

**THE METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Monday, March 12, 2018

Present: Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, William A. DiBella, Timothy J. Fitzgerald, James Healy, Allen Hoffman, Jean Holloway, Kathleen J. Kowalyszyn, Gary LeBeau, Byron Lester, Alphonse Marotta, Whit Osgood, Domenic M. Pane, Bhupen Patel, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor and Richard W. Vicino (21)

Absent: Commissioners Mary Anne Charron, Donald M. Currey, Matthew B. Galligan, Peter Gardow, Denise Hall, David Ionno, Sandra Johnson, Maureen Magnan, Michael Solomonides and New Britain Special Representative Michael Carrier (10)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Constable, Director of Finance
Christopher Levesque, Director of Operations
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Tom Tyler, Director of Facilities
Robert Zaik, Director of Human Resources
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria S. Escoriza, Executive Assistant
David Silverstone, Consumer Advocate
Attorney Tony Jorgensen, Outside Counsel

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:53PM

ROLL CALL AND QUORUM

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

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioner Gary LeBeau.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Non one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Pane and duly seconded, the meeting minutes of February 5, 2018 were approved.

REPORT FROM DISTRICT COUNSEL

Assistant District Counsel Christopher Stone presented a report.

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott W. Jellison presented the Chief Executive Officer's Report.

**COMMUNITY AFFAIRS COMMITTEE
UNIVERSITY OF HARTFORD JAMES RANDAZZO '83 ENDOWED
SCHOLARSHIP**

To: District Board

March 12, 2018

From: Community Affairs Committee

At a meeting of the Community Affairs Committee held on March 12, 2018, it was:

VOTED: That the Community Affairs Committee recommends to the District Board passage of the following resolution:

Be it resolved that the Board of Commissioners of The Metropolitan District (“Board”) hereby authorizes the University of Hartford to transfer the existing non-endowed funds from the Metropolitan District Commission (MDC) Scholarship (Fund Number 201570) to an endowed scholarship fund. The MDC Scholarship was established in 1993 and awarded when the College of Engineering, Technology, and Architecture (CETA) was Ward College of Technology. The scholarship was designated for engineering students pursuing their Associates Degrees. Because CETA no longer offers Associate Degrees, the funds have not been awarded since 1999/2000. The existing fund balance is \$100,297.14.

Be it further resolved, that the fund’s distributions, in the amount of approximately \$4,000.00 annually, will be used to provide scholarship assistance in honor of MDC Manager of Water Treatment and Supply James Randazzo (UHART ’83) to incoming students in the College of Engineering, Technology, and Architecture, and hereafter be named the JAMES RANDAZZO ’83 ENDOWED SCHOLARSHIP. In addition, first preference for the Fund will be given to a student from a Metropolitan District Commission member town with a declared concentration in an engineering degree program and second preference will be given to non-member towns served by the Metropolitan District. If there is no suitable candidate from a member or non-member town in a given year, the scholarship will not be awarded until a subsequent year to a suitable candidate that meets the scholarship criteria.

Be it further resolved, that the Board authorizes the Chief Executive Officer to execute a “Use Agreement” with the University of Hartford that includes selection procedures, terms of award and funding and distribution policy.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**CUSTOMER ASSISTANCE PROGRAM
ADMINISTERED BY OPERATION FUEL**

To: District Board

March 12, 2018

From: Board of Finance

In recent years, the District considered and researched the establishment of a Customer Assistance Program to assist customers with financial hardship to pay their water bills. One obstacle to initiation of such a program was the internal

administrative costs. The District also elected to wait until upgrading its electronic billing system to allow customers the ability to voluntarily contribute to a customer assistance fund through their bill payments.

After recommendation by the Consumer Advocate, District Staff is proposing the creation of a Customer Assistance Program administered by Operation Fuel. Operation Fuel already runs energy assistance programs throughout the state. The District's Customer Assistance Program will utilize the towns' social services departments to assist interested customers in completing the Operation Fuel application in order to receive assistance. If a customer meets the eligibility criteria, he/she may receive a grant of up to \$500 per year.

At a meeting of the Board of Finance held on March 12, 2018, it was:

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

RESOLVED:

Staff is hereby authorized to enter into an agreement with Operation Fuel to create a Customer Assistance Program to administered by Operation Fuel as more fully described in the following proposal. Staff is authorized to allocate \$50,000 for the Customer Assistance Program of which \$44,000 shall be utilized for customer grants to pay customer water bills and \$6,000 to be paid to Operation Fuel for administrative costs and fuel bank fees.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**Operation Fuel, Inc.
Proposed Water Assistance Program
The MDC Operation Fuel Water Assistance Partnership
Background**

Operation Fuel has provided energy affordability solutions, education, and support to Connecticut residents for forty years. Our core mission service, to which this request relates, is providing year-round emergency energy assistance grants to low and moderate income households. Last year we provided assistance for over 20,000 individuals from 7,830 households statewide.

With our network of 106 community-based fuel banks, we provide support to people who are not eligible for or have exhausted their government energy assistance benefits, including our state's working poor and people on fixed incomes. But Operation Fuel does more than distribute energy assistance grants. In collaboration with our community partners we work to significantly improve energy assistance

distribution systems and find new ways to address Connecticut's energy affordability crisis. For example, in recent years we launched a burner repair program, to help people in need of emergency furnace repairs, and helped hundreds of small businesses make energy efficiency upgrades through our small business grant program.

Operation Fuel has one simple goal: to reduce the home energy and utility burden of low and moderate income Connecticut residents. We work towards this goal in a variety of ways, primarily through the distribution of emergency assistance grants to households in need. Once only a cold weather program, we now take applications 12 months a year.

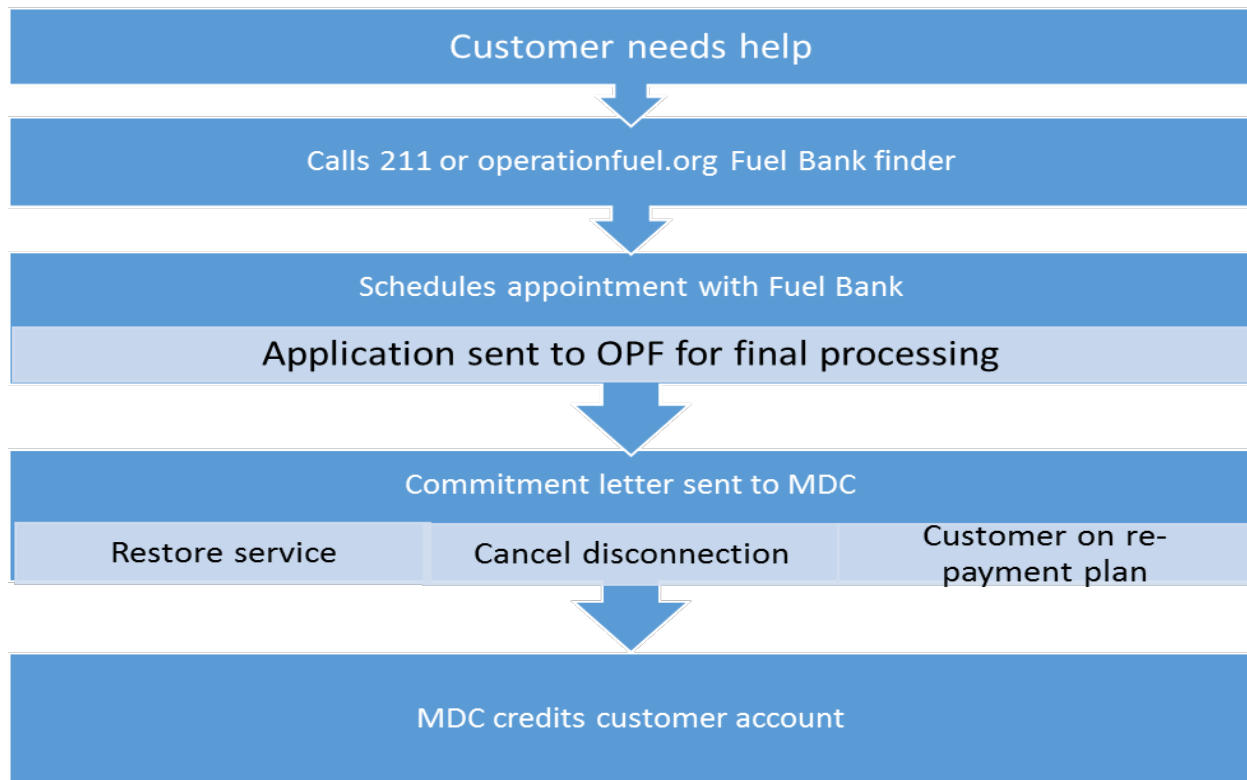
Program Description

With funding from the Metropolitan District (MDC), Operation Fuel, Inc. (OPF) will provide water utility assistance grants to MDC customers in member and nonmember towns. Operation Fuel partners with over 100 non-profits, municipal governments and community action agencies that serve as our intake sites, also known as Fuel Banks. We have Fuel Banks located in Bloomfield, East Hartford, East Granby, Glastonbury, Hartford, Newington, Rocky hill, West Hartford, South Windsor, Wethersfield, and Windsor. Farmington residents seeking assistance can apply at HRA in Bristol, New Britain or Gifts of Love in Avon.

Operation Fuel will use the current Fuel Bank model which assists struggling households with energy and utility grants to assist MDC customers with water utility arrearages or customers in danger of termination or shut off. Our experienced Fuel Bank staff will also develop custom approaches for each customer recognizing that many are struggling based on circumstances unique to each applicant (job loss, illness, disability, domestic turmoil or unexpected expenses). Solution oriented strategies include:

- One time grant paid to customer's water bill
- Customer with high arrearage agrees to re-payment schedule in addition to grant paid towards bill
- Customer with poor payment history required to make good faith payment of \$100.00

Using a shared web-based application system, Fuel Banks will enter MDC customer requests for assistance. OPF staff will process the applications for approval and send the MDC an approval letter to credit the customer account, or prevent shut off, or re-connect water service. If for any reason, the customer is denied for assistance, the fuel bank will be notified by OPF staff.



Media

Media and publicity will be coordinated by Operation Fuel, with a clear objective of placing emphasis on The MDC and recognizing that financial constraints, albeit temporary or long term, are a fact of life for many customers. The Water Assistance partnership with Operation Fuel is intended to find a payment solution for customers that are faced with financial hardship. Operation Fuel's media consultant will write a press release and coordinate a press conference at a mutually agreed upon location.

Program Benefits and performance measures

- Reduce collections
- Promote bill paying among hardship customers
- Expand public image
- Reduce call time with hardship customers
- Performance measures
 - # of disconnections per year
 - # of arrearages
 - Delinquent accounts committed to payment plans
 - Success rate of payment plan

Expense Item	Notes	Total Projected Budget	MDC Funds	Operation Fuel Funds
MDC Client Grants		\$ 44,000	\$ 44,000	\$ -
Client Application Processing and Payment	\$33.67 x 3/hr x 52wks	\$ 5,253	\$ 4,900	\$ 353
Fuel Bank Fees	\$25 x 44/grants	\$ 1,100	\$ 1,100	\$ -
Program Oversight	\$33.67 x 1/hr x 52wks	\$ 1,751	\$ -	\$ 1,751
Marketing		\$ 1,800		\$ 1,800
Critical Infrastructure (insurance, rent, utilities, etc.)		\$ 4,513		\$ 4,513
Operating Expenses (accounting, employee benefits, payroll, travel, etc.)		\$ 9,243		\$ 9,243
Total		\$ 67,660	\$ 50,000	\$ 17,660

[OPERATION FUEL SAMPLE WATER PROGRAM GUIDELINES 2018](#)

Operation Fuel is a private, nonprofit statewide organization that provides water assistance to lower and moderate-income working families, elderly residents and individuals with disabilities.

GUIDELINES

Beginning April 16, 2018 Operation Fuel will administer a water assistance program for MDC customers in member and nonmember towns who need aid with meeting their water utility needs. This program will be for households living up to 75% of state median income. There will not be an assets test. The maximum grant amount will be up to \$500.

To qualify for water utility assistance, clients must have a shut-off notice or have no water utility service or must need assistance with making a required payment in order to prevent a shut-off, or have a past due balance of 30 days or more.

Grant Amount

One time grant up to \$500 per household.

***All final approvals will be made by Operation Fuel Staff**

Program Dates

The Program will start April 16, 2018 and end May 31, 2019. Closing date is funding dependent.

Eligibility Guidelines

Some emergency examples can include but are not limited to the following:

- Client is suffering from job loss and is collecting un-employment or exhausted un-employment benefits
- Client health or housing is threatened
- Water Utility grants – Client has made a total of 4 payments within the 12month period of which the client is applying. Clients must show a pattern of payments. If client makes all 4 payments within one month or days prior to applying, they will not qualify.

Documentation

- Applicant must provide water utility shut off notice or water utility bill that is 30 days past due and payment history
- Documentation of all household members with income (last 4 weeks of income)
- Application must be signed by client and Operation Fuel staff

Operation Fuel is an emergency energy assistance organization. Operation Fuel energy grants are for households which fall within the income guidelines and are faced with financial crisis.*

*An Operation Fuel energy grant is not an entitlement to all Connecticut residents who fall within the income guidelines. Grants to households are approved at the discretion of Operation Fuel. * Financial crisis is defined as the inability of a family to pay their water utility bill. Financial crisis is considered to be a situation in which a family must choose between paying for their water utility needs, buying food, paying the rent or mortgage, or paying medical bills as a result of unemployment, illness, death, or other emergencies.*

On motion made by Commissioner Caban and duly seconded, the report was received and resolution adopted by majority of roll call vote.

The results of the roll call:

Yeas : Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, William A. DiBella, Timothy J. Fitzgerald, James Healy, Jean Holloway, Kathleen J. Kowalshyn, Gary LeBeau, Byron Lester, Alphonse Marotta, Domenic M. Pane, Bhupen Patel, Pasquale J. Salemi, Alvin Taylor and Richard W. Vicino (18)

Nays: Commissioners Allen Hoffman and Raymond Sweezy (2)

Abstentions: None (0)

Absent: Commissioners Mary Anne Charron, Donald M. Currey, Peter Gardow, Denise Hall, David Ionno and Maureen Magnan (6)

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
CWF NO. 657-C1**

To: District Board March 12, 2018

From: Board of Finance

At a meeting of the Board of Finance held on March 12, 2018, it was:

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

RESOLVED:

AMENDED AND RESTATED RESOLUTION OF THE DISTRICT BOARD WITH RESPECT TO THE ISSUANCE OF INTERIM FUNDING OBLIGATIONS AND PROJECT LOAN OBLIGATIONS PURSUANT TO THE FIRST AMENDMENT CWF NO. 657-C1 TO THE PROJECT LOAN AND PROJECT GRANT BETWEEN THE STATE OF CONNECTICUT AND THE METROPOLITAN DISTRICT UNDER THE CLEAN WATER FUND PROGRAM

RESOLVED:

Section 1. This resolution amends and restates a resolution of the District Board, passed at a meeting of the District Board held on December 4, 2017.

Section 2. The Chairman and the District Treasurer or Deputy Treasurer are authorized to execute and deliver the First Amendment CWF No. 657-C1 to Project Loan and Project Grant Agreement to be entered into with the State of Connecticut (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 657-C1 in the aggregate amount not to exceed \$155,269,638.73. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement and, to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby

confirmed and ratified in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 3. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF COMMISSIONER LEBEAU TO COMMITTEES**

To: District Board March 12, 2018
From: Committee on Organization

At a meeting of the Committee on Organization held on March 12, 2018, it was:

Voted: That the Committee on Organization recommend to the District Board the appointment of Commissioner Gary D. LeBeau the following Committees:

- Water Bureau
- Strategic Planning Committee

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**BUREAU OF PUBLIC WORKS
SETTLEMENT OF CONDEMNATION OF SUBTERRANEAN EASEMENT**

To: District Board March 12, 2018

From: Bureau of Public Works

At a meeting of the bureau of public works held on March 12, 2018, it was:

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

Be it resolved, that the Board of Commissioners of the Metropolitan District (“Board”) hereby authorizes District Counsel, or his designee, to enter into a settlement agreement and general release with KWK Hanmer, LLC (“KWK”) whereby the MDC agrees to pay and KWK agrees to accept the sum of \$115,000.00 as full and final settlement of the condemnation action initiated by the MDC, and appealed by KWK, to secure rights to a portion of the parcel of land known as 99 Hamner Street, Hartford, CT, said action more specifically set forth in the litigation pending in the Judicial District of Hartford Superior Court captioned **The Metropolitan District v. KWK Hanmer, LLC, et al**, Docket No. CV-16-5042183-S. Upon receipt of these funds, KWK shall immediately withdraw its appeal; and

Be it further resolved, that the Board authorizes District Counsel, or his designee, to approve any and all documents reasonably necessary to effect the terms of the settlement described above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
LITIGATION SETTLEMENT**

To: District Board March 12, 2018

From: Personnel, Pension and Insurance Committee

In April of 2013, the District received a Complaint alleging discrimination for reasons of age and race involving a supervisory promotion.

In 2015, despite the evidence presented by the District to indicate that the best qualified candidate was chosen, the Commission on Human Rights and Opportunities certified the matter for a Formal Hearing.

Since the matter was certified, the parties have been involved with a contentious discovery process.

In early February, the parties have reached an agreement in which the Complainant has completely released the Metropolitan District from any issues related to the discrimination allegations. The agreement strictly provides that there was no admission of any wrongdoing or any violation of the Complainant's rights.

In consideration of receiving the Complainant's General Release, the terms of the agreement provide that the District pay the Complainant eight thousand dollars (\$ 8,000).

Labor Counsel and Staff have recommended that this settlement be approved.

At a meeting of the Personnel, Pension and Insurance Committee held on March 12, 2018, it was:

VOTED: That the Personnel Pension and Insurance Committee recommend to the District Board the approval of the Settlement Agreement executed on February 6, 2018.

RESOLVED: That pursuant to Section B2f of the By-Laws of The Metropolitan District, the Board of Commissioners of The Metropolitan District hereby authorizes the Chief Executive Officer, or his designee, to settle the CHRO Complaint captioned *RODNEY MORGAN V. The Metropolitan District*, CHRO Complaint No. 1310384 (EEOC No. 16A-2013-00877) for the total sum of \$ 8,000.00, subject to the proper execution of any and all documents reasonably necessary to effect said settlement, including but not limited to a general release containing a confidentiality provision from the plaintiff, and formal withdrawal of said action.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Caban and duly seconded, the report was received and resolution adopted, by majority vote of those present. Commissioner Sweezy opposed.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford submitted the following written comments:

March 12, 2018
General Public Comments
District Board Meeting

I support your adoption of a program run by Operation Fuel to assist low income customers having difficulty paying their water bills. This will not only help low income customers but ultimately pay for itself through avoiding shut offs and improved public opinion.

I know the MDC will oppose the State Water Plan. There is likely nothing I can say here tonight that will change your opinion about that.

I have listened here at board meetings when concerns about public trust were raised and the depiction of how the doctrine could cause problems for the MDC, based on the MDC's desire to "own" the water in their reservoirs.

But I have to say this one more time. The State Water Plan is not a regulation, it is not a law, it has no ability to enforce anything. It is a plan, a guide, meant to help guide future decisions about how water is used among the competing needs for public health, environmental health, and economic development. Putting public trust language in the water plan changes nothing.

The plan makes recommendations. Nothing takes away anyone's rights to anything. No precedents are set. In fact the plan goes out of its way avoid use of language such as "will", "should", "shall", or anything implying a directive.

The State of CT needs this plan as the MDC's close participation in the development of the plan can attest to. The MDC should be supporting this plan.

Judy Allen
West Hartford, CT

ADJOURNMENT

The meeting was adjourned at 6:50 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval