

**BUREAU OF PUBLIC WORKS
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Monday, August 7, 2017**

Present: Commissioners Andrew Adil, Luis Caban, Donald Currey, Allen Hoffman, Maureen Magnan, Alphonse Marotta, Domenic Pane, Alvin Taylor, Richard W. Vicino and District Chairman William A. DiBella (10)

Absent: Commissioners John Avedisian, Janice Flemming-Butler, William Horan, Byron Lester, Bhupen Patel, J. Lawrence Price and Raymond Sweezy (7)

Also

Present: Scott W. Jellison, Chief Executive Officer
R. Bartley Halloran, District Counsel
John Zinzarella, Chief Financial Officer
Christopher Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Tom Tyler, Director of Facilities
Robert Constable, Director of Finance
Michael Curley, Manager of Technical Services
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Vicino called the meeting to order at 4:30 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Caban and duly seconded, the meeting minutes of June 19, 2017 were approved.

**REVISIONS TO SCHEDULE OF FLAT FRONT FOOTAGE RATES
OF SEWER ASSESSMENT**

To: Bureau of Public Works for consideration on August 7, 2017

On November 16, 2016 and December 5, 2016, the Bureau of Public Works and the District Board, respectively, voted to establish a new Schedule of Flat Rates of Sewer Assessment, Connection Charges and Outlet Charges, effective on and after January 1, 2017. The new schedule increased the front foot, or adjusted front foot, rate from \$53.40 to \$111.50.

Since January 1, 2017, the new front foot rate has been charged to property owners who connected to already existing District sewers.

Because the rate had not changed in over 20 years, the increase last year was significant, effectively doubling the old rate. While the increase in the front footage rate is substantial, it was calculated to more accurately reflect the benefit conferred on the property, offset the rising costs of sewer projects while maintaining the self-sufficiency of the Assessable Sewer Fund and prevent the increased use of ad valorem taxes to support the Fund.

The front foot rate is a component of a property owner's assessment in two circumstances: (1) there is a deferred assessment on the property and the property owner elects to connect to the sewer or (2) if the District completes a layout and assessment for a newly constructed sewer requested by petition. The front foot rate is not paid by developers constructing sewers under a developer permit agreement unless there are properties within the proposed development that have frontage along an existing sewer. In these instances where a property is already served by the District sewer, the developer is required to pay the assessment at the prevailing rates at the time of connection. Staff received a complaint from a developer who is developing a total of nine (9) properties with six (6) properties already served by an existing sewer with a significant amount of frontage and three (3) properties to be served by a sewer constructed by the developer under a developer permit agreement. Connection charges for the six properties doubled from approximately \$50k in 2015 based on the old rate when the developer started the project to more than \$100k in 2017 when the new rate went into effect. The developer has requested some form of relief from the substantial increase in the connection charges due for the six properties and therefore staff has proposed for consideration by the Bureau of Public Works an incremental increase of the front foot rate over a period of three years and retroactively reduce the rate in effect during 2017.

If the Bureau elects to reduce the front foot rate, staff recommends incrementally increasing the rate over the next three years, at one-third the increase per year, to help alleviate the impact of the substantial increase. The front footage rate would increase by \$19.37 per year, at the following schedule:

October 1, 2017	\$72.77 per front foot or adjusted front foot
January 1, 2018	\$92.14 per front foot or adjusted front foot
January 1, 2019	\$111.50 per front foot or adjusted front foot

There are five (5) properties that connected to District sewers since January 1, 2017 and paid sewer connection charges at the new 2017 rate. The affected property owners will be notified and refunded the difference between the \$111.50 per foot rate and the prior \$53.40 per foot rate.

Voted:

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

Be It Hereby Resolved:

That the enclosed Schedule of Flat Rates of Sewer Assessment, Connection Charges and Outlet Charges is hereby approved and effective October 1, 2017. The District Clerk is hereby directed to publish timely public notice of the front foot rate change effective October 1, 2017.

Be it Further Resolved:

That any property owner that paid an assessment or connection charge calculated based on the front foot rate of \$111.50 be refunded the difference between the amount paid and the total amount due if the front foot rate had been \$53.40.

Be it Further Resolved:

That the Bureau of Public Works recommends the following subsequent increases in the front foot or adjusted front foot rate:

January 1, 2018 \$92.14 per front foot or adjusted front foot
 January 1, 2019 \$111.50 per front foot or adjusted front foot

Respectively submitted,

Scott W. Jellison
 Chief Executive Officer

THE METROPOLITAN DISTRICT					
SCHEDULE OF FLAT RATES OF SEWER ASSESSMENT, CONNECTION CHARGES AND OUTLET CHARGES					
ADOPTED AUGUST 7, 2017 - EFFECTIVE OCTOBER 1, 2017					
PROPERTY CATEGORY <small>(For each property the rates for only one category shall be applied)</small>	(A) Rate per Lateral or Inlet	(B) Rate per Front Foot or Adjusted Front Foot	(C) Rate Per Acre	AREA CHARGES	
				(D) Rate per Dwelling Unit or Dwelling Unit Allowed by zoning on a Buildable Lot	(E) Rate per Room or Convalescent Unit
SINGLE RESIDENTIAL DWELLING UNITS, INCLUDING A TRAILER*	4,420.00	72.77		1,655.00	
TWO OR MORE DWELLING UNITS, INCLUDING TRAILER PARKS*	4,420.00	72.77		1,655.00	
MOTELS, HOTELS, ROOMING HOUSES, CONVALESCENT HOMES AND HOSPITALS	4,420.00	72.77			765.00
SCHOOLS, CHURCHES AND THE MUNICIPAL FACILITIES OF DISTRICT TOWNS	4,420.00	72.77	1,655.00 <small>Minimum Acreage Assessment</small> 1,655.00 <small>Developed area including but not limited to areas of parking, open space and streets.</small>		
BUSINESS, COMMERCIAL INDUSTRIAL OR OTHERS*	4,420.00	72.77	8,270.00 <small>Minimum Acreage Assessment</small> 4,135.00 <small>Developed area including but not limited to areas of parking, open space and streets.</small>		
<small>* For these categories of assessments, where the actual use of the property differs from the underlying zone (i.e. residentially-zoned property used commercially), the higher assessment category shall apply.</small>					

OUTLET CHARGES

For Developers of Property, (A) and (B) Actual Cost Paid by Developer. (C), (D) and (E) would continue to be charged in accordance with above schedule.

In assessing benefits, the Bureau of Public Works may give consideration to frontage, area, or other relevant factors to measure the extent to which properties are specially benefited.

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

GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford provided the following written comments:

August 7, 2017

For Inclusion in the General Public Comments
Meeting of the MDC Bureau of Public Works

I assume Niagara's discharge into the sewer system is not metered. I assume that Niagara's sewer costs are being paid by the Town of Bloomfield. I assume Bloomfield includes the equivalent of Niagara's property tax break in their report of taxes received for determining the ad valorem tax for each town. I also assume that Niagara is not paying the non-municipal tax-exempt sewer user charge. If some of those assumptions are not true, then the MDC is losing out on a considerable amount of income from Niagara and 7 of the 8 member towns are paying more than their fair share of ad valorem tax.

Other member towns offer tax breaks for new businesses. Are those breaks included in the reported taxes received for those towns? Maybe someone should at least ask the question. West Hartford does not give tax breaks. Perhaps this is another way that West Hartford is paying more than its fair share of ad valorem?

I assume that the MDC has no understanding of the bottling process, or any idea what is in the water discharged into the MDC sewer system. I assume the MDC doesn't know how the machinery is cleaned or how much water the cleaning uses.

Large shiny tanker trucks bearing the words "clean drinking water only" have been observed leaving the Niagara Bottling Plant in Bloomfield. (I saw one just yesterday) I'm assuming it's not MDC water leaving without being put into bottles (what would that do to the promise of jobs?). It makes more sense that it would be water being trucked in from some other water source to be bottled in Bloomfield.

So we don't know how much water is being trucked in. We don't know how much is being discharged or what it contains. We don't know how much water may be being trucked out and how many jobs are affected by this.

Does Niagara really need an increase in water main capacity? If they will be bringing in water from other locations, why burden rate payers with the cost of water main extensions and increase in capacity. Eastpoint, formerly Great Ponds needs water too. But that project has been on and off for so long, lets wait to see if it ever gets off the ground before adding it to your customers' ability to afford their bills.

Despite what you may have been told, the bottled water industry has a reputation for shady if legal business practices. Before you consider giving discounts to Niagara, first find out the answer to some of these assumptions and make sure it really is in the best interests of the MDC customers. And for heavens sake, don't complain about affordability for your customers if you intend to provide a discount for the Clean Water Project charges.

Judy Allen
West Hartford, CT

ADJOURNMENT

The meeting was adjourned at 4:55 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval