



The Metropolitan District
water supply · environmental services · geographic information

**DISTRICT BOARD
555 MAIN STREET, HARTFORD, CT
REGULAR MEETING
WEDNESDAY, SEPTEMBER 6, 2023 5:30 PM**

The general public is welcome to call into the meeting. Everyone on the call will need to mute their phone to limit background noise disrupting the meeting.

Dial in #: (415) 655-0001; Access Code: 2316 491 4601#

[Meeting Video Link](#)

1. MEETING CALLED TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MEETING MINUTES OF AUGUST 7, 2023
5. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
6. REPORT FROM DISTRICT CHAIRMAN
7. REPORT FROM CHIEF EXECUTIVE OFFICER
8. REPORT FROM DISTRICT COUNSEL
9. BUREAU OF PUBLIC WORKS - CONSIDERATION AND POTENTIAL ACTION RE: (August 30, 2023)
 - A. ACCEPTANCE OF SEWERS BUILT BY DEVELOPER PERMIT AGREEMENT – ANA GRACE SCHOOL, 129 GRIFFIN RD NORTH, BLOOMFIELD, CT
 - B. SHELBOURNE AXELA LLC REQUEST TO MODIFY SUPPLEMENT ASSESSMENT OF 50 MORGAN STREET, HARTFORD
10. BOARD OF FINANCE - CONSIDERATION AND POTENTIAL ACTION RE: (September 6, 2023)
 - A. AUTHORIZATION FOR PROJECT GRANT AGREEMENT CWF 747-PG
 - B. AUTHORIZATION FOR INTERIM FUNDING OBLIGATION AND/OR PROJECT LOAN AGREEMENT CWF 746-C
 - C. AUTHORIZATION FOR AMENDMENT TO INTERIM FUNDING OBLIGATION AND/OR PROJECT LOAN AGREEMENT CWF 719-C
11. PERSONNEL, PENSION & INSURANCE COMMITTEE – REFERRAL RE: REMOVAL OF “COMMISSIONER COMMENTS & QUESTIONS” AGENDA ITEM (July 26, 2023)
12. CONSIDERATION AND POTENTIAL ACTION RE: SETTLEMENT OF PENDING LITIGATION- CARDONA v. MDC (POSSIBLE EXECUTIVE SESSION)
13. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
14. COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS
15. ADJOURNMENT

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

To: District Board

September 6, 2023

From: Bureau of Public Works

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

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

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

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

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

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

To: District Board

September 6, 2023

From: Bureau of Public Works

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

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

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

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

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

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

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

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

To: District Board

September 6, 2023

From: Board of Finance

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

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

Bond Counsel prepared the following resolution for your approval.

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

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

RESOLVED:

Section 1. The Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, are authorized to execute that certain Project Grant Agreement CWF No. 747-PG (the "Agreement") by and between the District and the State of Connecticut (the "State") and deliver said Agreement to the State. Subject to the terms and conditions of the Agreement, the State will provide a Project Grant to the District in an amount of \$519,949.65, or such additional amounts as may be made available thereunder, to fund planning to complete the preliminary design for the sewer separation projects, in accordance with the Engineering Agreement approved by the Commissioner dated July 26, 2023, and all modifications or amendments which are approved by the Commissioner. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Respectfully Submitted,



John S. Mirtle, Esq.
District Clerk

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

To: District Board

September 6, 2023

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the Interim Funding Obligation and/or Project Loan Obligation to the State of Connecticut for CWF 746-C having a principal amount not to exceed \$7,104,051.15 and having an interest rate of 2.00%.

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

Bond Counsel prepared the following resolution for your approval.

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

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

RESOLVED:

Section 1. The Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, are authorized to execute and deliver a Project Loan and Project Grant Agreement CWF No. 746-C (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 746-C in an aggregate amount not to exceed \$7,104,051.15 to fund all labor, equipment, fees, permits, and other related costs necessary for the large diameter rehabilitation program phase II. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, as defined in the Agreement, shall bear interest at the rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement, and to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 2. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully Submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive style with a prominent initial "J" and "M".

John S. Mirtle, Esq.
District Clerk

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

To: District Board

September 6, 2023

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the Interim Funding Obligation and/or Project Loan Obligation to the State of Connecticut for CWF 719-C having a principal amount not to exceed \$11,783,655.52 and having an interest rate of 2.00%.

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

Bond Counsel prepared the following resolution for your approval.

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

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

RESOLVED:

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

Section 2. The Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, are authorized to execute and deliver a Project Loan and Project Grant Agreement CWF No. 719-C and the First Amendment Agreement CWF No. 719-C1 to be entered into with the State of Connecticut (collectively, the “Agreement”) and any and all Interim Funding Obligations and Project Loan Obligations for CWF No. 719-C and CWF No. 719-C1 in an aggregate amount not to exceed \$11,783,655.52 to fund the upgrade and replacement of the equipment and controls associated with dissolved air flotation thickening (“DAFT”) and the structural rehabilitation and repair of the DAFT tanks at the Hartford Water Pollution Control Facility. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, as defined in the Agreement, shall bear interest at the rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement, and to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. The prior actions by the Chairman and the District Treasurer in furtherance of this resolution are hereby ratified and confirmed in all respects. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

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

Respectfully Submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive style with a large initial "J" and "M".

John S. Mirtle, Esq.
District Clerk

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

To: District Board

September 6, 2023

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

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, August 7, 2023

PRESENT: Commissioners Andrew Adil, Kyle Anderson, John Avedisian, John Bazzano, Clifford Avery Buell, Richard Bush, Donald Currey, Dimple Desai, William A. DiBella, Peter Gardow, Joan Gentile, Allen Hoffman, Jean Holloway, Gary Johnson, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Pasquale J. Salemi, David Steuber, Alvin Taylor, Calixto Torres and James Woulfe (24)

REMOTE ATTENDANCE: Commissioners James Healy, Christian Hoheb and Mary LaChance, Byron Lester (4)

ABSENT: Commissioners David Drake, John Gale, Michael Maniscalco, Jon Petoskey, and New Britain Special Representative Michael Carrier (5)

ALSO PRESENT: Citizen Member Awet Tsegai
Scott Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Chris Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Jamie Harlow, Director of Human Resources
Olga Cordova, Manager of Human Resources
Robert Schwarm, Director of Information Technology
Sue Negrelli, Director of Engineering
Michael Curley, Manager of Technical Services
Jason Waterbury, Senior Project Manager
Steve Bonafonte, Assistant District Counsel (Remote Attendance)
Jeff King, Construction Manager
Jason Bretemps, Utility Maintenance Superintendent
Dana Chalupka, Contract Specialist
Lisa Madison, Manager of Procurement
Bethsaida Melendez, Procurement Compliance Analyst
Nick Salemi, Communications Administrator
Julie McLaughlin, Communications Administrator
Angel Morales, Senior Clerk
Carrie Blardo, Assistant to the Chief Executive Officer
Victoria Escoriza, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Dave Baker, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

CALL TO ORDER

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

ROLL CALL AND QUORUM

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

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

APPROVAL OF MINUTES

On motion made by Commissioner Gentile and duly seconded, the meeting minutes of July 12, 2023 were approved.

Commissioners Adil and Bazzano abstained.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

REPORT FROM DISTRICT CHAIRMAN

Chairman DiBella stated that the purpose of this meeting is to provide an update regarding the Integrated Plan, Consent Order and flooding in the City of Hartford.

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott Jellison, Chief Executive Officer, reported that DPH granted an abandonment permit for the Colebrook River Lake Reservoir

REPORT FROM DISTRICT COUNSEL

Christopher Stone, District Counsel, reported that DPH granted an abandonment permit for the Colebrook River Lake Reservoir, and that the next step in the process is to seek Congressional action to end the contract with the Army Corps of Engineers.

He stated that DPH and DEEP have no objection to the congressional amendment to get out of the Army Corps contract. He also provided an update on the claims pending before the State Claims Commissioner regarding the landfill and Buckingham parking garage. He provided an update regarding the state and federal lawsuits regarding the tunnel litigation as well as the Marriott case which was appealed to the CT Supreme Court.

GENERAL DESCRIPTION OF STORMWATER ISSUE BOTH WITHIN THE CITY OF HARTFORD AND REMAINING MEMBER TOWNS

Chief Executive Officer Scott Jellison showed the District Board a presentation and provided a general description of the Stormwater Issue within the City of Hartford and remaining member towns.

Commissioner Gardow left the meeting at 6:40 PM and joined remotely.

IMMEDIATE AND LONG-TERM MEASURES WITHIN THE MDC SEWER SYSTEM TO ADDRESS IMPACTS OF STORMWATER

Chief Executive Officer Scott Jellison discussed the immediate and long-term measures within the MDC Sewer System, in order to address the impacts of stormwater.

STORMWATER INFRASTRUCTURE IMPROVEMENTS NECESSARY TO PROVIDE LONG TERM RELIEF FROM EXCESS STORMWATER

Chief Executive Officer Scott Jellison discussed stormwater infrastructure improvements necessary to address impacts of stormwater

EXISTING AND POTENTIAL FUNDING SOURCES

Chief Executive Officer Scott Jellison discussed existing and potential funding sources.

IMPLEMENTATION AND OUTREACH OF MDC'S HOUSE CONNECTION, BACK WATER VALVE AND SEWER SEPARATION PROJECT

Chief Administrative Officer Kelly Shane, Construction Manager Jeff King, Communications Administrator Julie McLaughlin and Communications Administrator Nick Salemi provided a report regarding the implementation and outreach of MDC's House Connection, Backwater Valve Program and the Sewer Separation Project.

**STAFF RESPONSE TO LETTER FROM COMMISSIONERS HOLLOWAY AND
TORRES DATED JULY 19, 2023**

Chief Executive Officer Scott Jellison stated that he received the letter on Thursday, August 3rd and will provide a response in the near future to the letter received from Commissioners Holloway and Torres, dated July 19, 2023.

Commissioner Salemi left the meeting at 8:20 PM

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Alyssa Peterson, of Hartford, stated that she was accosted by a vendor at the last meeting and will be submitting a formal complaint. She stated that tonight was the first time that she's heard a little controversy and a lively discussion at an MDC meeting. She believes MDC needs a better plan as a path forward. She said the best idea would be that the MDC should handle the Flood Commission based on their experience and staff. There are currently 2 staff from the City of Hartford that work on the Flood Commission, and they are overwhelmed. She described a Fuss & O'Neil study from 2016 by the City of Hartford that identified a list of flood control projects that have not been done.

Judy Allen, of West Hartford, recognized staff for all of the work they have done. She hopes that the set asides and the Hartford residency requirements are put into other MDC work outside of just Hartford. She also inquired about any updates on the drinking water industrial rate.

ADJOURNMENT

The meeting was adjourned at 6:45 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval