issued, the form of issuance as serial, term or discount bonds, the dated date, final maturity, annual installments of principal, whether interest on the bonds will be fixed or variable, the rate or rates of interest, or method of determining interest rates thereon, whether such interest shall be excluded or included in gross income for federal income tax purposes, denominations, terms of redemption, if any, the date, time of issue and sale and all other terms, details and particulars of such bonds shall be determined by the District Board, in accordance with Connecticut laws and the District’s Charter, following recommendation of the Board of Finance. It is hereby found and determined that the issuance of any such bonds the interest on which is included in gross income for federal income tax purposes is in the public interest. The bonds may be sold by competitive bid or negotiated sale, as determined by the District Board. If sold by negotiated sale, the form and details of the bond purchase agreement for the sale of the bonds shall be determined by the District Board.

Section 2. The Treasurer and the Deputy Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes or certificates of indebtedness evidencing such borrowings may be sold by competitive bid or negotiated sale, as determined by the Treasurer or Deputy Treasurer, in such manner as shall be determined by said officers. Said notes or certificates of indebtedness shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer, and bear the District seal or a facsimile thereof. The notes or certificates of indebtedness may be secured by the full faith and credit of the District and/ or by special revenues of the

District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the notes shall recite that every requirement of law relating to its issue has been duly complied with and that such note is within every debt and other limit prescribed by law. The net interest cost on such notes or certificates of indebtedness, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on such notes or certificates of indebtedness then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 3. In connection with the issuance of the bonds, notes or certificates of indebtedness authorized hereunder and pursuant to the Resolution ("Authorized Obligations"), the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on, the District necessary to obtain standby bond purchase agreements, letters of credit, lines of credit, financial guaranty insurance policies, guarantees of the District or third parties, surety agreements or any similar agreements ("Credit Facilities") with one or more financial institutions providing Credit Facilities ("Credit Facility Providers") to provide for additional security for and the purchase upon tender of the Authorized Obligations, if any, under circumstances set forth in the Indentures (defined herein). Credit Facilities shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 4. In connection with the issuance of Authorized Obligations, interim funding obligations and project loan obligations under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called "Drinking Water Program" ("Drinking Water Obligations") or under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called "Clean Water Fund Program" ("Clean Water Fund Obligations"), the District Board is hereby authorized to approve the terms and conditions of indentures of trust or other instruments of trust ("Indentures") with commercial banks or national banking associations with trust powers or trust companies to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer ("Trustees"), which provide for, among other things, the rate of rates of interest, or method of determining interest rates thereon, procedures for conducting auctions in an auction rate mode, the denominations, the tender rights of holders, if any, the rights of redemption and redemption prices, the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District necessary to issue the variable rate bonds, and the execution of various other instruments. Indentures shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer are authorized to execute and deliver to the State of Connecticut a project loan and project grant agreement and/or project loan and subsidy agreement under the State's Clean Water Fund

Program and the State's Drinking Water Program and apply for and accept or reject any federal, state or other grants-in-aid for the project.

Section 5. In connection with the issuance of Authorized Obligations bearing interest at variable interest rates, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to enter into, remarketing agreements, broker-dealer agreements, auction agency agreements and other agreements (the "Reoffering Agreements") with remarketing agents, investment banking firms or other financial institutions to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer ("Reoffering Agents"), which provide for, among other things, the terms and conditions for reoffering Authorized Obligations bearing interest at variable interest rates, the Reoffering Agents' compensation and the disclosure of the District's financial condition. Reoffering Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 6. In connection with the issuance of Authorized Obligations, if permitted by Connecticut laws and the District's Charter, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain an interest rate swap agreement, together with applicable annexes, schedules and confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, calls or similar arrangements, or such other agreements permitted by Connecticut laws and the District's Charter ("Swap Agreements"), with one or more counterparties to be selected by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer, as Swap Provider (the "Swap Providers"), which provides for, among other things, the effective date or dates of the Swap Agreements, the rate of interest to be paid by the District to the Swap Providers on the principal amount of the bonds (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the rate of interest to be received by the District from the Swap Providers (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District and the execution of various other instruments. Swap Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. To the extent provided by Connecticut laws, the full faith and credit of the District may be pledged to any and all payments to be made by the District with respect to the Swap Agreements, including, any termination or netting payments to be made by the District.

Section 7. The Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") or any other information depository, and to provide notices to the MSRB or such depository of material events as enumerated in the Securities and Exchange

Commission Securities Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes and certificates of indebtedness authorized by this Resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The District hereby expresses its official intent pursuant to Treasury Regulations Section 1.150-2 to reimburse expenditures of not more than \$4,000,000 paid up to 60 days prior to the date of passage of this Resolution in connection with the Resolution with the proceeds of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations. Said obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or such later date as such 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 Chairman or Vice Chairman and the Treasurer or Deputy Treasurer is each individually authorized to pay project expenses in accordance herewith pending the issuance of the Authorized Obligations. This Section is included herein solely for purposes of compliance with Treasury Regulations Section 1.150-2 and may not be used or relied on for any other purpose.

Section 9. In connection with the issuance of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations, the District Board is hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable bond counsel to render its opinions as to the validity of said obligations and the exclusion of the interest thereon, if applicable, from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, any tax compliance agreements, tax certificates, tax forms, investment agreements or assignments, and (c) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this Resolution.

Section 10. The provisions contained in Sections 1 through 9 of this Resolution shall apply to the 2023 Supplemental Capital Improvement Program Project Resolution No. 1 herein; and the District Board hereby finds and determines that each project described in Resolution No. 1 is a single item of capital expense not regularly recurring.

## **2023 SUPPLEMENTAL CAPITAL IMPROVEMENT PROGRAM RESOLUTION NO. 1**

**RESOLUTION APPROPRIATING AN ADDITIONAL \$4,000,000 FOR VARIOUS UPGRADES TO THE ROCKY HILL WATER POLLUTION CONTROL FACILITY AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO FINANCE SAID APPROPRIATION**

**Section 1.** The sum of \$4,000,000 is hereby appropriated to update the headworks facilities at the Rocky Hill Water Pollution Control Facility, including but not limited to engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the project. District resources may be utilized for the projects. District costs may include salary, benefits and overhead.

**Section 2.** To finance said appropriation, \$4,000,000 of bonds or notes of the District are authorized to be issued in accordance with applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds or notes shall be hereafter determined by the District Board acting in accordance with the District's Charter.

**Section 3.** The Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer are authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or grants-in-aid for the project and are further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 *et seq.* of the General Statutes of Connecticut, Revision of 1958, as amended (the "Clean Water Fund Program"), the District may issue bonds, notes or certificates of indebtedness authorized hereby in the form of interim funding obligations in anticipation of project loan obligations ("Clean Water Fund Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Clean Water Fund Obligations, project loan and project grant agreements and any other instruments, agreements or certificates under the Clean Water Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the District Board, following recommendation of the Board of Finance. Clean Water Fund Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Respectfully submitted,



John S. Mirtle  
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  
SUPPLEMENTAL APPROPRIATION OF \$1,000,000 FOR 2024 CAPITAL  
IMPROVEMENT PROGRAM – INTEGRATED PLAN AND AUTHORIZATION FOR  
ISSUANCE OF BONDS OR NOTES NOT TO EXCEED \$1,000,000**

To: District Board

September 9, 2024

From: Board of Finance

The following is a request to increase the 2024 Capital Improvement Program by \$1,000,000. This supplemental appropriation will add **\$1,000,000** to the Integrated Plan’s project **C-24X02**, Sewer Backup Prevention Program – District Wide, for a total project appropriation of **\$2,500,000**, as follows:

**Original Appropriation**

<b>Capital Improvement Program – Integrated Plan</b>		
<i>Approved December 4, 2023</i>	<i>Appropriation</i>	<i>Fund</i>
Sewer Backup Prevention Program – District Wide	\$1,500,000	2600

**Supplemental Appropriation**

<b>Capital Improvement Program – Integrated Plan</b>		
<i>Supplemental Appropriation</i>	<i>Request</i>	<i>Fund</i>
Sewer Backup Prevention Program – District Wide	\$1,000,000	2600

**Description**

Additional funding is needed for the inspection of private property sewer laterals in order to identify defects and/or infiltration sources District-wide. The program will also include the installation and/or replacement of laterals, backwater valves, and/or additional work required to remove private inflow sources as needed to protect customers from sewer surcharging and other cost related to the project.

**Purpose**

To inspect private property sewer laterals in order to identify defects and/or infiltration sources District-wide.

### Future Appropriations

Additional appropriation requests are anticipated over the next years.

### Bond Language

The sum of \$1,000,000 is hereby appropriated for the Sewer Backup Prevention Program, including costs associated with the inspection of private property sewer laterals, installation and/or replacement of laterals, backwater valves, construction costs, engineering and professional fees, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the projects. District resources may be utilized for the projects. The District costs may include salary, benefits and overhead.

At a meeting of the Board of Finance held on August 26, 2024, it was:

**Voted:** That the Board of Finance recommends to the District Board passage of the following resolutions from Bond Counsel:

**RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION OF  
\$1,000,000 FOR THE DISTRICT'S 2024 CAPITAL IMPROVEMENT  
PROGRAM – INTEGRATED PLAN AND AUTHORIZING THE  
ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN  
AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE SAID  
APPROPRIATION**

WHEREAS, the District Board has resolved to make a supplemental appropriation and issue bonds or notes of the District for those Capital Improvement Program – Integrated Plan project described in Resolution No. 1 herein; and

WHEREAS, the District Board wishes to determine the form, date or dates, maturities, manner of sale and other details concerning such bonds or notes.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. \$1,000,000 is hereby appropriated for the District's 2024 Capital Improvement Program – Integrated Plan project set forth herein in the 2024 Supplemental Capital Improvement Program – Integrated Plan Project Resolution No. 1 (the "Resolution"), and bonds or notes of the District in an amount not to exceed \$1,000,000 are authorized to be issued to finance said appropriation. This appropriation is in addition to the appropriation of \$153,517,000 approved on December 4, 2023 by the District's Board of Directors. The bonds are authorized to be issued in one or more series in accordance with the applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds shall

be hereafter determined by the District Board acting in accordance with the District's Charter. Said bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The bonds may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with and that such bond is within every debt and other limit prescribed by law. The aggregate principal amount of the bonds to be issued, the form of issuance as serial, term or discount bonds, the dated date, final maturity, annual installments of principal, whether interest on the bonds will be fixed or variable, the rate or rates of interest, or method of determining interest rates thereon, whether such interest shall be excluded or included in gross income for federal income tax purposes, denominations, terms of redemption, if any, the date, time of issue and sale and all other terms, details and particulars of such bonds shall be determined by the District Board, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. It is hereby found and determined that the issuance of any such bonds the interest on which is included in gross income for federal income tax purposes is in the public interest. The bonds may be sold by competitive bid or negotiated sale, as determined by the District Board. If sold by negotiated sale, the Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into a bond purchase agreement for the sale of the bonds.

Section 2. The Treasurer and the Deputy Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes or certificates of indebtedness evidencing such borrowings may be sold by competitive bid or negotiated sale, as determined by the Treasurer or Deputy Treasurer, in such manner as shall be determined by said officers. Said notes or certificates of indebtedness shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer, and bear the District seal or a facsimile thereof. The notes or certificates of indebtedness may be secured by the full faith and credit of the District and/ or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the notes shall recite that every requirement of law relating to its issue has been duly complied with and that such note is within every debt and other limit prescribed by law. The net interest cost on such notes or certificates of indebtedness, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on such notes or certificates of indebtedness then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 3. In connection with the issuance of the bonds, notes or certificates of indebtedness authorized hereunder and pursuant to the Resolution (“Authorized Obligations”), the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on, the District necessary to obtain standby bond purchase agreements, letters of credit, lines of credit, financial guaranty insurance policies, guarantees of the District or third parties, surety agreements or any similar agreements (“Credit Facilities”) with one or more financial institutions providing Credit Facilities (“Credit Facility Providers”) to provide for additional security for and the purchase upon tender of the Authorized Obligations, if any, under circumstances set forth in the Indentures (defined herein). Credit Facilities shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 4. In connection with the issuance of Authorized Obligations, interim funding obligations and project loan obligations under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called “Drinking Water Program” (“Drinking Water Obligations”) or under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called “Clean Water Fund Program” (“Clean Water Fund Obligations”), the District Board is hereby authorized to approve the terms and conditions of indentures of trust or other instruments of trust (“Indentures”) with commercial banks or national banking associations with trust powers or trust companies to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer (“Trustees”), which provide for, among other things, the rate of rates of interest, or method of determining interest rates thereon, procedures for conducting auctions in an auction rate mode, the denominations, the tender rights of holders, if any, the rights of redemption and redemption prices, the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District necessary to issue the variable rate bonds, and the execution of various other instruments. Indentures shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer are authorized to execute and deliver to the State of Connecticut a project loan and project grant agreement and/or project loan and subsidy agreement under the State’s Clean Water Fund Program and the State’s Drinking Water Program and apply for and accept or reject any federal, state or other grants-in-aid for the project.

Section 5. In connection with the issuance of Authorized Obligations bearing interest at variable interest rates, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to enter into, remarketing agreements, broker-dealer agreements, auction agency agreements and other agreements (the “Reoffering Agreements”) with remarketing agents, investment banking firms or other financial institutions to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer (“Reoffering Agents”), which provide for, among other things, the terms and conditions for reoffering Authorized Obligations bearing interest at variable interest rates, the Reoffering Agents’ compensation and the disclosure of the

District's financial condition. Reoffering Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 6. In connection with the issuance of Authorized Obligations, if permitted by Connecticut laws and the District's Charter, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain an interest rate swap agreement, together with applicable annexes, schedules and confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, calls or similar arrangements, or such other agreements permitted by Connecticut laws and the District's Charter ("Swap Agreements"), with one or more counterparties to be selected by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer, as Swap Provider (the "Swap Providers"), which provides for, among other things, the effective date or dates of the Swap Agreements, the rate of interest to be paid by the District to the Swap Providers on the principal amount of the bonds (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the rate of interest to be received by the District from the Swap Providers (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District and the execution of various other instruments. Swap Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. To the extent provided by Connecticut laws, the full faith and credit of the District may be pledged to any and all payments to be made by the District with respect to the Swap Agreements, including, any termination or netting payments to be made by the District.

Section 7. The Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") or any other information depository, and to provide notices to the MSRB or such depository of material events as enumerated in the Securities and Exchange Commission Securities Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes and certificates of indebtedness authorized by this Resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The District hereby expresses its official intent pursuant to Treasury Regulations Section 1.150-2 to reimburse expenditures of not more than \$1,000,000 paid up to 60 days prior to the date of passage of this Resolution in connection with the Resolution with the proceeds of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations. Said obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or such later date as such 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 Chairman or Vice Chairman and the Treasurer or Deputy Treasurer is each individually authorized to pay project expenses in accordance herewith pending the issuance of the Authorized Obligations. This Section is included herein solely for purposes of compliance with Treasury Regulations Section 1.150-2 and may not be used or relied on for any other purpose.

Section 9. In connection with the issuance of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations, the District Board is hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable bond counsel to render its opinions as to the validity of said obligations and the exclusion of the interest thereon, if applicable, from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, any tax compliance agreements, tax certificates, tax forms, investment agreements or assignments, and (c) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this Resolution.

Section 10. The provisions contained in Sections 1 through 9 of this Resolution shall apply to the 2024 Supplemental Capital Improvement Program – Integrated Plan Project Resolution No. 1 herein; and the District Board hereby finds and determines that the project described in Resolution No. 1 is a single item of capital expense not regularly recurring.

#### 2024 CAPITAL IMPROVEMENT PROGRAM – INTEGRATED PLAN SUPPLEMENTAL PROJECT RESOLUTION NO. 1

### **RESOLUTION APPROPRIATING AN ADDITIONAL \$1,000,000 FOR THE SEWER BACKUP PREVENTION PROGRAM AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE SAID APPROPRIATION**

Section 1. The additional sum of \$1,000,000 is hereby appropriated for the Sewer Backup Prevention Program, including costs associated with the inspection of private property sewer laterals, installation and/or replacement of laterals, backwater valves, construction costs, engineering and professional fees, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the projects. District resources may be utilized for the projects. The District costs may include salary, benefits and overhead.

Section 2. To finance said appropriation, \$1,000,000 of bonds or notes of the District are authorized to be issued in accordance with applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to

date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds or notes shall be hereafter determined by the District Board acting in accordance with the District's Charter.

Section 3. The Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer are authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or grants-in-aid for the project and are further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Clean Water Fund Program"), the District may issue bonds, notes or certificates of indebtedness authorized hereby in the form of interim funding obligations in anticipation of project loan obligations ("Clean Water Fund Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Clean Water Fund Obligations, project loan and project grant agreements and any other instruments, agreements or certificates under the Clean Water Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the District Board, following recommendation of the Board of Finance. Clean Water Fund Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

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.***

***Without objection, Commissioner Pane made a motion to consider agenda items #14A “Revision of Water Ordinance § W5E “Meter Setting”” and, 14B “New Water Ordinance § W5K “Lead & Copper Rule Service Line Replacement” together.***

**COMMITTEE ON MDC GOVERNMENT  
WATER ORDINANCE REVISION**

To: District Board

September 9, 2024

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the following ordinance revision to the Ordinances of The Metropolitan District Relating to Water Supply for consideration by the Committee on MDC Government. A public hearing on the proposed ordinance revision was held on June 11, 2024.

At a meeting of the Committee on MDC Government on July 10, 2024, it was:

**VOTED:** That the Committee on MDC Government recommends to the District Board passage of the following resolution:

**RESOLVED:** That the following revisions to Ordinances of The Metropolitan District Relating to Water Supply be adopted as follows:

**SEC. W5e METER SETTING**

Plumbers shall install a meter setting, furnished by the Water Bureau, in a horizontal position within a District approved meter box or meter pit, after the service shut-off where the meter will be accessible for reading and repairing. For meters permitted to be installed inside a building, the property owner shall furnish and maintain an approved location in the house piping immediately after the main shut-off and as near to where the service pipe enters the building as practicable.

Respectfully submitted,



John S. Mirtle  
District Clerk

**COMMITTEE ON MDC GOVERNMENT  
NEW WATER ORDINANCE**

To: District Board

September 9, 2024

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the following addition to the Ordinances of The Metropolitan District Relating to Water Supply for consideration by the Committee on MDC Government. A public hearing on the proposed new ordinance was held on June 11, 2024.

At a meeting of the Committee on MDC Government on July 10, 2024, it was:

**VOTED:** That the Committee on MDC Government recommends to the District Board passage of the following resolution:

**RESOLVED:** That the following ordinance be adopted and added to the Ordinances of The Metropolitan District Relating to Water Supply as follows:

**SEC. W5k LEAD & COPPER RULE SERVICE LINE REPLACEMENT**

The District, upon written permission of the property owner, shall replace, at the District's cost, any existing water service pipe discovered to contain lead, lead lining or galvanized piping installed downstream of lead pipes, including the private property portion of the service pipe, as prescribed by the U.S. Environmental Protection Agency's 1991 Lead and Copper Rule (LCR), 2021 Lead and Copper Rule Revisions (LCRR) and the 2023 Lead and Copper Rule Improvements (LCRI) or any subsequent amendments, revisions or improvements. The District's replacement of the private portion of the service pipe shall not include replacement of internal plumbing except it may include replacement through the foundation wall with reconnection to piping immediately inside the foundation wall and shall not extend beyond the meter setting or further than three feet from the foundation pipe penetration.

Respectfully submitted,



John S. Mirtle  
District Clerk

***On motion made by Commissioner Pane and duly seconded, the reports for items #14A "Revision of Water Ordinance § W5E "Meter Setting"" and, 14B "New Water Ordinance § W5K "Lead &***

***Copper Rule Service Line Replacement” were received and resolutions adopted by unanimous vote of those present.***

### **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Judy Allen, West Hartford Resident, stated she was appalled at the behavior in some recent committee meetings. She expressed that personal conflict does not have a place in public meetings and that transparency does not mean airing grievances in public. She suggested that Commissioner bring any issues to Chairman Currey if they can not be worked out. Judy also mentioned that she was surprised there was not a discussion regarding the climate study at tonight’s meeting, since this topic generated a long discussion at the committee level.

Alma Elder, member of the 3<sup>rd</sup> Act, spoke regarding the Durham Street project. She was surprised by the total cost of the project.

### **COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS**

Commissioner DiBella requested a point of personal privilege which was granted by Chairman Currey. Commissioner DiBella thanked the District Board for their notes and messages that he received after his sister recently passed away.

Commissioner Pane thanked the MDC staff for all of the work that they do. He thanked the staff that work at the HWPCF for running the plant and maximizing income for the District.

Commissioner Avedisian thanked the MDC staff. He also thanked the CEO and MDC staff for helping a resident on Capen Street who thought there was an issue caused by MDC work, but later determined to have carbon monoxide poisoning. He stated that staff did a phenomenal job identifying the problem.

### **ADJOURNMENT**

The meeting was adjourned at 7:04 PM

ATTEST:

John S. Mirtle, Esq.  
District Clerk

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Date of Approval