

**JOURNAL
OF
THE COMMITTEE ON MDC GOVERNMENT
OF
THE METROPOLITAN DISTRICT
COMMISSION**

FOR THE YEAR
2015

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Office of the District Clerk

Membership of the District is made up of the City of Hartford and
The Towns of Bloomfield, Newington, Wethersfield, Windsor,
East Hartford, Rocky Hill and West Hartford

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MEMBERSHIP
OF
THE COMMITTEE ON MDC GOVERNMENT
2015

| | |
|--------------------------|--|
| J. LAWRENCE PRICE | Chairman, Committee on MDC Government |
| ALPHONSE MAROTTA | Vice Chairman, Committee on MDC Government |

MICHAEL GERHART

JAMES S. NEEDHAM

ALLEN HOFFMAN

J. LAWRENCE PRICE

WILLIAM HORAN

HECTOR M. RIVERA

MAUREEN MAGNAN

ALVIN E. TAYLOR

ALPHONSE MAROTTA

MINUTES

OF

MEETINGS OF THE COMMITTEE ON MDC GOVERNMENT

HELD IN 2015

**COMMITTEE ON MDC GOVERNMENT
SPECIAL MEETING**

The Metropolitan District
555 Main Street, Hartford CT
Thursday, January 15, 2015

Present: Commissioners Allen Hoffman, Alphonse Marotta, J. Lawrence Price,
Alvin E. Taylor and District Chairman William A. DiBella (5)

Absent: Commissioners Michael Gerhart, William P. Horan, Maureen Magnan,
James S. Needham and Hector Rivera (5)

CALL TO ORDER

The meeting was called to order by Chairman J. Lawrence Price at 4:00 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman J. Lawrence Price that a quorum of the Committee on MDC Government was not present.

At that time, the meeting was adjourned.

ADJOURNMENT

The meeting was adjourned at 4:00 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

February 11, 2015

Date of Approval

**COMMITTEE ON MDC GOVERNMENT
SPECIAL MEETING**

The Metropolitan District
555 Main Street, Hartford CT
Wednesday, February 11, 2015

Present: Commissioners Allen Hoffman, Maureen Magnan, Alphonse Marotta, J. Lawrence Price, Alvin E. Taylor and District Chairman William A. DiBella (6)

Absent: Commissioners Michael Gerhart, William P. Horan, James S. Needham and Hector Rivera (4)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy CEO, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Sue Negrelli, Director of Engineering
Gerald J. Lukowski, Director of Operations
Stanley Pokora, Manager of Treasury
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman J. Lawrence Price at 3:41 PM

ROLL CALL AND QUORUM

The District Clerk informed Chairman Price that a quorum was present, and the meeting was declared a legal meeting of the Committee on MDC Government of The Metropolitan District of Hartford County, Connecticut.

APPROVAL OF MINUTES

On motion made by Commissioner Taylor and duly seconded, the meeting minutes of December 1, 2014 and January 15, 2015 were approved.

Commissioner Price abstained.

APPOINTMENT OF LEGISLATIVE CONSULTANTS

To: Committee on MDC Government for consideration on February 11, 2015

Over the past several years, the firms of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC have provided exemplary service in the area of governmental relations. Based upon their collective past performance, and to maintain a level of continuity within the District's legislative and administrative lobbying activities, District staff recommends the reappointment of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC to represent the District during the 2015 legislative session. The terms of their respective appointments would be from January 1, 2015 through December 31, 2015.

Furthermore, in the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends that the annual fee for each lobbyist firm remain \$25,000.00, for a total of \$50,000.00. Payments would be prorated over a 12-month period, commencing January 2015.

It is therefore recommended that it be:

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

Resolved: That the firms of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC be retained to perform lobbying services for a period commencing on January 1, 2015 and terminating on December 31, 2015, for a fee of \$25,000.00 each, totaling \$50,000.00, to be prorated over a twelve-month period, subject to the execution of a written agreement prepared and approved by District Counsel as to form and content, reflecting the scope of services, reporting requirements and such other terms and conditions as District Counsel may specify.

Respectfully Submitted,


Chief Executive Officer
Scott Jellison

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

Commissioner Magnan abstained.

DISCUSSION RE: 2015 LEGISLATIVE AGENDA

Christopher R. Stone, Assistant District Counsel, briefed the committee on the 2015 Legislative Agenda.

ADJOURNMENT

The meeting was adjourned at 4:04 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval

PUBLIC HEARING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford CT
Thursday, July 23, 2015

Present: Commissioner J. Lawrence Price, Deputy Chief Executive Officer of Business Services John M. Zinzarella, Director of Procurement Kelly Shane, Assistant to the Chief Executive Officer Kerry Martin, Executive Assistant Cindy Nadolny and District Clerk John Mirtle

PUBLIC HEARING ON PROPOSED REVISIONS TO
THE METROPOLITAN DISTRICT GENERAL ORDINANCES

Chairman J. Lawrence Price, acting as chairman, called the public hearing to order at 3:05 P.M.

Commissioner Price read the hearing procedures and guidelines:

“This is a public hearing to consider the proposed revisions of Section G6e “REVIEW OR PROPOSALS”, Section G6f “FINAL SELECTION”, Section G6h “INDEFINITE-DELIVERY / INDEFINITE-QUANTITY SELECTION”, Section G8a “SUPPLIES AND SERVICES”, and Section G8f “STREAMLINED SOLICITATION FOR COMMERCIAL ITEMS” to The Metropolitan District’s General Ordinances. This Public Hearing is part of the legal procedure that The Metropolitan District is required to follow regarding the revision of any of its ordinances, as mandated by Special Act 01-3 of the Connecticut General Assembly of 2001.”

“A final decision on this proposed ordinance revision has yet to be made. That decision will ultimately be made by the District Board of The Metropolitan District, and will take into account what is said at this hearing.

“The District Clerk will now read, for the record, the notice of this public hearing and the statement of purpose explaining why these revisions have been proposed.

John Mirtle, District Clerk, entered the following into the record:

The following hearing notice was published in the Hartford Courant on July 10, 2015 and again on July 20, 2015; and the notice and the complete text of the proposed ordinance revision was filed, for public inspection, in the office of the town clerk in each municipality that is a member town of The Metropolitan District.

Pursuant to Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, the Metropolitan District will hold a public hearing on the proposed revision

of Section G6e "REVIEW OF PROPOSALS", Section G6f "FINAL SELECTION", Section G6h "INDEFINITE-DELIVERY/INDEFINITE-QUANTITY SELECTION", Section G8a "SUPPLIES AND SERVICES", and Section G8f "STREAMLINED SOLICITATION FOR COMMERCIAL ITEMS" to The Metropolitan District's General Ordinances. The hearing will be held in the Board Room at District Headquarters, 555 Main Street, Hartford on Thursday, July 23, 2015 at 3:00 P.M.

STATEMENT OF PURPOSE: By means of adoption of the proposed amendments to the designated ordinances, the MDC is seeking to alter its internal management process for review of responses to Requests for Proposals for certain professional services. In addition, the MDC seeks to clarify its authority to utilize contracts that may be the products of processes that other public organizations have engaged in.

PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 3:08 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval

PUBLIC HEARING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford CT
Tuesday, August 25, 2015

Present: Commissioner J. Lawrence Price, Commissioner Timothy Curtis, Commissioner Luis Caban, Assistant to the Chief Executive Officer Kerry Martin, Executive Assistant Cindy Nadolny, District Clerk John Mirtle, Director of Engineering Susan Negrelli, Project Manager Jennifer Ottalagana, Real Estate Technician Allen King, Project Manager Frank Cahill, Project Engineer Isabel Doupis and Project Manager Peter Miller

PUBLIC HEARING ON PROPOSED REVISIONS TO
THE METROPOLITAN DISTRICT GENERAL ORDINANCES

Chairman J. Lawrence Price, acting as chairman, called the public hearing to order at 4:57 P.M.

Commissioner Price read the hearing procedures and guidelines:

“This is a public hearing to consider the proposed revisions of Section G1i “CONTRIBUTION BY EMPLOYEES” to The Metropolitan District’s General Ordinances. This Public Hearing is part of the legal procedure that The Metropolitan District is required to follow regarding the revision of any of its ordinances, as mandated by Special Act 01-3 of the Connecticut General Assembly of 2001.”

“A final decision on this proposed ordinance revision has yet to be made. That decision will ultimately be made by the District Board of The Metropolitan District, and will take into account what is said at this hearing.

“The District Clerk will now read, for the record, the notice of this public hearing and the statement of purpose explaining why these revisions have been proposed.

John Mirtle, District Clerk, entered the following into the record:

The following hearing notice was published in the Hartford Courant on August 13, 2015 and again on August 21, 2015; and the notice and the complete text of the proposed ordinance revision was filed, for public inspection, in the office of the town clerk in each municipality that is a member town of The Metropolitan District.

Pursuant to Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, The Metropolitan District will hold a public hearing on the proposed revisions of Section G1i “CONTRIBUTION BY EMPLOYEES”, to The Metropolitan District’s General Ordinances. The hearing will be held in the Board Room at District

Headquarters, 555 Main Street, Hartford, Connecticut on Tuesday, August 25, 2015 at 4:00 P.M.

The proposed ordinance revisions are available for inspection at the Office of the District Clerk of The Metropolitan District, 555 Main Street, Hartford.

STATEMENT OF PURPOSE: By means of adoption of the proposed amendment to the designated ordinance, the MDC is seeking to modify the amount employees contribute to their retirement benefits.

PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 5:02 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval

PUBLIC HEARING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford CT
Wednesday, November 18, 2015

Present: Commissioner J. Lawrence Price, District Chairman William A. DiBella, Commissioner Allen Hoffman, Commissioner Joseph Kronen, Commissioner Alphonse Marotta, Commissioner James S. Needham, Commissioner Hector M. Rivera, Chief Executive Officer Scott W. Jellison, Deputy Chief Executive Officer of Business Services John M. Zinzarella, Assistant District Counsel Christopher R. Stone, Assistant to the Chief Executive Officer Kerry Martin, Executive Assistant Cindy Nadolny, District Clerk John Mirtle, Director of Finance Rob Constable, Director of Engineering Susan Negrelli, Director of Procurement Kelly Shane, Project Manager Mike Curley and Financial Analyst Shereese Rodgers

PUBLIC HEARING ON PROPOSED REVISIONS TO
THE METROPOLITAN DISTRICT SEWER ORDINANCES

Chairman J. Lawrence Price, acting as chairman, called the public hearing to order at 4:30 P.M.

Commissioner Price read the hearing procedures and guidelines:

“This is a public hearing to consider the proposed revision of **SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM**, to the Metropolitan District’s Sewer Ordinances. This Public Hearing is part of the legal procedure that The Metropolitan District is required to follow regarding the revision of any of its ordinances, as mandated by Special Act 01-3 of the Connecticut General Assembly of 2001.”

“A final decision on this proposed ordinance revision has yet to be made. That decision will ultimately be made by the District Board of The Metropolitan District, and will take into account what is said at this hearing.

“The District Clerk will now read, for the record, the notice of this public hearing and the statement of purpose explaining why these revisions have been proposed.”

John Mirtle, District Clerk, entered the following into the record:

“The following hearing notice was published in the Hartford Courant on November 6, 2015 and again on November 12, 2015; and the notice and

the complete text of the proposed ordinance revision was filed, for public inspection, in the office of the town clerk in each municipality that is a member town of The Metropolitan District.

Pursuant to Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, The Metropolitan District will hold a public hearing on the proposed revision of Section S12x "Special Sewer Service Charge for Capital Improvements to the Sewerage System" to The Metropolitan District's Sewer Ordinances. The hearing will be held in the Board Room at District Headquarters, 555 Main Street, Hartford, Connecticut on **Wednesday, November 18, 2015 at 4:30 P.M.**

The proposed ordinance revisions are available for inspection at the Office of the District Clerk of The Metropolitan District, 555 Main Street, Hartford.

STATEMENT OF PURPOSE OF REVISION TO S12x: To promote economic development and redevelopment within the member towns of The Metropolitan District."

PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 4:35 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

December 14, 2015

Date of Approval

**COMMITTEE ON MDC GOVERNMENT
SPECIAL MEETING**

The Metropolitan District
555 Main Street, Hartford CT
Monday, December 14, 2015

Present: Commissioners Allen Hoffman, William P. Horan, Maureen Magnan, Alphonse Marotta, J. Lawrence Price, Hector Rivera, Alvin E. Taylor and District Chairman William A. DiBella (8)

Absent: Commissioners Michael Gerhart and James S. Needham (2)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy CEO, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Rob Constable, Director of Finance
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Manager of Labor Relations
Carrie Blardo, Assistant to the Chief Operating Officer
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman J. Lawrence Price at 5:01 PM

ROLL CALL AND QUORUM

The District Clerk informed Chairman Price that a quorum was present, and the meeting was declared a legal meeting of the Committee on MDC Government of The Metropolitan District of Hartford County, Connecticut.

APPROVAL OF MINUTES

On motion made by Commissioner Hoffman and duly seconded, the Public Hearing minutes of November 18, 2015 were approved.

**PROPOSED REVISIONS TO THE WATER ORDINANCES § W1a
OF THE METROPOLITAN DISTRICT**

To: Committee on MDC Government for consideration December 14, 2015

District staff, through the Office of District Counsel, submits the revisions of Section W1a, "WATER USED CHARGE (TREATED WATER)", to The Metropolitan District Water Ordinances for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9 (Regular Session 2008).

SEC. W1a WATER USED CHARGE (TREATED WATER)

The WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

| <u>BILLS RENDERED</u> | <u>RATE</u> |
|----------------------------------|--------------------------------------|
| MONTHLY AND QUARTERLY | \$2.53 per 100 Cubic Feet |
| <u>BILLS RENDERED</u> | <u>RATE</u> |
| <u>MONTHLY AND QUARTERLY</u> | <u>\$2.66 per 100 Cubic Feet</u> |

The WATER USED CHARGE for customers subject to § S12x of The Metropolitan District Sewer Ordinances who purchase more than 668 ccf of water per day, as averaged over a monthly billing period, as follows:

For each of the first 668ccf of water used per day:

| <u>BILLS RENDERED</u> | <u>RATE</u> |
|-----------------------|----------------------------------|
| <u>MONTHLY</u> | <u>\$2.66 per 100 Cubic Feet</u> |

For each ccf of water used per day in excess of 668ccf:

| <u>BILLS RENDERED</u> | <u>RATE</u> |
|-----------------------|----------------------------------|
| <u>MONTHLY</u> | <u>\$2.16 per 100 Cubic Feet</u> |

Therefore, it is **RECOMMENDED** that it be

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

RESOLVED: That the revisions to The Metropolitan District's Water Ordinances be adopted as follows:

SEC. W1a WATER USED CHARGE (TREATED WATER)

The WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

| <u>BILLS RENDERED</u> | <u>RATE</u> |
|------------------------------|----------------------------------|
| <u>MONTHLY AND QUARTERLY</u> | <u>\$2.66 per 100 Cubic Feet</u> |

The WATER USED CHARGE for customers subject to § S12x of The Metropolitan District Sewer Ordinances who purchase more than 668 ccf of water per day, as averaged over a monthly billing period, as follows:

For each of the first 668ccf of water used per day:

| BILLS RENDERED | RATE |
|----------------|---------------------------|
| MONTHLY | \$2.66 per 100 Cubic Feet |

For each ccf of water used per day in excess of 668ccf:

| BILLS RENDERED | RATE |
|----------------|---------------------------|
| MONTHLY | \$2.16 per 100 Cubic Feet |

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer

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

**PROPOSED REVISIONS TO THE SEWER ORDINANCES § S12X
OF THE METROPOLITAN DISTRICT**

To: Committee on MDC Government for consideration on December 14, 2015

District staff, through the Office of District Counsel, submits the revisions of Section S12x, "SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM", to The Metropolitan District General Ordinances for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9 (Regular Session 2008).

The proposed revisions are underlined.

SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM

- a.) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b) and S12x(c), said charge-rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.
- b.) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.
- c.) Customers subject to the provisions of this Section12x, other than customers subject to Subsection S12x(b) above, shall be subject to the special sewer service charge as follows: 1) for the first 20,000 hundred cubic feet of water consumed from a single water meter per month, the special sewer service charge shall be assessed at the rate established by The Metropolitan District against each one hundred cubic feet of water consumed; and 2) for all water consumed in excess of 20,000 hundred cubic feet per month from a single water meter, the special sewer service charge shall be assessed at such rate against each one hundred cubic feet of sewer flow generated by the water used in excess of 20,000 hundred cubic feet per month metered at a location approved by the Metropolitan District. This excess sewer flow shall be calculated via the

proportion of sewage discharged to water consumed for the month, with this proportion applied to the volume of water consumed in excess of 20,000 hundred cubic feet per month and billed pursuant to Section S12f. The special sewer service charge assessed pursuant to this subsection shall be billed monthly.

d.) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut and a certain consent order executed by and between The Metropolitan District and the State of Connecticut relating to the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued December 21, 2005, as such decree and order may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or order, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such decree and order. For this purpose "indebtedness" shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans and "Debt service" shall mean any obligation that would constitute "debt service" if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term "debt service" is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture.

e.) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

Therefore, it is **RECOMMENDED** that it be

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

RESOLVED: That the revisions to The Metropolitan District's Sewer Ordinances be adopted as follows:

SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM

- a.) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b) and S12x(c), said rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.
- b.) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.
- c.) Customers subject to the provisions of this Section 12x, other than customers subject to Subsection S12x(b) above, shall be subject to the special sewer service charge as follows: 1) for the first 20,000 hundred cubic feet of water consumed from a single water meter per month, the special sewer service charge shall be assessed at the rate established by The Metropolitan District against each one hundred cubic feet of water consumed; and 2) for all water consumed in excess of 20,000 hundred cubic feet per month from a single water meter, the special sewer service charge shall be assessed at such rate against each one hundred cubic feet of sewer flow generated by the water used in excess of 20,000 hundred cubic feet per month metered at a location approved by the Metropolitan District. This excess sewer flow shall be calculated via the proportion of sewage discharged to water consumed for the month, with this proportion applied to the volume of water consumed in excess of 20,000 hundred cubic feet per month and billed pursuant to Section S12f. The special sewer service charge assessed pursuant to this subsection shall be billed monthly.
- d.) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut and a certain consent order

executed by and between The Metropolitan District and the State of Connecticut relating to the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued December 21, 2005, as such decree and order may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or order, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such decree and order. For this purpose "indebtedness" shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans and "Debt service" shall mean any obligation that would constitute "debt service" if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term "debt service" is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture.

- e.) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer

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

ADJOURNMENT

The meeting was adjourned at 5:03 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

January 11, 2016

Date of Approval

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To

**MINUTES OF THE COMMITTEE ON MDC
GOVERNMENT**

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