

**JOURNAL
OF
THE METROPOLITAN DISTRICT
COMMISSION**

FOR THE YEAR
2017

Published by authority of the Commission
And compiled by the
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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METROPOLITAN DISTRICT COMMISSION

(The District Board)

2017

Term Expires

<u>Commissioner</u>	<u>Town</u>	<u>Dec. 31 of</u>
ANDREW S. ADIL	WETHERSFIELD GOVERNOR APPOINTMENT	2019 ¹
JOHN AVEDISIAN	WINDSOR	2022
CLIFFORD AVERY BUELL	HARTFORD	2021
LUIS CABAN	HARTFORD	2016
DANIEL A. CAMILLIERE	WETHERSFIELD	2020
MARY ANNE CHARRON	WEST HARTFORD GOVERNOR APPOINTMENT	2019 ¹
DONALD M. CURREY	EAST HARTFORD GOVERNOR APPOINTMENT	2019 ¹
WILLIAM A. DI BELLA	HARTFORD	2020
TIMOTHY J. FITZGERALD	WINDSOR	2019
MATTHEW B. GALLIGAN	SOUTH WINSOR NON-MEMBER TOWN APPOINTMENT	2019
PETER GARDOW	LEGISLATIVE APPOINTMENT	2020
DENISE HALL	WEST HARTFORD	2017
JAMES HEALY	WEST HARTFORD	2018
ALLEN HOFFMAN	LEGISLATIVE APPOINTMENT	2018
GEORGIANA HOLLOWAY	HARTFORD	2020
DAVID IONNO	HARTFORD	2020
SANDRA JOHNSON	EAST GRANBY NON-MEMBER TOWN APPOINTMENT	2019
KATHLEEN J. KOWALYSHYN	HARTFORD GOVERNOR APPOINTMENT	2019 ¹
BYRON LESTER	BLOOMFIELD	2018
MAUREEN MAGNAN	WEST HARTFORD	2020
ALPHONSE MAROTTA	HARTFORD	2016
WHIT OSGOOD	GLASTONBURY NON-MEMBER TOWN APPOINTMENT	2019
DOMINIC PANE	NEWINGTON	2022
BHUPEN PATEL	NEWINGTON GOVERNOR APPOINTMENT	2020
PASQUALE J. SALEMI	EAST HARTFORD	2022
MICHAEL SOLOMONIDES	FARMINGTON NON-MEMBER TOWN APPOINTMENT	2020
RAYMOND SWEETZ	ROCKY HILL	2018
ALVIN E. TAYLOR	SENATE PRO TEMPORE APPOINTMENT	2021
RICHARD W. VICINO	LEGISLATIVE APPOINTMENT	2021
MICHAEL CARRIER ²	NEW BRITAIN	

A

¹April 29, 2019

² Representative from the City of New Britain on water matters only

OFFICERS
Of
THE METROPOLITAN DISTRICT COMMISSION
2017

Chief Executive Officer	SCOTT W. JELLISON
District Counsel	R. BARTLEY HALLORAN
Deputy Chief Executive Officer, Business Services	JOHN M. ZINZARELLA
District Clerk	JOHN S. MIRTLE
Director of Engineering	SUSAN NEGRELLI
Director of Facilities	THOMAS A. TYLER
Director of Finance	ROBERT CONSTABLE
Director of Human Resources	ROBERT ZAIK
Director of Information Services	ROBERT SCHWARM
Director of Operations	CHRISTOPHER J. LEVESQUE
Director of Procurement	KELLY SHANE

**CITIZEN MEMBERS
Of
THE METROPOLITAN DISTRICT COMMISSION
2017**

	<u>Term Expires</u>
RAM ABERASTURIA	DECEMBER 31, 2017
RONALD F. ANGELO, I	DECEMBER 31, 2017
MARTIN B. COURNEEN	DECEMBER 31, 2017
LINDA A. KING-CORBIN	DECEMBER 31, 2017
HECTOR RIVERA	DECEMBER 31, 2017

Citizen Members are appointed by the District Board on recommendation of the Committee on Organization and serve for two-year terms.

Citizen Members serve on either the Strategic Planning Committee or the Board of Finance.

ORGANIZATION
Of
THE METROPOLITAN DISTRICT COMMISSION
2017

WILLIAM A. DIBELLA Chairman, District Board
MAUREEN MAGNAN Vice Chairman, District Board

BUREAU OF PUBLIC WORKS

ANDREW S. ADIL	ALPHONSE MAROTTA
JOHN AVEDISIAN	DOMINIC PANE
LUIS CABAN	BHUPEN PATEL
DONALD M. CURREY	RAYMOND SWEEZY
ALLEN HOFFMAN	ALVIN E. TAYLOR
BYRON LESTER	RICHARD W. VICINO
MAUREEN MAGNAN	

WATER BUREAU

ANDREW S. ADIL	KATHLEEN J. KOWALYSHYN
CLIFFORD AVERY BUELL	BYRON LESTER
DANIEL A. CAMILLIERE	DOMINIC PANE
MARY ANNE CHARRON	PASQUALE J. SALEMI
TIMOTHY J. FITZGERALD	RAYMOND SWEEZY
PETER E. GARDOW	ALVIN TAYLOR
GEORGIANA HOLLOWAY	MICHAEL CARRIER ³
DAVID IONNO	

D

³ Representative from the city of New Britain on water matters only

COMMITTEE ON ORGANIZATION

CLIFFORD AVERY BUELL
DANIEL A. CAMILLIERE
LUIS CABAN
DONALD M. CURREY
TIMOTHY J. FITZGERALD

ALLEN HOFFMAN
KATHLEEN J. KOWALYSHYN
RAYMOND SWEEZY
ALVIN E. TAYLOR
RICHARD VICINO

COMMISSION ON REGIONAL PLANNING

DANIEL A. CAMILLIERE
ALPHONSE MAROTTA

RAYMOND SWEEZY

BOARD OF FINANCE

LUIS CABAN
ALLEN HOFFMAN
PASQUALE J. SALEMI
RAM ABERASTURIA*

RONALD F. ANGELO, I*
MARTIN B. COURNEEN*
LINDA KING-CORBIN*

*Citizen Member; two-year term expires December 31, 2017

PERSONNEL, PENSION AND INSURANCE COMMITTEE

DANIEL A. CAMILLIERE

DONALD M. CURREY

TIMOTHY J. FITZGERALD

KATHELEEN J. KOWALYSHYN

BYRON LESTER

MAUREEN MAGNAN

ALPHONSE MAROTTA

DOMINIC PANE

BHUPEN PATEL

PASQUALE J. SALEMI

RAYMOND SWEEZY

ALVIN E. TAYLOR

COMMITTEE ON MDC GOVERNMENT

JOHN AVEDISIAN

CLIFFORD AVERY BUELL

PETER E. GARDOW

ALLEN HOFFMAN

GEORGIANA HOLLOWAY

DAVID IONNO

MAUREEN MAGNAN

ALPHONSE MAROTTA

ALVIN E. TAYLOR

COMMUNITY AFFAIRS COMMITTEE

CLIFFORD AVERY BUELL

DANIEL A. CAMILLIERE

MARY ANNE CHARRON

GEORGIANA HALLOWAY

DAVID IONNO

MAUREEN MAGNAN

RAYMOND SWEEZY

ALVIN E. TAYLOR

RICHARD VICINO

AUDIT COMMITTEE

MARY ANNE CHARRON

DONALD M. CURREY

PETER E. GARDOW

ALLEN HOFFMAN

KATHLEEN J. KOWALYSHYN

ALPHONSE MAROTTA

RAYMOND SWEEZY

ALVIN E. TAYLOR

RICHARD W. VICINO

STRATEGIC PLANNING COMMITTEE

ANDREW S. ADIL

LUIS CABAN

DANIEL CAMILLIERE

MARY ANNE CHARRON

TIMOTHY J. FITZGERALD

BYRON LESTER

ALPHONSE MAROTTA

ALVIN E. TAYLOR

RICHARD W. VICINO

HECTOR RIVERA*

*Citizen Member; two-year term expires December 31, 2017

CRRA STEERING COMMITTEE

MAUREEN MAGNAN

PASQUALE J. SALEMI

ALVIN E. TAYLOR

GENERAL POLICY AND PLANNING COMMITTEE

LUIS CABAN

RAYMOND SWEEZY

PASQUALE J. SALEMI

ALVIN E. TAYLOR

MINUTES

of

MEETINGS OF THE DISTRICT BOARD

HELD IN 2017

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, January 9, 2017

Present: Commissioners Andrew Adil, Luis Caban, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Dominico M. Pane, Bhupen Patel, Mark A. Pappa, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino and Special Representative Michael Carrier (21)

Absent: Commissioners Daniel Camilliere, Mary Anne Charron, Timothy Curtis, Matthew B. Galligan, William P. Horan, Sandra Johnson, Kathleen J. Kowalyshyn, Byron Lester, Kennard Ray and Helene Shay (10)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Mike Curley, Manager of Technical Services
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 DiBella at 5:33 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.

**INTRODUCTION OF NEW COMMISSIONER AND ADMINISTRATION OF OATH
OF OFFICE**

The District Clerk swore in Commissioner Dominico M. Pane of Newington.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Marotta and duly seconded, the meeting minutes of December 5, 2016 were approved.

Commissioners Adil and Pane abstained.

REPORT FROM DISTRICT CHAIRMAN

No report was given.

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

EXECUTIVE SESSION

At 5:59 P.M., Chairman DiBella requested an executive session to discuss the Clean Water Project Consent Order/Decree.

On motion made by Commissioner Salemi and duly seconded, the District Board entered into executive session to discuss the Clean Water Project Consent Order/Decree.

Those in attendance during the executive session:

Commissioners Andrew Adil, Luis Caban, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Dominico M. Pane, Bhupen Patel, Mark A. Pappa, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino; Chief Executive Officer Scott W. Jellison, Deputy Chief Executive Officer of Business Services John M. Zinzarella, Director of Engineering Susan Negrelli, Attorneys Christopher Stone, Brendan Fox and John Mirtle. Ernest Lormier of Soeder & Associates, Jamie H. Robinson of CH2MHILL, Brian Gackstatter of CH2MHILL, Eric Muir of CH2MHILL and Joe Laliberte of CDMSmith.

Commissioner Hoffman exited the meeting at 6:25 PM

Commissioner Hoffman returned at 6:55 PM

Commissioner Osgood exited the meeting at 7:05PM

RECONVENE

At 7:11 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Currey and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

**MEMORANDUM OF UNDERSTANDING WITH CITY OF HARTFORD RELATING
TO CLEAN WATER PROJECT AND PENDING LITIGATION**

The agenda item was passed and no action was taken.

**DISTRICT CLERK
SERVICE OF TAX WARRANTS FOR FISCAL YEAR 2017**

To: District Board

From: District Clerk

January 9, 2017

Pursuant to the Charter of the District, Section 3-13, the District Clerk reports that Tax Warrants for Fiscal Year 2017, drawn by the Chairman of The Metropolitan District, in favor of the Treasurer have been served on the following:

Town Clerk, Marguerite Phillips, Bloomfield
Town Clerk, Robert J. Pasek, East Hartford
Town and City Clerk John V. Bazzano, Hartford
Town Clerk James Krupienski, Newington
Town Clerk Office Attn: Stuart Topliff, Rocky Hill
Town Clerk Essie S. Labrot, West Hartford
Town Clerk Dolores G. Sassano, Wethersfield
Town Clerk Anna Posniak, Windsor

Receipts for these tax warrants have been received and are on file in the Office of the District Clerk.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

**COMMITTEE ON MDC GOVERNMENT
APPOINTMENT OF LEGISLATIVE CONSULTANTS**

From: Committee on MDC Government

To: District Board

January 9, 2017

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 government relations and advocacy within state government on behalf of the District. Based upon their collective past performance, and to maintain the necessary 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 2017 legislative session of the State general assembly, and to provide additional services in the area of government relations as may be necessary during the one year term of their respective contract. The term of these appointments would be from January 1, 2017 through December 31, 2017.

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 2017.

At a meeting of the Committee on MDC Government on January 9, 2017, it was:

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, 2017 and terminating on December 31, 2017, 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,

John S. Mirtle, Esq.
District Clerk

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

**458-470 COTTAGE GROVE ROAD, BLOOMFIELD
ENCROACHMENT AGREEMENT**

To: District Board

January 9, 2017

From: Bureau of Public Works

In a letter dated November 1, 2016, Christopher Winter of Loureiro Engineering Associates, on behalf of CGR Medical Development, LLC, and Regan Development Corporation, has requested permission from The Metropolitan District to permanently encroach on the existing Rockwell Avenue Branch Trunk Sewer easement located across private lands between Beeman Brook and Lincoln Terrace in Bloomfield, to regrade and add landscaping in conjunction with the Bloomfield Specialty Housing development project.

The proposed work entails the regrading of the easement area (removal of soil leaving a minimum of four feet of cover over the pipe), the installation of riprap from a new stilling basin (to improve drainage from an existing condition), and landscaping over the existing 16-inch CI sanitary trunk sewer and within the existing 20-foot sewer easement, as shown on the accompanying map. The existing trunk sewer was built in 1959.

MDC staff has concluded that the encroachments are minor and that there will be no detriment to the sanitary trunk sewer infrastructure as a result.

CGR Medical Development, LLC, and Regan Development Corporation have agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary trunk sewer located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot permanent easement:

1. Care must be taken during the regrading and landscaping activities not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the trunk sewer easement when not in use. Any heavy construction or earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary trunk sewer caused by any such demolition or construction within or adjacent to the existing right-of-way shall be the responsibility of the Owner.
2. No additional permanent structures shall be located within the District's sanitary trunk sewer right-of-way.
3. The District reserves the right to remove structures within the sanitary trunk sewer easement at any time if so required for maintenance, repair or

replacement of the sanitary trunk sewer. The Owner shall bear and pay for any and all additional maintenance, repair or replacement costs necessitated by or resulting from the presence of structures within the easement, including but not limited to any costs incurred by or on behalf of the MDC.

4. In the event of a sewer emergency caused by the proposed construction and excavation in connection therewith, the Owner shall provide, at their expense, an appropriately sized bypass pump.
5. An MDC inspector must be on the job site whenever work is being performed within the sanitary trunk sewer right-of-way. Any construction, maintenance, repair or replacement of the grading or landscaping must conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within or adjacent to the sanitary trunk sewer easement.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary trunk sewer in or adjacent to the areas of construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewers.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between CGR Medical Development, LLC, Regan Development Corporation and the Metropolitan District, consistent with current practice involving similar requests.

At a meeting of the Bureau of Public Works on January 9, 2017 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 approval of form and content by District Counsel, granting permission to CGR Medical Development, LLC, and Regan Development Corporation to encroach upon the existing 20-foot Rockwell Avenue Branch Trunk Sewer easement in private lands between Beeman Brook and Lincoln Terrace, Bloomfield, in support of the planned construction of Bloomfield Specialty Housing, as shown on plans submitted by Loureiro Engineering Associates, dated 9/23/2016, revised 11/11/16, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.



November 1, 2016

The Metropolitan District
Engineering & Planning
555 Main Street
P.O. Box 800
Hartford, Connecticut 06142-0800

METROPOLITAN DISTRICT
ENGINEERING & PLANNING

NOV 03 2016
RECEIVED

Attn: Michael Curley, P.E.
Manager of Technical Services

RE: Encroachment Permit
Proposed Bloomfield Specialty Housing
458-470 Cottage Grove Road, Bloomfield, Connecticut 06002

Dear Mr. Curley:

On behalf of CGR Medical Development, LLC and Regan Development Corporation (the "Applicant"), Loureiro Engineering Associates, Inc. has prepared this request for an Encroachment Permit for the proposed Bloomfield Specialty Housing to be located at 458-470 Cottage Grove Road in Bloomfield, Connecticut (the "Site"). The Site is approximately 2.35 acres and is located on the corner of Cottage Grove Road and Lincoln Terrace. A location map of the Site is included as Attachment 1.

The Applicant is proposing to improve the two parcels by constructing a 38-unit multi-family housing apartment complex. The proposed building is a 43,180 square foot, 2-floor building to be located on the western portion of the Site and approximately 25,860 square feet of paved parking lot. An overall site layout drawing is included as Attachment 2.

A 20-foot Metropolitan District (MDC) sanitary sewer easement is located along the northern portion of the Site. The Applicant is proposing to regrade from the north boundary of the easement to the north wall of the proposed building. Attachment 3 depicts the proposed grading of the Site.

In addition to regrading within the MDC sanitary sewer easement, the Applicant is proposing to provide landscaping along the south side of the unnamed tributary which runs along the northern portion of the Site. The proposed landscape plan is included as Attachment 4.

Should you have any questions regarding this letter, please contact me at your earliest convenience at (860) 747-6181.

Loureiro Engineering Associates, Inc.
100 Northwest Drive • Plainville, CT 06062 • 860.747.6181 • Fax 860.747.8022 • www.Loureiro.com
AN EMPLOYEE-OWNED COMPANY

MDC
November 1, 2016
Page 2 of 2



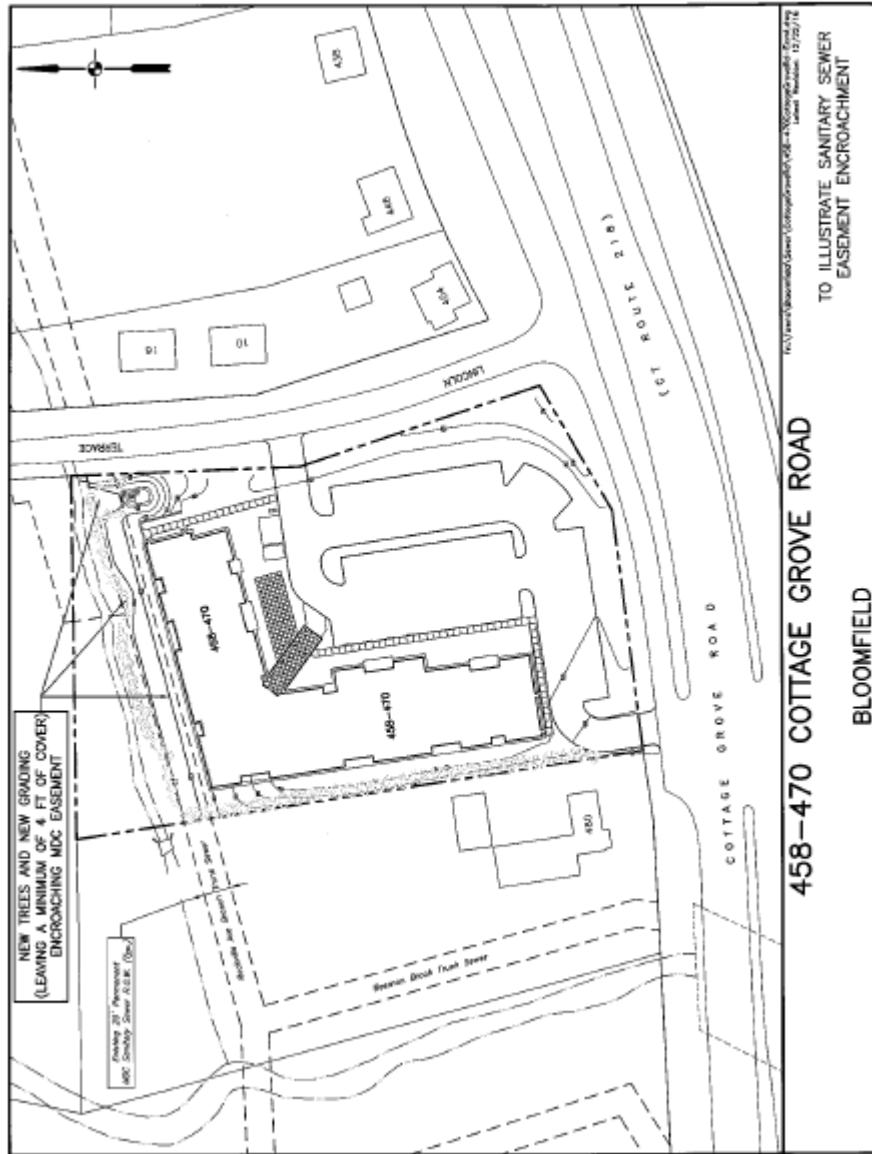
Sincerely,

LOUREIRO ENGINEERING ASSOCIATES, INC.

A handwritten signature in cursive script, reading "Ch. C. Winter".

Christopher C. Winter, P.E.
Senior Project Manager

Attachment



Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**DEBT ISSUANCE RESOLUTION
FOR UP TO \$120,000,000 IN BOND ANTICIPATION NOTES**

To: District Board

January 9, 2017

From: Board of Finance

Staff is seeking authority for the District to issue up to \$120,000,000 in bond anticipation notes to provide new bond anticipation note proceeds for CIP projects set forth on Exhibit A attached hereto. This authorization is in lieu of the authorization of \$60,000,000 in bond anticipation notes for CIP projects passed by the Board of Finance and the District Board on November 2, 2016. This authorization also rescinds the authorization of \$113,500,000 in bond anticipation notes from such resolution that was not used.

The bond anticipation notes in the approximate aggregate principal amount of amount of \$120,000,000 will be dated on or about March 1, 2017 and will mature on or about August 31, 2017. The bond anticipation notes will bear interest payable at maturity and will be issued in fully registered form.

Bond counsel prepared the following resolution for consideration by the Board of Finance:

At a meeting of the Board of Finance held on January 9, 2017, it was:

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

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT
EXCEEDING \$120,000,000 GENERAL OBLIGATION BOND
ANTICIPATION NOTES OF THE METROPOLITAN DISTRICT**

1. The resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$173,500,000 GENERAL OBLIGATION BOND ANTICIPATION NOTES OF THE METROPOLITAN DISTRICT" adopted by the District Board at its meeting held on November 2, 2016 is hereby rescinded and cancelled.
2. The authorization of up to \$173,500,000 general obligation bonds of the District pursuant to that resolution entitled "AMENDED AND RESTATED RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$173,500,000 GENERAL OBLIGATION BONDS OF THE METROPOLITAN DISTRICT" adopted by the District Board at its meeting held on November 2, 2016 is hereby reduced by \$65,185,000 to \$108,315,000, the amount actually issued on December 1, 2016.

3. Not exceeding \$120,000,000 Metropolitan District General Obligation Bond Anticipation Notes (the "Notes") are hereby authorized to be issued in anticipation of the issuance of bonds to fund new money for Capital Improvement Projects set forth on Exhibit A hereto attached. The Notes are authorized to be issued to fund such portion of the authorized and unissued balances of the capital appropriations contained in certain bond resolutions adopted to finance capital budget items enacted by the District Board in the years and in the amounts set forth on Exhibit A hereto attached. Proceeds of the Notes shall be used on a first-spent basis to temporarily finance the expenditures for any of the purposes or projects set forth on Exhibit A and for any supplemental purposes or projects the Board of Finance and the District Board may from the date hereof authorize to be financed by the issuance of bonds. The Notes shall be dated on or about March 1, 2017, and shall mature on or about August 31, 2017, bear interest payable at maturity and be issued in fully registered form. The Notes shall be payable at and certified by U.S. Bank National Association, which bank shall also serve as registrar and transfer agent for the Notes. The Notes shall be sold by the District Treasurer, or in his absence, the Deputy Treasurer, in a competitive offering or in a negotiated offering, in the discretion of the District Treasurer, or in his absence, the Deputy Treasurer. If sold in a competitive offering the Notes shall be awarded to the bidder or bidders offering to purchase the Notes at the lowest net interest cost to the District, and in no case for a sum less than par and accrued interest to the date of delivery. The District Treasurer, or in his absence the Deputy Treasurer, is hereby delegated the authority to determine the rate or rates of interest on the Notes, and to deliver the Notes to the purchaser or purchasers thereof in accordance with this resolution. 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 Tax Regulatory Agreement and, in the case of a negotiated sale, a Note Purchase Agreement for the Notes on behalf of the District in such forms as they shall deem necessary and appropriate, and to rebate to the Federal government such amounts as may be required pursuant to the Tax Regulatory Agreement for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended. 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 Continuing Disclosure Agreement and any and all agreements and documents necessary to effect the issuance and sale of the Notes in accordance with the terms of this resolution.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

2016 OPERATING BUDGET TRANSFER

To: District Board

January 9, 2017

From: Board of Finance

The 2016 Metropolitan District operating budget is currently experiencing deficits in Command Center, Employee Benefits and Taxes budget. The Command Center shows a shortage based on the number of employees retiring. The Employee Benefits budget has a deficit in the Pension based upon final actuary report additional funding is required for 2016. Taxes budget has a deficit due to a slight increase in tax rates.

CERTIFICATIONS:

In accordance with Section 3-8 of the Charter of The Metropolitan District, I hereby certify that there exists free from encumbrances, in the following appropriation, the amounts listed:

	General	Water	Total
Department 701 – Debt Service	<u>\$17,400,100.00</u>	<u>\$19,101,800.00</u>	<u>\$36,501,900.00</u>
Total	<u>\$17,400,100.00</u>	<u>\$19,101,800.00</u>	<u>\$36,501,900.00</u>

John M. Zinzarella
Chief Financial Officer

It is therefore RECOMMENDED that it be:

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

Resolved: That transfers within the 2016 Budget Appropriations be approved as follows:

From:	General	Water	Total
Department 701 – Debt Service	<u>\$174,800.00</u>	<u>\$242,200.00</u>	<u>\$417,000.00</u>
Total	<u>\$174,800.00</u>	<u>\$242,200.00</u>	<u>\$417,000.00</u>

To:	General	Water	Total
Department-212 Command Center	\$11,900.00	\$23,100.00	\$35,000.00
Department-712 Employee Benefits	\$162,900.00	\$199,100.00	\$362,000.00
Department-731 Taxes	-0-	\$20,000.00	\$20,000.00
Total	<u>\$174,800.00</u>	<u>\$242,200.00</u>	<u>\$417,000.00</u>

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

EXECUTIVE SESSION

At 7:14 P.M., Chairman DiBella requested an executive session to discuss Collective Bargaining Issues.

On motion made by Commissioner Currey and duly seconded, the District Board entered into executive session to discuss Collective Bargaining Issues.

Those in attendance during the executive session:

Commissioners Andrew Adil, Luis Caban, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Dominico M. Pane, Bhupen Patel, Mark A. Pappa, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino; Attorney Christopher R. Stone, Deputy Chief Executive Officer of Business Services John M. Zinzarella, and Interim Director of Human Resources Robert Zaik.

RECONVENE

At 7:19 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Marotta and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

EXECUTIVE SESSION

At 7:19 P.M., Chairman DiBella requested an executive session to discuss CRRA/MIRA Arbitration.

On motion made by Commissioner Currey and duly seconded, the District Board entered into executive session to discuss CRRA/MIRA Arbitration.

Those in attendance during the executive session:

Commissioners Andrew Adil, Luis Caban, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Dominico M. Pane, Bhupen Patel, Mark A. Pappa, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino; Attorneys Brendan Fox, John S. Mirtle, and Deputy Chief Executive Officer of Business Services John M. Zinzarella

RECONVENE

At 7:29 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Magnan and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

EXECUTIVE SESSION

Without objection, on motion made by Commissioner Adil, and duly seconded the executive sessions for Agenda items 13 “MDC v. Amtrack Relating to the Clean Water Project”, 14 “Settlement of Claim by City of New Britain” and 15 “Settlement of Litigation - Mitchell v. MDC” were consolidated.

At 7:29 P.M., Chairman DiBella requested an executive session to discuss “MDC v. Amtrack Relating to the Clean Water Project”, “Settlement of Claim by City of New Britain” and “Settlement of Litigation - Mitchell v. MDC”.

On motion made by Commissioner Sweezy and duly seconded, the District Board entered into executive session to discuss “MDC v. Amtrack Relating to the Clean Water Project”, “Settlement of Claim by City of New Britain” and “Settlement of Litigation - Mitchell v. MDC”

Those in attendance during the executive session:

Commissioners Andrew Adil, Luis Caban, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Dominico M. Pane, Bhupen Patel, Mark

A. Pappa, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino; Attorneys R. Bartley Halloran , Brendan Fox, John S. Mirtle, Chief Executive Officer Scott W. Jellison, and Deputy Chief Executive Officer of Business Services John M. Zinzarella

RECONVENE

At 7:45 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Marotta and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

Without objection, Agenda Items 13 “MDC v. Amtrack Relating to the Clean Water Project”, 14 “Settlement of Claim by City of New Britain” and 15 “Settlement of Litigation - Mitchell v. MDC” were consolidated and considered together.

PROPOSED SETTLEMENT OF THE MATTER MDC V. AMTRACK RELATING TO THE CLEAN WATER PROJECT

To: District Board

January 9, 2017

Be it resolved, that the Board of Commissioners of The Metropolitan District (“District”) hereby approves the Settlement Agreement by and between the District and National Railroad Passenger Corporation d/b/a Amtrak (“Amtrak”) whereby Amtrak grants to the District a certain license agreement for construction of the South Hartford Storage and Conveyance Tunnel in furtherance of the Clean Water Project, and in exchange therefore, the District agrees to withdraw its condemnation action presently pending in Federal Court under docket number 3:16-cv-01496, and said Board further authorizes the Chief Executive Officer of the District, or his designee, to execute any and all documents reasonably necessary to effect said settlement.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

SETTLEMENT OF PENDING CLAIMS

To: District Board

January 9, 2017

BE IT HEREBY 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 claims that the City of New Britain has against The Metropolitan District associated with out-of-town user

surcharges arising under the Agreement between The Metropolitan District and the City of New Britain (the "City") with Respect to the Use of New Britain Truck Sewer in Newington dated June 1951 as well as additional costs that were not imposed by the City against The Metropolitan District for use of the City's wastewater infrastructure and systems, for the total sum of \$300,000.00, subject to the proper execution of any and all documents reasonably necessary to effect said settlement, including, but not limited to, a general release.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

SETTLEMENT OF PENDING LITIGATION CLAIM

To: District Board

January 9, 2017

BE IT HEREBY 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 lawsuit captioned *Leslie Mitchell v. The Metropolitan District et al.*, Docket No. HHD-CV-14-6054251-S ("*Litigation*"), for the total sum of \$127,500.00, 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 Magnan and duly seconded, the reports for resolutions 13 "MDC v. Amtrack Relating to the Clean Water Project", 14 "Settlement of Claim by City of New Britain" and 15 "Settlement of Litigation - Michell v. MDC" were received and the resolutions adopted by unanimous vote of those present.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of 25 Fowler Drive, West Hartford submitted the following written comments:

Mineral Public Comment
District Board Meeting 1/9/17

I want to thank the MDC for creating a consumer advocate. It will indeed allow for more public participation and less public reaction.

I hope that in drafting this ordinance you include a real opportunity for 2 way dialogue. The public can be your advocate, not always your opposition.

I hope you will make your position one that can put a non-voting member of the ~~the~~ board to facilitate 2-way communication.

I believe there is a State Office for Consumer Advocates that could select someone appropriate for the MDC.

Judy Allen
25 Fowler Dr.

ADJOURNMENT

The meeting was adjourned at 7:49 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

February 6, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, February 6, 2017

Present: Commissioners John Avedisian, Daniel Camilliere, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Byron Lester, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Richard W. Vicino and Special Representative Michael Carrier (20)

Absent: Commissioners Andrew Adil, Luis Caban, Mary Anne Charron, Matthew B. Galligan, William P. Horan, Sandra Johnson, Kathleen J. Kowalyshyn, Mark A. Pappa, Kennard Ray and Alvin Taylor (10)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Mike Curley, Manager of Technical Services
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 DiBella at 5:45 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.

**INTRODUCTION OF NEW COMMISSIONER AND ADMINISTRATION OF OATH
OF OFFICE**

The District Clerk swore in Commissioner John Avedisian of Windsor.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

*On motion made by Commissioner Camielliere and duly seconded,
the meeting minutes of January 9, 2017 were approved.*

Commissioners Avedisian abstained.

REPORT FROM DISTRICT CHAIRMAN

The District Chairman delivered a report to the Board.

REPORT FROM CHIEF EXECUTIVE OFFICER

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

At 6:09 PM Commissioner Price exited the meeting

REPORT FROM DISTRICT COUNSEL

No report was delivered by District Counsel

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF COMMISSIONERS TO COMMITTEES**

To: District Board February 6, 2017
From: Committee on Organization

At a meeting of the Committee on Organization on February 6, 2017 the following resolution was approved:

Voted: That the Committee on Organization recommend to the District Board the appointment of the following Commissioners to the following Committees:

Resolved: That the following Commissioners be appointed to the following Committees:

Personnel, Pension & Insurance Committee

Bhupen Patel
Domenic Pane
Alphonse Marotta

Bureau of Public Works

Bhupen Patel
Domenic Pane

Community Affairs Committee

Daniel Camilliere
Jean Holloway
Alvin Taylor
Richard Vicino

Committee on MDC Government

John Avedisian

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.

Without objection, Chairman DiBella took Agenda Item #12 "Authorization to Condemn Temporary and Permanent Easements at 711 Willard Ave, Newington, CT, in part in Furtherance of the Clean Water Project" out of order.

**AUTHORIZATION TO CONDEMN TEMPORARY AND PERMANENT EASEMENTS
AT 711 WILLARD AVE, NEWINGTON, CT, IN PART IN FURTHERANCE OF THE
CLEAN WATER PROJECT**

To: District Board

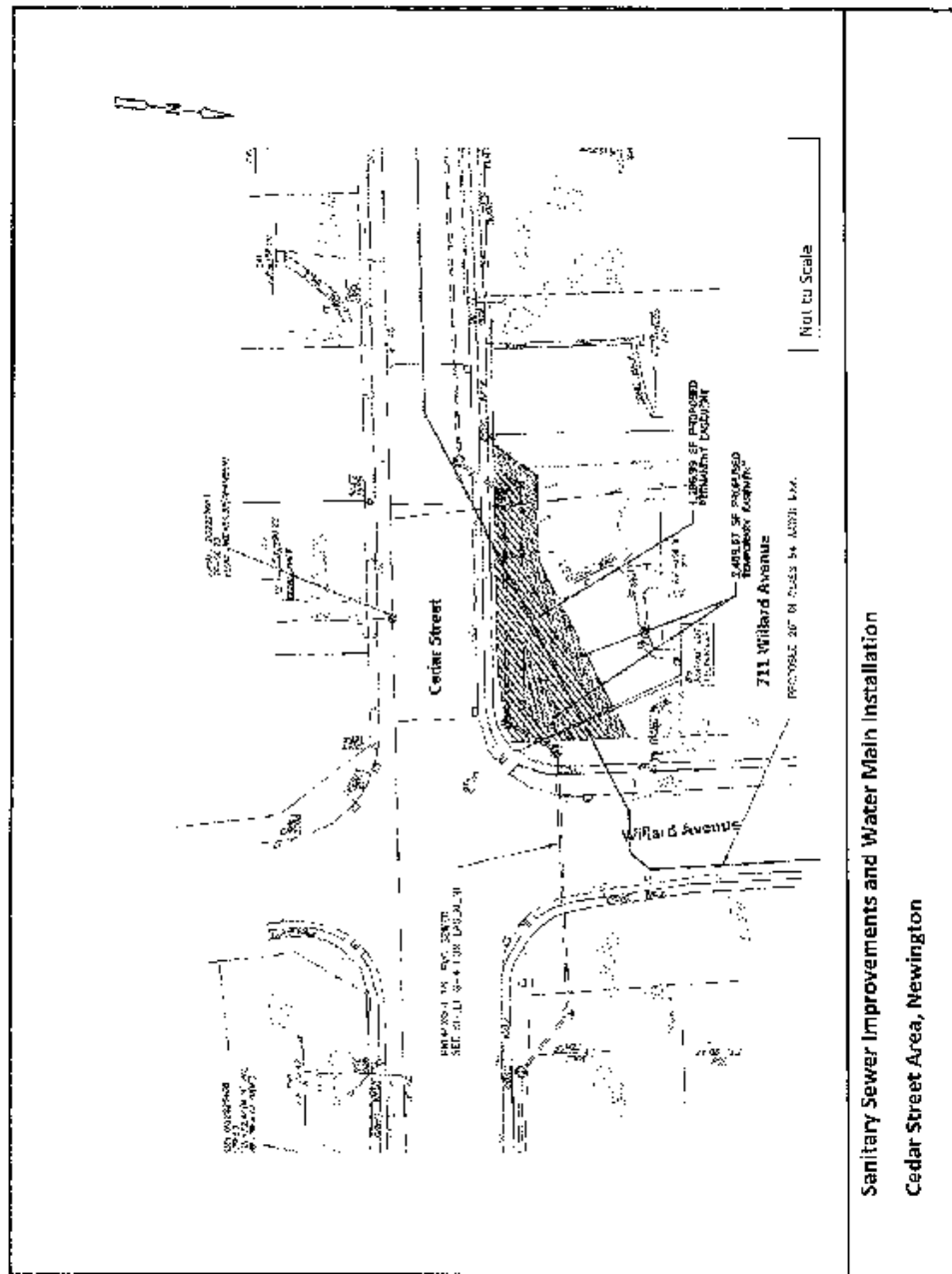
February 6, 2017

Pursuant to Conn. Gen. Stat. § 48-12, and Metropolitan District Charter Section 1-2, 1-2f and 1-4, the Board of the Metropolitan District hereby authorizes District staff to proceed with condemnation proceedings on property located at 711 Willard avenue, newington, connecticut and to acquire such permanent and temporary easement rights pursuant thereto as are necessary for the installation, maintenance, repair and use of both sewer and water infrastructure improvements with the area served, in part, in furtherance of the clean water project.

The amount of compensation awarded pursuant to said condemnation proceeding(s) shall be the average value of the property rights acquired, as independently determined by two (2) Connecticut licensed appraisers.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk



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

EXECUTIVE SESSION

At 6:26 P.M., Chairman DiBella requested a consolidated executive session, without objection, to discuss Agenda Items #11 "Settlement of Claim by Donna Szeszakow" and Agenda Item #13 "Memorandum of Understanding with City of Hartford".

On motion made by Commissioner Patel and duly seconded, the District Board entered into executive session to discuss Agenda Items #11 "Settlement of Claim by Donna Szeszakow" and Agenda Item #13 "Memorandum of Understanding with City of Hartford" due to pending litigation.

Those in attendance during the executive session:

Commissioners Commissioners John Avedisian, Daniel Camilliere, Donald M. Currey, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, Byron Lester, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Richard W. Vicino and Special Representative Michael Carrier; Chief Executive Officer Scott W. Jellison, Deputy Chief Executive Officer of Business Services John M. Zinzarella, Director of Engineering Susan Negrelli, Attorneys Christopher Stone, Brendan Fox and John Mirtle.

RECONVENE

At 7:34 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Patel and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

PERSONNEL, PENSION AND INSURANCE COMMITTEE SETTLEMENT OF CLAIM: DONNA SZESTAKOW

To: District Board February 6, 2017

From: Personnel, Pension and Insurance Committee

At a meeting of the Personnel, Pension and Insurance Committee held on February 6, 2017 the following resolution was approved:

BE IT RESOLVED, that the Board of Commissioners of the Metropolitan District hereby authorizes the District Chairman, or his designee, to execute any and all documents necessary to effect the settlement of the matter entitled *Szeszakow v MDC*, 3:10-cv-0567- WWE, Consistent with the settlement term sheet attached hereto and made a part hereof;

BE IT FURTHER RESOLVED, that to the extent said settlement involves modifications/ amendments to the MDC Employee Pension Plan, said modifications/

amendments are hereby referred to the Personnel, Pension and Insurance Committee for action and recommendation.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

MEMORANDUM OF UNDERSTANDING WITH CITY OF HARTFORD

To: District Board

February 6, 2017

BE IT HEREBY RESOLVED, that the board of commissioners of the metropolitan district hereby authorizes the district chairman, or his designee, to execute the attached Memorandum of Understanding between the City of Hartford and the Metropolitan District, the terms of which being set forth in the attached exhibit.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

MEMORANDUM OF UNDERSTANDING

This **MEMORANDUM OF UNDERSTANDING** (the "MOU") is made and entered into this _____ day of _____, 2017 (the "Commencement Date") by and between the **CITY OF HARTFORD**, a municipal corporation organized and existing under the laws of the State of Connecticut with an office and place of business at 550 Main Street, Hartford, Connecticut ("City") and **THE METROPOLITAN DISTRICT**, a specially chartered municipal corporation having its principal place of business located at 555 Main Street, Hartford, Connecticut ("District").

Preliminary Statement

The City is the owner of a certain piece or parcel of real property and improvements thereon located in the City of Hartford and known as 680 Franklin Avenue (the "Property"). The District is presently engaged in an expansive sewer system improvement project known as the "Clean Water Project" (CWP) as required by certain federal and state consent orders/decrees which includes the construction, maintenance, repair and operation of an 18-foot diameter deep rock tunnel within the southern portion of the City, and which passes approximately 150 to 200 feet below the Property. Parts of the tunnel improvements include the construction of drop shafts and ventilation/odor control structures upon and within several parcels along the tunnel route, including the Property. In order to secure the necessary permanent and temporary easement rights to complete these improvements, the District has commenced a condemnation action against the City in the Judicial District of Hartford at Hartford captioned The Metropolitan District v. City of Hartford, docket number HHD-CV16-5042673-S ("MDC Litigation"). The City has filed an objection to said condemnation action, and filed a separate, related lawsuit in the Judicial District of Hartford at Hartford captioned City of Hartford v. The Metropolitan District, docket number HHD-CV16-6071516-S ("City Litigation") seeking, among other relief, a temporary and permanent injunction to preclude the District from prosecuting the MDC Litigation.

Through direct negotiations between the parties, the City and the MDC have reached a Memorandum of Understanding ("MOU") on a variety of issues intended to resolve, among other things, both the MDC Litigation and the City Litigation.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows.

1. Acquisition of Permanent and Temporary Easements.

The District has requested a temporary and permanent easement over City-owned property known as 680 Franklin Avenue ("Columbus Park"). The temporary construction easement area contains approximately 19,000 square feet of land and will terminate 30 days after the completion of the construction work, but no later than December 31, 2022. The permanent easement area contains approximately 8,500 square feet of land and will continue in perpetuity.

As consideration for the temporary and permanent easements, the District will pay to the City the sum of \$171,000 and shall construct a minimum of four basketball courts solely within the area previously used as tennis courts. The District shall seek, from the applicable City departments, the necessary permits and approvals required to construct the new basketball courts. All plans and specifications and construction of the new basketball courts must meet City regulations, ordinances, and specifications including, but not limited to, those related to materials, drainage, design and layout. The final plans and specifications are also subject to the approval of the Director, Department of Development Services. All approvals must be secured prior to the termination of the temporary easement.

As further consideration for terms of this Section 1, the District agrees to withdraw, with prejudice, the MDC Litigation and the City agrees to withdraw, with prejudice, the City Litigation.

The City's grant of the temporary and permanent easements in favor of the District is subject to approval by the Court of Common Council. The City's administration will submit and support the District's request for the temporary and permanent easements before the Court of Common Council.

2. Bartholomew Avenue.

The City has received a grant as part of the Responsible Growth & Transit Oriented Development (TOD) Grant Program administered by Office of Policy and Management for the construction of various improvements to the storm water system serving a portion of Bartholomew Avenue from Hamilton Street to Park Street, and enhancements to the public right of way that may include such features as new sidewalks, benches, decorative lighting, brick walks/sidewalk accents and new/consolidated curb cuts. A new sidewalk within Hamilton Street and lighting under the rail/CTfastrak viaducts over Park Street is also included. The District, as part of its CWP obligations, had planned to make certain improvements to the sanitary sewer system serving that portion of Bartholomew Avenue, including replacing the existing combined sewer.

The District agrees to contribute \$1,600,000.00 towards the Bartholomew Avenue Improvement Project ("Project"), and in exchange therefore, the City shall include the District's sanitary sewer improvements within the Project scope. The District's contribution shall be in the form of the District establishing an account in the amount of \$1,600,000.00 dedicated solely to the Project and accessible by the City for payment on an as-needed basis, in installments, with no more than \$200,000.00 expended for construction inspection services and no more than \$1,400,000.00 expended for design

and project construction costs, pursuant to a payment requisition process to be agreed upon by the District's Finance Department and the City's Finance Department.

The District has the right to review all design and construction documents and plans prepared for the City's public solicitation to bidders. In addition, the District will have approval rights over those portions of the design and construction documents relating directly to the sanitary sewer system improvements. The District will also have the right to review and approve the consultants selected by the City for the design of the improvements to the sanitary sewer system, as well as the consultant selected by the City to inspect the sewer installation, at least up to the point of backfilling the pipe by more than 2 feet. District inspection forces will provide inspection services for all sewer related infrastructure.

The District shall be responsible for any compensation required for securing easements within private property necessary to complete the replacement of the existing combined sewer system and for any change orders it requests or change orders resulting from the District's actions or District's changes in specifications occurring after the final designs and plans are agreed upon by the City and the District. In the event the City does not proceed with the construction of the Project, the City shall turn over to the District all design plans and specifications prepared to date for the District's use in completing the sewer portion of the Project. Where District specifications referenced herein or otherwise conflict with the City's specifications, the City's specifications shall be controlling.

After completion of the construction, the District agrees to accept the storm water and sanitary sewer improvements as part of its system, and agrees that such improvements will be owned, operated and maintained by the District.

3. Brainard Road Abandonment.

The District has made a formal request of the City to abandon the southerly most portion of Brainard Road, which presently consists of an unimproved "paper" street. The District shall provide the City with any and all supporting documentation for the abandonment, including those easements necessary for the City, the Greater Hartford Flood Commission and the US Army Corps of Engineers to access the City's flood control facilities and the Hartford dike system.

The City's abandonment of the paper street is subject to approval by the Court of Common Council. The City's administration will submit and support the District's request to abandon the paper street before the Court of Common Council within ninety (90) days of the date of this MOU.

4. Riverfront Recapture Contribution.

Presently, pursuant to an Agreement between the District and Riverfront Recapture, Inc. ("RRI") dated January 1, 2015, the District provides certain maintenance services to RRI at an annual cost not to exceed \$750,000.00 and makes an annual monetary contribution to RRI in the amount of \$300,000.00. In lieu of the current financial contribution and maintenance services provided by the District to RRI, the

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

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 7:35 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

March 6, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, March 6, 2017

Present: Commissioners Andrew Adil, John Avedisian, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Allen Hoffman, Jean Holloway, Sandra Johnson, Byron Lester, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Christopher Syrek, Alvin Taylor and Richard W. Vicino (22)

Absent: Commissioners Mary Anne Charron, Janice Flemming-Butler, Matthew B. Galligan, William P. Horan, Kathleen J. Kowalyshyn, Mark A. Pappa, Bhupen Patel, Kennard Ray and Special Representative Michael Carrier (9)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Christopher Levesque, Assistant Manager of Water Treatment
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:32 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.

**INTRODUCTION OF NEW COMMISSIONER AND ADMINISTRATION OF OATH
OF OFFICE**

The District Clerk swore in Commissioner Christopher Syrek of West Hartford.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of 25 Fowler Drive West Hartford requested Commissioners be identified by name before speaking.

APPROVAL OF MINUTES

*On motion made by Commissioner Caban and duly seconded,
the meeting minutes of February 6, 2017 were approved.*

Commissioners Adil and Taylor abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel's Report.

At 5:58p.m. Commissioner Currey exited the meeting.

At 6:10p.m. Commissioners Price and Adil exited the meeting.

At 6:59p.m. Commissioner Osgood exited the meeting.

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF DIRECTOR OF FACILITIES**

To: District Board

March 6, 2017

From: Committee on Organization

Pursuant to Section B3b of the District By-Laws, it is the recommendation of the staff of The Metropolitan District and approved by the Committee on Organization to appoint Thomas A. Tyler as Director of Facilities for The Metropolitan District.

Therefore, it is **RECOMMENDED**:

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

Resolved: That the District Board, in accordance with Section B3b of the District By-Laws, hereby appoints Thomas A. Tyler as Director of Facilities for The Metropolitan District.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted unanimously.

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF DIRECTOR OF OPERATIONS**

To: District Board

March 6, 2017

From: Committee on Organization

Pursuant to Section B3b of the District By-Laws, it is the recommendation of the staff of The Metropolitan District and approved by the Committee on Organization to appoint Christopher J. Levesque as Director of Operations for The Metropolitan District.

Therefore, it is **RECOMMENDED**:

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

Resolved: That the District Board, in accordance with Section B3b of the District By-Laws, hereby appoints Christopher J. Levesque as Director of Operations for The Metropolitan District.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Camielliere and duly seconded, the report was received and resolution adopted unanimously.

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF DIRECTOR OF OPERATIONS**

To: District Board

March 6, 2017

From: Committee on Organization

Therefore, it is **RECOMMENDED**:

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

Resolved: The following Commissioners are hereby appointed to the following Committees:

WATER BUREAU

Andrew Adil

Byron Lester

Georgiana Holloway

Domenic Pane

Christopher Syrek

Alvin Taylor

BUREAU OF PUBLIC WORKS

John Avedisian

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received and the resolution, as amended by the Committee on Organization, adopted unanimously.

***Agenda item #11A “Enroachment Agreement- 594 Albany Turnpike Canton, CT”
and #11B “MDC Policy on WUCC Established Exclusive Service Area and***

Involuntary Acquisition of Small Water Companies” were passed due to the Water Bureau meeting being cancelled due to lack of a quorum.

PETITION FOR DISABILITY RETIREMENT

No action was taken on Agenda item #12B “Petition for Disability Pension” because disability retirement is within the exclusive jurisdiction of the Personnel, Pension & Insurance Committee and no action is necessary, or warranted, by the District Board.

AMENDMENT TO DISTRICT PENSION PLAN RE: SZESTAKOW CLAIM SETTLEMENT

WHEREAS, The Metropolitan District (the “MDC”) is the sponsor of the Retirement Plan for Employees of The Metropolitan District (the “Retirement Plan”); and

WHEREAS, the District Board of the MDC has the authority to adopt amendments to the Retirement Plan upon the recommendation of the Personnel, Pension and Insurance Committee of the MDC (the “PPI Committee”); and

WHEREAS, it is desirable that the PPI Committee recommend to the District Board of the MDC that it adopt an amendment to the Retirement Plan which provides that, pursuant to the MDC’s settlement agreement with Donna Szeszakow, her benefit under the Retirement Plan shall be determined after imputing six (6) additional years of credited service for her so that she has a total of twenty-five (25) years of credited service, after stipulating her final average earnings as \$100,000, after requiring that she repay to the Plan the amount of her prior lump sum withdrawal from the Plan, increased by five percent interest (5%), compounded annually from the date of the withdrawal, and after requiring that she contribute to the Plan five percent (5%) of the amount of certain imputed compensation for the six (6) year period that begins in 2012.

NOW, THEREFORE, BE IT

RESOLVED: That the PPI Committee does hereby recommend to the District Board that it adopt Amendment No. 9 to the Retirement Plan in substantially the form presented to this meeting, together with any modifications that are determined by counsel for the MDC to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the PPI Committee does hereby recommend to the District Board that the chief executive officer of the MDC or any other officer designated by the chief executive officer be authorized and empowered, for and on behalf of the MDC, to take any and all actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

**AMENDMENT NO. 9 TO
THE RETIREMENT PLAN FOR EMPLOYEES OF
THE METROPOLITAN DISTRICT**

The Metropolitan District, a governmental entity organized under the laws of the State of Connecticut (the "Employer"), has adopted this Amendment No. 9 to the Retirement Plan for Employees of The Metropolitan District (the "Plan"), effective March 6, 2017.

1. Article II of the Plan shall be amended by deleting Section 2.16 thereof and substituting therefor the following new Section 2.16:

"2.16 '*Final Average Earnings*' means the greater of: (a) twelve times the average of a Participant's monthly Compensation during the thirty-six (36) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the three calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produce the highest such average.

For the period on and after April 1, 1989 and prior to July 1, 1997, Final Average Earnings meant the greater of: (a) twelve times the average of a Participant's monthly Compensation during the forty-eight (48) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the four calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produced the highest such average.

For the period prior to April 1, 1989, Final Average Earnings meant the greater of: (a) twelve times the average of a Participant's monthly Compensation during the sixty (60) consecutive months preceding the Participant's severance from employment; or (b) the average of the Participant's Compensation for the five calendar years (whether or not consecutive) during the ten calendar years preceding the calendar year of the Participant's severance from employment which produced the highest such average.

Anything herein to the contrary notwithstanding, the Final Average Earnings of Donna Szeshtakow shall be \$100,000."

2. Article II of the Plan shall be further amended by deleting Section 2.34 thereof and substituting therefor the following new Section 2.34:

"2.34 '*Years of Credited Service*' means the period beginning on a Participant's Date of Employment or Reemployment and ending on the commencement date of a Break in Service; *provided, however*, that Years of Credited

Service shall not include any period during which the Participant does not make Participant Contributions to the Plan. Years of Credited Service shall be computed on the basis of whole Years of Credited Service and completed calendar months.

All of a Participant's Years of Credited Service shall be aggregated in determining the amount of the Participant's Accrued Benefit, whether or not the Years of Credited Service are consecutive; *provided, however*, if a Participant receives a lump sum distribution pursuant to Section 9.3, is reemployed by the Employer, and does not recontribute the lump sum distribution to the Plan following his or her Date of Reemployment pursuant to Section 9.4, then the Participant's Years of Credited Service earned prior to his or her Date of Reemployment shall not be aggregated with his or her Years of Credited Service earned on or subsequent to his or her Date of Reemployment.

Anything herein to the contrary notwithstanding, in the case of Donna Szeszakow, six (6) Years of Credited Service shall be added to the number of Years of Credited Service determined pursuant to the provisions set forth above in this Section 2.34 so that she shall be credited with a total of twenty-five (25) Years of Credited Service for all purposes under the Plan, including the provisions of Sections 2.21 and 5.2."

3. Article IV of the Plan shall be amended by deleting subsection (a) of Section 4.1 thereof and substituting therefor the following new subsection (a):

"Section 4.1 (a) Each Participant shall contribute to the Plan, by means of payroll deduction, an amount equal to the following:

- (i) For each Participant who is hired or rehired on or after October 4, 2015, seven percent (7%) of his or her Compensation; and
- (ii) For each Participant who was hired prior to October 4, 2015, five percent (5%) of his or her Compensation.

In the event that a Participant's Compensation is increased, his or her contribution to the Plan shall be increased in a corresponding manner at the same time.

For the period prior to April 1, 1989, each Participant was required to contribute to the Plan, by means of payroll deduction, an amount equal to three percent (3%) of his or her Compensation. For the period on and after April 1, 1989 and prior to October 4, 2015, each Participant was required to contribute to the Plan, by means of payroll deduction, an amount equal to five percent (5%) of his or her Compensation.

Anything herein to the contrary notwithstanding, Donna Szeszakow, in addition to making any contributions required pursuant to the provisions set forth above in this subsection (a) for years prior to 2012, shall contribute to the Plan five percent (5%) of

the following amounts that, for purposes of this subsection (a), shall be considered her Compensation for the years set forth below:

2012:	\$ 91,455.76
2013:	\$ 94,199.41
2014:	\$ 97,025.42
2015:	\$ 99,451.05
2016:	\$101,937.33
2017:	\$101,937.33.

Donna Szestakow's contribution pursuant to the preceding sentence shall be made by payroll deduction from the amount payable to her under her settlement agreement with the Employer that is reportable on Form W-2."

4. Article IX of the Plan shall be amended by adding the subsection (c) to Section 9.4 thereof:

"(c) Anything herein to the contrary notwithstanding, Donna Szestakow, pursuant to her settlement agreement with the Employer, shall repay to the Plan the amount of her prior lump sum distribution, increased by five percent (5%) interest compounded annually from the date of that prior lump sum distribution, and this repayment shall be deducted by the Employer from the amount payable to her under such settlement agreement with the Employer that is reportable on Form W-2."

Witness:

THE METROPOLITAN DISTRICT

By _____

Name:

Title:

Date:

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded, the report was received and the resolution adopted unanimously.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of 25 Fowler Drive, West Hartford read the following comments:

General Public Comments
District Board Meeting 3/8/17

As commissioners you are very concerned about the rising costs of the Clean Water Project and the impact that has on consumer bills. Some have expressed thoughts about the need to spread the cost of this out to customers who don't use sewers but do use our water, or even further, to the whole Hartford region.

In 2015 you voted in an ordinance that created the high volume water user discounts on water, and you also voted for creation of discounts to the Special Sewer Service Charge.

Depending on what rate the Special Sewer Service Charge is in the future, by the time Niagara gets up to its full capacity they will be saving millions of dollars that the MDC will not be collecting for the Clean Water Project. Before you spread the cost of the Clean Water Project out to others, lets collect the full amount from high volume water users.

The water rate you charge all your residential customers is already below the industrial rates charged by most other water companies in CT. You boast that you have one of the lowest water rates in the state. So why would Niagara need a discount on water to be encouraged to bring their bottling plant to a MDC town?

I'd suggest that the high SSBC is not appealing to new development and keeps industry from choosing to locate here. So a discount on that would definitely sweeten the pot. With the costs of the Clean Water Project soaring, are you willing to continue to offer discounts?

When Niagara approached the MDC to ask if you could provide water service for them, just like any other customer, you determined that you had the capacity and means to deliver the water necessary for Niagara to get up to full capacity of 4 lines.

One hitch, the means to deliver that much water hadn't been built yet. So in your next year's CIP budget you will find a \$7.5 million water main extension in Bloomfield. This won't be paid for by Bloomfield, it won't be paid for by Niagara, this will be paid for by the 8 member towns. Will you vote for it?

Excluding other towns from weighing in on a decision like that is unfair. Nobody wants to tell any town what to do or not do. We share ownership of the MDC. No one town should be able to dictate to another town how to use our shared water supply and infrastructure. The MDC doesn't get to dictate what is in the best interest of any one town.

Towns have been meeting with your MDC leadership about the financial crisis created by the possibility that Hartford might not be able to meet an ad valorem payment. Some are talking about a sewer user fee, something the MDC seems to be opposing.

Let me tell you what the ad valorem system does for me personally. I live in West Hartford. I live in the home my parents built in 1956 for \$20,000. Since that time my home has appreciated in value and my property taxes have risen as well but my income has not. I live on social security, my last year's property tax was about \$5,000, a huge chunk of my income. If we went to a sewer user fee, the town would save \$10 million. Now my property taxes wouldn't be going down, but that kind of savings helps keep it from rising too fast. I'm glad to pay a sewer user fee. That I might not get as much of an exemption on my taxes, doesn't bother me - I don't make enough money to itemize.

West Hartford has some very wealthy residents, it also has some very poor. W. Hartford's poverty rate is 8%, higher than Bloomfield, Glastonbury, Wethersfield, and Newington. West Hartford's average residential property tax bill is around \$10,000. Mine is half of that. Average doesn't tell you the whole story. Each town is different, no one size fits all. The ad valorem system is broken and leads to more inequity than a sewer user fee would.

A town and its residents can decide what to do with the money they won't be paying to the MDC. They can apply it to property taxes, they can put it toward a new project, or find other ways to bring value to their residents.

Yes, with a sewer user fee customers will directly be responsible for their water bill, yes it will be a pain for the MDC to have to add sewers to the water bills, yes it could increase collection problems, yes, you will get complaints, yes, it does create more headaches than if the towns do all the raising of funds for you.

Towns have the same headaches all the time and they find creative ways to solve them. The MDC seems to be waiting for the towns to fix their problems too.

The Charter contains reasons for doing or avoiding many things. While some of it has been updated, much of it has not. It still refers to the property rights of insane people and married women. It created an ad valorem system of funding sewer operations in 1929, but someone in 1941 decided that a sewer user fee might be a good idea. Somehow the MDC fell backward into the ad valorem system again. Chapter 10 in your charter says you may charge a sewer user fee to fund the operations of your sewers. I'm not a lawyer. You can read it. Does it really require a change to your charter to return to a sewer user fee?

Your Charter needs an overhaul to bring the MDC into the 21st century. It's amazing to me that you have built an amazing computer system that is state of the art. While you have an ancient Charter that still says married women aren't allowed to make their own decisions about their property.

Judy Allen
West Hartford

ADJOURNMENT

The meeting was adjourned at 7:13 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

April 3, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, April 3, 2017

Present: Commissioners Andrew Adil, John Avedisian, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Allen Hoffman, Jean Holloway, Kathleen J. Kowalyshyn, Byron Lester, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Hector Rivera, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor and Richard W. Vicino (18)

Absent: Commissioners Mary Anne Charron, Janice Flemming-Butler, Matthew B. Galligan, William P. Horan, Sandra Johnson, Maureen Magnan, Mark A. Pappa, Bhupen Patel, J. Lawrence Price, Michael Solomonides, Christopher Syrek and Special Representative Michael Carrier (12)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
Steve Bonafonte, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Christopher Levesque, Director of Operations
Tom Tyler, Director of Facilities
Michael Curley, Manager of Technical Services
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:40 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.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of 25 Fowler Drive West Hartford spoke regarding Agenda Item #12b “MDC Policy on WUCC Established Exclusive Service Areas and Involuntary Acquisition of Small Water Companies”

APPROVAL OF MINUTES

On motion made by Commissioner Camilliere and duly seconded, the meeting minutes of March 6, 2017 were approved.

Commissioners Kowalyshyn abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel’s Report.

At 6:28p.m. Commissioner Kowalyshyn exited the meeting.

EXTENSION FOR FILING UPDATE TO CWP LONG TERM CONTROL PLAN

To: District Board

April 3, 2017

Be It Hereby Resolved, that the Board of Commissioners of The Metropolitan District hereby authorizes the Chief Executive Officer, or his designee, to request from the State of Connecticut Department of Energy and Environmental Protection a one year extension, from December 29, 2017 to December 31, 2018, to file the District’s update to the Clean Water Project Long Term Control Plan.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted unanimously.

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF DIRECTOR OF HUMAN RESOURCES**

To: District Board April 3, 2017

From: Committee on Organization

Pursuant to Section B3b of the District By-Laws, it is the recommendation of the staff of The Metropolitan District and approved by the Committee on Organization to appoint Robert Zaik as Director of Human Resources for The Metropolitan District.

At a meeting of the Committee on Organization held on April 3, 2017, it was:

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

Resolved: That the District Board, in accordance with Section B3b of the District By-Laws, hereby appoints Robert Zaik as Director of Human Resources for The Metropolitan District.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution adopted unanimously.

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
DWSRF NO. 2017-7055**

To: District Board April 3, 2017

From: Board of Finance

At a meeting of the Board of Finance held on April 3, 2017, it was:

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

RESOLUTION OF THE DISTRICT BOARD WITH RESPECT TO THE ISSUANCE OF INTERIM FUNDING OBLIGATIONS AND PROJECT LOAN OBLIGATIONS PURSUANT TO THE PROJECT LOAN AND SUBSIDY AGREEMENT DWSRF NO. 2017-7055 BETWEEN THE STATE OF CONNECTICUT AND THE METROPOLITAN DISTRICT UNDER THE DRINKING WATER STATE REVOLVING FUND PROGRAM

RESOLVED:

Section 1. The Chairman and the District Treasurer or Deputy Treasurer are authorized to execute and deliver any and all Interim Funding Obligations and Project Loan Obligations in the aggregate amount not to exceed \$2,905,408.44. 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 Project Loan and Subsidy Agreement DWSRF No. 2017-7055 to be entered into with the State of Connecticut (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 the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded, the report was received and resolution adopted unanimously.

**WATER BUREAU
594 ALBANY TURNPIKE (ROUTE 44), CANTON
ENCROACHMENT AGREEMENT**

To: District Board

April 3, 2017

From: Water Bureau

On March 7, 2016, upon approval and recommendation of the Water Bureau, The Metropolitan District Commission (the "Board"), approved a request by David and Jacqueline Mott, property owners of a certain parcel of land known as 594 Albany Turnpike, Canton, Connecticut (collectively, the "Owners"), requesting permission to permanently encroach upon the Barkhamsted-Nepaug Pipeline Right-of-Way, containing an existing 48-inch RCP raw water transmission main (the "Main"), located across private lands south of Albany Turnpike in Canton, Connecticut (the "Right-of-Way") for the purpose of installing electric, telephone and cable lines and a new paved driveway to serve a proposed house on such parcel. As part of this approval, the Board required that "a formal encroachment agreement shall be executed by the [O]wner[s] and the Metropolitan District, consistent with current practice involving similar requests[.]" which agreement is subject to approval as to form and content by District Counsel; and that "the District shall not be held liable for any costs or damages of any kind which may result during initial construction or in the following years with respect to any subsequent construction, maintenance or repair as a result of such encroachment." On or about April 14, 2016, MDC staff prepared the encroachment agreement and sent the same to Owners for review and execution.

Notwithstanding the foregoing approval, Owners have refused to execute the encroachment agreement, and instead have proceeded, without any notice to the MDC or its staff, with construction of the single-family house on the subject parcel in complete disregard of the safety and integrity of the Main. Such construction has included the installation of a 1,000 gallon underground propane tank in a location abutting the southern edge of the Right-of-Way (See Exhibit A attached hereto and made a part hereof), which tank and its location were not disclosed by Owners either in their encroachment request or in the site plan or other documents submitted by or on behalf of Owners in connection with such request. Staff has also confirmed that the Owners' "Call Before You Dig" permit/ticket for such installation expired in October of 2016, and was not properly continued for purposes of remaining in effect when the tank was installed in January of 2017. Given the present location of the tank and its dimensions (approximately 12' long, 4' wide and 5' high), it is in all likelihood that the excavation required for such installation necessitated an unauthorized encroachment within the Right-of-Way. In addition, the Owners have stockpiled or caused to be stockpiled, excavated soils within the Right-of-Way. As a result of Owners' above actions, MDC secured a court order prohibiting any further excavation on the subject property (the utilities and driveway permitted under the encroachment authorization had not been installed at time of such order) until a formal hearing for a permanent injunction on the matter can be held, which hearing was scheduled for February 16, 2017 at 10:00 am in Hartford Superior Court.

Immediately prior to the above scheduled hearing the parties were able to reach an accord that was embodied in a court approved order that permitted a one-time encroachment in the Right-of-Way for the purpose of installing the aforementioned utilities and driveway subject to and in accordance with all the

material provisions of the March 7, 2016 encroachment approvals of the Water Bureau and the Board. In addition, the Owners agreed to immediately removal the excavate soils that were stockpiled on the Right-of-Way, and to work with MDC in good faith to relocate the propane tank to a mutually acceptable location on the Owners' property where it will not pose any threat or danger to the safety or integrity of the Main. Please be advised that this accord only resolves the injunction action brought by the MDC against the Owners, and the underlying lawsuit (i.e., a quiet title action) remains in tact and will proceed absent a final settlement.

In light of the foregoing, Staff is recommending that the Water Bureau: (i) vote to go into an executive session in order to discuss the pending litigation against the Owners and the strategy for the same; and (ii) reconsider its approval of the above encroachment and modify such approval by including the following supplemental terms and conditions, and provide a recommendation and accompanying resolution to the Board for action on such modified approval.

1. The encroachment agreement as fully executed by the District and Owners be recorded on the Canton Land Records.

It is therefore RECOMMENDED that it be

VOTED: That the Water Bureau 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 approval as to form and content by District Counsel, granting permission to David and Jacqueline Mott to encroach upon the existing Barkhamsted-Nepaug Pipeline 75-foot Right-of-Way south of Albany Turnpike in Canton, with electrical, telephone and cable lines and a paved driveway, as shown on the plan submitted by Robert Green Associates, LLC, Surveyors and Engineers, 6 Old Waterbury Road, Terryville, CT, dated December 18, 2015 revised through February 9, 2016, consistent with the approval of such encroachment authorized by the District Board on March 7, 2016, as modified by the supplemental terms and conditions set forth above, and that the District shall not be held liable for any costs or damages of any kind which may result during initial construction or in the following years with respect to any subsequent construction, maintenance or repair as a result of such encroachment.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer

On motion made by Commissioner Caban and duly seconded, the report was received and resolution adopted unanimously.

**WATER BUREAU
DISCUSSION RE: MDC POLICY ON WUCC ESTABLISHED EXCLUSIVE
SERVICE AREA AND INVOLUNTARY ACQUISITION OF SMALL WATER
COMPANIES**

Susan Negrelli, Director of Engineering, briefed the District Board on issues related to the Water Utility Coordinating Committee established Exclusive Service Areas and potential involuntary acquisition of small water companies.

**WATER BUREAU
BOWLES PARK/WILLOW CREEK, HARTFORD
ABANDONMENT OF WATER MAIN**

To: District Board

April 3, 2017

From: Water Bureau

On January 17, 2017, the District received a letter from Kristen Solloway of Fuss & O'Neill on behalf of The City of Hartford and Hartford Housing Authority, Owner and Developer of Bowles Park/Willow Creek, requesting that the Metropolitan District abandon the existing water mains within portions of Nahum Drive and Berkeley Drive in Hartford, as shown on the accompanying map. The purpose of the request is to enable the construction of a new residential development. The Owner will in turn build new public water mains to service the development. The existing water mains were built in 1950 by the City of Hartford Housing Authority under a Developer's Permit-Agreement with the Metropolitan District.

The proposal submitted includes the abandonment of approximately 3,100 feet of 8-inch water main in Nahum Drive and approximately 1,000 feet of 6-inch water main in Berkeley Drive, as shown on the aforementioned map. The existing water mains were originally constructed in a public roadway; therefore no easements exist.

From an engineering standpoint, the abandonment of the existing water mains will not have a negative impact on the District's water distribution system, and no hardship or detriment would be imposed on others. The proposed new water mains will be constructed within the subject parcel under a new Developer's Permit-Agreement.

At a meeting of the Water Bureau held on April 3, 2017, it was:

VOTED: That the Water Bureau 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 the abandonment of the existing water mains on property of

the City of Hartford, Nahum Drive and Berkeley Drive, Hartford, as shown on the accompanying map.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk



January 17, 2017

Michael T. Curley
The Metropolitan District
555 Main Street
Hartford, CT 06142

Re: Willow Creek/Bowles Park
Abandonment Request

Dear Mr. Curley:

The Willow Creek/Bowles Park project has been approved by the City of Hartford's Planning and Zoning Commission for a new zone and masterplan as by right. This project will be redeveloped in phases and sections of sanitary sewer and storm drainage will remain on line until the future phases are constructed. It is understood that the sections of sanitary sewer and storm drainage remaining on line until the full build out, will continue to be the responsibility of the MDC and access will be maintained for maintenance purposes.

As discussed at our December 16, 2016 meeting, below is a request for abandonment of sanitary sewer, water, and storm drainage at the following locations:

Water Services and Main:

1. Nahum Drive – All services with the exception of the Boys and Girls Home
2. Berkeley Drive – All services

Sanitary Sewer Service and Mains and Storm Drainage:

1. Nahum Drive - See attached plan
2. Berkeley Drive – See attached plan

We trust the information enclosed will be sufficient for you to place this request on the appropriate MDC board agendas. Please do not hesitate to contact me with any questions or comments. I can be reached at 860-646-2469 x-5344 or ksolloway@fando.com

146 Hartford Road
Manchester, CT
06040
t 860.646.2469
800.286.2469
f 860.533.5143
www.fando.com

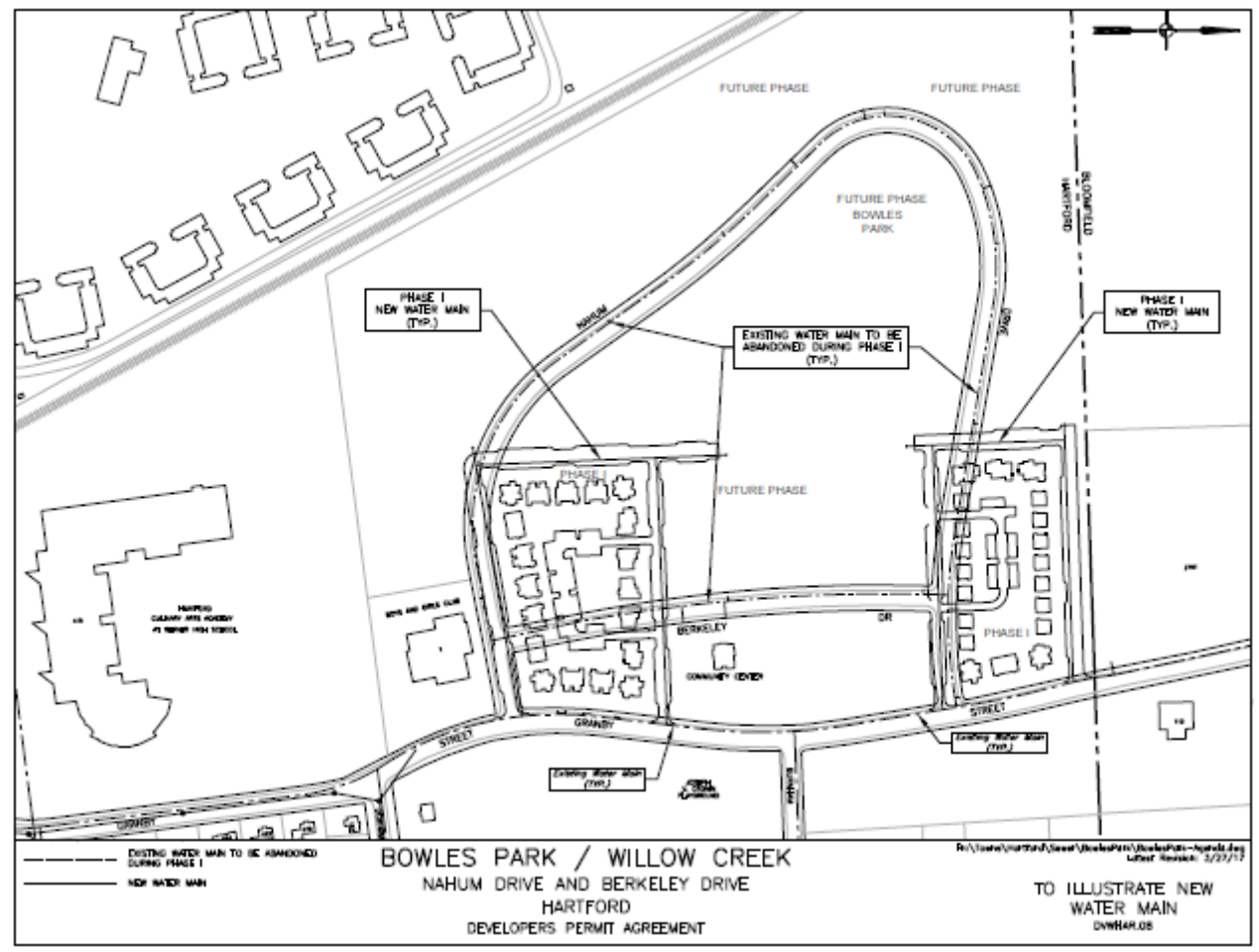
Sincerely,

Kristen E. Solloway, P.E.
Vice President

Connecticut
Massachusetts
Rhode Island
South Carolina

cc: Anthony Rowan, ATR Construction Services
Todd McClutchy, JHM Financial Group

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Letter\Kes_Mdc_Abandonment_Request_20170105.Docx
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On motion made by Commissioner Caban and duly seconded, the report was received and resolution adopted unanimously.

Without objection, Agenda Items #13A “Release of Right-of-Way and Abandonment of Sanitary Sewer and Storm Sewers-Bowles Park/Willow Creek Hartford” and #13B “Acceptance of Sewers Built by Developers Permit Agreement- East Maxwell Drive, West Hartford” were consolidated.

**BUREAU OF PUBLIC WORKS
BOWLES PARK/WILLOW CREEK, HARTFORD
RELEASE OF RIGHT-OF-WAY AND ABANDONMENT OF SANITARY AND
STORM SEWERS**

To: District Board

April 3, 2017

From: Bureau of Public Works

On January 17, 2017, the District received a letter from Kristen Solloway of Fuss & O'Neill on behalf of The City of Hartford and Hartford Housing Authority,

Owner and Developer of Bowles Park/Willow Creek, requesting that the Metropolitan District abandon and release portions of the existing sanitary and storm sewers and easements within private lands, west of Granby Street in the vicinity of Nahum Drive and Berkeley Drive in Hartford, as shown on the accompanying map. The purpose of the request is to enable the construction of a new residential development.

The Developer intends to install new sanitary and storm sewers under a Developer's Permit Agreement for Phase 1 of this project and will grant the District new 20-foot permanent sanitary and storm easements along the proposed sewers. The original easements were acquired by the Metropolitan District through a Developer's Permit-Agreement in June, 1950.

From an engineering standpoint, the release of the requested portions of these easements and abandonment of the sanitary and storm sewers will not have a negative impact on the District's sewer system, and no hardship or detriment would be imposed on others.

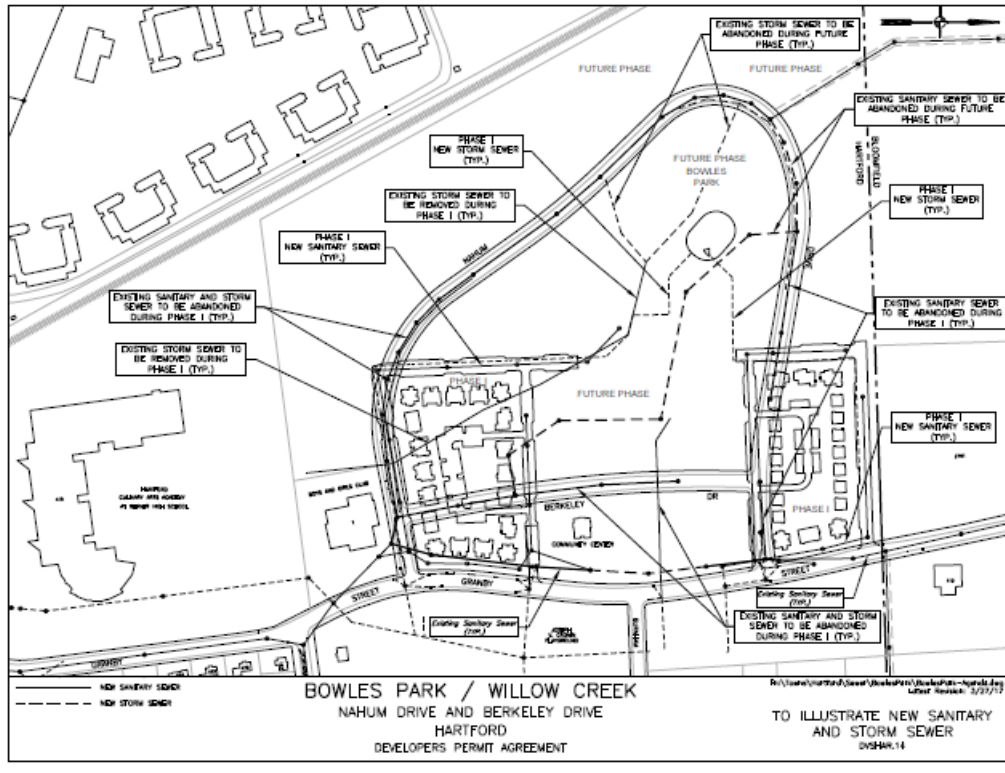
At a meeting of the Bureau of Public Works held on April 3, 2017, it was:

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 the release of portions of the existing sanitary and storm sewer easements and discontinued sanitary and storm sewers on property owned by the City of Hartford, as shown on the accompanying map and as recorded in the City of Hartford land records in Volume 902, Page 208 and Volume 933, Page 89. The release shall be subject to approval by District Counsel as to form and content.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk



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

To: District Board

April 3, 2017

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 April 3, 2017, 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>
East Maxwell Drive, West Hartford BIL.DVSWHF.05	Developer: Sard Custom Homes Contractor: Red Door Construction	May 29, 2015

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Caban and duly seconded, the reports were received and resolutions for Agenda Items #13A “Release of Right-of-Way and Abandonment of Sanitary Sewer and Storm Sewers- Bowles Park/Willow Creek Hartford” and #13B “Acceptance of Sewers Built by Developers Permit Agreement- East Maxwell Drive, West Hartford” were adopted unanimously.

SETTLEMENT OF PENDING LITIGATION CLAIM

To: District Board

April 3, 2017

BE IT HEREBY 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 lawsuit captioned *Maurice Dumont v. The Metropolitan District et al.*, Docket No. HHD-CV-16-6069946-S (“*Litigation*”), for the total sum of \$10,000.00, 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 Adil and duly seconded, the report was received and resolution adopted unanimously.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of 25 Fowler Drive, West Hartford provided written comments:

MDC District Board Meeting 4/3/17 General Public Comments

I want to share some of the ways in which water has been showing up in my life lately.

March 22nd was World Water Day. Trinity Church in NYC held a conference called Water Justice. I was able to watch at a remote location in Wallingford hosted by an engineer who works for Aquarian. He makes a yearly trip to Malawi (not as an employee) where he established a water system for a small village. He goes back each year to ensure it is working well, answer technical questions, and check on the process of their water council.

I read a book called Water for Hartford. Chairman DiBella provided information for the book. It's a history of creating the water supply in Hartford, how the MDC came into existence. I think it should be required reading for all commissioners. I learned a lot

On your website is a link to an article appearing in West Hartford Life also about the history of the MDC. Complete with lots of pictures.

An article in the Hartford Courant reported that the bottled water industry grew from the decline in sales of soda. But now sales of bottled water are declining and the industry has begun to add sweetener, flavor, and a bit of fizz in the hopes of creating new markets and profits. The article questions, is this new product water, or is it soda?

An article in the latest Connecticut magazine addressed rising sea levels and climate change along CT's coast by interviewing all coastal towns to determine what measures they are taking to address this.

The State Water Plan is getting closer to completion. The draft language for many parts will be available on DEEP's website. It contains a wealth of information giving you a sense of the diversity of water across our state.

As you know, the MDC will soon have a consumer advocate and I know there are mixed feelings about this. Since the MDC's will be based on South Central's, I decided to look them up. The minutes from their Representative Policy Board reports how even member votes on everything, even approval of minutes. They expect members of their governing board to put in 200 hours a year!

Some CT Water Companies are members of the national Alliance for Water Efficiency. Memberships are a minimum of \$500 and a cap of \$25,000. They're experts on water utilities including rate structures for sustainability. Maureen Westbrook of the Connecticut Water Company is on their board of directors and could tell you about the benefits and services for members. At your last meeting there was some comment about a study on sewer user fees expecting to cost more than \$25,000. To me the Alliance for Water Efficiency is a far better value. Certainly at least something to check out.

In the March issue of Connecticut magazine is an article about hidden treasures in our state. One is the Seville Dam in Barkhamsted (You can read about its construction in the Water For Hartford). It's a favorite place for photographers as Bald Eagles are apt to be soaring there.

You're in the business of water. But that shouldn't preclude an appreciation for all the ways water is vital in the grand scheme of things.

Judy Allen
West Hartford, CT

ADJOURNMENT

The meeting was adjourned at 7:06 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

May 1, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, May 1, 2017

Present: Commissioners Andrew Adil, John Avedisian, Daniel Camilliere, William A. DiBella, Peter Gardow, Allen Hoffman, Jean Holloway, Sandra Johnson, Kathleen J. Kowalyszyn, Byron Lester, Alphonse Marotta, Dominic M. Pane, Hector Rivera, Michael Solomonides, Christopher Syrek, Alvin Taylor and Richard W. Vicino (17)

Absent: Commissioners Luis Caban, Mary Anne Charron, Donald M. Currey, Janice Flemming-Butler, Matthew B. Galligan, William P. Horan, Maureen Magnan, Whit Osgood, Bhupen Patel, J. Lawrence Price, Pasquale J. Salemi, Raymond Sweezy, and Special Representative Michael Carrier (13)

Also

Present: Citizen Member Ron Angelo
Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
Steve Bonafonte, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Christopher Levesque, Director of Operations
Tom Tyler, Director of Facilities
Marcy Wright-Bolling, Manager of Human Resources
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:44 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.

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioner Peter Gardow.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Camilliere and duly seconded, the meeting minutes of April 3, 2017 were approved.

Commissioner Gardow abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel's Report.

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
MODIFICATION OF JOB CLASSIFICATIONS FOR LOCAL 1026**

To: District Board

May 1, 2017

From: Personnel, Pension and Insurance Committee

As part of a recent negotiation with Local 1026 (supervisory unit), the District and the Union agreed to eliminate positions but then create new multi-tasking cross functional job specifications with salaries. The parties' Agreement is attached to this Resolution. The new Job Specifications were attached to the Agreement.

There were four new classification valuation changes agreed to through this special negotiation, including: Utility Maintainer Superintendent, SS10; Assistant Utility Maintainer Superintendent, SS09; Senior Utility Maintainer Supervisor, SS07; and Utility Maintainer Supervisor, SS05. These valuation changes recognized the additional responsibilities and accountabilities related to the cross-functional application. Twelve positions were eliminated with four new positions created.

Staff recommends that the designated job specification and specified valuation changes be incorporated and approved as part of the District's Classification System.

At a meeting of the Personnel, Pension and Insurance Committee held on April 18, 2017, it was:

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

RESOLVED: That the Classification System be amended to show the elimination of twelve positions and the creation of the four new multi-tasking classifications (as attached).

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

Memorandum of Understanding

The Metropolitan District Commission, hereinafter, "the District" together with Local 1026, COUNCIL 4, AFSCME, hereinafter, "the Union" in mutual consideration of the promises made herein, including the execution of this Agreement, WITHOUT SETTING PRECEDENT OR ESTABLISHING PRACTICE in the disposition of these types of issues, agree as follows:

1. The District shall utilize a multi-tasking, cross-functional assignment approach in the Operations Department. To that point, the District and the Union have agreed to a complete operational re-alignment of the lines of reporting and the core responsibilities of assigned supervisors and corresponding functions.
2. Subject to the approval of the Personnel, Pension and Insurance Committee and the Board of Commissioners, the following new classifications are recognized:

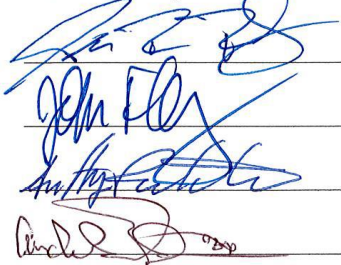
Utility Maintenance Supervisor, SS05;
Senior Utility Maintenance Supervisor, SS07;
Assistant Utility Maintenance Superintendent, SS09;
Utility Maintenance Superintendent, SS10;

3. The derivative existing classifications which are combined to create the multi-tasking, cross-functional new classifications are depicted in the attached schedule (Attachment A).
4. Should the new classifications with salary allocations be approved by the Personnel, Pension and Insurance Committee and the Board of Commissioners, the District shall adjust the classification and salary of the existing assigned supervisors (see Attachment B). The salary adjustments shall be made effective the Sunday following the date on which the parties reached their tentative agreement (February 12, 2017). The existing derivative classifications would then be eliminated and replaced by the new classifications with salary allocations.
5. The salary adjustments shall be effected utilizing the standard contract procedures save for the single salary adjustment to the employee assigned to the Utility Maintenance Superintendent, SS10, position. Limited to this SS10 salary adjustment, as the employee currently is assigned to a SS10 position, the salary adjustment shall be to the Maximum step.
6. The proposed new job specifications are attached to and incorporated into this Agreement (Attachment C).

7. The Union shall withdraw any Grievances, Prohibited Practice Complaint or any other challenge or contest submitted related to the Operations Re-Assignment notice.
8. The supervisors assigned to the Operations Department are expected to be the leaders in advancing this multi-tasking, cross functional activity, including but not solely limited to the implementation of effective timely cross-training of fellow supervisors and subordinates and tracking the advancement of the multi-tasking, cross functional actions.
9. The parties agree to meet promptly to attempt to resolve any issue of assignment or responsibility that may arise in the future related to this multi-tasking, cross functional concept. The District reserves its expressed rights to manage the operations and to assign work.
10. All terms and conditions of the Collective Bargaining Agreement, not herein modified, altered or amended, continue in full force and effect.
11. This Agreement satisfies the requirements of Section 20.1 of the Collective Bargaining Agreement.
12. Should the proposed new classifications with salary allocations not be approved by the Personnel, Pension and Insurance Committee and the Board of Commissioners, the parties re-assume their respective positions that were in effect the first day following the reception of the Operations re-assignment notice.

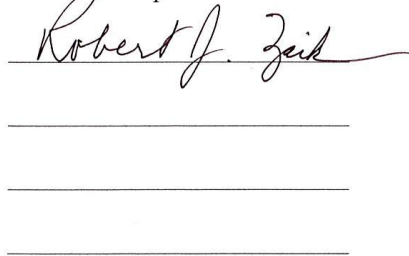
All terms and conditions above, agreed to this 3 day of April, 2017.

For Local 1026, AFSCME:



Four blue ink signatures are written over four horizontal lines.

For the Metropolitan District:



A single blue ink signature, "Robert J. Zeid", is written over the first horizontal line. The remaining three lines are empty.

ATTACHMENT A

Existing Classification/Salary:	Proposed New Classification/Salary:
Systems Repair Supervisor, SS04; Hydrant Maintenance Supervisor, SS04; (vacant) Gate Maintenance Supervisor, SS04; (vacant) Meter Supervisor, SS05; Utility Operations Shift Supervisor, SS04;	Utility Maintenance Supervisor, SS05
Senior Systems Repair Supervisor, SS06; Meter/Gate Combined Supervisor, SS06; Sewer Maintenance Supervisor, SS06;	Senior Utility Maintenance Supervisor, SS07
Assistant Systems Repair Superintendent, SS08; Assistant Systems Maintenance Superintendent, SS08;	Assistant Utility Maintenance Superintendent, SS09
(vacant) Systems Maintenance Superintendent, SS10; Systems Repair Superintendent, SS10;	Utility Maintenance Superintendent, SS10

ATTACHMENT B***Existing:***

Operations Systems Repairs-Combined	<i>Syst Repair Supt</i>	JOHN	FLEMING	SS10
Operations Systems Maintenance & Op-Comb	<i>Asst Syst Maint Supt</i>	JAMES	RILEY	SS08
Operations Systems Repairs-Combined	<i>Asst Syst Repair Supt</i>	JOHN	BOURGAIN JR	SS08
Operations Systems Maintenance & Op-Comb	<i>Sewer Maint Supv</i>	ANTHONY	PANTALEO	SS06
Operations Systems Repairs-Combined	<i>Sr Syst Repair Supv</i>	BRUCE	MOTOWIDLAK	SS06
Operations Systems Maintenance & Op-Comb	<i>Utility Svcs Shift Supv</i>	JOHN	CAMILLI	SS06
Operations Systems Maintenance & Op-Comb	<i>Hydrant Maint Supv</i>	MARTIN	FITZGERALD	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	TROY	HESTER	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	JOSE	TORRES	SS04
CIP Staffing - Sewer Rehabilitation	<i>Syst Repair Supv</i>	LEWIS	GLYNN	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	JULIAN	TINSLEY	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	HYZELL	COLLINS	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	EMANUEL	LUNGU	SS04
Operations Systems Repairs-Combined	<i>Syst Repair Supv</i>	MICHAEL	PASSINI	SS04
Emergency Command Center -Combined	<i>Utility Oper Shift Supv</i>	GREG	RUSHBY	SS04
Emergency Command Center -Combined	<i>Utility Oper Shift Supv</i>	MANUEL	OCASIO	SS04
Emergency Command Center -Combined	<i>Utility Services Shift Su</i>	EDWIN	RUIZ	SS04

Proposed:

Operations Systems Repairs-Combined	<i>Utl Maint Supt</i>	JOHN	FLEMING	SS10
Operations Systems Maintenance & Op-Comb	<i>Asst Utl Maint Supt</i>	JAMES	RILEY	SS09
Operations Systems Repairs-Combined	<i>Asst Utl Maint Supt</i>	JOHN	BOURGAIN JR	SS09
Operations Systems Maintenance & Op-Comb	<i>Sr Utl Maint Superv</i>	ANTHONY	PANTALEO	SS07
Operations Systems Repairs-Combined	<i>Sr Utl Maint Superv</i>	BRUCE	MOTOWIDLAK	SS07
Operations Systems Maintenance & Op-Comb	<i>Sr Utl Maint Superv</i>	JOHN	CAMILLI	SS07
Operations Systems Maintenance & Op-Comb	<i>Utl Maint Superv</i>	MARTIN	FITZGERALD	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	TROY	HESTER	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	JOSE	TORRES	SS05
CIP Staffing - Sewer Rehabilitation	<i>Utl Maint Superv</i>	LEWIS	GLYNN	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	JULIAN	TINSLEY	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	HYZELL	COLLINS	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	EMANUEL	LUNGU	SS05
Operations Systems Repairs-Combined	<i>Utl Maint Superv</i>	MICHAEL	PASSINI	SS05
Emergency Command Center -Combined	<i>Utl Maint Superv</i>	GREG	RUSHBY	SS05
Emergency Command Center -Combined	<i>Utl Maint Superv</i>	MANUEL	OCASIO	SS05
Emergency Command Center -Combined	<i>Utl Maint Superv</i>	EDWIN	RUIZ	SS05

ATTACHMENT C

Code:
Employee Group: Local 1026
FLSA Status: Non-Exempt

**METROPOLITAN DISTRICT COMMISSION
CLASSIFICATION DESCRIPTION**

CLASSIFICATION TITLE: SENIOR UTILITY MAINTENANCE SUPERVISOR

JOB SUMMARY

This is very responsible utility repair and maintenance supervisory work responsible for supervision, scheduling, and direction of large water and sewer pipeline construction and repair crews and maintenance of water and sewer pipeline systems.

Work involves responsibility for safe, effective and timely repair, installation and maintenance of water and sewer pipeline systems. Duties include assisting in the direction of heavy equipment and pipeline construction crew operations, assisting with the planning and laying out of projects with engineers, making in-field mark-outs, researching record plans, assisting in the direction of repair and maintenance of pipelines, meters, valves, gates, and sewers. This position also has the responsibility for making difficult pipeline operational decisions. This work requires that the employee have knowledge, skill and ability in utility pipeline repair and maintenance supervision

ESSENTIAL FUNCTIONS

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Schedules, assigns, supervises and evaluates a large work crew in constructing and repairing major water and sewer pipeline system projects of unusual complexity or difficulty.
- Oversees supervisors on all daily and emergency repairs and schedules work assignments that involve the needs of other departments.
- Schedules, assigns and supervises activities in the daily maintenance and operation of the sanitary and storm collection system, meters, water valves, gates, manholes, hydrants, combined sewer overflow sites and closed-circuit inspection services. Monitors unit or work group activities and recommends correction
- Fills out forms and reports on completed work assignments and completes employee time records.
- Reads and interprets complex construction plans and translates them into construction and repair activities and direction.
- Trains and counsels employees. Administers union contract language and oral warnings, and recommends higher level discipline. Assures safe work practices.
- Coordinates activities on a short and long term basis to assure personnel, materials and equipment necessary for projects and objectives.

- Coordinates all safety meetings, ensures safe practices at all work sites, and hires police services for jobs with safety concerns.
- Responds to major water and sewer emergencies and related problems at any time of day or night, as directed. Serves on-call for emergencies, as assigned. Maintains a safe and controlled working environment, setting up traffic and trench safety.
- Reviews and documents all paperwork and sketches from supervisors.
- Meets with engineers, contractors, and town representatives to review work area designs and new installations to existing infrastructure.
- Performs related work as required.

SUPERVISION RECEIVED

Works under the general supervision of the Utility Maintenance Superintendent.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus seven (7) years of progressively responsible utility pipeline repair or construction experience including at least three (3) years in a supervisory capacity, or an equivalent combination of education and qualifying experience substituting on a year-for-year-basis.

SPECIAL REQUIREMENTS

Must have a valid Commercial Driver's Class B License with Tanker and Airbrake Endorsements and a CT Class 3 Water Distribution Certificate ~~and a CT Class 1 Wastewater Collection Certificate~~. Must have working knowledge of electronics maintenance, flow metering and CCTV inspection. Must have "Pipeline Assessment and Certification Program" (PACP) certification.

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of complex and difficult water and sewer pipeline construction and repair principles and practices.
- Knowledge of public administration principles and practices as applied to work unit reporting and routine administrative procedures.
- Knowledge of OSHA guidelines, and work zone and traffic safety practices and compliance.
- Knowledge of MDC policies and procedures.
- Ability to communicate orally and to lead others in a work unit; some writing ability.
- Ability to administer policies and procedures including scheduling, routine decision-making and the completion of forms and reports.
- Ability to supervise others in a work unit.

- Ability to read blueprints, record plans and gate books.
- Ability to operate personal computers and other standard office equipment.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.

ADA COMPLIANCE

Physical Ability: Tasks require the ability to exert moderate physical effort that involves lifting, carrying, pushing and/or pulling of objects and materials of moderate weight (under 50 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate visual and/or auditory cues or signals. Some tasks require the ability to communicate orally and in writing.

Environmental Factors: Essential functions are performed primarily outdoors, frequently exposed to any or all of the following: various weather conditions, high or deep dangerous places, working near moving mechanical parts, risk of electric shock, vibration, fumes, airborne particles, chemicals, etc.

The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Code:
Employee Group: Local 1026
FLSA Status: Non-Exempt

**METROPOLITAN DISTRICT COMMISSION
CLASSIFICATION DESCRIPTION**

CLASSIFICATION TITLE: UTILITY MAINTENANCE SUPERVISOR

JOB SUMMARY

This is very responsible utility repair supervisory work involving the supervision of a medium size water and sewer pipeline construction, repair and maintenance, hydrant maintenance crew.

Work involves responsibility for safe, effective and timely completion of pipeline projects. Duties include directing the work of a work crew in operating heavy equipment, installing or repairing pipeline systems, and directing sanitary sewer and storm sewer and catch basin cleaning, clearing and pumping operations. This work requires that the employee have knowledge, skill and ability in water and sewer pipeline construction, repair and maintenance principles and practices.

ESSENTIAL FUNCTIONS

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Supervises and evaluates a medium size work crew in constructing and repairing water and sewer pipeline system projects and cleaning and maintaining sewer lines, catch basins and related facilities.
- Investigates problems in the field and determines corrective actions to be taken. On call for emergencies. Schedules dye tests. Supervises the clean-up of chemical spills in sewer lines.
- Supervises pumping and cleaning operations in District wastewater collection system and water distribution system. Supervises cavity investigations and sewer back-ups and water leaks. Supervises snow removal at sewer plants and pump stations.
- Fills out forms and reports on completed work assignments and completes employee time records.
- Reads and interprets all but the most complex construction plans and translates them into construction and repair activities and direction.
- Trains counsels, and evaluates employees. Administers union contract language and oral warnings, and recommends higher level discipline. Assures safe work practices.
- Coordinates activities on a short and long term basis to assure personnel, materials and equipment necessary for projects and objectives.
- Responds to a variety of water and sewer emergencies and related problems at any time of day or night, as directed. Serves on-call for emergencies, as assigned.
- Maintains a safe and controlled working environment, setting up traffic and trench safety.

- Performs related work as required.

SUPERVISION RECEIVED

Works under the general supervision of the Utility Maintenance Superintendent.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus six (6) years of progressively responsible utility pipeline repair or construction experience including at least two (2) years in a supervisory capacity, or an equivalent combination of education and qualifying experience substituting on a year-for-year-basis.

SPECIAL REQUIREMENTS

Must have a valid driver's license.

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of water and sewer pipeline construction and repair principles and practices.
- Knowledge of public administration principles and practices as applied to work unit reporting and routine administrative procedures.
- Knowledge of work zone and traffic safety practices and compliance.
- Knowledge of MDC policies and procedures.
- Ability to communicate orally and to lead others in a work unit; some writing ability.
- Ability to administer policies and procedures including scheduling, routine decision-making and the completion of forms and reports.
- Ability to supervise others in a work unit.
- Ability to read blueprints, record plans and gate books.
- Ability to operate personal computers and other standard office equipment.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.

ADA COMPLIANCE

Physical Ability: Tasks require the ability to exert moderate physical effort that involves lifting, carrying, pushing and/or pulling of objects and materials of moderate weight (under 50 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate visual and/or auditory cues or signals. Some tasks require the ability to communicate orally and in writing.

Environmental Factors: Essential functions are performed primarily outdoors, frequently exposed to any or all of the following: various weather conditions, high or deep dangerous places, working near moving mechanical parts, risk of electric shock, vibration, fumes, airborne particles, chemicals, etc.

The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Code:
Employee Group: Local 1026
FLSA Status: Exempt

**METROPOLITAN DISTRICT COMMISSION
CLASSIFICATION DESCRIPTION**

CLASSIFICATION TITLE: UTILITY MAINTENANCE SUPERINTENDENT

JOB SUMMARY

This is the most responsible supervisory work in the operations department involving the direction of pipeline construction and repair, maintenance of utility pipelines and related facilities and the direction of meter, Hydrant maintenance and emergency maintenance operations.

Work involves responsibility for safe, effective and timely repair, installation and maintenance of water and sewer pipeline systems. Duties include directing heavy equipment and pipeline construction crew operations, planning and laying out projects with engineers, making in-field mark-outs, researching record plans, directing repairs and maintenance of pipelines, meters, valves, gates, and sewers. This position also has the responsibility for making very difficult pipeline technical and operational decisions. This work requires that the employee have knowledge, skill and ability in utility pipeline repair and maintenance supervision.

ESSENTIAL FUNCTIONS

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Responsible for workforce management, planning, and direction of a division in repairing and constructing water and sewer pipeline systems. Provides day-to-day employee managerial responsibilities.
- Plans and directs work objectives and activities for a large work unit in the daily maintenance and operation of the sanitary and storm collection system, meters, water valves, gates, manholes, hydrants, combined sewer overflow sites and closed-circuit inspection services.
- Gathers and analyzes information, Determines recommendations and, prepares reports. Determines operating procedures and recommends operating policies.
- Develops division budgets and reviews unit budgets. Approves unit expenditures within fund allocations.
- Counsels employees and supervises training. Administers union contract language, oral and, written warnings and suspensions. Recommends higher level discipline. Interviews job candidates and recommends selection. Reviews employee performance evaluation and reclassification requests and makes recommendations. Assures safe work practices
- Coordinates division operations with other District functions and government agencies. Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives. Acts as a liaison between customers (state, municipal towns, private contractors, and engineers) and MDC contractors and engineers.

- Responds to major water and sewer emergencies and related problems at any time of day or night, as necessary. Maintains a safe and controlled working environment, setting up traffic and trench safety.
- Performs related work as required.

SUPERVISION RECEIVED

Works under the direction of the Manager of Operations.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus ~~twelveen~~ (120) years of progressively responsible utility pipeline repair or construction experience including at least ~~foursix~~ (46) years at the level of Supervisor or higher, or an equivalent combination of education and qualifying experience substituting on a year-for-year basis.

SPECIAL REQUIREMENTS

Must have a valid driver's license, and a CT Class III Operator Water Distribution Certificate, ~~and a CT Class III Wastewater Collection Certificate.~~

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of water and sewer pipeline system construction, installation, and repair supervision principles and practices. Knowledge of materials and equipment needed to make repairs.
- Knowledge of MDC policies and procedures.
- Knowledge of public administration principles and practices as applied to the operation of facilities or programs.
- Knowledge of budget development.
- Ability to communicate orally and to lead others in operational work groups; good writing ability.
- Ability to administer policies and procedures including planning, scheduling, budgeting, decision-making, and report development and writing.
- Ability to supervise the work of large work groups through subordinate supervisors.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.
- Ability to resolve emergency situations in a proficient, safe, and timely manner.

ADA COMPLIANCE

Environmental Factors: Essential functions are performed primarily indoors with some exposure to outdoor environmental factors, ~~outdoors, frequently exposed to any or all of the following: various weather conditions, high or deep dangerous places, working near moving mechanical parts, risk of electric shock, vibration, fumes, airborne particles, chemicals, etc.~~

Physical Ability: Tasks require the ability to exert light physical effort in a sedentary to light work environment, which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (under 25 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate visual and/or auditory cues or signals. Some tasks require the ability to communicate orally and in writing.

The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Code:

Employee Group: Local 1026
FLSA Status: Non-Exempt

METROPOLITAN DISTRICT COMMISSION CLASSIFICATION DESCRIPTION

CLASSIFICATION TITLE: ASSISTANT UTILITY MAINTENANCE SUPERINTENDENT

JOB SUMMARY

This is highly responsible utility repair and maintenance supervisory work responsible for workforce management for the repair, construction and maintenance of water and sewer pipeline systems.

Work involves responsibility for safe, effective and timely repair, installation and maintenance of water and sewer pipeline systems. Duties include assisting in the direction of heavy equipment and pipeline construction crew operations, assisting with the planning and laying out of projects with engineers, making in-field mark-outs, researching record plans, assisting in the direction of repair and maintenance of pipelines, meters, valves, gates, and sewers. This position also has the responsibility for making difficult pipeline technical and operational decisions. This work requires that the employee have knowledge, skill and ability in utility pipeline repair and maintenance supervision

ESSENTIAL FUNCTIONS

The following duties are normal for this position. The omission of specific statements of the duties does not exclude them from the classification if the work is similar, related, or a logical assignment for this classification. Other duties may be required and assigned.

- Assists in planning and directing work objectives and activities of a large size work division in repairing and constructing water and sewer pipeline systems. Monitors unit or work group activities and recommends correction.
- Assists in planning and directing work objectives and activities in the daily maintenance and operation of the sanitary and storm collection system, meters, water valves, gates, manholes, hydrants, combined sewer overflow sites and closed-circuit inspection services. Monitors unit or work group activities and recommends correction.
- Gathers and analyzes information and prepares reports and draft recommendations. Reviews completed forms.
- Assists in drafting division budgets and in reviewing unit budgets. Reviews unit expenditures and recommends approval.
- Supplements employee training and counseling. Administers union contract language and oral warnings, and researches and recommends higher level discipline. Assists in employee selection. Assures safe work practices.
- Coordinates unit operations and the personnel, materials and equipment necessary for projects and objectives. Coordinates task and project emergencies with government agencies.
- Responds to major water and sewer emergencies and related problems at any time of day or night, as necessary. Schedules traffic direction service by policy and notifies utilities to mark out underground utilities prior to excavation.

- Performs related work as required.

SUPERVISION RECEIVED

Works under the general supervision of the Utility Maintenance Superintendent.

MINIMUM QUALIFICATIONS

A high school diploma or the equivalent plus ~~ten~~**eight** (108) years of progressively responsible utility pipeline repair or construction experience including at least ~~two~~**four** (24) years at the level of Supervisor or higher, or an equivalent combination of education and qualifying experience substituting on a year-for-year basis.

SPECIAL REQUIREMENTS

CT Class III Operator Water Distribution Certificate. Must have a valid driver's license. ~~CT Class III Operator Water System Distribution Certificate and a CT Class I Wastewater Collection Certificate.~~

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of water and sewer pipeline system construction and repair supervision principles and practices.
- Knowledge of MDC policies and procedures.
- Knowledge of public administration principles and practices as applied to the operation of facilities or programs.
- Knowledge of budget preparation.
- Ability to communicate orally and in writing and to coordinate operational and administrative activities or to lead others in a work unit or group.
- Ability to administer policies and procedures including planning, scheduling, budgeting routine, decision-making, and report development and writing.
- Ability to monitor the work of work groups and to supervise a selected work unit.
- Ability to establish and maintain effective working relationships with coworkers, vendors, contractors, customers, and the general public.

ADA COMPLIANCE

Physical Ability: Tasks require the ability to exert moderate physical effort that involves lifting, carrying, pushing and/or pulling of objects and materials of moderate weight (under 50 pounds).

Sensory Requirements: Some tasks require the ability to perceive and discriminate: (i) visual and/or auditory cues or signals; and/or (ii) odors. Some tasks require the ability to communicate orally and in writing.

Environmental Factors: Essential functions are performed primarily indoors with some exposure to outdoor environmental factors. ~~outdoors, frequently exposed to any or all of the following: various weather conditions, high or deep dangerous places, working near moving mechanical parts, risk of electric shock, vibration, fumes, airborne particles, chemicals, etc.~~

The Metropolitan District Commission is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Commission will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

On motion made by Commissioner Taylor and duly seconded, the report was received and resolution adopted unanimously.

**BOARD OF FINANCE
ADJUSTMENT TO 2017 AD VALOREM**

To: District Board

May 1, 2017

From: Board of Finance

At a meeting of the Board of Finance held on May 1, 2017, it was:

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

Be it resolved that upon House Bill 6008, as amended by LCO 6254, becoming effective, and notwithstanding any minor, non-substantive amendments thereto, the Contingent Amount adopted by the Board of Commissioners of The Metropolitan District at its meeting of November 22, 2016 as referenced in each of the ad valorem tax warrants issued by the District in accordance with Sections 3-12 and 3-13 of the District Charter and served upon each member town, shall thereupon be rescinded, with no further action necessary by the District Board.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

***On motion made by Commissioner Camielliere and duly seconded,
the report was received and resolution adopted by majority of those
present. Commissioner Hoffman opposed.***

**BUREAU OF PUBLIC WORKS
ACCEPTANCE OF SEWERS BUILT BY DEVELOPERS PERMIT AGREEMENT**

Agenda Item #12 "Acceptance of Sewers Built by Developers Permit Agreement" was withdrawn by District Chairman DiBella without objection.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of 25 Fowler Drive, West Hartford spoke regarding a sewer user fee.

ADJOURNMENT

The meeting was adjourned at 6:42 P.M.

ATTEST:


John S. Mirtle,
Esq. District Clerk

June 19, 2017

Date of Approval

**THE METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Monday, June 19, 2017

Present: Commissioners Andrew Adil, John Avedisian, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Peter Gardow, Allen Hoffman, David Ionno, Kathleen J. Kowalyshyn, Byron Lester, Alphonse Marotta, Whit Osgood, Dominic M. Pane, J. Lawrence Price, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy, Alvin Taylor and Richard W. Vicino (20)

Absent: Commissioners Clifford Avery Buell, Mary Anne Charron, Janice Flemming-Butler, Matthew B. Galligan, Jean Holloway, William P. Horan, Sandra Johnson, Maureen Magnan, Bhupen Patel, Christopher Syrek, and Special Representative Michael Carrier (11)

Also

Present: Citizen Member Ron Angelo
Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Carl Nasto, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Christopher Levesque, Director of Operations
Tom Tyler, Director of Facilities
Marcy Wright-Bolling, Manager of Human Resources
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 6:11 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.

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioner David Ionno.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford spoke regarding requested amendments to prior meeting minutes.

APPROVAL OF MINUTES

On motion made by Commissioner Caban and duly seconded, the meeting minutes of May 1, 2017 were approved. Commissioner Ionno abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

No report delivered by District Counsel.

**BOARD OF FINANCE
DEBT ISSUANCE RESOLUTION FOR BANS**

To: District Board

June 19, 2017

From: Board of Finance

- For consideration on June 19, 2017.
- Staff is seeking authority for the District to issue up to \$135,000,000 in bond anticipation notes to refund \$95,000,000 in bond anticipation notes maturing August 30, 2017 and to provide up to \$40,000,000 in new bond anticipation note proceeds for CIP projects set forth on Exhibit A attached hereto. The bond anticipation notes in the approximate aggregate principal amount of amount of \$135,000,000 will be dated on or about August 3, 2017 and will mature on or about August 1, 2018. The bond anticipation notes will bear interest payable at maturity and will be issued in fully registered form.

Bond counsel prepared the following resolution for consideration by the Board of Finance:

At a meeting of the Board of Finance held on June 19, 2017, it was:

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

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT
EXCEEDING \$135,000,000 GENERAL OBLIGATION BOND
ANTICIPATION NOTES OF THE METROPOLITAN DISTRICT**

Not exceeding \$135,000,000 Metropolitan District General Obligation Bond Anticipation Notes (the "Notes") are hereby authorized to be issued in anticipation of the issuance of bonds to currently refund up to \$95,000,000 Bond Anticipation Notes of the District maturing August 30, 2017 (the "Outstanding Notes"), to fund such portion of the authorized and unissued balances of the capital appropriations contained in certain bond resolutions adopted to finance capital budget items enacted by the District Board in the years and in the amounts set forth on Exhibit A attached hereto, on a first spent basis, and to pay the costs of issuance of the Notes. The Notes shall be dated on or about August 3, 2017, and shall mature on or about August 1, 2018, bear interest payable at maturity and be issued in fully registered form. The Notes shall be payable at and certified by U.S. Bank National Association, which bank shall also serve as registrar and transfer agent for the Notes. The Notes shall be sold by the District Treasurer, or in his absence, the Deputy Treasurer, in a competitive offering or in a negotiated offering, in the discretion of the District Treasurer, or in his absence, the

Deputy Treasurer. If sold in a competitive offering the Notes shall be awarded to the bidder or bidders offering to purchase the Notes at the lowest net interest cost to the District, and in no case for a sum less than par and accrued interest to the date of delivery. The District Treasurer, or in his absence the Deputy Treasurer, is hereby delegated the authority to determine the rate or rates of interest on the Notes, and to deliver the Notes to the purchaser or purchasers thereof in accordance with this resolution. 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 Tax Regulatory Agreement and, in the case of a negotiated sale, a Note Purchase Agreement for the Notes on behalf of the District in such forms as they shall deem necessary and appropriate, and to rebate to the Federal government such amounts as may be required pursuant to the Tax Regulatory Agreement for the purpose of complying with the requirements of the Internal Revenue Code of 1986, as amended. 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 Continuing Disclosure Agreement and any and all agreements and documents necessary to effect the issuance and sale of the Notes in accordance with the terms of this resolution.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

	Fund Type	Amount Authorized	Bonded/Grants/Contributions	New Money of This Issue	Authorized But Unissued
CIP Appropriation					
2008 Water Supply Facility Improvements	Water	2,200,000	1,745,000	63,000	392,000
2009 CSO Related Assets	Water	5,000,000	4,152,000	13,000	835,000
2009 Water Main - Farmington Avenue, Hartford	Water	2,070,000	518,000	355,000	1,197,000
2009 Water Main Gate Valve Replacement	Water	2,300,000	1,031,000	261,000	1,008,000
2009 Water Treatment Facility Improvements	Water	2,785,000	2,202,000	56,000	527,000
2010 CWP Water Main Replacement - Cleveland Ave/Main Street, Hartford	Water	2,033,000	1,914,563	46,000	72,437
2010 CWP Water Main Replacement - Wethersfield Ave # 3	Water	2,692,000	597,000	19,000	2,076,000
2010 CWP Water Main Replacement - Guilford, Piny, Mather, Winter, Brook, and Bedford, Hartford	Water	3,607,000	2,798,314	163,000	645,686
2010 CWP Water Main Replacement - Oxford Street, Hartford	Water	610,000	-	449,000	161,000
2010 Dam Safety - Nepaug, Phelps Brook, East Dike	Water	4,944,000	233,000	31,000	4,680,000
2010 Dam Safety Improvements - Res #2	Water	1,315,000	600,000	194,000	521,000
2010 Dam Safety Improvements - Res #3	Water	1,315,000	520,000	130,000	665,000
2010 General Purpose Water	Water	3,251,000	1,945,320	143,000	1,162,680
2010 Hydraulic Computer Modeling	Water	2,350,000	1,082,000	37,000	1,231,000
2010 Water Facilities Security & Improvement Program	Water	4,492,000	2,943,000	119,000	1,430,000
2010 Water Main Replacement - Wethersfield	Water	600,000	330,000	41,000	229,000
2011 CWP - Water Main Replacements	Water	3,750,000	3,383,447	345,000	21,553
2011 CWP Water Main Replacement - Farmington Ave, Hartford	Water	3,130,000	2,547,026	227,000	355,974
2011 CWP Water Main Replacement - Warner Street/Wethersfield Ave/Manna Street, Hartford	Water	3,420,000	3,293,515	126,000	485
2011 Dam Safety Improvements - Res #6	Water	1,330,000	213,000	35,000	1,082,000
2011 Radio Frequency Automated Meter Reading	Water	1,500,000	1,116,972	367,000	16,028
2011 Water Main Replacement - Hartford	Water	3,600,000	1,239,822	147,000	2,213,178
2011 Water Main Replacement - Longview Drive, Talcottview and Pheasant Lane, Bloomfield	Water	1,700,000	209,489	753,000	737,512
2011 Water Main Replacement - Simmons Road, East Hartford	Water	450,000	155,000	99,000	196,000
2011 Water Pump Station Improvements	Water	1,200,000	701,396	66,000	432,604
2011 Water Supply Facility and Watershed Land Improvements	Water	1,600,000	1,299,000	81,000	220,000
2011 Water Treatment Facility Upgrades	Water	1,000,000	863,000	15,000	122,000
2011 West Hartford Water Treatment Facility North Storage Tank Installation	Water	4,800,000	3,947,379	23,000	829,621
2012 Asset Management Construction Administration	Water	904,000	19,000	23,000	862,000
2012 Paving Program	Water	5,000,000	3,771,000	155,000	1,074,000
2012 Pump Station Upgrades - Newington, Newington and Orchard Street, Glastonbury	Water	4,200,000	2,339,199	154,000	1,706,801
2012 Radio Frequency Automated Meter Reading	Water	5,000,000	1,798,000	827,000	2,375,000
2012 Water Treatment Facilities Upgrades	Water	2,500,000	1,787,000	182,000	531,000
2013 Buckingham Water Pump Station, Glastonbury	Water	1,740,000	1,388,588	20,000	331,412
2013 General Purpose Water	Water	3,860,000	2,679,000	190,000	991,000
2013 Paving Program	Water	4,200,000	2,978,000	43,000	1,179,000
2013 Water Main Replacement Franklin 13	Water	2,100,000	1,906,011	126,000	67,989
2013 Water Treatment Facilities Upgrades	Water	2,160,000	924,000	339,000	897,000
2013 Wickham Hill Basins, East Hartford	Water	4,980,000	3,982,467	97,000	900,533
2014 Collinsville WTP Emergency Generator Replacement	Water	700,000	61,000	20,000	619,000
2014 Kilkenny Water	Water	5,000,000	831,000	469,000	3,700,000
2014 Radio Frequency Automated Meter Reading	Water	5,000,000	890,000	27,000	4,083,000
2014 Renewable Energy Projects - Water Facilities	Water	550,000	235,000	60,000	255,000
2014 Various Transmission Main Design & Construction	Water	2,100,000	531,000	60,000	1,509,000
2014 Water Pump Station Improvements	Water	175,000	79,000	34,000	62,000
2014 Water Treatment Facilities Upgrades	Water	2,300,000	1,306,000	84,000	910,000
2015 General Purpose Water Program	Water	4,000,000	625,000	419,000	2,956,000
2015 Hydrant Replacement Program	Water	1,600,000	1,553,000	37,000	10,000
2015 Radio Frequency Automated Meter Reading Program	Water	4,500,000	1,786,000	180,000	2,534,000
2015 Water Supply Generators	Water	4,250,000	3,199,000	572,000	479,000
2015 Water Treatment Facilities Upgrades	Water	1,000,000	42,000	87,000	871,000
2015 WMR Bond Street Area, Hartford	Water	4,400,000	38,000	19,000	4,343,000
2015 WMR Buckingham Street Area, Hartford	Water	600,000	102,000	75,000	423,000
2015 WMR Garden Street Area, Wethersfield	Water	3,000,000	-	14,000	2,986,000
2016 Paving Program	Water	3,000,000	2,228,000	553,000	219,000
2016 WMR Simmons Road Area, East Hartford	Water	3,800,000	1,411,000	81,000	2,308,000
2017 Hydrant Replacement Program	Water	1,600,000	-	70,000	1,530,000
2017 Paving Program and Restoration	Water	3,500,000	-	1,274,000	2,226,000
2017 Radio Frequency Automated Meter Reading Program	Water	1,500,000	172,000	4,000	1,324,000
2008 Capacity Management Operation & Maintenance Compliance	Sewer	5,000,000	3,873,000	144,000	983,000
2008 WPC Infrastructure Replacements and Improvements	Sewer	2,000,000	1,281,000	242,000	477,000
2009 Capacity Management Operation & Maintenance Compliance Capital Equipment and Staffing	Sewer	5,000,000	2,071,000	407,000	2,522,000
2009 General Purpose Sewer	Sewer	3,507,000	2,704,000	134,000	669,000
2009 Hartford Odor Control Construction	Sewer	4,888,000	2,180,000	151,000	2,557,000
2009 Water Pollution Control Infrastructure Replacements and Improvements	Sewer	4,455,000	3,945,000	36,000	474,000
2010 General Purpose Sewer	Sewer	2,702,000	2,271,000	53,000	378,000
2010 WPC Electrical Systems Modernization Program	Sewer	4,280,000	1,455,000	447,000	2,378,000
2010 WPC Renewal & Replacements Program	Sewer	2,000,000	1,787,000	78,000	135,000
2011 WPC Electronic Development	Sewer	1,750,000	885,000	14,000	851,000
2012 Backwater Valve Program	Sewer	540,000	100,000	37,000	403,000
2012 East Hartford WPC Waste Water Screening Installation	Sewer	4,750,000	4,178,000	56,000	516,000
2012 General Purpose Sewer	Sewer	5,000,000	3,565,000	555,000	880,000
2012 Hartford WPC Solids Handling & Processing	Sewer	4,800,000	737,000	54,000	4,009,000
2012 Sewer Gate Replacement Program District-wide	Sewer	1,296,000	467,000	8,000	821,000
2012 Sewer Replacement - Woodland Avenue and Peters Road, Bloomfield	Sewer	1,310,000	253,000	34,000	1,023,000
2013 Rocky Hill Interceptor - Relief Sewer/Capacity Improvements	Sewer	770,000	622,000	115,000	33,000
2013 Sewer Replacement/Repairs - 388-390 Farmington Ave. Hartford	Sewer	1,900,000	84,000	28,000	1,788,000
2013 WPC SCADA Upgrades	Sewer	1,260,000	157,000	190,000	913,000

CP Appropriation	Fund Type	Amount Authorized	Bonded/Grants/Contributions	New Money of This Issue	Authorized But Unissued
2014 General Purpose Sewer	Sewer	5,000,000	1,983,000	124,000	2,891,000
2014 Hartford WPCF Sludge Mixing Tank, Sludge Screening, GT & RSRF Upgrades	Sewer	5,000,000	730,000	344,000	3,926,000
2014 Hartford WPCF West Primary Settling Tanks	Sewer	3,100,000	2,917,000	21,000	162,000
2014 Pump Station Upgrades – Burnside Avenue, East Hartford	Sewer	3,900,000	1,461,000	1,107,000	1,332,000
2014 Renewable Energy Projects – Sewer Facilities	Sewer	350,000	107,000	14,000	429,000
2014 Sewer Rehabilitation Program	Sewer	5,000,000	3,047,000	164,000	1,789,000
2014 Wastewater Pump Station Improvements	Sewer	350,000	122,000	23,000	205,000
2014 WPC Renewal and Replacements	Sewer	2,250,000	2,137,000	48,000	65,000
2015 East Hartford WPCF Compressor, DO Control & SCADA Upgrades	Sewer	5,000,000	396,000	16,000	4,588,000
2015 General Purpose Sewer	Sewer	2,500,000	542,000	46,000	1,912,000
2015 Hartford WPCF SPB Electrical Upgrades (SPB Solids)	Sewer	4,600,000	-	230,000	4,370,000
2015 Paving Program	Sewer	3,900,000	1,489,000	313,000	2,098,000
2015 Poquonock WPCF Primary & Secondary Tanks	Sewer	3,200,000	2,106,000	738,000	356,000
2015 Sanitary Sewer Easements Acquisitions & Improvements	Sewer	3,600,000	2,375,000	25,000	1,200,000
2015 Various Sewer Pipe Replacement/Rehab – District Wide	Sewer	5,000,000	388,000	3,180,000	1,432,000
2015 WPC Equipment & Facilities Improvements	Sewer	4,700,000	1,114,000	282,000	3,304,000
2016 Hartford WPCF - Air Permit Compliance Upgrades	Sewer	4,500,000	-	28,000	4,472,000
2016 Sewer Rehabilitation Program	Sewer	3,600,000	1,869,000	58,000	1,673,000
2016 Various Sewer Pipe Replacement/Rehab – District Wide	Sewer	1,000,000	-	452,000	548,000
2017 Paving Program and Restoration	Sewer	1,500,000	-	441,000	1,059,000
2017 Sanitary Sewer Rehabilitation Program	Sewer	3,600,000	-	704,000	2,896,000
2017 WPC Equipment & Facilities Improvements	Sewer	2,700,000	-	1,140,000	1,560,000
2017 WPC Plant Infrastructure Renewal & Replacement	Sewer	2,000,000	-	230,000	1,770,000
2017 WPC SCADA Upgrades	Sewer	2,000,000	-	34,000	1,966,000
2011 Facility & Equipment Improvements	Combined	1,400,000	934,000	22,000	444,000
2012 Facility Improvement Program	Combined	2,500,000	2,011,000	64,000	425,000
2012 Headquarters Parking Garage Renovations	Combined	3,093,000	2,676,000	67,000	352,000
2013 Communications Systems Upgrades	Combined	1,000,000	123,000	106,000	771,000
2013 Facilities Improvement Program	Combined	2,000,000	1,729,000	26,000	245,000
2013 Information Technology - Applications	Combined	5,000,000	2,814,000	202,000	1,984,000
2014 Facilities Improvement Program	Combined	3,000,000	2,920,000	18,000	62,000
2014 Facility Roof Replacements	Combined	600,000	-	35,000	565,000
2014 Land Improvements	Combined	1,000,000	612,000	35,000	353,000
2015 Administrative Facilities Improvement Program	Combined	2,000,000	589,000	137,000	1,274,000
2015 Member Towns New GIS Base Map Development	Combined	1,600,000	440,000	48,000	1,112,000
2016 Construction Services	Combined	3,300,000	2,891,000	85,000	524,000
2016 Engineering Services	Combined	2,500,000	1,543,000	246,000	711,000
2016 Fleet Replacement	Combined	2,100,000	1,729,000	65,000	306,000
2016 Information Systems I/T Upgrades	Combined	5,000,000	277,000	308,000	4,415,000
2016 Survey & Construction	Combined	5,000,000	4,138,000	108,000	734,000
2016 Technical Services	Combined	3,400,000	2,606,000	93,000	701,000
2017 Fleet Equipment Replacement	Combined	800,000	-	91,000	709,000
		339,516,000	163,693,508	25,000,000	150,822,492

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

BOARD OF FINANCE REALLOCATION OF GENERAL OBLIGATION BONDS

To: District Board

June 19, 2017

From: Board of Finance

Staff is seeking authority for the District to reallocate proceeds from: (i) the District's \$36,215,000 General Obligation Bonds, Issue of 2015, Series B from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**; (ii) the District's \$66,740,000 General Obligation Bonds, Issue of 2015, Series A from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**; and (iii) the District's \$95,000,000 General Obligation Bond Anticipation Notes, dated March 1, 2017 from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**.

At a meeting of the Board of Finance held on June 19, 2017 it was:

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

RESOLUTION AUTHORIZING THE REALLOCATION OF PROCEEDS FROM GENERAL OBLIGATION BONDS AND GENERAL OBLIGATION BOND ANTICIPATION NOTES OF THE METROPOLITAN DISTRICT

Proceeds from the District's \$36,215,000 General Obligation Bonds, Issue of 2015, Series B are hereby reallocated from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**. Proceeds from the District's \$66,740,000 General Obligation Bonds, Issue of 2015, Series A are hereby reallocated from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**. Proceeds from the District's \$95,000,000 General Obligation Bond Anticipation Notes, dated March 1, 2017 are hereby reallocated from the capital improvement projects set forth on **Exhibit A** attached to those capital improvement projects set forth on **Exhibit A**.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

EXHIBIT A

\$36,215,000 General Obligation Bonds, Issue of 2015, Series B

	\$
From :2015 WHWTF Water Storage Improvements	(1,366,000)
To: 2013 Paving Program	201,000
2012 General Purpose Water	1,165,000

\$66,740,000 General Obligation Bonds, Issue of 2015, Series A

From: 2013 Water Main Replacement Center Street, Hartford	(111,000)
To: 2014 Kilkenny Water	111,000
From: 2010 Water Treatment Facility Upgrade Program	(740,000)
To: 2014 Radio Frequency Automated Meter Reading	740,000

\$95,000,000 General Obligation Bond Anticipation Notes, dated March 1, 2017

From: 2011 Water Main Replacement - Cottage Grove	(1,300,000)
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Road, Bloomfield

To: 2017 Radio Frequency Automated Meter Reading
Program

172,000

2014 Phelps Brook Dam and East Dike Rehabilitation
Project

1,128,000

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
BENEFIT AND CONDITION CHANGES – EXEMPT AND EXCLUDED EMPLOYEES**

TO: Personnel, Pension and Insurance Committee for consideration on June 19, 2017.

In July of 2015, a resolution was presented and approved by the full Board of Commissioners to freeze the Sick Leave Balances for the Exempt and Excluded employees. Coupled with that action, the District established Short and Long Term Disability programs. These programs proved especially attractive to new employees who have comparatively low time bank balances.

With the review of eleven cases in which either the Short-Term and/or Long Term Disability programs were accessed, Staff realized an inequity in the way the benefits were being applied.

To address this condition, Staff has recommended that there be a one-time option presented to the Exempt and Excluded employees hired before August 1, 2015, to: (a) resume the former Sick Leave procedure but at the decreased accrual rate (eight days per year) and without the Short Term Disability Program; or (b) continue the present Short Term Disability Program. The Long-Term Disability Program would be continued under either option.

This option should still be attractive to new employees while slowing the increase in the Sick Leave balance for existing employees who choose to resume the former and now, limited procedure.

Staff also recommends the following adjustments, including:

- That Paternity Leave be granted in accordance with the Family Medical Leave Act ("FMLA") (which in certain cases can include time for adoption). Employees shall use their accumulated time bank balances to receive payment during any FMLA leave;
- Maternity leave modified to recognize the typical pregnancy leave authorized at six to eight weeks –recorded as FMLA leave, but then to allow the new mothers to spend an additional six weeks (or four weeks dependent upon length of pregnancy leave) for a total of twelve weeks with her new child with the

mothers using their accumulated time bank balances to receive payment for their FMLA time;

- Short Term Disability will be available for employees after seven days (using available time bank balances) and, at the conclusion of the disability period, up to six (or four) additional weeks not to exceed twelve weeks in total but having the employees use their accumulated time bank balances to receive payment for FMLA leave;

These changes if approved will be incorporated into the "Employee Handbook." The revised handbook would then be distributed to employees.

We will provide advance information to the Exempt and Excluded employees to facilitate their choice of Sick Leave programs.

At a meeting of the Personnel, Pension and Insurance Committee held on June 19, 2017, it was:

VOTED: That the Personnel Pension and Insurance Committee recommend to the District Board passage of the above-detailed amendments to benefits and conditions extended to Exempt and Excluded employees:

RESOLVED: That the Exempt and Excluded benefits and conditions be amended as indicated herein and above.

Respectfully Submitted,

John S. Mirtle, Esq.
District Clerk

Commissioner Caban moved to amend the resolution to strike any reference to "new" mother. The amendment was approved without objection.

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

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
RETIREE MEDICAL AFTER AGE 65**

To: District Board

June 19, 2017

From: Personnel, Pension & Insurance Committee

It has come to the attention of District staff that some retirees, or retiree spouses, have reached age 65 and remained on the District's medical insurance beyond his/her 65th birthday. Once a retiree or spouse turns 65, they are required to sign up for Medicare which acts as the primary insurer and the District provides Medicare Supplement Plan B as secondary coverage. Staff requests authorization to provide notice to retirees, retiree spouses and current employees that have reached, or will soon reach, age 65 that retirees who are age 65 or older are required to immediately sign up for Medicare and to inform the District in order to obtain the Medicare Supplement Plan B as secondary coverage. Retirees or retiree spouses aged 65 and older that fail to sign up for Medicare within 120 days of the notice will be removed from District health insurance.

At a meeting of the Personnel, Pension & Insurance Committee held on June 19, 2017, it was:

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

RESOLVED: That staff shall provide notice to retirees, retiree spouses and current employees that have reached, or will soon reach, age 65 that retirees who are age 65 and older are required to immediately sign up for Medicare and inform the District in order to receive the Medicare Supplement Plan B as secondary coverage. Retirees or retiree spouses aged 65 and older who fail to sign up for Medicare within 120 days of the notice will be removed from District health insurance, without affecting the retirees' or spouses' reimbursement for Supplement Plan B coverage upon signing up for Medicare.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

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

**BUREAU OF PUBLIC WORKS
312-320 ALUMNI ROAD, NEWINGTON
RELEASE OF SEWER RIGHT-OF-WAY**

To: District Board

June 19, 2017

From: Bureau of Public Works

On March 27, 2017, the District received a request from Mr. Kevin Franklin L.S. on behalf of Michael A. Geer, property owner of 312-320 Alumni Road, Newington, for The Metropolitan District to release an existing sanitary sewer easement within the subject property, as shown on the accompanying map. The purpose of the request is to enable the future development of the parcels.

The existing easement was acquired by The Metropolitan District from Michael A. Geer through the Victory Gardens Developer's Permit-Agreement project in 2012. Since the proposed sewer was never built within this easement and there are no future plans to build one, there is no longer any need for this easement to remain on the Town of Newington land records.

From an engineering standpoint, the release of this easement will not have a negative impact on the wastewater collection system, and no hardship or detriment would be imposed on others. All new connections and services to the future buildings can utilize the existing sanitary sewer in Alumni Road.

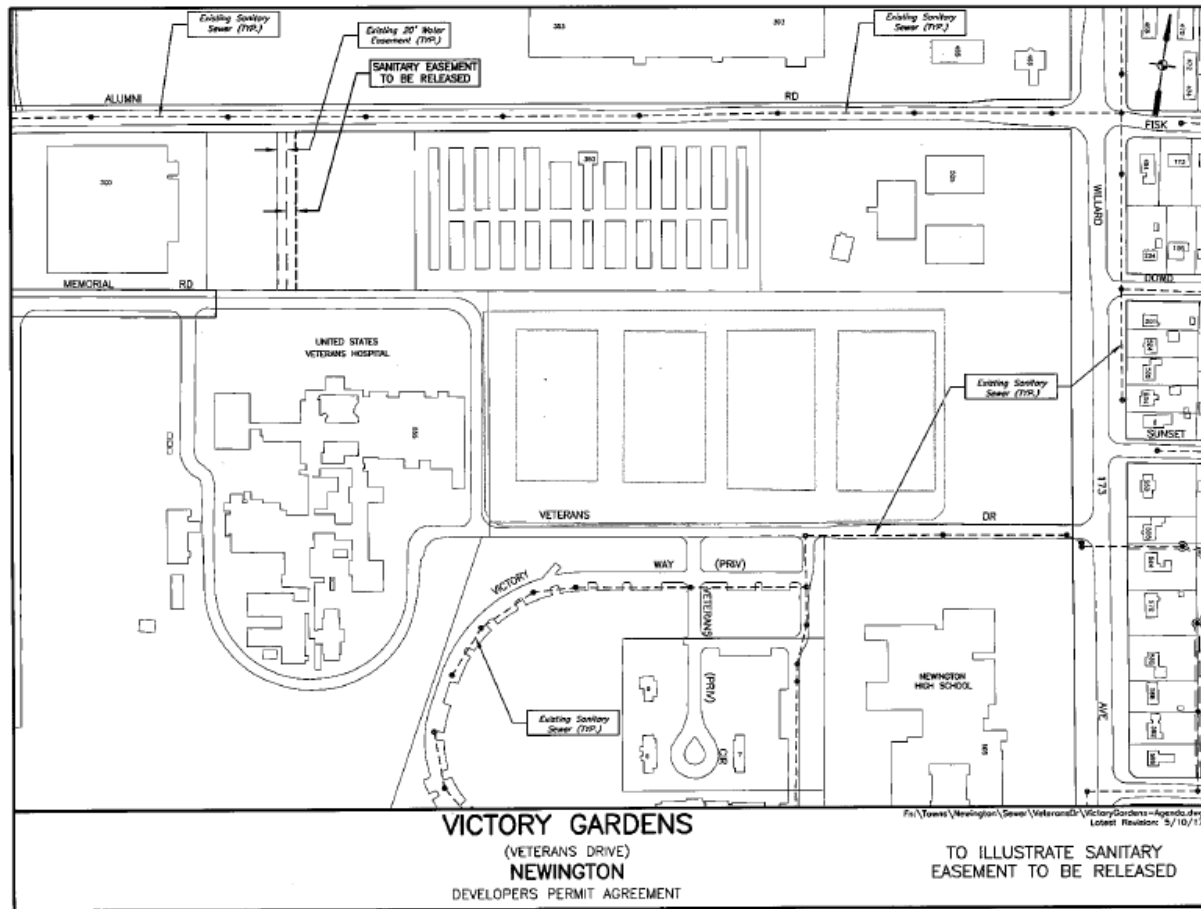
At a meeting of the Bureau of Public Works held on May 17, 2017, it was:

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 the release of the existing sanitary sewer easement on property owned by Michael A. Geer, as shown on the accompanying map and as recorded in the Town of Newington land records, Volume 2094, Page 52. The release shall be subject to approval by District Counsel as to form and content.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk



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

**BUREAU OF PUBLIC WORKS
RESERVOIR ESTATES, WETHERSFIELD
ENCROACHMENT AGREEMENT**

To: District Board

June 19, 2017

From: Bureau of Public Works

In a letter dated May 24, 2017, James Dutton, on behalf of Frank DiBacco, CCC Construction, LLC, Owner and Developer, has requested permission from The Metropolitan District to encroach on the existing 20-foot Goff Brook South Branch Trunk Sewer easement located across private lands between Back Lane and Old Reservoir Road in Wethersfield, with grading and foundation drain crossings in conjunction with the Reservoir Estates development of Lots 11, 12, 17, 18 and 19.

This encroachment is in addition to an encroachment that was granted to this Developer in May of 2016 for the installation of new sanitary sewer and storm drainage across the existing Goff Brook South Branch Trunk Sewer easement.

The proposed work entails the installation of 4-feet of fill and four 4-inch HDPE foundation drains, as well as adjustments to four existing manhole frames and covers over the existing 15-inch RCP sanitary trunk sewer within the 20-foot easement, as shown on the accompanying map. The proposed foundation drains will be installed above the existing sanitary trunk sewer with sufficient clearance between the pipes. The existing trunk sewer was built in 1966.

MDC staff has concluded that the encroachments are minor and that there will be no detriment to the trunk sewer infrastructure as a result.

CCC Construction has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewers located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot easement:

1. Care must be taken during the construction of the new foundation drains and manhole frame and cover adjustments not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the sanitary trunk sewer easement when not in use. Any earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing trunk sewer caused by any construction within the existing rights-of-way shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed fill and foundation drains shall be located within the District's sanitary trunk sewer right-of-way.
3. The District reserves the right to remove improvements within the sanitary trunk sewer easement at any time if so required for maintenance, repair or replacement of the trunk sewer. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of improvements within the easement.
4. In the event of a sewer emergency caused by the proposed excavation, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC inspector must be on the job site whenever work is being performed within the sanitary trunk sewer right-of-way, at the expense of the Owner. Any construction of the grading and manhole frame and cover adjustments, as well as any construction, maintenance, repair or replacement of the new foundation drains shall conform to District

standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the sanitary trunk sewer easement.

6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary trunk sewer in the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewer.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between CCC Construction and the Metropolitan District, consistent with current practice involving similar requests.

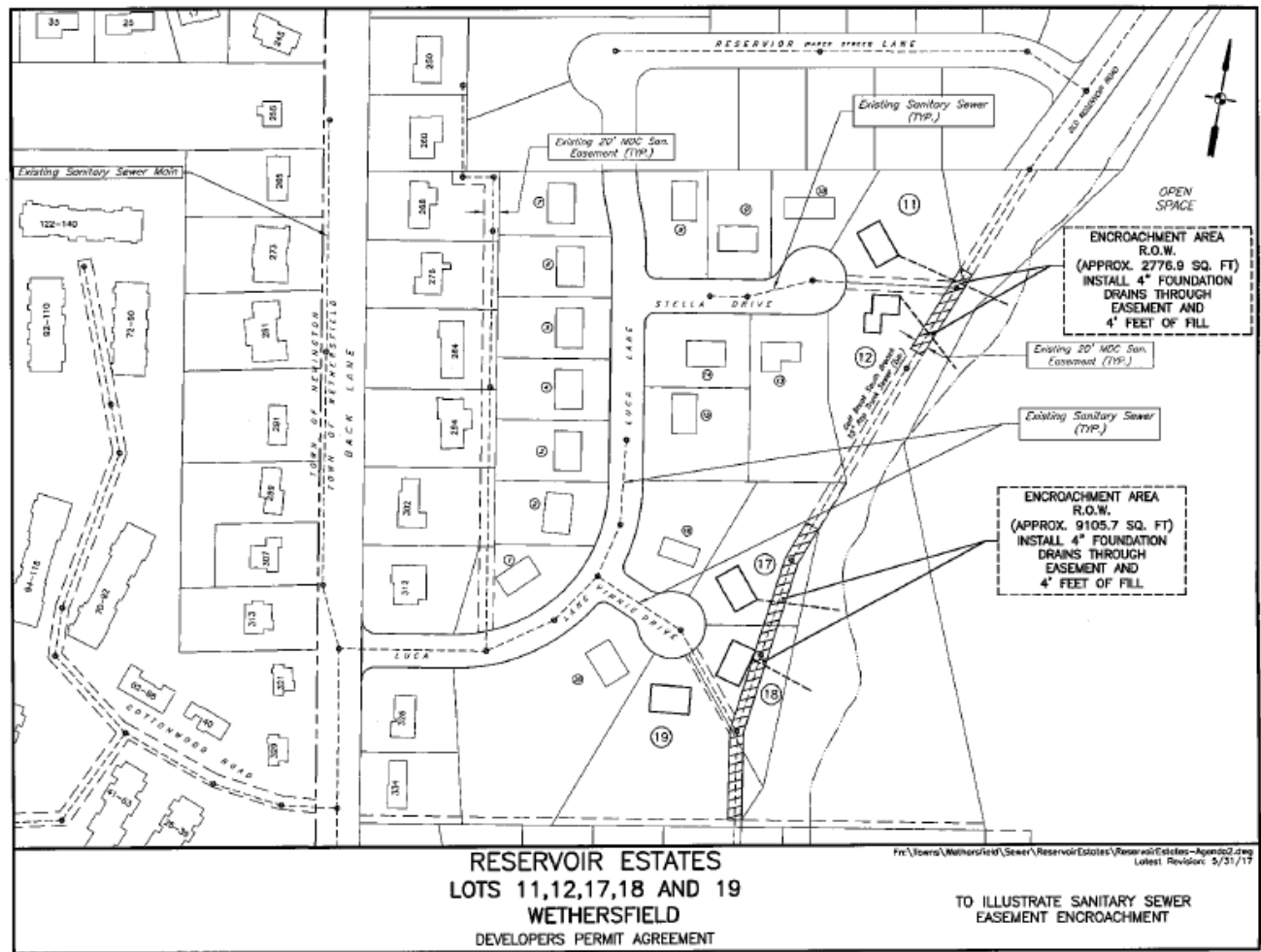
At a meeting of the Bureau of Public Works held on June 19, 2017, it was:

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 approval of form and content by District Counsel, granting permission to CCC Construction to encroach upon the existing 20-foot sanitary trunk sewer easement off of Old Reservoir Road in private lands, Wethersfield, in support of the planned construction of Lots 11, 12, 17, 18 and 19 Reservoir Estates as shown on the plan submitted by Dutton Associates entitled "Plan of Proposed Encroachments over the Goff Brook Sanitary Sewer Reservoir Estates Prepared for CCC Construction, LLC Wethersfield, CT", dated 8/2/2016, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk



**DUTTON ASSOCIATES, LLC**

May 24, 2016

Mr. Michael Curley, P.E.
Technical Services, Engineering & Planning
Metropolitan District Commission
555 Main Street
P.O. BOX 800
Hartford, CT 06142-0800

Re: Encroachment Permit Reservoir Estates, Wethersfield, CT

Dear Mr. Curly:

With this letter, Mr. Frank DiBacco, CCC Construction, LLC does hereby request an encroachment permit of the Goff Brook Interceptor Sanitary Sewer Easement for the following activity:

- Installation of 4, 4" HDPE foundation drain outlet pipes (Lots 11, 12, 17 & 18)
- Placement of up to 4 ft of clean fill material (Lots 11, 12, 17, 18 & 19).

Please see the attached plans depicting the approximate location of the proposed encroachments.

Please do not hesitate to call if you have any questions or comments regarding this matter.

Sincerely,

James W. Dutton, L.S.

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

**BUREAU OF PUBLIC WORKS
150 ENTERPRISE DRIVE, ROCKY HILL
ENCROACHMENT AGREEMENT**

To: District Board

June 19, 2017

From: Bureau of Public Works

In a letter dated May 25, 2017, Matthew Bruton of BL Companies, on behalf of ReadCO, LLC, Developer, and Corpridge Land Company, LLC, Owner, has requested permission from The Metropolitan District to encroach on the existing 20-

foot West Dividend Brook Trunk Sewer easement located across private lands between Cromwell Avenue and Henkel Way in Rocky Hill, with grading and drainage crossings in conjunction with the development of a medical office building.

The proposed work entails the removal of one foot of fill and installation of a 42-inch HDPE drainage pipe over the existing 18-inch RCP sanitary trunk sewer within the 20-foot easement, as shown on the accompanying map. The proposed piping will be installed above the existing sanitary trunk sewer with sufficient clearance between the pipes. The existing trunk sewer was built in 1969.

MDC staff has concluded that the encroachments are minor and that there will be no detriment to the trunk sewer infrastructure as a result.

ReadCO, LLC and Corpridge Land Company, LLC have agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewers located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot easement:

1. Care must be taken during the construction of the new storm drain not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the sanitary trunk sewer easement when not in use. Any earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing trunk sewer caused by any construction within the existing rights-of-way shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed storm drain shall be located within the District's sanitary trunk sewer right-of-way.
3. The District reserves the right to remove improvements within the sanitary trunk sewer easements at any time if so required for maintenance, repair or replacement of the trunk sewer. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of improvements within the easements.
4. In the event of a sewer emergency caused by the proposed excavation, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC inspector must be on the job site whenever work is being performed within the sanitary trunk sewer right-of-way, at the expense of the Owner. Any construction of the storm drain as well as any construction, maintenance, repair or replacement of the new drain shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the sanitary trunk sewer easement.

6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary trunk sewer in the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewer.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Corpridge Land Company, LLC and the Metropolitan District, consistent with current practice involving similar requests.

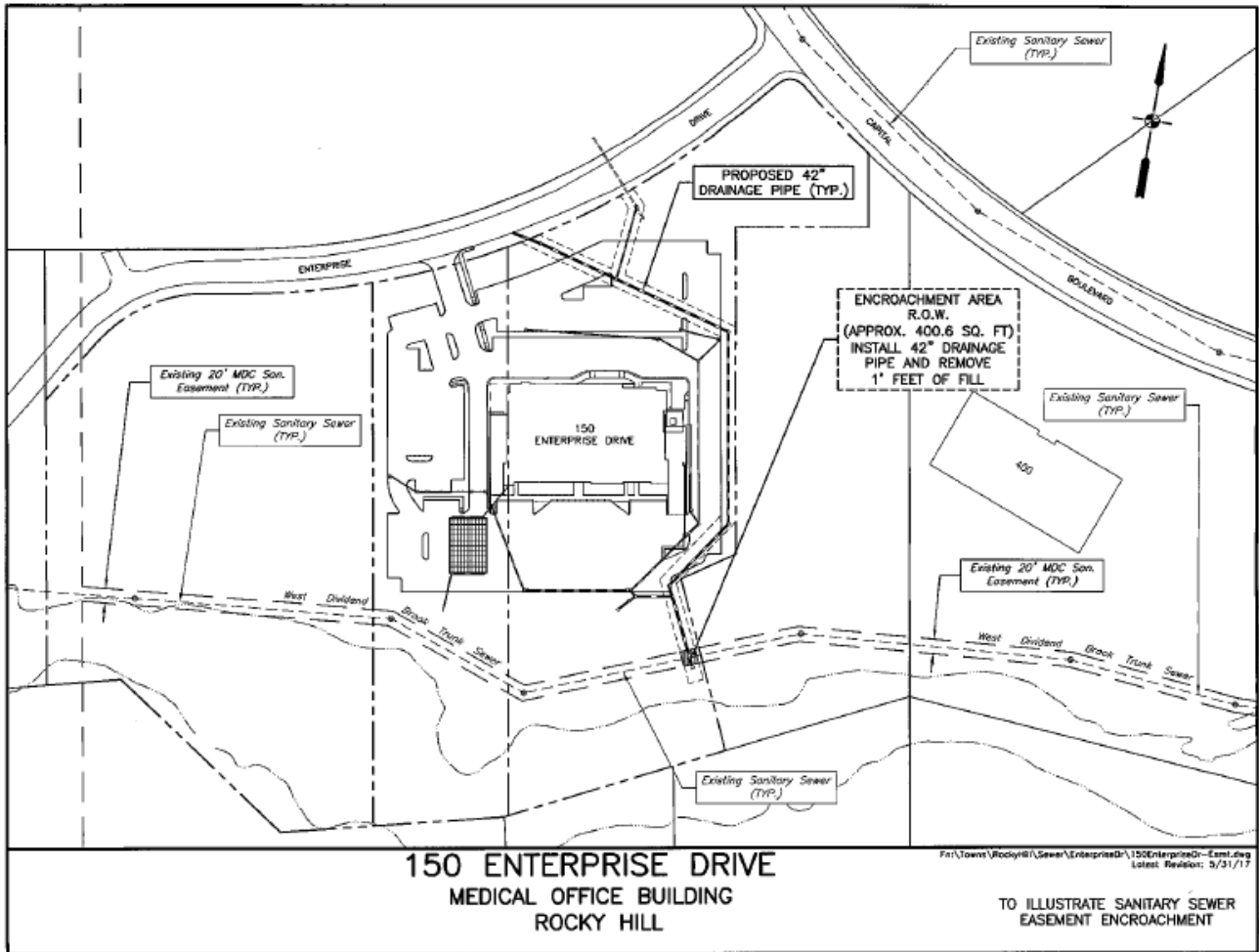
At a meeting of the Bureau of Public Works held on June 19, 2017, it was:

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 approval of form and content by District Counsel, granting permission to Corpridge Land Company, LLC to encroach upon the existing 20-foot sanitary trunk sewer easement off of Henkel Way in private lands, Rocky Hill, in support of the planned construction of a medical office building as shown on plans submitted by BL Companies, entitled "Corpridge Land Company, LLC 150 & 250 Enterprise Drive Town of Rocky Hill, County of Hartford State of Connecticut Encroachment Map", dated May 24, 2017, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk





May 25, 2017

Mr. Michael Curley, Manager of Technical Services,
Engineering & Planning
MDC
555 Main Street, P.O. Box 800
Hartford, CT 06142-0800

RE: Encroachment Permit Process
Medical Office Building (Corporate Ridge)
150 Enterprise Drive
Town of Rocky Hill

Dear Mr. Curley:

BL Companies, Inc., on behalf of the developer, ReadCO, LLC and the landowner, Corpridge Land Company, LLC, is formally requesting an encroachment permit for the above listed project. Enclosed are a set of detailed design plans with an encroachment map, CAD file of the design documents, and a check made payable to The Metropolitan District. This new project consists of construction of a 49,984± square foot medical office building on Enterprise Drive. The medical office building will be constructed on one revised lot (150 Enterprise Drive).

The medical office building project was approved by the Rocky Hill Planning and Zoning Commission on March 15, 2017.

Should you have any questions, please feel free to contact me.

Very Truly Yours,
BL COMPANIES

A handwritten signature in blue ink that reads 'Matthew J. Bruton'.

Matthew J. Bruton, P.E.

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

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

To: District Board

June 19, 2017

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 May 17, 2017, it was:

RECOMMENDED that, pursuant to Section S8g of the Sewer Ordinances re: “Acceptance of Developer’s Sewers,” it be

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>
West Dudley Town Road, Bloomfield BIL.DVSBLO.02	Developer: Simon Foundation Contractor: Cadwell’s Excavating & Grading	December 21, 2010
International Dr & Rainbow Road, Windsor DVS.WIND.02	Developer: Dollar Tree Contractor: Northeast & Simscoft	May 9, 2013
Day Hill Road, Windsor DVS.WND.06	Developer: River Bend Development Contractor: Northeast Contractors	February 24, 2017
Win-Brook Office Park, Rocky Hill DVS0000939	Developer: WE714 Brook Street LLC Contractor: Mizzy Construction	September 28, 2008
Jennifer Estates, Rocky Hill DVS0000915	Developer: Rocky Hill Enterprises Contractor: Dufford Construction	April 11, 2009
Woodland Ridge, Rocky Hill	Developer: Rocky Hill	April 23, 2002

DVS0000809	Enterprises Contractor: Dufford Construction	
Amato Drive/Amato Circle, Wethersfield DPA 241-408 & DPA 241-366	Developer: Sal Amato Inc. Contractor: Colabella Construction Co.	March 10, 1999
Adams Landing, Wethersfield DPA 241-624	Developer: Granite Homes Inc. Contractor: General Paving, Inc.	August 26, 1995

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

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

**WATER BUREAU
RESOLUTION PROHIBITING USE OF DRONES ON
MDC PROPERTIES AND RESERVOIRS**

To: District Board

June 19, 2017

From: Water Bureau

With the advent of advances in technology for unmanned aircraft systems (hereinafter “drones”) that have made the same available to the public through mass production at an affordable cost, the unauthorized use of drones on and over MDC properties and reservoirs has increased in recent months thereby subjecting such properties and reservoirs to security and pollution risks, and interfering with the authorized recreational use and enjoyment of these properties by the public. In an effort to eliminate these risks and prohibit such interference, the District desires to adopt a policy prohibiting the unauthorized use of drones on and over MDC properties and reservoirs.

At a meeting of the Water Bureau held on May 17, 2017, it was:

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

Resolved: That the unauthorized use of drones on and over MDC properties and reservoirs is expressly prohibited, and that any such prohibited use shall constitute an actionable trespass and nuisance subjecting the person conducting such use to the applicable penalties available at law for such actionable offenses; including but not limited to Connecticut General Statutes §25-43(c).

Resolved: That pursuant to Section 5-3 of the Compiled Charter of The Metropolitan District, the Water Bureau shall adopt regulations prohibiting the unauthorized use of drones on and over MDC properties and reservoirs consistent with the policy therefor set forth in the above resolved clause.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**WATER BUREAU
WATER SERVICE TO 580 CHRISTIAN LANE IN BERLIN**

To: District Board

June 19, 2017

From: Water Bureau

District staff received a request from the owner of 580 Christian Lane in Berlin to provide the property with water service. The property is currently unserved by public water and is located adjacent to the town border of Newington. Due to the property's location, it is unlikely that the Berlin Water Control Commission will be able to service the property in the foreseeable future. There is an existing water main located in Bridle Path in Newington that the property owner will connect to. The Berlin Water Control Commission sent a letter dated June 1, 2017 authorizing the District to serve the property for the foreseeable future and if Berlin Water Control Commission expands its water service to be able to serve the property in the future, the connection to the District's water system will be reevaluated. Upon approval by the Water Bureau and District Board, the District and Berlin Water Control Commission will amend, by agreement, their Exclusive Service Areas established by the Water Utility Coordinating Committee.

Staff has reviewed this request and considers it feasible.

At a meeting of the Water Bureau held on June 19, 2017, it was:

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

RESOLVED: That the property owner of 580 Christian Lane in Berlin, CT be authorized to connect to the District's existing water main in Bridle Path in Newington under the District's standard connection procedure.

BE IT FURTHER RESOLVED: That the District's Exclusive Service Area established by the Water Utility Coordinating Committee be amended, by agreement with Berlin Water Control Commission, to reflect service to 580 Christian Lane in Berlin.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk



TOWN OF BERLIN
Water Control Commission
240 Kensington Road • Berlin, CT 06037
Office (860) 828-7065 • Fax (860) 828-7180

June 1, 2017

Ms. Susan Negrelli, Director of Engineering
The Metropolitan District
PO Box 800
Hartford, CT 06142-0800

RE: Memorandum of Understanding
Water service for 580 Christian Lane, Berlin

Dear Ms. Negrelli:

Please accept this letter as a Memorandum of Understanding (MOU) between the Berlin Water Control Commission (BWCC) and the Metropolitan District Commission (MDC) regarding service of water to the property located at 580 Christian Lane in Berlin, CT. Both the MDC and BWCC agree this is in the best interest of the utilities at this time.

The purpose of this MOU is to authorize the MDC to serve the property currently owned by JD MELT, LLC, located in the Berlin Water Control Commission service area. Due to the availability and accessibility of the MDC's water system on Bridle Path in Newington and considering the Town of Berlin has no immediate plans to expand its water system to the area, it is in the best interest of the property owner that the MDC serve this property with water. Should this property, in the future, be served with water by the Berlin Water Control, the service to this property should be re-evaluated.

Please be advised that at its May 23, 2017 meeting, the Water Control Commission voted to approve this Memorandum of Understanding with the Metropolitan District Commission.

Sincerely,

A handwritten signature in blue ink, which appears to read "Bruce Laroche".

Bruce Laroche, Chairman
Berlin Water Control Commission

Attachment

cc: Jack Healy, P.E. - Interim Town Manager/Public Works Director
Ray Jarema, P.E. - Water Control Manager
Allen King- MDC



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

NISSAN LEAF FLEET VEHICLE PROGRAM

To: District Board

June 19, 2017

District staff received an offer from Nissan Motor Co. Ltd. to participate in the Nissan Leaf Fleet Vehicle Program to offer the District, its employees and customers a \$10,000 discount off Manufacturer's Suggested Retail Price on the purchase of a 2017 Nissan Leaf. In addition, the purchaser is eligible for up to a \$7,500 Federal Plug-In Electric Drive Vehicle Tax Credit and a \$3,000 rebate under the Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) program.

It is RECOMMENDED that it be:

RESOLVED: That the District participate in Nissan Motor Co. Ltd's Nissan Leaf Fleet Vehicle Program to allow the District, its employees and customers the opportunity to purchase a 2017 Nissan Leaf at a \$10,000 discount off the Manufacturer's Suggested Retail Price with additional possible federal and state tax credits or rebates.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Adil, the report was received and resolution adopted by majority vote of those present. Commissioner Gardow opposed.

SETTLEMENT OF PENDING LITIGATION CLAIM

To: District Board

June 19, 2017

BE IT HEREBY 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 lawsuit captioned *Marianne Guay v. The Metropolitan District et al.*, Docket No. HHD-CV-16-6065986-S ("*Litigation*"), for the total sum of \$9,000.00, 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 Kowalyshyn, the report was received and resolution adopted by unanimous vote of those present.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford spoke regarding the following written comments submitted prior to the meeting:

General Public Comments for the District Board Meeting 6/19/17

I'm sure you have read the Courant article about a month ago about the MDC meeting with the towns.

It describes the frustration and at times anger the towns felt about their difficulty in communicating and working with the MDC. One comment in particular stressed the defensiveness the towns experience each time they meet with the MDC.

I think I understand what they mean. As I have listened to meeting after meeting I have been struck by how often issues are framed as something to oppose, to fight, or bring suit against. Being defensive means you assume the other party is out to get you

I hope Attorney Halloran will tell you about what he learned at a recent Water Planning Council meeting about the example in Oklahoma where 3 groups all laying claim to the same water source were able to stay out of court through an arbitration process that left all 3 parties satisfied. But arbitration requires the ability to listen and not get defensive.

I asked Betsey Wingfield at DEEP if she could steer me to information so that I could better understand EPA's 2% affordability rule. It seemed to me that there's a different definition each time its talked about. Could you tell anyone exactly how the 2% rule really works? She directed me to the "Affordability Assessment Tool for Federal Water Mandates" written in 2013 for the US Conference of Mayors, the American Water Works Association, and the Water Environment Federation. This tool understands that standards based on Mean Household Income do not ensure equity for all. It recognizes that a town is not a homogeneous collection of households, nor are there homogeneous water use practices. Different towns have different mil rates, different debts, different priorities. This is the kind of analysis the towns want as part of any study for sewer user fees that you found it hard to understand.

I'm glad you have confidence in your staff. But even good people get it wrong sometimes. It's your job to catch those times. As commissioners we consumers need you to ask about alternatives, know all the facts.

The best interests of the MDC are not exclusively measured in dollars and cents. A positive image with the public is of value as well. Positive image means listening and not being defensive.

If I started with the words "environmental" "fish" or "streamflow regulations", half of you would stop listening. Another portion would assume you know already what I'm going to say. And I hope there might be some who listen, question if what I say has merit, and go further to check it out.

I still think MDC water is great, that we pay too little for our water. In my defense, the NBC news team questioned me for a full 15 minutes, only 30 seconds at best made it on air. So they cut the part where I said that I think we don't pay enough for MDC water!

ADJOURNMENT

The meeting was adjourned at 7:12 P.M.

ATTEST:


John S. Mirtle, Esq.
District Clerk

August 7, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, August 7, 2017

Present: Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, Allen Hoffman, David Ionno, Kathleen J. Kowalyshyn, Byron Lester, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Pasquale J. Salemi, Michael Solomonides, Alvin Taylor and Richard W. Vicino (21)

Absent: Commissioners Mary Anne Charron, Janice Flemming-Butler, Matthew B. Galligan, Jean Holloway, William P. Horan, Sandra Johnson, Bhupen Patel, J. Lawrence Price, Raymond Sweezy and Special Representative Michael Carrier (10)

Also

Present: Citizen Member Ron Angelo
Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Robert Zaik, Interim Director of Human Resources
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities
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 DiBella at 5:39 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.

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioners Clifford Avery Buell and Timothy Fitzgerald.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Camilliere and duly seconded, the meeting minutes of June 19, 2017 were approved. Commissioners Magnan, Adil, Fitzgerald and Buell abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

At 5:52pm, Commissioner Avedisian entered the meeting.

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel report.

BOARD OF FINANCE**DISCUSSION RE: CITY OF HARTFORD AND STATE OF CT BUDGET IMPACTS
ON MDC BUDGET AND BONDING**

John Zinzarella, Chief Financial Officer, Ernest Lorimer, bond counsel, and Adam Krea of First Southwest presented to the Board of Finance regarding the impacts of the City of Hartford and State of Connecticut budget impacts on the District's bonding capability and budget.

**BOARD OF FINANCE
DISCUSSION RE: CRRA LITIGATION**

EXECUTIVE SESSION

At 6:50 P.M., Chairman DiBella requested an executive session to discuss Agenda Items #10B "CRRA Litigation."

On motion made by Commissioner Marotta and duly seconded, the District Board entered into executive session to discuss Agenda Items #10B "CRRA Litigation" due to pending litigation.

Those in attendance during the executive session:

Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, Allen Hoffman, David Ionno, Kathleen J. Kowalyshyn, Byron Lester, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Pasquale J. Salemi, Michael Solomonides, Alvin Taylor, Richard W. Vicino and Citizen Member Ron Angelo; Chief Executive Officer Scott W. Jellison, District Counsel R. Bartley Halloran, Attorneys Christopher Stone, Brendan Fox and John Mirtle. Rocky Hill Mayor Claudia Baio, Wethersfield Town Manager Jeff Bridges, West Hartford Town Manager Matthew Hart, Hartford City Councilman James Sanchez.

RECONVENE

At 7:45 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Adil and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

**BUREAU OF PUBLIC WORKS
REVISIONS TO SCHEDULE OF FLAT FRONT FOOTAGE RATES
OF SEWER ASSESSMENT**

To: District Board

August 7, 2017

From: Bureau of Public Works

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.

At a meeting of the Bureau of Public Works on August 7, 2017, it was:

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,

John S. Mirtle, Esq.
District Clerk

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 (For each property the rates for only one category shall be applied)	(A) Rate per Lateral or Inlet	(B) Rate per Front Foot or Adjusted Front Foot	AREA CHARGES		
			(C) Rate Per Acre	OTHER RELEVANT FACTORS	
				(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 PARK*	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 Minimum Acreage Assessment 1,655.00 Developed area including but not limited to areas of parking, open space and streets.		
BUSINESS, COMMERCIAL INDUSTRIAL OR OTHERS*	4,420.00	72.77	8,270.00 Minimum Acreage Assessment 4,135.00 Developed area including but not limited to areas of parking, open space and streets.		
* 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.					
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 Commissioner Kowalyshyn and duly seconded, the report was received and resolution adopted by unanimous vote of those present.

**WATER BUREAU
REVISIONS TO MAIN PIPE WATER ASSESSMENT RATE**

To: District Board

August 7, 2017

From: Water Bureau

On November 16, 2016 and November 22, 2016, the Water Bureau and the District Board, respectively, voted to establish a new Main Pipe Assessment rate, effective on and after January 1, 2017. The new rate increased the front foot, or adjusted front foot, rate from \$41.00 to \$95.00. Since January 1, 2017, the new front foot rate has been charged to property owners who connected to already existing District water mains.

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 and offset the rising costs of water petition projects, while decreasing the effect on the water fund and ultimately the rate payers.

The front foot rate is a component of a property owner's water assessment in two circumstances: (1) there is a deferred assessment on the property (Class 1 water main) and the property owner elects to connect to the water main or (2) if the District completes a layout and assessment for a newly constructed water main requested by petition. The front foot rate is not paid by developers constructing water mains under a developer permit agreement unless there are properties within the proposed development that have frontage along an existing main. In these instances where a property is already served by District water, the developer is required to pay the assessment at the prevailing rates at the time of connection.

Staff received complaints on the new water and sewer frontage rates from both property owners and from a developer whose property is already served by an existing sewer with a significant amount of frontage. Connection charges 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. Therefore, staff has proposed for consideration by both the Bureau of Public Works and the Water Bureau an incremental increase of the front foot rate over a period of three years and to retroactively reduce the rate in effect during 2017.

If the Water 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 \$18.00 per year, at the following schedule:

October 1, 2017	\$59.00 per front foot or adjusted front foot
January 1, 2018	\$77.00 per front foot or adjusted front foot
January 1, 2019	\$95.00 per front foot or adjusted front foot

There are six (6) properties that connected to District water mains since January 1, 2017 and paid water connection charges at the new 2017 rate. The affected property owners will be notified and refunded the difference between the \$95.00 per foot rate and the prior \$41.00 per foot rate.

At a meeting of the Water Bureau held on August 7, 2017, it was:

Voted:

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

Be It Hereby Resolved:

That the Main Pipe Assessment Rate of \$59.00 per front foot or adjusted front foot 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 \$95.00 be refunded the difference between the amount paid and the total amount due if the front foot rate had been \$41.00.

Be it Further Resolved:

That the Water Bureau recommends the following subsequent increases in the front foot or adjusted front foot rate:

January 1, 2018	\$77.00 per front foot or adjusted front foot
January 1, 2019	\$95.00 per front foot or adjusted front foot

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

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

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF COMMISSIONERS
TO COMMITTEES**

To: District Board

August 7, 2017

From: Committee on Organization

At a meeting of the Committee on Organization held on August 7, 2017, it was:

Voted: That pursuant to the Charter of the Metropolitan District, the Committee on Organization recommends to the District Board the following to serve as Citizen Members to serve until December 31, 2017;

Ram Aberasturia – Board of Finance

Hector Rivera – Strategic Planning Committee

Further

Voted: That the Committee on Organization recommend to the District Board the appointment of the following Commissioners to the following Committees:

Water Bureau

Clifford Avery Buell

Peter Gardow

David Ionno

Committee on MDC Government

Clifford Avery Buell

Peter Gardow

David Ionno

Audit

Peter Gardow

Organization

Clifford Avery Buell

Community Affairs

Clifford Avery Buell

David Ionno

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

Chairman DiBella amended the motion, without objection, to include former Commissioner Hector Rivera as a Citizen Member to serve on the Strategic Planning Committee. On motion made by Commissioner Hoffman and duly seconded, the report was received and resolution, as amended, adopted by unanimous vote of those present.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford provided the following written comments:

Monday August 7, 2017
For Inclusion in the General Public Comments
MDC District Board Meeting.

When you consider how much conservation affects consumption and the resulting water rates, also consider how much the drinking of bottled water affects your customers consumption of water.

I'm not talking about Niagara specifically, but about the whole bottled water industry. In grocery stores there are whole aisles devoted to water. In just 10 minutes at Whole Foods I watched 8 people drinking bottled water just a few feet away from a free water fountain with cups provided.

The bottled water industry spends millions in advertising and they are very successful. They promote their water as purer, safer, and more convenient than tap water. They claim it tastes better. Look at all the brand names in the water aisle. Some say spring water, some have added flavors, minerals, vitamins and bubbles. Some have mountains on the label, pictures of springs. I think the polar bear is to imply it tastes good cold, although you are buying warm off the shelf. Containers come in different shapes, large and small, even patterned after wine bottles. They all must list the source of their water, much of it from public water supply, far from mountain springs, Italy or France. The majority of brands are Nestle products, catering to our every whim and wants. When one product starts to loose popularity, another is created. The MDC has just one product.

Some in the water bottling industry promote their part in stamping out world wide childhood obesity and diabetes. I've heard them claim that kids just won't drink water that comes from the tap, only bottled with Disney characters will do. Really? Are you willing to give up all childhood use of municipal tap water?

I know the MDC water is not inferior. It's safe, clean, pure, low cost and available to everyone. I spend a lot more time learning about water than most. Like it or not, the MDC is in competition with bottled water who are converting ever more people from tap to bottle. What the MDC lacks is promotion. As a young man said to me recently "you need a gimmick". He suggested a tap app related to the amount of tap water consumed, a competition.

How about an MDC reusable water bottle with a slogan, I'd stay away from your logo. You need something new. My water bottle, double wall insulated, hot and cold, with a message cost \$8.00 per bottle when buying 2 cases. You could probably get it for less with greater volume and your negotiating skills. You could sell them at cost. Use some of that "community outreach" money and put it where it could really do some good in increasing consumption of tap water. Good will is great, but it doesn't keep water rates down.

Does it really matter if your customers know they are drinking MDC water? I talk to many who have no idea what company supplies their water. Make things bright, creative, kid friendly. I met a family who uses just one kind of refillable bottle, each has their own for their exclusive use. The challenge is to tell them apart. The solution; stickers! You don't need brand recognition (something you have over industrial bottlers), you have an Exclusive Service Area. You need more water drinkers. As we are telling people how to conserve water it is also important that they learn to drink more water for human health.

Consumers want something that is convenient. The one thing refillable bottles have against them is the lack of good places to refill. Either restrooms have only one temp; warm, (such as here at the MDC) or water fountains whose arc is so low a bottle can't fit under it. So, sponsor hydration stations. Instead of planting trees, provide a hydration station. They aren't cheap - but you are winning back more preference for tap. Help put them in schools, public buildings, parks.

This is not to say there is no place for bottled water in public health emergencies. My point is, you need an ad campaign so you aren't continuing to loose consumption to the bottling industry. It's hard to change human behavior, there needs to be a really good reason for people to change. Usually the reason is monetary. Bottled water is not the solution to a high water bills. You need to help people understand that. Include a bill insert (one that doesn't look like every other bill insert you do which, frankly, are very boring) that helps people compare the low cost of MDC water with the outrageous cost of buying bottled water. Ex: what does 1 ccf of tap cost compared to one gallon of bottled. They may come to understand just how cheap our drinking water is.

Now I will mention Niagara. They may not be real thrilled with an MDC decision to launch an all out ad campaign, even though they say they aren't in competition. Consider it a challenge!

Judy Allen
West Hartford CT

ADJOURNMENT

The meeting was adjourned at 7:54 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

September 11, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, September 11, 2017

Present: Commissioners John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, Allen Hoffman, Jean Holloway, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor and Richard W. Vicino (17)

Absent: Commissioners Andrew Adil, Mary Anne Charron, Donald M. Currey, Janice Flemming-Butler, Matthew B. Galligan, William P. Horan, David Ionno, Sandra Johnson, Kathleen J. Kowalyshyn, Byron Lester, Maureen Magnan, Michael Solomonides and Special Representative Michael Carrier (13)

Also

Present: Citizen Member Ron Angelo
Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Susan Negrelli, Director of Engineering
Robert Zaik, Director of Human Resources
Marcy Wright-Bolling, Manager of Human Resources
Kelly Shane, Director of Procurement
Tom Tyler, Director of Facilities
Christopher Levesque, Director of Operations
Michael Curley, Manager of Technical Services
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:52 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.

District Chairman DiBella led the District Board in a moment of silence in remembrance of September 11, 2001.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Caban and duly seconded, the meeting minutes of August 7, 2017 were approved.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel report.

EXECUTIVE SESSION

At 6:49 P.M., Chairman DiBella requested without objection a combined executive session to discuss Information Technology cybersecurity, pending CRRA litigation and Agenda Item #12 "Settlement of Pending Litigation- *Diaz v. MDC*"

On motion made by Commissioner Caban and duly seconded, the District Board entered into executive session to discuss information technology cybersecurity, the pending CRRA litigation and Agenda Item #12 "Settlement of Pending Litigation- Diaz v. MDC"

Those in attendance during the executive session:

Commissioners John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, Allen Hoffman, Jean

Holloway, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Raymond Sweezy, Alvin Taylor, Richard W. Vicino and Citizen Member Ron Angelo; Chief Executive Officer Scott W. Jellison, Chief Financial Officer John Zinzarella, District Counsel R. Bartley Halloran, Attorneys Christopher Stone, Brendan Fox, John Mirtle and Kevin Shea. MDC staff Robert Zaik, Robert Schwarm and Christopher Levesque.

At 7:04p.m. Attorney Kevin Shea exited the executive session.

At 7:20p.m. Citizen Member Ron Angelo exited the executive session.

At 7:27p.m. Commissioner Whit Osgood exited the executive session and meeting.

RECONVENE

At 7:28 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Taylor and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

BOARD OF FINANCE 2017 OPERATING BUDGET TRANSFER

To: District Board

September 11, 2017

From: Board of Finance

The 2017 Metropolitan District operating budget is currently experiencing deficits in Special Agreements & Programs and Taxes. The Special Agreements & Programs budget has a deficit in Postage and Outside Services due to monthly billing. Taxes reflect increases to the Colebrook, Hartland and Glastonbury taxes for 2017.

CERTIFICATIONS:

In accordance with Section 3-8 of the Charter of The Metropolitan District, I hereby certify that there exists free from encumbrances, in the following appropriation, the amounts listed:

	General	Water	Total
Department 701 –			
Debt Service	<u>\$22,668,800.00</u>	<u>\$26,029,500.00</u>	<u>\$48,698,300.00</u>
Total	<u>\$22,668,800.00</u>	<u>\$26,029,500.00</u>	<u>\$48,698,300.00</u>

John M. Zinzarella
Chief Financial Officer

At a meeting of the Board of Finance held on September 11, 2017, it was:

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

Resolved: That transfers within the 2017 Budget Appropriations be approved as follows:

From:	General	Water	Total
Department 701 – Debt Service	<u>\$0.00</u>	<u>\$897,500.00</u>	<u>\$897,500.00</u>
Total	<u>\$0.00</u>	<u>\$897,500.00</u>	<u>\$897,500.00</u>

To:	General	Water	Total
Department-831 Riverfront	\$0.00	\$312,500.00	\$312,500.00
Department-741 Special Agreements & Programs	0.00	350,000.00	350,000.00
Department-731 Taxes	<u>0.00</u>	<u>235,000.00</u>	<u>235,000.00</u>
Total	<u>\$0.00</u>	<u>\$897,500.00</u>	<u>\$897,500.00</u>

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.***

At 7:35 PM Commissioner Caban exited the meeting.

**WATER BUREAU
187 STONER DRIVE, WEST HARTFORD
ENCROACHMENT AGREEMENT**

To: District Board

September 11, 2017

From: The Water Bureau

On June 27, 2017, the Metropolitan District received a letter from Timothy Curtin, property owner of 187 Stoner Drive, West Hartford (the "Owner"), requesting permission to permanently encroach upon an existing 25-foot right-of-way containing an existing 24-inch tile water transmission main, located across private lands east of Stoner Drive in West Hartford (the "Right-of-Way") for the purpose of reconstructing an existing attached wood deck within the same footprint.

The water main easement across the parcel was conveyed to the Hartford Board of Water Commissioners in 1859 and assigned to the MDC upon West Hartford becoming a member town.

As stated previously, the purpose of this encroachment is to reconstruct the existing attached wood deck to the same dimensions and configuration as existing (hereinafter referred to as the "Improvements").

The Owner has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing 24-inch tile water transmission main located within the subject Right-of-Way and the District's accessibility along the length of the Right-of-Way:

1. No additional permanent structures, other than the proposed Improvements shall be located within the District's Right-of-Way.
2. The Metropolitan District shall not be held liable for any damage caused to the Improvements listed above located within or adjacent to the Right-of-Way in the event of an emergency water main repair. The Metropolitan District will make every effort feasible to minimize damage to these improvements; however the cost for repairs to such improvements shall be the responsibility of the Owner. The Metropolitan District may require such insurance and/or sureties as it deems, in its sole discretion, to be necessary to protect its right of way and water infrastructure.
3. No vibratory compaction equipment shall be used within 25 feet of the District's water transmission main. All new foundation piers for proposed deck posts within the right-of-way shall be dug by hand.
4. The District reserves the right to remove any improvements within the Right-of-Way at any time, if so required, for maintenance or repair of the water transmission main. The Owner shall bear any additional maintenance or repair costs necessitated by the presence of the improvements upon the Right-of-Way.
5. Care must be taken during construction not to disturb the existing water transmission main. All heavy construction equipment must be located outside the limits of the Right-of-Way. Any earth moving equipment that will be utilized

on the site over and adjacent to the water transmission main shall be reviewed and approved by District staff prior to mobilization to the site.

6. An MDC inspector must be on the job site whenever work is being performed by or on behalf of Owner to construct, maintain or repair any Improvements within the Right-of-Way, at the expense of the Owner. Any construction, maintenance or repair of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to any such construction, maintenance or repair within the Right-of-Way.

Staff has reviewed the proposed construction plans and determined that there will be no negative impact on District property or infrastructure.

Upon approval by the Water Bureau and the District Board, a formal encroachment agreement shall be executed between the owner and the Metropolitan District, consistent with current practice involving similar requests.

At a meeting of the Water Bureau held on September 11, 2017, it was:

VOTED: That the Water Bureau 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 approval as to form and content by District Counsel, granting permission to Timothy Curtin to encroach upon the existing 25-foot Right-of-Way east of Stoner Drive in West Hartford, with a wood deck, as shown on the compilation plan by MDC Survey Department dated 07/07/2017, provided that the District shall not be held liable for any costs or damages of any kind which may result during initial construction or in the following years with respect to any subsequent construction, maintenance or repair as a result of such encroachment.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

June 27, 2017

Allen King
The Metropolitan District Commission
555 Main Street
Hartford, CT 06103

Dear Mr. King,

Thank you for taking my call yesterday and for the guidance on how best to proceed with our deck project. The following summarizes my understanding of the conversation and request:

My wife (Jane Murphy) and I are the property owners of 187 Stoner Drive, West Hartford. We are in need of replacing the deck in the rear of our house that was built by the previous property owners. We have come to learn that the deck was built without proper approvals by the MDC and the town of West Hartford. We wish to rectify that situation as part of the deck replacement. Attached you will find a copy of a survey we had done on the property and which shows the deck in the rear of the house. It appears that the deck encroaches 5'7" into the MDC easement. The replacement deck would be of similar profile and encroachment.

I believe you indicated that the process would be for MDC personnel to review the request and make a recommendation to the Water Bureau for its consideration. If approved, the request would then be sent to the District Board for ultimate decisioning. Upon approval, we would need to enter into an Encroachment Agreement and our contractor would have to satisfy the MDC's insurance requirements.

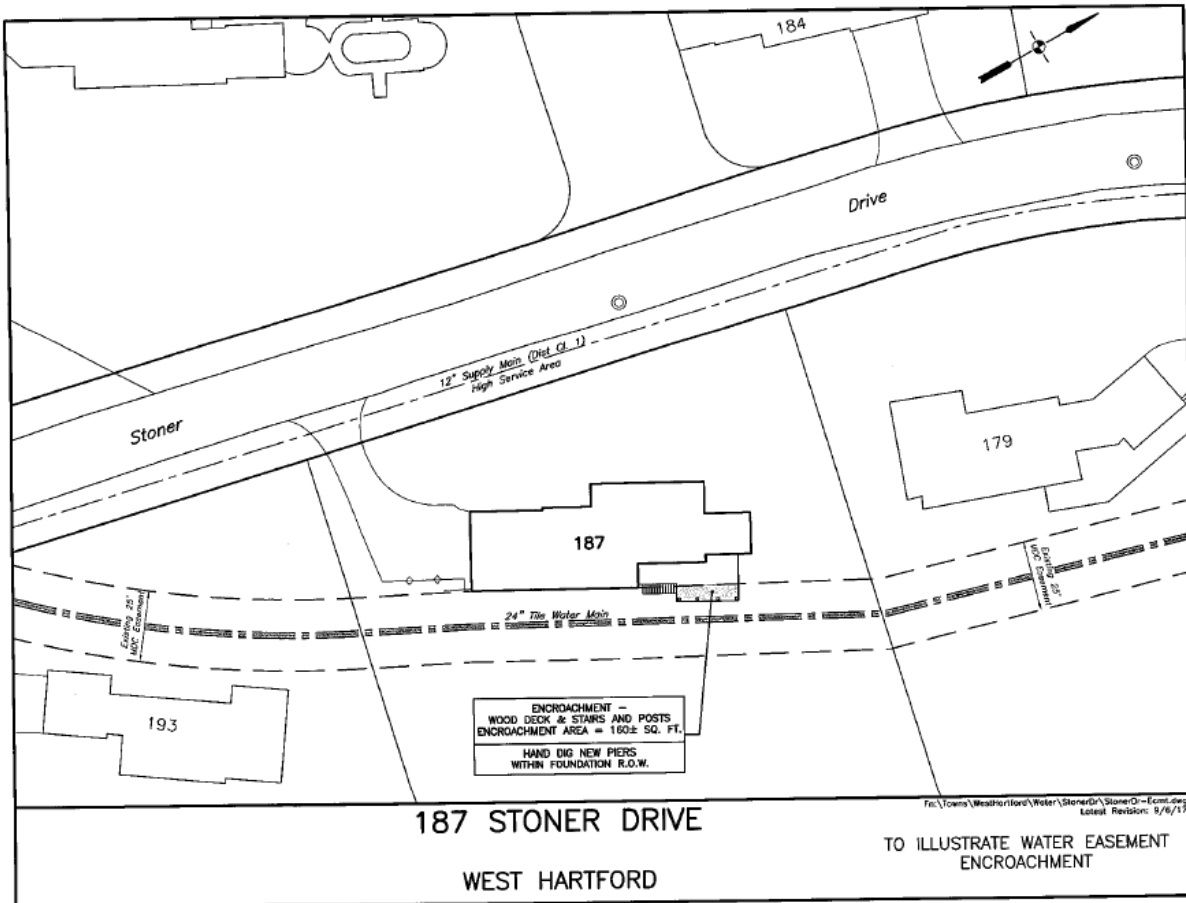
Would you please confirm if my understanding is correct or, if not, provide clarification? Time is of the essence for us, so your guidance on helping us most efficiently navigate the process would be greatly appreciated.

Thank you.

Regards,

A handwritten signature in black ink, appearing to read 'Timothy Curtin', with a long horizontal flourish extending to the right.

Timothy Curtin
187 Stoner Drive
West Hartford, CT 06107
860-670-1520



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

**BUREAU OF PUBLIC WORKS
330 STONE ROAD, WINDSOR
ENCROACHMENT AGREEMENT**

To: District Board

September 11, 2017

From: Bureau of Public Works

In a letter dated September 5, 2017, Scott Bosco of Griffin Industrial Realty, Inc., on behalf of River Bend Associates, Inc., has requested permission from The Metropolitan District to encroach on an existing 60-foot sanitary sewer easement located across private lands between Stone Road and Tradeport Drive in Windsor, to construct a new commercial building and site improvements including a new water service, fire service, sanitary sewer lateral, gas service, light poles, electric and telephone service, roof leaders and storm drainage in conjunction with the 330 Stone Road development project.

The proposed encroachments consist of the installation of storm drainage including piping and catch basins, water services, sewer lateral, gas service, electric and telephone service, and light pole foundations over or adjacent to the existing 10-inch PVC sanitary sewer and within the existing 60-foot sewer easement, as shown on the accompanying map. The proposed underground utility crossings for the construction of the water services, gas service and storm drainage will be installed above the existing sanitary sewer with sufficient clearance between the pipes. The existing sanitary sewer was built through a Developer's Permit Agreement in 2013.

MDC staff has concluded that the encroachments are minor and that there will be no detriment to the sanitary sewer infrastructure as a result.

River Bend Associates has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewer located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 60-foot permanent easement:

1. Care must be taken during the construction of the new building and the underground utilities and structures within the easement not to disturb the existing sewer. All heavy construction equipment must be located outside of the limits of the sewer easement when not in use. Any heavy construction or earth moving equipment that will be utilized on the site over and adjacent to the existing sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary sewer caused by any such construction within or adjacent to the existing right-of-way shall be the responsibility of the Owner.
2. No additional permanent structures, other than the proposed water services, sanitary sewer lateral, gas service, electric and telephone service, storm drainage and light pole foundations shall be located within the District's sanitary sewer right-of-way.
3. The District reserves the right to remove structures within the sanitary sewer easement at any time if so required for maintenance, repair or replacement of the sanitary sewer. The Owner shall bear and pay for any and all additional maintenance, repair or replacement costs necessitated by or resulting from the presence of underground utilities and structures within the easement, including but not limited to any costs incurred by or on behalf of the MDC. The Metropolitan District may require such insurance and/or sureties as it deems, in its sole discretion, to be necessary to protect its right of way and sewer infrastructure.
4. In the event of a sewer emergency caused by the proposed construction and excavation in connection therewith, the Owner shall provide, at their expense, an appropriately sized bypass pump.

5. An MDC inspector must be on the job site whenever work is being performed within the sanitary sewer right-of-way. Any construction, maintenance, repair or replacement of the new water services, sanitary sewer lateral, gas service, electric and telephone service, storm drainage or light pole foundations shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within or adjacent to the sanitary sewer easement.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in or adjacent to the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewers.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Riverbend Associates, Inc. and the Metropolitan District, consistent with current practice involving similar requests.

At a meeting of the Bureau of Public Works held on September 11, 2017, 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 approval of form and content by District Counsel, granting permission to Riverbend Associates, Inc. to encroach upon the existing 60-foot sanitary sewer easement in private lands between Stone Road and Tradeport Drive, Windsor, in support of the planned development of 330 Stone Road, as shown on plans submitted by Barresi Associates, LLC, dated 6/6/17, revised 8/24/17, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

GRIFFIN
INDUSTRIAL REALTY

Griffin Industrial Realty, Inc.
204 West Newberry Road
Bloomfield, CT 06002

T: 860-286-7660

F: 860-286-7653

September 5, 2017

www.griffinindustrial.com

Mr. Michael Curley, PE
Manager of Technical Services
Metropolitan District Commission
555 Main Street
P.O. Box 800
Hartford, CT 06142-0800

RE: Encroachment Permit
330 Stone Rd, Windsor, CT

Dear Michael,

On behalf of River Bend Associates, Inc., I would like to request an Encroachment Permit be granted for the underground utilities located at the 330 Stone Road project. I have attached a sketch showing the underground utilities that will be located within the sanitary sewer easement on the property. There are four (4) locations where the storm sewer will cross the existing sanitary sewer line. The remaining encroachment locations will be kept at least 10' away from the existing sanitary sewer line as outlined in the Sewer Easement dated November 15, 2012 (attached).

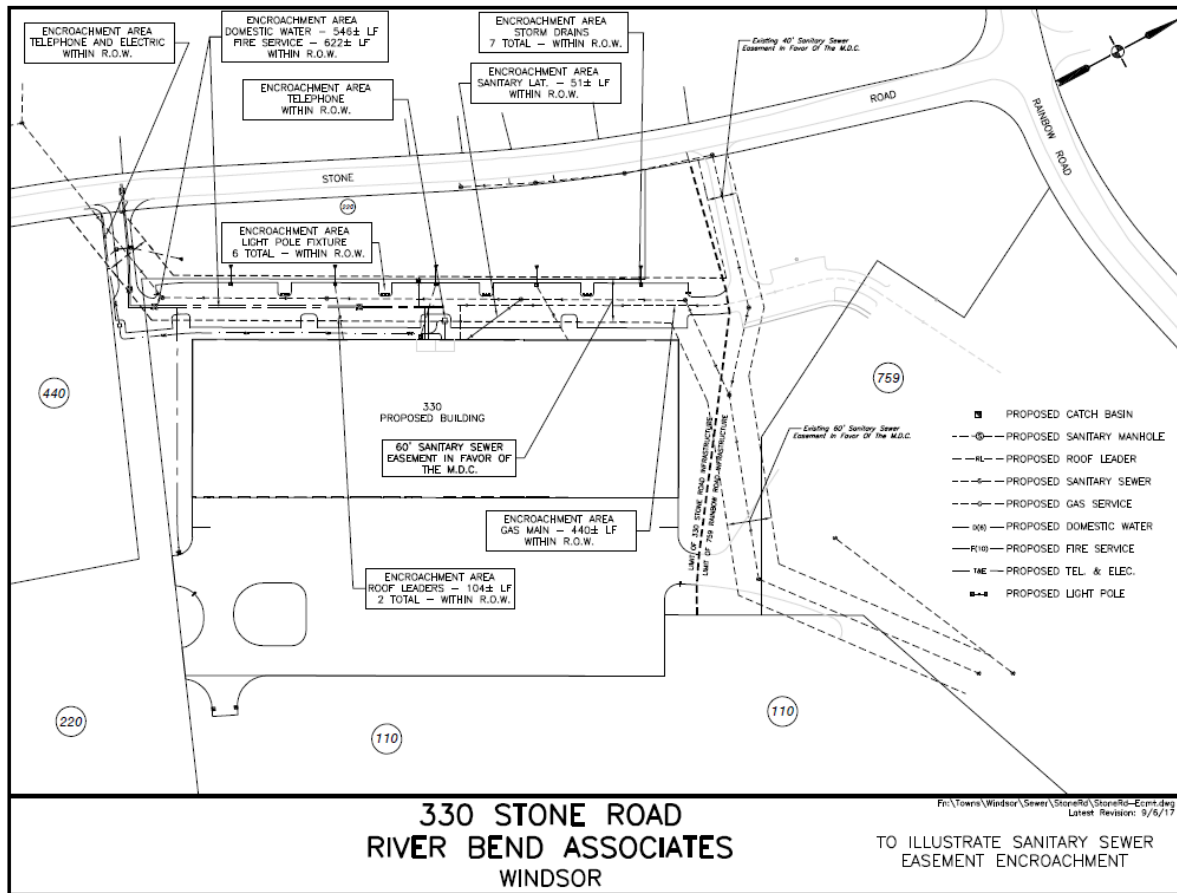
A check in the amount of \$125.00 for administrative fees is being mailed along with the original letter and sketch. Please review the attached information and contact me if you have any questions.

Sincerely,



Scott Bosco
Vice President, Construction

Enclosures:
Sewer Easement
Utility Plans



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

**BUREAU OF PUBLIC WORKS
SEWER USER CHARGE FOR MUNICIPAL PROPERTIES**

To: District Board

September 11, 2017

From: Bureau of Public Works

In 1972, Congress passed the Federal Water Pollution Control Act, known as the Clean Water Act, establishing the basic structure of regulating pollutant discharges into the waters of the United States. One aspect of the Clean Water Act required water pollution control agencies to adopt a system of charges to assure that each recipient of waste treatment services pay its proportionate share of the costs of operation and maintenance of the waste treatment services. Since The District's formation in 1929, the sewer operation and maintenance costs were paid by levying an ad valorem tax on the member towns. To comply with the requirements of the Clean Water Act, the District implemented a Sewer User Charge system as outlined in Part 12 of the District's Sewer Ordinances.

Federal Regulations require that a sewer system funded by ad valorem taxes, such as the District, must establish the following minimum classes of users:

1. Residential and non-residential users which discharge less than 25,000gpd of domestic sanitary wastes;
2. Industrial and commercial users which discharge more than 25,000gpd or a user which discharges a strength of waste that is the equivalent to 25,000gpd;
3. Users which pay no ad valorem taxes such as tax exempt institutions or governmental users, but excluding publicly owned facilities performing local governmental functions (e.g. city office building, police station, school).

Federal Regulations require governmental users, except for “publicly owned facilities performing local governmental functions,” to pay a sewer user charge. Therefore, any government owned property within the district should be billed a sewer user charge except for properties where “local governmental functions” are performed. Staff reviewed its records to analyze whether municipal, state and federally owned properties are being billed correctly in compliance with the federal requirements. While the Federal Regulations provide the examples of city office building, police station and schools as constituting “local governmental functions,” there are other types of local governmental functions which must be exempted from the sewer user charge. District Counsel determined that the following uses qualify as “local governmental functions” and are therefore exempt from the sewer user charge: town office buildings, schools, police, fire department, libraries, parks and recreation, public works, community centers, cemeteries, landfills and animal control. The following property uses do not qualify as “local governmental functions” and will be billed the sewer user charge: parking garages, housing, historical societies, hospitals, court houses, golf courses, restaurants and property leased to a private entity.

Prior billing of the sewer user charge for municipal properties was largely consistent with the classifications described above, but there were some properties identified that will begin being billed the sewer user charge going forward. The table below shows the estimated impact of billing the sewer user charge as described above on each town’s ad valorem payments.

MEMBER TOWN	CURRENT	UPDATED			Variance
	Ad Valorem	Ad Valorem	SUC	Total	
Hartford	\$ 10,835,100	\$ 10,605,600	\$ 623,400	\$ 11,229,000	\$ 393,900
East Hartford	\$ 5,083,000	\$ 4,975,400	\$ 128,500	\$ 5,103,900	\$ 20,900
Newington	\$ 3,761,100	\$ 3,681,500	\$ 22,100	\$ 3,703,600	\$ (57,500)
Wethersfield	\$ 3,416,500	\$ 3,344,100	\$ 52,500	\$ 3,396,600	\$ (19,900)
Windsor	\$ 3,645,900	\$ 3,568,700	\$ 16,700	\$ 3,585,400	\$ (60,500)
Bloomfield	\$ 3,098,600	\$ 3,033,000	\$ 3,400	\$ 3,036,400	\$ (62,200)
Rocky Hill	\$ 2,509,800	\$ 2,456,700	\$ 13,500	\$ 2,470,200	\$ (39,600)
West Hartford	\$ 9,320,400	\$ 9,123,000	\$ 22,300	\$ 9,145,300	\$ (175,100)
	\$ 41,670,400	\$ 40,788,000	\$ 882,400	\$ 41,670,400	\$ -

At a meeting of the Bureau of Public Works held on September 11, 2017, it was:

VOTED:

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

RESOLVED:

The following property uses qualify as “local municipal governmental functions” under Part 12 of the District’s Sewer Ordinances and are therefore exempt from the sewer user charge: town office buildings, schools, police, fire department, libraries, parks and recreation, public works, community centers, cemeteries, landfills and animal control.

FURTHER RESOLVED:

The following property uses do not qualify as “local municipal governmental functions” under Part 12 of the District’s Sewer Ordinances and shall be billed the sewer user charge: parking garages, housing, historical societies, hospitals, court houses, golf courses, restaurants and property leased to a private entity.

Respectively 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.

SETTLEMENT OF PENDING LITIGATION- *DIAZ v. MDC*

To: District Board

September 11, 2017

Be it resolved, that the Board of Commissioners of the Metropolitan District ("Board") thereby authorizes District Counsel, or his designee, to enter into a settlement agreement with former employee Norberto Diaz ("Diaz") whereby Diaz releases The Metropolitan District (MDC) from any and all claims he has or may have against the MDC, its commissioners, officers and employees (with the noted exception of any pending workers' compensation claim(s)), and withdraws, with prejudice, litigation pending in the Judicial District of Hartford Superior Court captioned **Diaz v. The Metropolitan District**, Docket No. HHD-CV-17-6077730-S, and in exchange therefore the MDC agrees to pay Diaz the following: 1) \$19,612.64 as lost wages; 2) \$13,075.10 for emotional distress; and 3) \$17,312.27 as attorney's fees and costs; and

Be it further resolved, that the Board authorizes District Counsel 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.

ADJOURNMENT

The meeting was adjourned at 7:38 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

October 2, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, October 2, 2017

Present: Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, Donald M. Currey, William A. DiBella, Peter Gardow, Allen Hoffman, Jean Holloway, David Ionno, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy and Alvin Taylor (19)

Absent: Commissioners Mary Anne Charron, Timothy J. Fitzgerald, Janice Flemming-Butler, Matthew B. Galligan, William P. Horan, Sandra Johnson, Kathleen J. Kowalyszyn, Byron Lester, Maureen Magnan, Richard W. Vicino and Special Representative Michael Carrier (11)

Also

Present: Scott W. Jellison, Chief Executive Officer
R. Bartley Halloran, District Counsel
Christopher Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Constable, Director of Finance
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Robert Zaik, Director of Human Resources
Kelly Shane, Director of Procurement
Tom Tyler, Director of Facilities
Nick Salemi, Special Services Administrator
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:33 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.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of September 11, 2017 were approved.

Commissioner Adil Abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran delivered the District Counsel report.

Commissioner Patel entered the meeting at 5:37 PM

Commissioner Buell entered the meeting at 5:58 PM

EXECUTIVE SESSION

At 6:04 P.M., Chairman DiBella requested without objection a combined executive session to discuss agenda item #9, "Settlement of Pending Litigation – MDC v. CRRA" and agenda item #10, "Subordination of MDC Easement on MIRA Land"

On motion made by Commissioner Adil and duly seconded, the District Board entered into executive session to discuss agenda item #9, "Settlement of Pending Litigation – MDC v. CRRA" and agenda item #10, "Subordination of MDC Easement on MIRA Land"

Those in attendance during the executive session:

Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Daniel Camilliere, William A. DiBella, Peter Gardow, Allen Hoffman, Jean Holloway, David Ionno, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Michael Solomonides, Raymond Sweezy and Alvin Taylor; Chief Executive Officer Scott W. Jellison, District Counsel R. Bartley Halloran, Attorneys Christopher Stone, Brendan Fox and John Mirtle. MDC staff Robert Constable and Susan Negrelli.

Commissioner Ionno exited the Executive Session and meeting at 6:20 PM

Commissioner Salemi Exited the Executive Session and meeting at 6:45 PM

RECONVENE

At 6:55 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Caban and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

SETTLEMENT OF PENDING LITIGATION

To: District Board

October 2, 2017

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 on behalf of The Metropolitan District with Materials Innovation and Recycling Authority ("MIRA"), successor to the Connecticut Resources Recovery Authority ("CRRRA"), whereby each party releases the other party from any and all claims they ever had, now have or hereafter can, shall, or may have, for, upon or by reason of any matter, cause or thing whatsoever, including but not limited to those claims set forth within or concerning or relating to the arbitration matter captioned **MDC v. MIRA, AAA Arbitration 11 181 L 2360 09** ("Arbitration"); and

Be it further resolved that the Board authorizes the Chief Executive Officer to accept from MIRA the sum of \$8,000,000.00 as full and final settlement of any and all claims set forth within or concerning or relating to the Arbitration; and

Be it further resolved, that the Board authorizes District Counsel to approve and execute 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 Currey and duly seconded, the resolution was amended, as reflected above.

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

**BUREAU OF PUBLIC WORKS
SUBORDINATION OF MDC EASEMENT ON MIRA LAND**

To: District Board

October 2, 2017

From: Bureau of Public Works

At a meeting of the Bureau of Public Works held on October 2, 2017, 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 its Chairman to execute the "First Amendment to Sewer Easement" by and between Materials Innovation and Recycling Authority ("MIRA"), successor to the Connecticut Resources Recovery Authority, and The Metropolitan District ("MDC"), whereby the MDC subordinates its rights to and within a certain sewer easement recorded in Volume 1614 at Page 271 of the Hartford and Records to an Environmental Land Use Restriction ("ELUR") by and between MIRA and the State of Connecticut Department of Energy and Environmental Protection; and

Be It Further Resolved that in exchange therefore, the MDC accepts the sum of \$250,000.00 from MIRA as consideration for subordinating said easement rights to the ELUR.

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 Currey voted against the resolution.

Commissioner Marotta exited the meeting at 7:03 PM

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

General Public Comments
District Board Meeting
Oct. 2, 2017

As the MDC is preparing its budget for 2018 I want to express my opposition to discounts for large volume water users like Niagara. Last year you decided that no discounts would be put in place for 2017. Nothing has changed since that time. It is still wrong to provide those discounts.

While there have been legislative fixes to deal with Hartford's financial problems, our towns again will be facing an ad valorem tax that is high. I have heard repeatedly at meetings the problems the MDC faces with paying for infrastructure and the Clean Water Project. I have listened as you lament the affordability issues for your customers. It is inconceivable to me how the MDC could justify discounts to Niagara when there is so much concern about how the CWP is to be paid for. We may not be in a drought right now, but eastern Maine is in a drought and predictions are their drought may be headed for other New England states. Even if there is no drought in CT, we are affected by water shortages in states to our north. Climate change does predict higher level of precipitation for this part of New England, but that will come in short heavy bursts and the dry times in between will be longer and hotter. For all these reasons it makes no sense to provide discounts for both water and the Clean Water Project to *anyone*.

I request that the MDC check to make sure property in member towns that receive any kind of tax rebate are included in the reporting to the MDC of taxes received for calculating the ad valorem tax. I certainly don't accuse any town of doing anything wrong, but just as with the sewer user charge, there may be differences from town to town in how these things are reported. Failing to ensure that this is uniformly done among all member towns may result in unfair distribution of the ad valorem tax. There may also be properties that should be paying the non-municipal tax-exempt sewer user charge, and a check of that would ensure the MDC isn't losing badly needed revenue.

Niagara is bringing in spring water to be bottled in Bloomfield. I don't know the implications of such things except that water is coming in that doesn't go through the MDC meters. I don't know the process for bottling well enough to know how much waste is generated. I hope there is a meter for Niagara's waste water. If Niagara is using the sewer system more than anticipated, all the more reason why they should pay their fair share of the Clean Water Project charge.

It is unfortunate that discounts were offered to Niagara at all. Now each year the MDC will need to take up the issue of discounts and the public will need to address them. By giving them access to our public water at a discount with no end date, you have created a problem that will be hard to address years later. Niagara hoodwinked the MDC into a deal that now is unsustainable. Decisions today have repercussion on down the line, unintended consequences. This seems very short sighted to me. Why would anyone enter into an agreement like this with no end date?

Judy Allen
West Hartford, CT

The following written comments were submitted:

To: MDC Board of Commissioners

I understand that since Connecticut is no longer facing severe drought conditions, the MDC is once again considering giving high volume discounts to the profit-making Niagara Bottling Company, while we regular customers are still being urged to conserve water while paying increasing charges for the Clean Water Project.

Our precious water is a public resource and should not be sold at discount prices to provide corporate profits while adding more plastic bottles to our environment.

To quote the famous Joseph Welch, chief counsel for the US Army during the McCarthy hearings, "Have you no sense of decency??"

If you insist on selling our public waters, Niagara should pay its fair share, without any discounts or other benefits.

Ethel F. Fried
West Hartford

Dear Mr Mirtle:

I am writing to you to ask that the following comments be included in the official record of the District Board meeting of Oct. 2nd.

- **No discounts** for high volume water users like Niagara. Customers who use large volumes of water should pay more, not less, for this finite resource.
- Our precious public waters should not be squandered to fill plastic bottles, sold at inflated prices for large **corporate profits**.
- The charges for the **Clean Water Project** are rising steeply each year. As the MDC continues to struggle to keep customer charges down, Niagara should pay their fair share. **No discounts** on the Clean Water Project.

My name is Tom Farrell and as a resident of Bloomfield, CT it is important to me that the water I pay for, at a continually rising cost, not enrich a private LLC company in California.

Thank you.
Sincerely,
Tom Farrell

- No discounts for high volume water users like Niagara. Customers who use large volumes of water should pay more, not less, for this finite resource.
- Our precious public waters should not be squandered to fill plastic bottles, sold at inflated prices for large corporate profits.
- The charges for the Clean Water Project are rising steeply each year. As the MDC continues to struggle to keep customer charges down, Niagara should pay their fair share. No discounts on the Clean Water Project.

You have recently raised our rates, now billing us monthly to try and hide the additional cost. Meanwhile Niagara is making huge profits from our public water.

Do the right thing!

David Macbride
Bloomfield, CT

Mr. Mirtle:

Can this comment please be included in the public record? Thank you.

For the record, my name is Valerie Rossetti, 88 Kenmore Rd, Bloomfield, CT 06002, a customer of the MDC.

I would like to once again voice opposition to the creation of any water rate or clean water project charge discounts for industrial scale water bottling customers of the MDC, such as Niagara Bottling. Especially worrisome are declining block rate discounts which incentivize the consumption of ever larger amounts of water. Corporations profiting off the sale of public trust drinking water should not be receiving discounts which are not available to residents.

Although I recognize the MDC wishes to sell more water to increase its income, this industry is not one which I, as a MDC town resident, wish to see expand - either in Bloomfield or at other locations in the state. It bottles already high quality MDC water to send largely out of our watershed, drought or no drought. Each day, millions of plastic bottles, which pollute our rivers and oceans, enter the environment and are left to be cleaned up through the efforts and funds of CT residents. The industry, which essentially uses public trust water for corporate profit, does not bear the cost of this environmental clean up.

Furthermore, vigorous marketing by the industry leads consumers to believe that their tap water is somehow not "healthy" or "pure", resulting in significant economic burden for low-income families who feel the need to purchase bottled drinking water.

I ask you not to instate new or previously-designed rate discounts for large scale water bottlers.

Valerie Rossetti

Hello,

I cannot attend the MDC District Board meeting where you will consider re-instating the discounts for high volume water users. I request that this email and my comments be included in the official record of the October 2nd meeting:

I am adamantly opposed to any high volume water users getting discounts. Our water is our precious resource, and we should not be selling it at a reduced rate to any high volume water users, especially water bottling companies, who profit from this finite resource by bottling and shipping out of state.

Thank you..
Catherine Lyons
Bloomfield, CT

Dear Sir:

Please include my comments in the official record of the district board meeting of October 2nd.

I believe it is highly improper for Niagara Water Bottling to be using a public resource to make a private profit. Implicit in this use is the idea that there is a unlimited amount of water and there is enough so that a corporation can take a huge amount. and there is no need for the public to conserve water whether during normal rain conditions or during a drought. This rational is incorrect. There is a finite amount of water and the public should be frugal in its use and a corporations should not be allowed to take huge amounts. It is also improper that this activity generates large numbers of bottles. 1 million per minute, resulting in massive plastic pollution in our environment.

I realize that at this point a decision has been made, to allow Niagara Water Bottling to use our public water and in the future this will lead to major

shortages of water. This results from public officials being concerning with only with short term gains and corporations being mainly interested in making a short term profit even at the expense of the public.

At the very least Niagara Bottling should not be given at a discount for high volume use. This only encourages the company to use more water and increases likelihood of water shortages and the plastic contamination of our environment. *The company should pay their fair share as everyone else and not be given a discount*

Sincerely,
Philip Lom
West Hartford, CT

To: MDC
From: Michele Vannelli, 1152 Poquonock Ave. Windsor, CT 06095
Date: Oct. 1, 2017
Re: Water discounts

In Connecticut's desperate financial shape, MDC and the town of Bloomfield entered into a deal with Niagara Water Bottling Company. My understanding is that Due to HUGE PUBLIC OUTCRY in conjunction with our 3rd year of drought conditions, a high volume discount was discontinued for 2017.

Now that the drought has ended, it's my understanding that re-introduction of this discount is under consideration. But here's the problem. It's not all about droughts. Least folks forget, this whole Bloomfield/MDC/Niagara deal was conducted in less than transparent conditions. Being that MDC is a quasi-government entity and given the fact our state is going bankrupt, discussion of a discount should not be entertained. Some may argue that hospitals get a discount but I view that as being different in that hospitals are vested in our state and communities and they provide many jobs therefore their discounts should continue to be protected. With Niagara Bottling, our location and reservoir capacity along with our high water quality make us extremely desirable for Niagara's purpose. CT taxpayers are paying ever increasing water, sewer and Clean Water Project fees while at the same time questioning their sanity for struggling to remain in this financially strapped state.

For all the above reasons, I feel no implementation of high volume Niagara discounts should occur.

Comment for October 2, 2017 MDC Board Meeting

As I am not able to attend the MDC Board Meeting on 10/2, I want to send these comments for the record.

As a Bloomfield resident of many years, I have seen few issues as controversial or alarming to fellow residents as inviting the Niagara Bottling Co.

into our town. As a result, many of the MDC public hearings were unusually well attended by concerned citizens and MDC towns are now demanding better representation to the TOWNS by their MDC reps. Also as a result, the standing Bloomfield Democratic slate was defeated by a 2-1 margin in the recent primary. So, folks are still interested and watching.

It was a laudable decision by the MDC to revoke the special volume discount for water, sewer and Clean Water Project charges that they had given to Niagara to help entice them to come to Bloomfield. I hope that you will stand by that decision and NOT pass any new ordinances providing discounts to any large volume users. We want to encourage conservation policies, not the over use of our precious resources.

Also, when will your safe yield calculations be updated? Although they are the bedrock of water planning, many still use data from 1960-70, with no update for climate change (changes in the evaporation constants, precipitation patterns, etc.). It is very frustrating to any meaningful discussion of this issue when the MDC cloaks its data and its methods of calculation in overly zealous secrecy. Is there no way that the MDC can share more data so that the public can be reassured of your true capacity?

Thanks for your consideration of these concerns.

Tollie Miller
Bloomfield, CT

Comment for October 2, 2017 District Board Meeting

To: MDC Board of Commissioners

Re: 2018 MDC Budget – Water, Sewer, Clean Water Project Rates

Unfortunately, I am not able to attend the October 2, 2017 Board Meeting due to a conflict. I am submitting this comment for the official record of the District Board meeting to remind the Commission that I – and other Bloomfield residents - have not forgotten that the MDC in December 2015 passed special rate ordinances to accommodate Niagara Water Bottling. If you need evidence that Bloomfield residents remember Niagara and the special consideration the company received from the Town (via generous tax abatement) as well as from the MDC, witness the September 12, 2017 Primary election results for the Democrat slate for Town Council. (See the attached article in PDF format from [The Hartford Courant](#).)

To the MDC's credit, the Commission revoked those 2015 ordinances last year. As an MDC customer, I appreciated the MDC's decision to do the right thing, regardless of what the Commission's motives for doing so were at the

time. (I suspect the drought and general public outrage had something to do with it.) I am writing to tell you that I expect the Commission to continue to do the right thing and not pass any new ordinances providing volume rate discounts for Water, Sewer, or Clean Water Project Charges. The drought may be over, but the outrage isn't.

Specifically:

- Do not provide volume discounts (declining block rates) for large water users such as Niagara Water Bottling. Such volume discounts are a disincentive to good conservation practices. Super users should pay more, not less, for water.
- As the charges for the Clean Water Project continue to rise each year, Niagara and other large users should pay their fair share. There must be no discounts on the Clean Water Project Charge.

Thank you for your consideration.

Paula Jones
Bloomfield, CT

Subject: MDC Budget Meeting for 2018

Dear Mr. Mirtle,

As I am unable to be present for the MDC district board meeting scheduled for Oct. 2nd, I ask that my letter become part of the public record.

Last year, the secret agreements made by the MDC, Bloomfield Town Council, and Niagara Bottling concerning water discounts created a public relations nightmare and produced a public outcry without recent comparison.

Those decisions also exposed serious problems in how the MDC and governing officials operate outside the boundaries of their responsibilities to ratepayers and citizen voters. This has caused serious loss of trust in the decision making of the MDC.

Niagara does not have a contract with the MDC. Since the MDC is under no contractual pressure to provide discounts to Niagara and given the strong opposition to these discounts, it is my opinion there should be no discounts of any kind given in 2018.

The MDC's entire pricing structure needs to be transparent and revisited in light of climate change, costly infrastructure repairs and maintenance, declining use of water, and the financial status of the MDC and the City of Hartford.

The MDC is charged with open and honest communication with the communities it serves. Commissioners are responsible to see that communications are transparent and that important decisions consider the needs and input of member towns. MDC should not be giving any large, private, highly profitable business a discount based on outdated pricing structures and totally outdated thinking behind the structure.

MDC should work diligently to reclaim its former reputation as a steward of a local public trust.

Patricia OConnor
West Hartford

I would like my comments be included in the official record of the district board meeting of October 2.

I understand that the MDC is once again considering discounts for high volume water users like Niagara.

I am opposed to these discounts.

Niagara Water Bottling has already established itself here. It will not be leaving Connecticut because we have the water resources that it needs. Why do we have to give the company a discount? An incentive for large water users does not make sense to me. It makes us look like a patsy. Customers who use large volumes of water should pay more, not less, for this finite resource.

There should be no discounts for the Clean Water Project. Niagara should pay its fair share! Our costs are going up, and each of us is paying our fair share. Why does a large corporation that makes immense profits not have to pay its fair share?

Water is a public resource. It belongs to all of us. It does not belong to the MDC and it does not belong to corporations who make immense profits off of our water supply. The MDC needs to demonstrate that it understands this and that it puts public interests before corporate interests.

Jane Zande
West Hartford, CT

Please do not give any discounts to Niagara or any other bottling plant that takes our water and sells it ; and uses enormous water for their plastic bottles .

We have to stop giving away the store to these big corporations - please stop it .

As a Realtor I work in many towns - everyone is complaining about their water bill - i know that you have many liens on homeowners so obviously you know that people are struggling - this is so unfair. We need you to help homeowners and not the corporations.

Along this line do you offer a payment plan when people are late or you just slap a lien on their property? You must have enormous legal fees -

Peace, Leslie

Leslie Hammond

Broker/Owner

Winner of 2016 Five Star Connecticut magazine award - thanks all!

Hammond Realty LLC

682 Prospect Avenue

Hartford, CT 06105

Leslie@lesliehammondrealty.com

860-205-4552

Please include my comments in the record for tonight's meeting:

- There should be no discounts for high volume water users like Niagara. Customers who use large volumes of water should pay more, not less, for this finite resource.
- Our precious public waters should not be squandered to fill plastic bottles, sold at inflated prices for large corporate profits.
- The charges for the Clean Water Project are rising steeply each year. As the MDC continues to struggle to keep customer charges down, Niagara should pay their fair share. **No discounts** on the Clean Water Project.

Sincerely, Patricia R Clark Bloomfield resident



P.O. Box 271646
West Hartford, Connecticut 06127

2 October 2017

John S. Mirtle, Esq.
District Clerk
The Metropolitan District
555 Main Street, Hartford, CT 06103

jmirtle@themdc.com

**Re: OPPOSE any new discounts for Niagara Bottling, LLC
– or other bottled water companies**

Comments from:

Mary Rickel Pelletier
Founding Director Park Watershed

Also resident: 80 Elizabeth Street, Hartford, CT 06105

+ Member of the MDC Citizens Advisory Committee from September 2004 through December 2014

To the MDC District Clerk,

Park Watershed opposes industrial discounts for water and other MDC rates. Although the 2017 drought has diminished since the 2016 drought, a moderate drought conditions continues to effect the state, according to National Centers for Environmental Information at NOAA, (<https://www.ncdc.noaa.gov/sotc/drought/201708>). The US Drought Portal has designated two-thirds of the state is abnormally dry, (see <https://www.drought.gov/drought/states/connecticut>).

Attached is a copy of the Park Watershed letter, 5 December 2016, regarding Proposed Revisions to Ordinances December 5, 2016. Sustained stream flows throughout the North Branch Park River watershed is a critical issue to aquatic environmental health. The sale of public water to private water companies ought not be discounted. In addition to the serious environmental problems caused by discarded plastic water bottles, private water bottling companies – based far from the MDC voting member towns – ought not be subsidized by local taxpayers who have willingly agreed to pay extra to upgrade area sewer infrastructure. The MDC needs to develop new greener revenues that support the future environmental health of our region. Park Watershed is available to review and research emerging opportunities for environmentally friendly revenues that might suit the MDC.

Please do remember to enter these comments into the public record.

Thank you,

Mary Rickel Pelletier
Founding Director of Park Watershed

- c: 1st Assembly District, State Representative Matthew Ritter, House Majority Leader
- c: 2nd District State Senator Douglas McCrory
- c: Betsey Wingfield, CT DEEP, Bureau Chief, Bureau of Water Protection & Land Reuse



P.O. Box 271646
West Hartford, Connecticut 06127

5 December 2016

John S. Mirtle, Esq.
District Clerk
The Metropolitan District
555 Main Street, Hartford, CT 06103

RE: *Park Watershed comments: Public Hearing on Proposed Revisions to Ordinances December 5, 2016*

Comments from:

Mary Rickel Pelletier

resident: 80 Elizabeth Street, Hartford, CT 06105

Also Founding Director Park Watershed

And Member of the MDC Citizens Advisory Committee from September 2004 through December 2014

To the MDC District Clerk,

Overflow of Reservoir #6 is a source for the North Branch Park River. Due to urban –suburban development, the North Branch flow vacillates from slow and during drought still stagnation to periodic flash floods caused by stormwater run-off. Stream flow is critical to water quality and healthy stream ecosystems. “The solution to pollution is dilution” highlights this concept. The Park River regional watershed overlaps seven of the eight MDC voting member municipalities.

Park Watershed is a 501c3 organization for citizen stewardship in the urban-suburban Park River regional watershed. A primary goal of Park Watershed as a the 501c3 organization is to assist with the implementation of the North Branch Park River Watershed Management Plan. The need for a citizen stewardship organization was identified in the North Branch Park River Watershed Management Plan, which was completed in July of 2010. The EPA approved plan is listed on the Ct DEEP website, http://www.ct.gov/deep/cwp/view.asp?as=2719&q=379206&depNav_GID=1634

- The North Branch Park River is currently classified as ‘Class: C/A’, meaning the river is only meeting Class C criteria but has a goal of Class A. The river is considered impaired for recreational uses and as a habitat for fish, aquatic life, and wildlife 2008 List of Connecticut Water bodies Not Meeting Water Quality Standards. According to the CT CALM Methodology Paper of 2012, The North Branch Park River is listed on the Impaired Waters List (EPA Category 5) (26).

- To achieve the goal of Class A, the North Branch Park River needs to be suitable as a potential drinking water supply, designated as a fish and wildlife habitat and be safe to use as a recreational area as well as for agricultural and industrial use (22). The designated cause of this impairment has been listed as an excess of E. Coli, the indicator bacteria used for stream monitoring assessment (14).

The proposal to allow Niagara to bottle MDC water was obviously problematic. The allowance of a high-volume discount was especially misguided. I appreciate the MDC the revisions to SECTION W1a – Removal of industrial water rate, and SECTION S12x – Removal of the high volume user discount on the special sewer service charge. Park Watershed understands that the MDC needs to increase revenue.

Through testimony and through meetings of the MDC Citizens Advisory Committee to the Long Term Control Plan, Park Watershed repeatedly recommended MDC invest in the development of comprehensive green infrastructure program. There is an especially unique opportunity to revitalize the North Branch Park River watershed through the re-design of the North Branch trunk line.



P.O. Box 271646
West Hartford, Connecticut 06127

Opportunities, including green infrastructure, to improve this stream section were described in the 2010 North Branch Park River Watershed Management Plan. Green infrastructure can help recharge groundwater surrounding our urban-suburban watercourses. In addition to CSO discharges being addressed by MDC, North Branch water quality diminishes during dry weather because water stagnates due to minimal flow rates.

To date, MDC has invested tens of millions of dollars into the Long Term Control Plan design and design revisions, which were neatly presented in the Revised December 4th 2014 version of the 2012 Update. Of the two hundred and fourteen pages of thoughtful engineering, there were only ten pages of information about the MDC/CDM-Smith green infrastructure strategy. Missing is a serious engineering analysis of what could be accomplished, albeit small, if the MDC invested in a proactive, quantifiable green infrastructure program. For example, although MDC did distribute over 1,300 rain barrels, there is no map of where the rain barrels were installed, nor any programs to ensure that homeowners maintain the rain barrels seasonally.

The MDC CAC *Green Infrastructure* sub-committee, which met monthly throughout 2012, and quarterly for several following years, consistently recommended that MDC invest in green infrastructure strategies to complement conventional sewage treatment. This approach could increase local job opportunities, plus increase community awareness about the effects of urban planning on water quality.

A resident of Hartford since 2001, I am well aware of the need to grow jobs in Hartford, and throughout the state. Here again, the MDC could leverage work on the LTCP, Clean Water Project to develop a comprehensive approach to the development of green infrastructure – as has Philadelphia, New York City, Kansas City, Chicago, Portland Seattle, San Francisco, . . . MDC needs to explore a paradigm shift towards the development of new streams of revenue – so all MDC stakeholders, in voting member towns, and the greater Hartford metropolitan area can benefit.

The MDC is not a private corporation. The MDC LTCP is funded by state taxpayers and MDC customers who include residents of the voting member towns. Although most successful, measureable, green infrastructure projects have been developed by cities that own their water and sewer utilities, this political circumstance ought not obscure the most important point, which is green infrastructure can be beneficial, and cost effective. Numerous stakeholders – including the CAC green infrastructure sub-committee have repeatedly expressed interest in working openly with MDC to ensure successful site selection, design, implementation and maintenance of green infrastructure features. **Park Watershed asks/recommends the following:**

- MDC collaborate with Park Watershed and representatives of other area environmental organizations in the development of a comprehensive, measurable green infrastructure project area within the Park River regional watershed, with emphasis on the North Branch and Gully Brook watersheds. Open and transparent conversations that include a roundtable of stakeholders will facilitate consensus about available sites and maintenance strategies.

MDC has made significant improvements to the sewer infrastructure and water quality within the Park River regional watershed, and the greater Connecticut River. MDC needs to develop a new, 21st century approach to managing our precious water resources, diverse environmental organizations that represent citizen and local environmental interests ought to be included – and could help the MDC develop a sustainable 21st century framework for shared prosperity. The MDC needs to focus on moving towards a greener prosperous future, rather than fire sale privatization of public resources.

Mary Rickel Pelletier
Founding Director of Park Watershed

ADJOURNMENT

The meeting was adjourned at 7:11 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

November 1, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street

Hartford, Connecticut 06103

Wednesday, November 1, 2017

Present: Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Donald M. Currey, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, James Healy, Allen Hoffman, Jean Holloway, David Ionno, Kathleen J. Kowalyshyn, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Michael Solomonides and Alvin Taylor (21)

Absent: Commissioners Daniel Camilliere, Mary Anne Charron, Matthew B. Galligan, Sandra Johnson, Byron Lester, Raymond Sweezy, Richard W. Vicino and Special Representative Michael Carrier (8)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
Christopher Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Constable, Director of Finance
Susan Negrelli, Director of Engineering
Christopher Levesque, Director of Operations
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities
Nick Salemi, Special Services Administrator
Michael Curley, Manager of Technical Services
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 DiBella at 5:33 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.

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioner James Healy.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Caban and duly seconded, the meeting minutes of October 2, 2017 were approved.

Commissioners Adil, Fitzgerald, Kowalyshyn and Magnan abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

No report delivered by District Counsel

FISCAL YEAR 2018 BUDGET ESTIMATES - REFERRAL TO BOARD OF FINANCE

On motion made by Commissioner Kowalyshyn and duly seconded, the budget estimates for Fiscal Year 2018 were received and referred to the Board of Finance in accordance with Section 3-2 of the District Charter.

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

To: District Board

November 1, 2017

From: Committee on Organization

At a meeting of the Committee on Organization held on November 1, 2017, it was:

Voted: That the Committee on Organization recommend to the District Board the appointment of Commissioner Fitzgerald the following Committees:

- Water Bureau
- Committee on Organization
- Personnel, Pension and Insurance Committee
- Strategic Planning Committee

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**BUREAU OF PUBLIC WORKS
100 PHOENIX CROSSING, BLOOMFIELD
ENCROACHMENT AGREEMENT**

To: District Board

November 1, 2017

From: Bureau of Public Works

In a letter dated September 18, 2017, Doug Houser of ARCO Murray National Construction Company, Inc., on behalf of the Owner, Aramark Cleanroom Services, LLC, has requested permission from The Metropolitan District to permanently encroach on the existing sanitary sewer easement located across private lands between Phoenix Crossing and Blue Hills Avenue in Bloomfield, to regrade and install improvements in conjunction with the Aramark Facility development project.

The proposed work entails the regrading of the easement area (approximately 18-inches deep), the installation of storm drainage and a sanitary lateral, paving, and resetting of sanitary manhole covers over the existing 8-inch PVC sanitary sewer and within the existing 20-foot sewer easement, as shown on the accompanying map. The existing sanitary sewer was built in 2015 as part of the Phoenix Crossing Developer's Permit Agreement.

MDC staff has concluded that the encroachments are minor and that there will be no detriment to the sanitary sewer infrastructure as a result.

Aramark has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewer located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot permanent easement:

1. Care must be taken during the regrading and construction activities not to disturb the existing sanitary sewer. All heavy construction equipment must be located outside of the limits of the sewer easement when not in use. Any heavy construction or earth moving equipment that will be utilized on the site over and adjacent to the existing sanitary sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary sewer caused by any such grading or construction within or adjacent to the existing right-of-way shall be the responsibility of the Owner.
2. No additional permanent structures shall be located within the District's sanitary sewer right-of-way.
3. The District reserves the right to remove structures within the sanitary sewer easement at any time if so required for maintenance, repair or replacement of the sanitary sewer. The Owner shall bear and pay for any and all additional maintenance, repair or replacement costs necessitated by or resulting from the presence of structures within the easement, including but not limited to any costs incurred by or on behalf of the MDC.
4. In the event of a sewer emergency caused by the proposed construction and excavation in connection therewith, the Owner shall provide, at their expense, an appropriately sized bypass pump.
5. An MDC inspector must be on the job site whenever work is being performed within the sanitary sewer right-of-way. Any construction, maintenance, repair or replacement of the grading, paving or drainage must conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within or adjacent to the sanitary sewer easement.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in or adjacent to the areas of construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewers.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Aramark and the Metropolitan District, consistent with current practice involving similar requests.

At a meeting of the Bureau of Public Works held on November 1, 2017, 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 approval of form and content by District Counsel, granting permission to Aramark Cleanroom Services, LLC to encroach upon the existing 20-foot sanitary sewer easement in private lands between Phoenix Crossing and Blue Hills Avenue, Bloomfield, in support of the planned construction of the Aramark Facility, as shown on plans submitted by ARCO Murray National Construction Company, Inc., dated 9/13/2017, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.

FURTHER RESOLVED: That the above authorized and approved encroachment shall not be effective until the formal encroachment agreement as approved by District Counsel is fully executed by the District and the Owner, and recorded on the Bloomfield Land Records.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

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

To: District Board

November 1, 2017

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 November 1, 2017, it was:

RECOMMENDED that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Developer's Sewers," it be

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>
360 – 390 Woodland Avenue, Bloomfield DVS0000961	FS Realty, LLC	March 30, 2017
Fraser Place Storm Drain Improvements, Hartford BIL.DVSHAR.10	HLA, LLC	April 5, 2017

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford spoke regarding the state water plan and DPH Primary fee.

ADJOURNMENT

The meeting was adjourned at 6:25 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

December 4, 2017

Date of Approval

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, December 4, 2017

Present: Commissioners Andrew Adil, John Avedisian, Daniel Camilliere, Donald M. Currey, William A. DiBella, Peter Gardow, Denise Hall, James Healy, Allen Hoffman, Jean Holloway, David Ionno, Kathleen J. Kowalyshyn, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Michael Solomonides Raymond Sweezy, Alvin Taylor, Richard W. Vicino and New Britain Special Representative Michael Carrier (22)

Absent: Commissioners Clifford Avery Buell, Luis Caban, Mary Anne Charron, Timothy J. Fitzgerald, Matthew B. Galligan, Sandra Johnson, Byron Lester and Maureen Magnan (8)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Constable, Director of Finance
Sue Negrelli, Director of Engineering
Kelly Shane, Director of Procurement
Tom Tyler, Director of Facilities
Robert Zaik, Director of Human Resources
Lisa Remsen, Financial Analyst
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:47 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.

SWEARING IN NEW COMMISSIONER

The District Clerk swore in Commissioner Denise Hall.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford read the following comments:

Comments for the General Board Meeting
December 4, 2017

While I am a member of Save Our Water CT, these comments are my own and not the opinions of Save Our Water CT.

I am a supporter of increases to the water rates because I believe our drinking water is something we take for granted and has been underpriced for a long time. But I also believe that the MDC needs to use the revenue from those rates in a responsible and transparent way.

There are ways to price water that are fairer to consumers and encourage responsible use of our water resources.

Such a rate structure would be determined by the amount of drinking water needed for a typical family's basic needs. Those choosing to use more than that pay more. Drinking water used to fill swimming pools, for lawn irrigation systems and the like should cost more. I also support creating a low income assistance program similar to the low income energy assistance programs that exist now for other utilities.

This budget is full of consultants, lawyers, outside services with no explanation of what the specifics are and why they are needed. Needing so many lawyers so that the MDC can litigate all its problems away is not the best use of our money.

The MDC pays for expensive lobbyists to support or oppose laws we know nothing about. Who do they serve? Are they lobbying for things our towns oppose? Where and how is our money being spent at the state capitol.

In a presentation to the town of Windsor, there is a pie chart showing the 2018 expenditures including 12.68% expenditure for "other". This is bigger than any other category other than debt service and payroll. This is not transparent. What does "other" include?

The MDC's new plan for funding the Clean Water Project is based on a plan that has yet to be approved. It assumes approval to extend completion of the project for another 30 years. Included in the presentation is the EPA's description of how integrated planning can help meet CWA obligations. It says that the "integrated planning approach is not about changing existing regulatory or permitting standards or delaying necessary improvements". This is my concern, that the MDC is counting on approval for a plan that delays necessary improvements and they have no plan "B" if not approved. It does not include an estimate of cost increases for building the needed infrastructure over a 30 year time frame. This is kicking the can down the road.

The MDC needs fresh ideas. For too long the MDC has been doing things a certain way because it is the way its always been done it. The MDC needs to start listening, stop being so defensive, and let member towns take a greater role in MDC decisions.

Judy Allen
West Hartford

Newington State Representative Gary Byron, spoke in opposition of the water rate increase.

Peter Privatera, West Hartford Director of Finance, spoke regarding fiscal responsibility, the increase in ad valorem payments, and asked that the budget be reviewed again.

Jeff Bridges, Wethersfield Town Manager, stated the cost increases are unsustainable and asked that the budget be reviewed again.

David Silverstone introduced himself as the MDC Independent Consumer Advocate.

APPROVAL OF MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of November 1, 2017 were approved.

Commissioners Hall and Vicino Abstained.

REPORT FROM DISTRICT CHAIRMAN

No report delivered by the District Chairman

REPORT FROM CHIEF EXECUTIVE OFFICER

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

REPORT FROM DISTRICT COUNSEL

R. Bartley Halloran presented the District Counsel Report.

At 6:40p.m. Commissioner Marotta exited the meeting.

BOARD OF FINANCE FISCAL YEAR 2018 - CAPITAL IMPROVEMENT BUDGET

To: District Board December 4, 2017

From: Board of Finance

At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the Board of Finance accepts and approves a Capital Improvement Budget for 2018 in the total amount of \$72,700,000 in appropriations to be funded from bonds, note proceeds or other sources as follows:

Wastewater

CCTV Generated Sewer Construction Contracts	\$ 7,000,000
General Purpose Sewer	5,000,000
Madison Ave. Area Sewer Rehabilitation/Replacement, Htfd	2,000,000
Paving Program & Restoration	3,000,000
Sewer Rehabilitation Program	4,600,000
Various Sewer Pipe Replacement/Rehabilitations - District-wide	4,000,000
WPC Infrastructure Rehabilitation, Upgrades & Replacements	<u>5,200,000</u>

Total Wastewater **\$ 30,800,000**

Water

Buckingham St. Area WMR, Hartford	\$ 7,000,000
General Purpose Water Program	2,000,000
Madison Ave. Area WMR, Hartford	5,000,000
Paving Program & Restoration	4,000,000
Radio Frequency - Staffing only	1,000,000
Water Main Replacement Program	5,000,000
Water Treatment Facilities Infrastructure Rehabilitation, Upgrades & Replacements	<u>2,200,000</u>

Total Water **\$ 26,200,000**

Combined

Construction Services	\$ 3,500,000
Engineering Services	2,500,000
Fleet Replacement	800,000
Survey & Construction	5,000,000
Technical Services	<u>3,400,000</u>

Total Combined **\$ 15,200,000**

Hydro

Hydro Rehabilitation	\$ 500,000
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Total Hydro	<u>\$ 500,000</u>
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Wastewater, Water, Combined and Hydro Total	\$ 72,700,000
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Further Voted: That the Board of Finance recommends to the District Board passage of the following resolutions:

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS NOT
TO EXCEED \$72,700,000**

WHEREAS, the District Board has resolved today to appropriate and issue Bonds for those capital improvements projects numbered 1- 20, inclusive; and

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

Now THEREFORE BE IT RESOLVED:

Section 1. To meet the appropriations for the projects set forth in the 2018 CIP Resolutions Nos. 1- 20 inclusive (the "Resolutions"), bonds of the District are authorized in the respective amounts set forth in such Resolutions to be issued in one or more series 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. 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 competitive bid, a notice of sale, or summary thereof, shall be published at least five (5) days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. 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 therefore 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 under the Resolutions ("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 and interim funding obligations in anticipation of project loan 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-478 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.

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 in the form of the International Swaps and Derivatives Association, Inc. (ISDA) Master Agreement, together with applicable annexes, schedules and

confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, call 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") and to provide notices to the MSRB 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 paid sixty days prior to and any time after the date of passage of this Resolution in connection with the Resolutions 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 date of the expenditure or such later date the 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 and 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 the 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.

2018 CIP PROJECT RESOLUTION NO. 1

RESOLUTION APPROPRIATING \$7,000,000 FOR THE CCTV GENERATED SEWER CONSTRUCTION AND AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$7,000,000 is hereby appropriated for construction of various repairs to sanitary sewers which were identified as deficient from routine CCTV inspections, including design, construction, and project administration, legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 2

RESOLUTION APPROPRIATING \$5,000,000 FOR THE GENERAL PURPOSE SEWER PROGRAM AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$5,000,000 is hereby appropriated for the General Purpose Sewer Program including planning, design and construction of the replacement and/or rehabilitation of existing sewer mains, pump stations, and any related collection system appurtenances at various locations District wide and for legal, administrative and other financing costs related thereto. Such Projects may also include electrical, mechanical, or renewable energy upgrades at District facilities. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 3

RESOLUTION APPROPRIATING \$2,000,000 FOR THE MADISON AVENUE AREA SEWER REHABILITATION AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$2,000,000 is hereby appropriated for the rehabilitation of sewer mains and lateral replacements in the Madison Avenue area of Hartford, for legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 4

RESOLUTION APPROPRIATING \$3,000,000 FOR THE PAVING PROGRAM AND RESTORATION AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$3,000,000 is hereby appropriated for final pavement restoration of roads and other areas as well as unpaved areas disturbed by MDC sewer projects, including material disposal and materials from stock, and for legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 5

RESOLUTION APPROPRIATING \$4,600,000 FOR THE SEWER REHABILITATION PROGRAM AND AUTHORIZING THE ISSUANCE OF \$4,600,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$4,600,000 is hereby appropriated for sewer system investigations (using closed circuit TV inspection, sonar or laser methods) to support the design and construction of rehabilitation and replacement of deteriorating segments of the District's sewer infrastructure, including staffing, equipment, legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 6

RESOLUTION APPROPRIATING \$4,000,000 FOR VARIOUS SEWER PIPE REPLACEMENT/REHABILITATION PROGRAM – DISTRICT WIDE AND AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$4,000,000 is hereby appropriated for the design and construction of sewer system upgrades, replacements and rehabilitation measures District-wide including survey, sewer easement clearing, closed caption TV inspection, the replacement, rehabilitation and or upgrade of District infrastructure, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence

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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 7

RESOLUTION APPROPRIATING \$5,200,000 FOR WPC PLANT INFRASTRUCTURE RENEWAL AND REPLACEMENT AND AUTHORIZING THE ISSUANCE OF \$5,200,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$5,200,000 is hereby appropriated for the design and construction of a variety of renewal and replacements at the four water pollution control facilities to modernize existing systems, and for legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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-478 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 and 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 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 in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 therefore 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.

2018 CIP PROJECT RESOLUTION NO. 8

RESOLUTION APPROPRIATING \$7,000,000 FOR THE BUCKINGHAM STREET AREA WATER MAIN REPLACEMENT AND AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$7,000,000 is hereby appropriated for the construction, of water mains and service replacements in the Buckingham Street area of Hartford, to replace aging or failing water mains, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water

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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program, shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 9

RESOLUTION APPROPRIATING \$2,000,000 FOR THE GENERAL PURPOSE WATER PROGRAM AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$2,000,000 is hereby appropriated for the replacement or rehabilitation of aging water mains and related system-wide equipment/infrastructure improvements, and electrical, mechanical or renewable energy upgrades, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water

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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program, shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 10

RESOLUTION APPROPRIATING \$5,000,000 FOR THE MADISON AVENUE AREA WATER MAIN REPLACEMENT AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$5,000,000 is hereby appropriated for the construction of water mains and service replacements in the Madison Avenue area of Hartford, to replace aging or failing water mains, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water 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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program, shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 11

RESOLUTION APPROPRIATING \$4,000,000 FOR THE PAVING PROGRAM AND RESTORATION AUTHORIZING THE ISSUANCE OF \$4,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$4,000,000 is hereby appropriated for final pavement restoration of roads and other areas disturbed by the MDC water projects, including disposal of unsuitable materials and usage of materials from stock, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water 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

Drinking Water Obligations, subject to the provisions of the Drinking Water Program, shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 12

RESOLUTION APPROPRIATING \$1,000,000 FOR THE RADIO FREQUENCY AUTOMATED METER READING PROGRAM AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$1,000,000 is hereby appropriated for the radio frequency meter program, standardizing and replacing radio frequency meters and meter reading devices District-wide, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water 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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program,

shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 13

RESOLUTION APPROPRIATING \$5,000,000 FOR THE WATER MAIN REPLACEMENT PROGRAM AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$5,000,000 is hereby appropriated for the to replace water mains and water services throughout the District that have exceeded their useful lives and/or have experienced numerous breaks, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water 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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program, shall be determined by the District Board, following recommendation of the Board of

Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 14

RESOLUTION APPROPRIATING \$2,200,000 FOR WATER TREATMENT FACILITIES INFRASTRUCTURE REHABILITATION, UPGRADES & REPLACEMENTS AND AUTHORIZING THE ISSUANCE OF \$2,200,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$2,200,000 is hereby appropriated to design and construct a variety of renewal and replacements, including electrical improvements at the three water treatment facilities to modernize existing systems, improve treatment processes, operational reliability and safety, and for legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

Section 2. The Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence 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 and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Drinking Water 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 and project loan obligations ("Drinking Water Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Drinking Water Obligations, Project Loan Agreements and any other instruments, agreements or certificates under the Drinking Water Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman, or in his absence the Vice-Chairman, and the Treasurer, or in his absence the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Drinking Water 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 Drinking Water Obligations, subject to the provisions of the Drinking Water Program,

shall be determined by the District Board, following recommendation of the Board of Finance. Drinking Water Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged therefore by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Drinking Water 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.

2018 CIP PROJECT RESOLUTION NO. 15

RESOLUTION APPROPRIATING \$3,500,000 FOR CONSTRUCTION SERVICES AND AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$3,500,000 is hereby appropriated for the costs of the management of District's capital improvement projects including improvements to and expansion of the District's water distribution and sewer collection systems and related work on water and sewage treatment plants and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

2018 CIP PROJECT RESOLUTION NO. 16

RESOLUTION APPROPRIATING \$2,500,000 FOR ENGINEERING SERVICES AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$2,500,000 is hereby appropriated for developing and designing the District's capital improvement projects, including improvements to and expansion of the District's water distribution and sewer collection systems and related work on water and sewage treatment plants and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

2018 CIP PROJECT RESOLUTION NO. 17

RESOLUTION APPROPRIATING \$800,000 FOR FLEET AND EQUIPMENT REPLACEMENT AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$800,000 is hereby appropriated for the replacement of transportation and power operated equipment, the purchase of stationary generators, engines and emergency response equipment and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

2018 CIP PROJECT RESOLUTION NO. 18

RESOLUTION APPROPRIATING \$5,000,000 FOR SURVEY & CONSTRUCTION AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$5,000,000 is hereby appropriated for the survey and construction inspection of all water and sewer projects within the District's service area, including projects installed under District contract and developer permit agreements and legal, administrative other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

2018 CIP PROJECT RESOLUTION NO. 19

RESOLUTION APPROPRIATING \$3,400,000 FOR TECHNICAL SERVICES AND AUTHORIZING THE ISSUANCE OF \$3,400,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$3,400,000 is hereby appropriated for technical support to all of the District's capital improvement projects including improvements to and expansion of the District's water distribution and sewer collection systems and related work on water and sewage treatment plants and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

2018 CIP PROJECT RESOLUTION NO. 20

RESOLUTION APPROPRIATING \$500,000 FOR HYDROELECTRIC REHABILITATION AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION

RESOLVED:

The sum of \$500,000 is hereby appropriated for the purchase, upgrade and/or replacement of power operated equipment, turbines and other hydroelectric equipment/infrastructure improvements, including electrical, mechanical or renewable energy upgrades at the District's hydroelectric facilities, and legal, administrative and other financing costs related thereto. District forces may be utilized for this program. The District costs may include salary, benefits and overhead.

On motion made by Commissioner Salemi and duly seconded by Commissioner Pane, the report was received and resolution adopted by majority vote of those present. Commissioners Avedisian, Hall, Ionno and Gardow opposed.

**BOARD OF FINANCE
FISCAL YEAR 2018 - BUDGET EXPENDITURES**

To: District Board

December 4, 2017

From: Board of Finance

At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the estimated 2018 budget expenditures in the total amount of \$167,092,900 be referred to the District Board for acceptance and approval as follows:

Budget Appropriations	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
District Board	191,500.00	184,000.00	375,500.00
Executive Office	460,900.00	442,800.00	903,700.00
Legal	859,800.00	826,100.00	1,685,900.00
Human Resources	786,450.00	755,700.00	1,542,150.00
Information Technology	4,791,650.00	2,360,200.00	7,151,850.00
Finance	3,313,400.00	3,183,600.00	6,497,000.00
Environment, Health and Safety	460,400.00	442,300.00	902,700.00

Engineering and Planning	917,200.00	881,300.00	1,798,500.00
Customer Service	2,680,200.00	1,380,700.00	4,060,900.00
Operating Office	275,300.00	264,600.00	539,900.00
Operations	7,369,000.00	2,456,300.00	9,825,300.00
Laboratory Services	859,700.00	793,600.00	1,653,300.00
Water Pollution Control	-	16,745,100.00	16,745,100.00
Maintenance	5,739,800.00	5,514,800.00	11,254,600.00
Water Treatment & Supply	8,861,500.00	-	8,861,500.00
Patrol	1,674,600.00	-	1,674,600.00
Debt Service	28,221,900.00	28,519,400.00	56,741,300.00
Employee Benefits	11,033,100.00	9,027,000.00	20,060,100.00
General Insurance	2,913,500.00	1,248,700.00	4,162,200.00
Taxes and Fees	3,300,500.00	-	3,300,500.00
Special Agreements and Programs	3,405,300.00	1,401,000.00	4,806,300.00
Contingencies	-	2,550,000.00	2,550,000.00
Total Water and Sewer Budget	88,115,700.00	78,977,200.00	167,092,900.00

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 majority vote of those present. Commissioners Avedisian, Hall, Ionno and Gardow opposed.

**BOARD OF FINANCE
FISCAL YEAR 2018 - BUDGET REVENUES**

To: District Board December 4, 2017

From: Board of Finance
At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the 2018 Budget Revenues in the total amount of \$167,092,900 be referred to the District Board for acceptance and approval as follows:

Revenue	<u>Total</u>
Water Revenues	
Operating Revenues	
Sale of Water	80,183,400.00
Other Operating Revenues	<u>4,265,000.00</u>
Subtotal Operating Revenues	84,448,400.00
Non-Operating Revenues	2,396,900.00
Other Financing Sources	
Contributions from (to Other Funds)	<u>1,270,400.00</u>
Total Source of Revenues – Water Operations	88,115,700.00
Sewer Revenues	
Operating Revenues	
Tax on Member Municipalities	45,004,000.00
Revenue from Other Government Agencies	4,530,000.00
Other Sewer Revenues	14,168,900.00
Sewer User Charge Revenues	<u>11,038,400.00</u>
Subtotal Operating Revenues	74,741,300.00
Other Financing Sources	

Contributions/Transfers from Other Funds	<u>4,235,900.00</u>
Subtotal Other Financing Sources	4,235,900.00
Total Source of Revenues and Other Financing Sources – Sewer Operations	78,977,200.00
Total Source of Revenues and Other Financing Sources – Water and Sewer Operations	167,092,900.00

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded by Commissioner Kowalyshyn, the report was received and resolution adopted by majority vote of those present. Commissioners Avedisian, Hall, Ionno and Gardow opposed.

**BOARD OF FINANCE
FISCAL YEAR 2018 - HYDROELECTRIC EXPENDITURES AND REVENUES**

To: District Board December 4, 2017

From: Board of Finance

At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the Board of Finance recommends to the District Board for acceptance and approval an appropriation of \$895,300 for the operation of the Hydroelectric Program.

Further Voted: That the Board of Finance recommends to the District Board for acceptance and approval estimated Hydroelectric revenues of \$895,300 in support of operations as follows:

Power Sales	\$ 895,300
Interest Income	0
Designated from Surplus	<u>0</u>

Total Hydroelectric \$ 895,300

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Salemi and duly seconded by Commissioner Kowalyshyn, the report was received and resolution adopted by majority vote of those present. Commissioners Avedisian and Hall opposed.

**BOARD OF FINANCE
FISCAL YEAR 2018 - TAX ON MEMBER MUNICIPALITIES**

To: District Board

From: Board of Finance for consideration on December 4, 2017

A Fiscal Year 2018 Tax Levy on The Metropolitan District's member municipalities in the amount of \$45,004,000 is recommended in support of the proposed 2018 budget. In accordance with the District Board's policy, taxes may be paid in quarterly installments. To coincide with the fiscal year cycle (July 1 – June 30) adhered to by the member municipalities, the quarterly tax payments are unbalanced. The amount of the tax due in the first half of 2018 will be equivalent to 50% of the total 2017 tax levy. This amount (when paid) will be subtracted from the total 2018 tax levy: the balance is the amount due in the second half of the year.

Apportionment of the Fiscal Year 2018 tax among the member municipalities and the amount due on each installment will be as follows:

Tax History by Town	2014	2015	2016	2017	2018
Hartford	\$10,374,400	\$10,298,600	\$10,174,900	\$10,963,200	\$11,550,400
East Hartford	\$4,213,200	\$4,490,100	\$4,762,000	\$5,059,400	\$5,486,600
Newington	\$3,132,300	\$3,287,300	\$3,508,400	\$3,752,900	\$4,120,900
Wethersfield	\$2,824,400	\$3,022,000	\$3,207,700	\$3,408,200	\$3,707,800
Windsor	\$3,111,900	\$3,222,600	\$3,404,700	\$3,656,900	\$4,001,500
Bloomfield	\$2,612,500	\$2,752,400	\$2,936,000	\$3,067,100	\$3,256,200
Rocky Hill	\$2,089,100	\$2,153,700	\$2,239,700	\$2,475,800	\$2,712,500
West Hartford	\$7,798,800	\$8,219,700	\$8,710,900	\$9,286,900	\$10,168,100
Total	\$36,156,600	\$37,446,400	\$38,944,300	\$41,670,400	\$45,004,000

At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the District Board approve the following resolution:

Resolved: That, in accordance with Section 3-12 and 3-13 of the District Charter, a tax on the member municipalities comprising The Metropolitan District, in the sum of \$45,004,000, shall be due and payable in favor of The Metropolitan District in four installments on the following due dates: the first installment, totaling \$10,417,600, shall be due and payable on January 17, 2018; the second installment, totaling \$10,417,600, shall be due and payable on April 18, 2018; the third installment, totaling \$12,084,400, shall be due and payable on July 18, 2018; and the fourth installment, totaling \$12,084,400, shall be due and payable October 17, 2018. In the event the Department of Energy and Environmental Protection pays the \$2.5 million included in the District's 2018 budget related to the groundwater discharge at the Hartford Landfill, said money shall be applied to reduce the member municipalities' 2018 ad valorem taxes. Apportionment of the Fiscal Year 2018 tax among the member municipalities and the amount due on each installment shall be as follows:

Installment Date	1/17/2018	4/18/2018	7/18/2018	10/17/2018	Total
Hartford	\$2,740,800	\$2,740,800	\$3,034,400	\$3,034,400	\$11,550,400
East Hartford	1,264,850	1,264,850	1,478,450	1,478,450	5,486,600
Newington	938,225	938,225	1,122,225	1,122,225	4,120,900
Wethersfield	852,050	852,050	1,001,850	1,001,850	3,707,800
Windsor	914,225	914,225	1,086,525	1,086,525	4,001,500
Bloomfield	766,775	766,775	861,325	861,325	3,256,200
Rocky Hill	618,950	618,950	737,300	737,300	2,712,500
West Hartford	2,321,725	2,321,725	2,762,325	2,762,325	10,168,100
Total	\$10,417,600	\$10,417,600	\$12,084,400	\$12,084,400	\$45,004,000

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

Commissioner Currey moved to amend the resolution, as indicated above, to state if DEEP pays the \$2.5 million included in the District's 2018 budget related to the groundwater discharge at the Hartford Landfill, said money shall be applied to reduce the member municipalities' 2018 ad valorem taxes.

On motion made by Commissioner Salemi and duly seconded, the report was received and amended resolution adopted by

majority vote of those present. Commissioners Gardow and Itonno opposed; Commisisoner Camilliere abstained.

**BOARD OF FINANCE
FISCAL YEAR 2018 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES
AND OTHER RELATED CHARGES**

To: District Board

December 4, 2017

From: Board of Finance

In accordance with Section S12j of the District's Ordinances, sewer use unit charge rates shall be determined annually in conjunction with adoption of the District Budget. The 2018 budget in support of sewer operations calls for a sewer user charge rate of \$3.37, which is 10.0% higher than the prior year.

Effective January 1, 2018, a monthly charge of \$3.00 will be billed to the property owner in accordance with S12l of the District's Ordinances.

Following the cost trends for the sewer user charge rate, it is recommended the BOD and COD rate be increased to \$0.40 and \$0.40 per pound respectively. In addition, the suspended solids strength charge will increase to \$0.33 per pound. These unit charges, which apply to high flow users, low flow/high strength users and non-municipal tax-exempt users, are for the following:

1. Liquid flow charge rate based on sewer flow in hundreds of cubic feet (CCF).
2. a. BOD (biochemical oxygen demand) strength charge rate based on pounds of BOD for the concentration of BOD exceeding 300 milligrams per liter (mg/l).
- b. COD (chemical oxygen demand) strength charge rate based on pounds of COD for that concentration of COD exceeding 700 mg/l.
3. Suspended solids strength charge rate based on pounds of suspended solids for that concentration exceeding 300 mg/l.

In accordance with Section S12p of the District's Ordinances, sewer user charge Late Filing/Sewage Evaluation Fees will be unchanged for the 2018 budget.

Additionally, in accordance with Section S12x of the District's Ordinances, the clean water project charge primarily for payment of principal and interest on certain

bonds and loans which proceeds are used to finance the costs associated with the Clean Water Project. The clean water project charge is set annually in conjunction with adoption of the District Budget. Effective January 1, 2018, said charge shall be \$3.80 per hundred cubic feet (ccf) to be uniformly applied and to be proportional to the quantity of water used by District customers who utilize the District sewer system and are furnished water directly by the Metropolitan District. The clean water project charge shall appear separately on the water bills of the District.

Remediated Groundwater Charges: A maintenance fee is required as part of the approval from MDC for acceptance of the discharge of remediated groundwater to the sanitary sewer. This fee is associated with the review and analysis of the permit application, location of the discharge and operational requirements to manage the groundwater at the wastewater treatment facility.

FOG Charges: Fees are charged to Class III and IV food service establishments to offset the costs of managing the Fats, Oils and Grease (FOG) program. This program is required by the CT Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments.

Remediated Groundwater	\$0.13/gal
<u>FOG Fees</u>	
Initial Registration Application	\$80.00
Initial Variance Application	\$80.00
Annual FOG Fee	\$80.00
Failure to submit Registration or Variance Applications	\$100.00
Disallow Inspection	\$100.00
Failure to maintain records in proper order	\$100.00
Failure to maintain outdoor or indoor grease removal devices in properly working order	\$200.00
Failure to clean outdoor or indoor grease removal devices quarterly or when 25% of the depth of the trap is filled with food solids and FOG, whichever comes first.	\$200.00
Failure to properly dispose of brown and/or yellow grease	\$200.00
Source of sanitary sewer overflow (minimum) - Actual costs will be billed to the facility for time and materials related to the overflow	\$1,000.00

At a meeting of the Board of Finance held on November 8, 2017, it was:

Voted: That the District Board approve the following resolution:

Resolved: That, in accordance with Section S12j of the District Ordinances, Unit Charges For Computing The Sewer User Charge, a sewer user charge

rate of three dollars and thirty-seven cents (\$3.37) per hundred cubic feet of sewer flow be effective for meter readings on and after January 1, 2018 and that, effective January 1, 2018, a sewer customer service charge of three dollars (\$3.00) per month, a BOD strength charge of forty cents (\$0.40) per pound be billed on sewer flow for that concentration of BOD exceeding 300 milligrams per liter; a COD strength charge of forty cents (\$0.40) per pound be billed on sewer flow for that concentration of COD exceeding 700 milligrams per liter; and a suspended solids strength charge of thirty-three cents (\$0.33) per pound be billed on sewer flow for that concentration of suspended solids exceeding 300 milligrams per liter.

Further

Resolved: In accordance with Section S12x of the District's Ordinances, the rate for the clean water project charge shall be \$3.80 per ccf commencing January 1, 2018.

Also Voted: That the District Board approve the following schedule of fees effective January 1, 2018.

Remediated Groundwater	\$0.13/gal
<u>FOG Fees</u>	
Initial Registration Application	\$80.00
Initial Variance Application	\$80.00
Annual FOG Fee	\$80.00
Failure to submit Registration or Variance Applications	\$100.00
Disallow Inspection	\$100.00
Failure to maintain records in proper order	\$100.00
Failure to maintain outdoor or indoor grease removal devices in properly working order	\$200.00
Failure to clean outdoor or indoor grease removal devices quarterly or when 25% of the depth of the trap is filled with food solids and FOG, whichever comes first.	\$200.00
Failure to properly dispose of brown and/or yellow grease	\$200.00
Source of sanitary sewer overflow (minimum) - Actual costs will be billed to the facility for time and materials related to the overflow	\$1,000.00

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 majority

***vote of those present. Commissioners Avedisian opposed;
Commissioner Camilliere abstained.***

**BOARD OF FINANCE
REFERENDUM REQUIREMENT**

To: District Board

December 4, 2017

From: Board of Finance

**RESOLUTION SETTING THE THRESHOLD AMOUNT FOR THE PURPOSES OF
THE DISTRICT'S REFERENDUM REQUIREMENT**

WHEREAS, the charter of the Metropolitan District of Hartford County, Connecticut (the "District"), and more particularly Section 14 of number 511 of the special acts of 1929, as amended by section 1 of number 332 of the special acts of 1931, number 127 of the special acts of 1947, section 2 of special act 79-102, special act 80-13, section 1 of special act 83-31, section 5 of special act 90-27, and section 2 of public act 15-114 (Section 14, as amended, being referred to as the "Referendum Requirement"), provides as follows:

(a) Appropriations to be financed by the issuance of bonds, notes or other obligations of the district may be made at any time upon approval of the district board and recommendation of the board of finance in accordance with section 20 of number 511 of the special acts of 1929.

(b) (1) Any appropriation in excess of the amount set forth in subdivision (2) of this subsection for any single item of capital expense not regularly recurring, including, but not limited to, a capital purpose, a public improvement or an extraordinary expenditure which may properly be financed long-term rather than from current revenues, notwithstanding that such appropriation is included in the budget to be met from current revenues, shall be approved by a two-thirds vote of the entire district board and by a majority of the electors of the district at a referendum of the district called by the district board in accordance with the requirements of section 5 of number 511 of the special acts of 1929, as amended by special act 77-54; provided an appropriation for any reason involving not more than twice the amount set forth in subdivision (2) of this subsection in any one year for the purpose of meeting a public emergency threatening the lives, health or property of citizens of the district may be made upon approval by a two-thirds vote of the entire district board without submission to the electors of the district; provided further, appropriations may be made in any amount without submission to the electors of the district for any public improvement all or a portion of which is to be paid for by assessments of benefits or from funds established to pay for waste or water facilities pursuant to section 13 of number 511 of the special acts of 1929, as amended by

number 366 of the special acts of 1949, special act 77-54 and special act 83-31; and provided further, submission to the electors of the district shall only be required with respect to such portion, if any, of any appropriation approved by the district board on and after October 1, 2015, as exceeds the amount set forth in subdivision (2) of this subsection. The district board may determine, in the case of appropriations for water, sewer and utility line extensions and improvements, or the installation or replacement of service meters, the definition of what shall constitute a single item of capital expense for purposes of compliance with the referendum requirement of this section. Such determination may be contained in the capital budget or a resolution making such appropriation or authorizing the issuance of bonds, notes or obligations of the district and any such determination shall be final and conclusive.

(2) On and after October 1, 2015, the threshold amount for purposes of subdivision (1) of this subsection shall be twenty million dollars as adjusted annually thereafter on October first by a percentage equal to the increase, if any, in the consumer price index for urban consumers, as most recently determined by the United States Department of Labor, Bureau of Labor Statistics for the most recent twelve-month period available, provided for any appropriation adopted by the district board on and after October 1, 2015, the aggregate amount of federal and state grants available, committed to be made available or expected to be made available for the appropriation at issue, each as determined by the district board whose determination shall be conclusive, shall be deducted from the amount of the appropriation in determining whether such threshold is met.

WHEREAS, for purposes of this resolution, the amount referred to in section (b)(2) of the Referendum Requirement is hereinafter referred to as the Threshold Amount, and

WHEREAS, the consumer price index for urban consumers, as determined by the United States Department of Labor, Bureau of Labor Statistics ("CPI") as of September 30, 2015 was 237.945 and the CPI as of September 30, 2016 was 241.428, representing a percentage from October 1, 2015 to October 1, 2016 of one and 46/100 percent (1.46%) and the CPI as of September 30, 2016 was 241.428 and the CPI as of September 30, 2017 was 246.819, representing a percentage from October 1, 2016 to October 1, 2017 of two and 23/100 percent (2.23%);

WHEREAS, the District Board did not previously find and determine the Threshold Amount as of October 1, 2016 and now wishes to find and determine the Threshold Amount in effect as of that date and as of the date of this Resolution;

At a meeting of the Board of Finance held on November 8, 2017, it was:

RESOLVED:

1. Based on the evidence presented to the District Board, the District Board finds and determines, that the Threshold Amount in effect as of October 1, 2016 and thereafter until October 1, 2017 is TWENTY MILLION TWO HUNDRED NINETY-TWO THOUSAND SEVEN HUNDRED FIFTY-SEVEN DOLLARS (\$20,292,757).

2. Based on the evidence presented to the District Board, the District Board finds and determines, that the Threshold Amount in effect as of October 1, 2017 and thereafter is TWENTY MILLION SEVEN HUNDRED FORTY-FIVE THOUSAND EIGHT HUNDRED EIGHTY-SEVEN DOLLARS (\$20,745,887).

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.***

**BOARD OF FINANCE
DPH PRIMACY FEE BILLING OPTIONS**

***The District Board discussed the Department of Public Health Primacy Fee
going into effect in 2018 and directed staff to charge to customers on a
monthly basis.***

**BOARD OF FINANCE
APPROVAL OF SMALL BUSINESS ENERGY ADVANTAGE LOAN AGREEMENT**

To: District Board

December 4, 2017

From: Board of Finance

Staff is seeking authority for the District to execute and deliver to Eversource a loan agreement having a principal amount of \$59,007 and having an interest rate of 0.00%.

The zero interest loan, with a 48 month term, will fund an energy efficient lighting retrofit at the MDC's 50 Murphy Road facility through the Eversource Energy Small Business Energy Advantage Program. It is estimated that the energy efficient

lighting retrofit will provide the MDC immediate energy savings in excess of incremental monthly loan cost, upon completion of the installation.

At a meeting of the Board of Finance held on November 8, 2017, it was:

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

RESOLVED: The District Treasurer or Deputy Treasurer are authorized to execute and deliver a loan agreement to Eversource in the principal amount of \$59,007 bearing an interest rate of 0.00% for a term of 48 months.

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.***

**BOARD OF FINANCE
2017 OPERATING BUDGET TRANSFER**

To: District Board

December 4, 2017

From: Board of Finance

The 2017 Adopted operating budget is forecasting deficits in the following functional areas: Chief Executive Office, Human Resources, Legal Administration, Command Center, Debt Service, Special Agreements & Programs and Riverfront.

The forecasted deficits in The Chief Executive Office, Human Resources, Legal Administration and the Command Center are the result of the awarding of cost of living increases to exempt and excluded and classified positions, which weren't contemplated in the 2017 Adopted Budget, the District hiring a greater amount of summer interns than was contemplated in the 2017 adopted budget and transfers of positions.

The forecasted deficit in Debt Service is due to the 2017 Adopted budgetary assumption of an advanced refunding of bonds during fiscal 2017 which did not occur due to the current external market conditions.

The forecasted deficit in Special Agreements & Programs' budget is the result of a contractual settlement involving the New Britain sewer agreement.

The forecasted deficit in Riverfront is due to the execution of a contractual agreement that was not fully reflected in the 2017 Adopted Budget.

CERTIFICATIONS:

In accordance with Section 3-8 of the Charter of The Metropolitan District, I hereby certify that there exists free from encumbrances, in the following appropriation, the amounts listed:

From:	General	Water	Total
Department 11 - District Board	13,200.00	13,800.00	27,000.00
Department 13 - Administrative Services	7,400.00	7,600.00	15,000.00
Department 17 - Information Systems	38,800.00	78,800.00	117,600.00
Department 18 - Finance	9,800.00	10,200.00	20,000.00
Department 20 - Engineering Planning	52,800.00	54,900.00	107,700.00
Department 30 - Operations	105,000.00	315,000.00	420,000.00
Department 35 - Laboratory Services	37,000.00	40,000.00	77,000.00
Department 40 - Operating Office	14,700.00	15,300.00	30,000.00
Department 402 - Water Pollution Control	305,300.00	-	305,300.00
Department 404 - Maintenance	134,900.00	140,100.00	275,000.00
Department 712 - Employee Benefits	28,400.00	34,600.00	63,000.00
	<u>747,300.00</u>	<u>710,300.00</u>	<u>1,457,600.00</u>

John M. Zinzarella
Chief Financial Officer

At a meeting of the Board of Finance held on December 4, 2017, it was:

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

Resolved: That transfers within the 2017 Budget Appropriations be approved as follows:

From:	General	Water	Total
Department 11 - District Board	13,200.00	13,800.00	27,000.00
Department 13 - Administrative Services	7,400.00	7,600.00	15,000.00
Department 17 - Information Systems	38,800.00	78,800.00	117,600.00
Department 18 - Finance	9,800.00	10,200.00	20,000.00
Department 20 - Engineering Planning	52,800.00	54,900.00	107,700.00
Department 30 - Operations	105,000.00	315,000.00	420,000.00
Department 35 - Laboratory Services	37,000.00	40,000.00	77,000.00
Department 40 - Operating Office	14,700.00	15,300.00	30,000.00
Department 402 - Water Pollution Control	305,300.00	-	305,300.00
Department 404 - Maintenance	134,900.00	140,100.00	275,000.00
Department 712 - Employee Benefits	28,400.00	34,600.00	63,000.00
	<u>747,300.00</u>	<u>710,300.00</u>	<u>1,457,600.00</u>

To:	General	Water	Total
Department 121 - Chief Executive Office	7,400.00	7,600.00	15,000.00
Department 141 - Legal Administration	13,200.00	13,800.00	27,000.00
Department 151 - Human Resources	64,200.00	66,800.00	131,000.00
Department 212 - Command Center	23,800.00	46,200.00	70,000.00
Department 701 - Debt Service	428,900.00	-	428,900.00
Department 741 - Special Agreements & Programs	209,800.00	287,900.00	497,700.00
Department 831 - Riverfront	-	288,000.00	288,000.00
	<u>747,300.00</u>	<u>710,300.00</u>	<u>1,457,600.00</u>

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, Agenda Items #10K, "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 219-CSL", #10L "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 697-DC" and #10M "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 657-C1" were consolidated and considered together.

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
CWF NO. 219-CSL**

To: District Board

December 4, 2017

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the CWF 219-CSL Project Loan and Project Grant Agreement, Interim Funding Obligation and Project Loan Obligation to the State of Connecticut for CWF No. 219-CSL having a principal amount of \$29,910,420.75 and having an interest rate of 2.00%.

The low interest loan will fund the construction of a relief sewer which will convey excess sewage flow to the Rocky Hill water pollution control facility which otherwise may be released from the Goff Brook Overflow Structure to Goff Brook.

The State of Connecticut, through the Clean Water Fund Program, will provide \$29,910,420.75 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 December 4, 2017, it was:

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

RESOLUTION OF THE DISTRICT BOARD WITH RESPECT TO THE ISSUANCE OF INTERIM FUNDING OBLIGATIONS AND PROJECT LOAN OBLIGATIONS PURSUANT TO THE CWF NO. 219-CSL PROJECT LOAN AND PROJECT GRANT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE METROPOLITAN DISTRICT UNDER THE CLEAN WATER FUND PROGRAM

RESOLVED:

Section 1. The Chairman and the District Treasurer or Deputy Treasurer are authorized to execute and deliver the CWF No. 219-CSL 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. 219-CSL in the aggregate amount not to exceed \$29,910,420.75. 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. 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,

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING
CWF NO. 697-DC**

To: District Board

December 4, 2017

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the CWF 697-DC Project Loan and Project Grant Agreement, Interim Funding Obligation and Project Loan Obligation to the State of Connecticut for CWF No. 697-DC having a principal amount of \$15,019,749.60 and having an interest rate of 2.00%.

The low interest loan and grant will fund the refurbishing of many aspects of the Hartford wastewater treatment plant, including sludge processing, odor control, regional sludge receiving and a new fats, oils and grease receiving facility.

The State of Connecticut, through the Clean Water Fund Program, will provide \$18,774,687.00 in state funding with approximately \$3,754,937.40 in grants and \$15,019,749.60 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 December 4, 2017, 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 and the District Treasurer or Deputy Treasurer are authorized to execute and deliver the CWF No. 697-DC 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. 697-DC in the aggregate amount not to exceed \$15,019,749.60. 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. 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,

John S. Mirtle, Esq.
District Clerk

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

To: District Board

December 4, 2017

From: Board of Finance

Staff seeks approval from your Board to execute and deliver the First Amendment to Project Loan and Grant Agreement CWF 657-C1, Interim Funding Obligation and Project Loan Obligation to the State of Connecticut for CWF No. 657-C1 having a principal amount of \$153,789,886.83 and having an interest rate of 2.00%. This is an increase of \$5,797,157.39 in principal amount of the loan and an increase of \$1,039,608.97 in the grant under CWF No. 657-C.

The low interest loan and grant will fund the construction of new headworks, dual use primary clarifiers, wet weather treatment disinfectant and odor control at the Hartford wastewater treatment plant and the construction of modifications and upgrades to the Rocky Hill wastewater treatment plant, including modifications to the biological nutrient removal system for effluent nitrogen reduction, modifications to

various parts of the plant for increased hydraulic capacity and upgrades to various parts of the plant which are nearing the end of their respective useful lives.

The State of Connecticut, through the Clean Water Fund Program, will now provide \$226,244,832.96 in state funding with approximately \$72,454,946.13 in grants and \$153,789,886.83 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 December 4, 2017, it was:

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

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. 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 \$153,789,886.83. 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. 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,

John S. Mirtle, Esq.
District Clerk

MEMORANDUM

TO: Board of Finance
The Metropolitan District

FROM: Ernest M. Lorimer
(Soeder & Associates, L.L.C.)

Joseph A. Vitale
(Hinckley, Allen & Snyder, LLP)

DATE: December 11, 2017

SUBJECT: Revisions to form of Project Loan and Grant Agreements

The Office of the Attorney General recently requested revisions to the form of Clean Water Fund Project Loan and Grant Agreements between the Department of Energy and Environmental Protection ("DEEP") and various municipalities (the "Agreements"), with the intent of making the Agreements conform with the form of agreement used by the Department of Administrative Services in other contexts. Bond counsel requested that certain of the provisions of the old form be restored and that other provisions, particularly those relating to annual Project Loan Obligations, be revised. The requested changes have been made. A copy of the amendment to CWF 657-C1, pertaining to the South Storage Conveyance Tunnel, is attached.

We expect all Program Agreements, including the other agreements being presented at the District's board meetings on December 4 and agreements under the Drinking Water program, to conform to these changes.

Some of the more significant changes are:

- Section 2.1 provides a more accurate description of the Project.
- Section 2.2 increases the loan by \$5,797,157.39 in principal amount of the loan and increases the grant by \$1,009,608.97.
- Section 4.3 clarifies that there may be increases to the principal amount of the loan and that there may be more than one Interim Funding Obligation and more than one Project Loan Obligation, and these may either be general obligation indebtedness, or secured by a dedicated repayment source, for example, the sewer user charge.
- Section 7.3 and 7.12 clarify the ability of the State to make physical inspections and to audit the books and records of the District, its contractors and its subcontractors with respect to the Project.
- Section 7.8 has been updated to conform the nondiscrimination provisions to current law. Similarly, Section 7.9 has been updated to include the incorporation of the appropriate Executive orders of the Governor.
- Section 7.20 adds a section wherein the parties acknowledge that the Agreement and materials related to it are generally subject to the freedom of information act, however, DEEP agrees to consider to keep material the District deems confidential as such, to the extent allowed by law.
- Section 10.14 adds a provision allowing the State to set off any costs or expenses it incurs as a result of any nonperformance BY THE District against amounts otherwise due from the State to the District.
- Section 10.15 adds a notice and cure period.

FIRST AMENDMENT

CWF NO. 657-C1

TO PROJECT LOAN AND PROJECT GRANT AGREEMENT CWF NO. 657-C
BETWEEN THE STATE OF CONNECTICUT AND THE METROPOLITAN
DISTRICT COMMISSION

UNDER THE CLEAN WATER FUND PROGRAM

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FIRST AMENDMENT

CWF NO. 657-C1

TO PROJECT LOAN AND PROJECT GRANT AGREEMENT CWF NO. 657-C
BETWEEN THE STATE OF CONNECTICUT AND THE METROPOLITAN DISTRICT
COMMISSION

UNDER THE CLEAN WATER FUND PROGRAM

THIS AGREEMENT, made and concluded at Hartford, Connecticut, this _____ day of _____, 2017, by and between the State of Connecticut (the "State"), acting herein by the Commissioner of the Department of Energy and Environmental Protection (the "DEEP"), duly authorized under the provisions of Connecticut General Statutes, Section 22a-6(a)(2) and The Metropolitan District Commission (the "Municipality"), a municipal corporation.

WITNESSETH, THAT

WHEREAS, the State and the Municipality previously have entered into a Project Loan and Project Grant Agreement, No. CWF 657-C, dated June 30, 2015 ("Agreement") to finance the Project; and

WHEREAS, the Municipality issued an Interim Funding Obligation in the amount of \$147,992,729.44 dated July 10, 2015; and

WHEREAS, the revised Project Grant amount is \$ 72,454,946.13 and the revised Project Loan amount is \$ 153,789,886.83 and the Municipality intends to draw down the revised Project Grant and Project Loan in order to complete the Project; and

NOW THEREFORE, KNOW YE THAT:

WHEREAS, the Municipality is now initiating its Project (as described herein in Section 2.1). The Municipality and the State mutually agree:

SECTION 1-DEFINITIONS AND AMENDMENTS TO DEFINITIONS

Section 1.1. Capitalized terms used herein and not defined are used as defined in the Agreement.

Section 1.2. Section 1 of the Agreement remains unchanged except for the following which are new, amended or inserted in lieu of:

For the purposes of this Agreement, the following words and terms shall have the respective meanings set forth as follows:

"Advance" means each disbursement of Project Loan and Project Grant proceeds as set forth in Section 4.4 hereof, the form of request for which is shown in **Exhibit VII**.

"DAS" means the Department Administrative Services.

"Facilities Plan" means an engineering document by which the Project has been justified including, but not limited to, a sewer service area map. The Master Plan Rocky Hill WPCF and its supplement are both dated April 2011. The Long Term Combined Sewer Overflow Control Plan 2012 Update is dated December 4, 2012.

“Records” means all working papers and such other information and materials as may have been accumulated by the Municipality or the Municipalities Contractor in performing the Contract, including but not limited to, documents, data, plans, books, computations, drawings, specifications, notes, reports, records, estimates, summaries and correspondence, kept or stored in any form.

“State Act” shall mean Sections 22a-475 to 483, inclusive, of the Connecticut General Statutes, as amended.

SECTION 2 -AMENDMENT TO THE PROVISIONS OF THE AGREEMENT

- 1) Section 2.1 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 2.1 Project Description

The Project the construction of the upgrades at the Rocky Hill WPCF and the Hartford WPCF. The Rocky Hill WPCF upgrades will include modifications to the plant's biological nutrient removal systems for effluent nitrogen reduction, modifications to various parts of the plant for increased hydraulic capacity, and upgrades to various parts of the plant which are nearing the end of their useful life. In addition, the Rocky Hill modifications will includes the outfall and interceptor rehabilitation. The Hartford WPCF upgrades include new headworks, dual use primary clarifiers, wet weather treatment disinfection and odor control. The project includes all modifications or amendments which are approved by the Commissioner. The Project will be owned and operated by the Municipality.

- 2) Section 2.2 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 2.2 Eligible Project Costs

The maximum allowable amount of the estimated Total Project Costs and Eligible Project Costs and sources of payment for such costs are set forth below:

Total Project Costs:	\$ 227,419,963.32
Funds from Other Sources:	\$ 0.00
Local Share:	<u>\$ 1,175,130.36</u>
Eligible Project Costs:	\$ 226,244,832.96
Amount of Project Grant:	\$ 72,454,946.13
Amount of Project Loan	\$ 153,789,886.83

The Amount of Project Grant is calculated per Section 3.1.

A list of the Total Project Costs is set forth in the Project Budget to which the Municipality must adhere in aggregate, attached hereto as **Exhibit VI**, and incorporated herein by reference.

Before delivery of any Project Loan Obligation, the Municipality shall provide a completed Closing Statement, as required in Section 6.1(b); the form of which is set out as **Exhibit VIII** to this Agreement.

- 3) Section 3.1 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 3.1 The Project Grant

Subject to the terms and conditions of this Agreement, the State agrees to grant to the Municipality an amount not to exceed the Project Grant amount as set forth in Section 2.2 of this Agreement. The grant amount shall be determined in accordance with Connecticut General Statutes Section 22a-478(c) and DEEP regulations by identifying grant eligible costs, categorizing grant eligible costs by grant category (e.g., denitrification, infiltration/inflow, etc.) and applying the percentage of grant applicable to each grant category.

Pursuant to Section 10.10, the State's obligation to make the Project Grant shall terminate unless the conditions precedent to funding the Project Grant set forth in Section 6.1 of this Agreement and in **Exhibit IX** are satisfied.

- 4) Section 4.1(a) of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 4.1(a) The Loan Commitment

(a) Subject to the terms and conditions of this Agreement, the State agrees to lend to the Municipality, and the Municipality agrees to borrow from the State, an amount not to exceed the amount of the Project Loan as set forth in Section 2.2 hereof. The Project Loan shall bear interest at the rate of 2% per annum as more fully described in Section 4.3 hereof. Interest on any Interim Funding Obligation shall be computed on the basis of a year of 360 days and the actual number of days elapsed. Interest on any Project Loan Obligation shall be computed on the basis of a year of 360 days and twelve 30-day months.

- 5) Section 4.1(b) of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 4.1(b) The Loan Commitment

(b) The amount of the Project Loan shall equal the Eligible Project Costs minus the Project Grant. The amount of the Project Loan may be increased by an amount equal to any reduction in the Project Grant required by Section 3.3 hereof, provided that such amount is for an Eligible Project Cost.

- 6) Section 4.3(a) of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 4.3(a) The Interim Funding Obligations and Project Loan

(a) The Municipality shall execute and deliver one or more Project Loan Obligations to evidence its obligation to repay the Project Loan. In anticipation of the issuance of any Project Loan Obligation, however, the Municipality may execute and deliver one or more Interim Funding Obligations, under which the Municipality may draw up to the amount of the Project Loan as set forth in Section 2.2 of this Agreement. Such draws shall be made in accordance with Section 4.4 of this Agreement. Any increase in the amount of the Project Loan as provided in Sections 4.1 and 4.2(a) of this Agreement shall be evidenced by the execution and delivery by the Municipality of an additional Interim Funding Obligation or Project Loan Obligation evidencing such increase. Each Interim Funding Obligation shall mature no later than six (6) months following the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum on the unpaid principal balance of each Project Loan Advance from the date of each such Project Loan Advance, shall be payable as to principal and interest on maturity, shall be dated and shall contain such terms and conditions as are required by law. Any existing Interim Funding Obligation may be refinanced when due by the execution and delivery of a new Interim Funding Obligation in an amount sufficient to refund the principal due on the Interim Funding Obligation to be refinanced and to provide that the unpaid interest on all prior Project Loan Advances shall continue to accrue from the date of each such prior Project Loan Advance, unless otherwise required by the State. Each Interim Funding Obligation or Project Loan Obligation shall be a general obligation of the Municipality for which the full faith and credit of the Municipality are pledged for the repayment of the Project Loan, or, to the extent not prohibited by law, shall be secured by a dedicated source for repayment of the Project Loan satisfactory to the State and not inconsistent with the Federal Act or the State Act.

- 7) Section 4.3(d) of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 4.3(d) The Interim Funding Obligations and Project Loan

(d) Any Interim Funding Obligation may be refunded by the execution and delivery of a subsequent Interim Funding Obligation issued if the State approves the inclusion of the design costs funded under this Agreement in a new Project Loan and Grant Agreement for construction costs related to the Project defined in Section 2.2.

- 8) Section 6.1 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 6.1 Written Documentation

(a) Prior to making the Project Loan and the Project Grant, the Municipality shall deliver to the State the following:

(1) Written assurance satisfactory to the Commissioner that the Municipality will undertake and complete the Project with due diligence;

(2) All applications and other documents and information required by the Commissioner, including but not limited to (a) plans and specifications prepared for the Project approved by the Commissioner, and (b) Facilities Plans and Sewer Service Area Map of the Project, and (c) written evidence that the Project is consistent with the Conservation and Development Plan;

(3) Written evidence that the Municipality has established an Account, as required by Section 3.4 and Section 4.4, in substantially the form as shown in **Exhibit XI** hereof;

(4) Written evidence that the Municipality has available to it or has made arrangements satisfactory to the Commissioner to obtain the necessary Local Share and Funds from Other Sources to pay that portion of Total Project Costs for which it is legally obligated which are not met by the Project Loan and Project Grant pursuant to Section 2.2;

(5) Written assurance that the Municipality will comply with the Audit requirements of Sections 7.12, 7.15 and 8.4 of this Agreement;

(6) Written assurance from the Municipality that it will require each Contractor who performs services on the Project to submit written proof to the Municipality that each Contractor has complied with the terms of Section 7.8 hereof and has obtained the insurance required by Section 7.10 of this Agreement, and that the Municipality will review the Contractor's written proof of insurance to ensure that it meets all the requirements of Section 7.10 of this Agreement;

(7) Evidence satisfactory to the State that the Municipality has addressed the conditions identified in **Exhibit IX** attached hereto and made a part hereof; and

(8) All properly executed forms and applications prescribed by the Commissioner pursuant to law. The execution and delivery of this Agreement by the Municipality to the State shall constitute the written assurances required by clauses (1), (3), (4), (5) and (6) above.

(b) Before delivery of each Project Loan Obligation, the Municipality shall provide a completed Closing Statement, the form of which is attached hereto as **Exhibit VIII**.

9) Section 6.4 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 6.4 Signature and No Litigation Certificate

Prior to the delivery of this Agreement, each Interim Funding Obligation and each Project Loan Obligation, the State shall have received from the Municipality a Signature and No Litigation Certificate satisfactory to the State.

10) Section 7.3 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 7.3 Audit and Inspection of Plants, Places of Business and Records

(a) The State and its agents, including, but not limited to, the Connecticut Auditors of Public Accounts, Attorney General and State's Attorney and their respective agents, may, at reasonable hours, inspect and examine all of the parts of the Municipality's plants and places of business which, in any way, are related to, or involved in, the performance of this Agreement.

(b) The Municipality shall maintain, and shall require each of the Municipality's contractors and subcontractors to maintain, accurate and complete Records. The Municipality shall make all of its and its contractors' and subcontractors' Records available at all reasonable hours for audit and inspection by the State and its agents.

(c) The State shall make all requests for any audit or inspection in writing and shall provide the Municipality with at least twenty-four (24) hours' notice prior to the requested audit and inspection date. If the State suspects fraud or other abuse, or in the event of an emergency, the State is not obligated to provide any prior notice.

(d) The Municipality will pay for all costs and expenses of any audit or inspection which reveals information that, in the sole determination of the State, is sufficient to constitute a breach by the Municipality under this Agreement. The Municipality will remit full payment to the State for such audit or inspection no later than 30 days after receiving an invoice from the State. If the State does not receive payment within such time, the State may setoff the amount from any moneys which the State would otherwise be obligated to pay the Municipality in accordance with the provisions of Section 10.14 of this Agreement.

(e) The Municipality shall keep and preserve or cause to be kept and preserved all of its Records until three (3) years after the later of (i) final payment under this Agreement, or (ii) the expiration or earlier termination of this Agreement, as the same may be amended for any reason. The State may request an audit or inspection at any time during this period. If any Claim or audit is started before the expiration of this period, the Municipality shall retain or cause to be retained all Records until all Claims or audit findings have been resolved.

(f) The Municipality shall cooperate fully with the State and its agents in connection with an audit or inspection. Following any audit or inspection, the State may conduct and the Municipality shall cooperate with an exit conference.

(g) The Municipality shall incorporate this entire Section verbatim into any contract or other agreement that it enters into with a contractor or subcontractor.

11) Section 7.8 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 7.8 Nondiscrimination

(a) For purposes of this Section, the following terms are defined as follows:

(1) "Commission" means the Commission on Human Rights and Opportunities;

(2) "Contract" and "contract" include any extension or modification of the Contract or contract;

(3) "Contractor" and "contractor" include any successors or assigns of the Contractor or contractor;

(4) "Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

(5) "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations;

(6) "good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements;

(7) "marital status" means being single, married as recognized by the state of Connecticut, widowed, separated or divorced;

(8) "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more such disorders;

(9) "minority business enterprise" means any small contractor or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of Connecticut General Statutes § 32-9n; and

(10) "public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the State, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees.

For purposes of this Section, the terms "Contract" and "contract" do not include a contract where each contractor is (1) a political subdivision of the state, including, but not limited to, a municipality, (2) a quasi-public agency, as defined in Conn. Gen. Stat. Section 1-120, (3) any other state, including but not limited to any federally recognized Indian tribal governments, as defined in Conn. Gen. Stat. Section 1-267, (4) the federal government, (5) a foreign government, or (6) an agency of a subdivision, agency, state or government described in the immediately preceding enumerated items (1), (2), (3), (4) or (5).

(b) The Municipality shall cause the following subsections to be included in the contract as set forth here as required by Section 4(a)(60) of the Connecticut General Statutes:

(1) The Contractor agrees and warrants that in the performance of the Contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut; and the Contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed

without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by the Contractor that such disability prevents performance of the work involved; (2) the Contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, to state that it is an "affirmative action equal opportunity employer" in accordance with regulations adopted by the Commission; (3) the Contractor agrees to provide each labor union or representative of workers with which the Contractor has a collective bargaining agreement or other contract or understanding and each vendor with which the Contractor has a contract or understanding, a notice to be provided by the Commission, advising the labor union or workers' representative of the Contractor's commitments under this section and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the Contractor agrees to comply with each provision of this Section and Connecticut General Statutes §§ 46a-68e and 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes §§ 46a-56, 46a-68e and 46a-68f; and (5) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Contractor as relate to the provisions of this Section and Connecticut General Statutes § 46a-56. If the contract is a public works contract, the Contractor agrees and warrants that he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works projects.

(c) Determination of the Contractor's good faith efforts shall include, but shall not be limited to, the following factors: The Contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The Contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

(e) The Contractor shall include the provisions of subsection (b) of this Section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes §46a-56; provided if such Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the Contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

(f) The Contractor agrees to comply with the regulations referred to in this Section as they exist on the date of this Contract and as they may be adopted or amended from time to time during the term of this Contract and any amendments thereto.

(g) (1) The Contractor agrees and warrants that in the performance of the Contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or the State of Connecticut, and that employees are treated when employed without regard to their

sexual orientation; (2) the Contractor agrees to provide each labor union or representative of workers with which such Contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such Contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the Contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the Contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said Commission pursuant to Connecticut General Statutes § 46a-56; and (4) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Contractor which relate to the provisions of this Section and Connecticut General Statutes § 46a-56.

(h) The Contractor shall include the provisions of the foregoing paragraph in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Connecticut General Statutes § 46a-56; provided, if such Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the Contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.).

12) Section 7.9 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 7.9 Executive Orders of the Governor

This Agreement is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices, Executive Order No. Seventeen of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings and Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and are made a part of this Agreement as if they had been fully set forth herein. This Agreement may also be subject to Executive Order No. 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services and to Executive Order No. 49 of Governor Dannel P. Malloy, promulgated May 22, 2015, mandating disclosure of certain gifts to public employees and contributions to certain candidates for office. If Executive Order 14 and/or Executive Order 49 are applicable, they are deemed to be incorporated into and made a part of this Agreement as if they had been fully set forth herein. At the Municipality's request, DEEP or DAS shall provide a copy of such orders to the Municipality.

13) Section 7.11 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 7.11 Indemnification

The Municipality agrees to indemnify and hold the State, its officials, agents and employees harmless from and against any and all claims, suits, actions, costs, and damages

resulting from the negligent performance or non-performance by the Municipality or any of its officials, agents, or employees of the Municipality's obligations under this Agreement, as it may be amended or supplemented from time to time. It is further understood that such indemnity shall not be limited by any insurance coverage which may be required herein.

- 14) Section 7.12 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 7.12 Audit Requirements for Recipients of State Financial Assistance

For purposes of this section 7.12 only, the word "Municipality" shall be deemed to mean "non-state entity," as that term is defined in Section 4-230 of the Connecticut General Statutes. The Municipality shall provide for an annual financial Audit acceptable to DEEP for any expenditure of State-awarded funds made by the Municipality. Such Audit shall include management letters and audit recommendations. The State Auditors of Public Accounts shall have access to all records and accounts for the fiscal year(s) in which the award was made. The Municipality will comply with federal and state single audit standards as applicable.

- 15) A new section 7.19 is added to the Original Agreement to read as follows:

Section 7.19 Confidential Information

DEEP will afford due regard to the Municipality's request for the protection of proprietary or confidential information which DEEP receives. However, all materials associated with the Contractor's bid and this Agreement are subject to the terms of the Connecticut Freedom of Information Act ("FOIA") and all corresponding rules, regulations and interpretations. In making such a request, the Municipality may not merely state generally that the materials are proprietary or confidential in nature and not, therefore, subject to release to third parties. Those particular sentences, paragraphs, pages or sections that the Municipality believes are exempt from disclosure under the FOIA must be specifically identified as such. Convincing explanation and rationale sufficient to justify each exemption consistent with the FOIA must accompany the request. The rationale and explanation must be stated in terms of the prospective harm to the competitive position of the Municipality that would result if the identified material were to be released and the reasons why the materials are legally exempt from release pursuant to the FOIA. To the extent that any other provision or part of this Agreement, especially including the Contractor's bid, the Records and the specifications, conflicts or is in any way inconsistent with this section, this section controls and shall apply and the conflicting provision or part shall not be given effect. If the Municipality indicates that certain documentation is submitted in confidence, by specifically and clearly marking said documentation as "CONFIDENTIAL," DEEP will endeavor to keep said information confidential to the extent permitted by law. DEEP, however, has no obligation to initiate, prosecute or defend any legal proceeding or to seek a protective order or other similar relief to prevent disclosure of any information that is sought pursuant to a FOIA request. The Municipality shall have the burden of establishing the availability of any FOIA exemption in any proceeding where it is an issue. In no event shall DEEP or the State have any liability for the disclosure of any documents or information in its possession which DEEP believes are required to be disclosed pursuant to the FOIA or other requirements of law.

- 16) Section 10.3 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 10.3 Sovereign Immunity

The parties acknowledge and agree that nothing in this Agreement shall be construed as a modification, compromise or waiver by the State of any rights or defenses of any immunities provided by Federal law or the laws of the State of Connecticut to the State or any of its officers and employees, which they may have had, now have or will have with respect to all matters arising out of this Agreement. To the extent that this section conflicts with any other section, this section shall govern.

- 17) Section 10.4 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 10.4 Forum and Choice of Law

The parties hereto deem this Agreement to have been made in the City of Hartford, State of Connecticut. The parties hereto further agree that it is fair and reasonable for the validity and construction of this Agreement to be, and it shall be, governed by the laws and court decisions of the State of Connecticut, without giving effect to its principles of conflicts of laws. To the extent that any immunities provided by Federal law or the laws of the State of Connecticut do not bar an action against the State, and to the extent that these courts are courts of competent jurisdiction, for the purpose of venue, the complaint shall be made returnable to the Judicial District of Hartford only or shall be brought in the United States District Court for the District of Connecticut only, and shall not be transferred to any other court, provided, however, that nothing here constitutes a waiver or compromise of the sovereign immunity of the State of Connecticut. The Municipality waives any objection which it may now have or will have to the laying of venue of any Claims in any forum and further irrevocably submits to such jurisdiction in any suit, action or proceeding.

- 18) Section 10.10 of the Original Agreement is renamed Section 10.10 Termination

Section 10.10 Termination

- 19) Section 10.12 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 10.12 Whistleblowing

This Agreement may be subject to the provisions of Section 4-61dd of the Connecticut General Statutes. In accordance with such statute, if an officer, employee or appointing authority of the Municipality takes or threatens to take any personnel action against any employee of the Municipality in retaliation for such employee's disclosure of information to any employee of the contracting state or quasi-public agency or the Auditors of Public Accounts or the Attorney General under the provisions of subsection (a) of such statute, the Municipality shall be liable for a civil penalty of not more than five thousand dollars for each offense, up to a maximum of twenty per cent of the value of this Agreement. Each violation shall be a separate and distinct offense and in the case of a continuing violation, each calendar day's continuance of the violation shall be deemed to be a separate and distinct offense. The State may request that the Attorney General

bring a civil action in the Superior Court for the Judicial District of Hartford to seek imposition and recovery of such civil penalty. In accordance with subsection (f) of such statute, the Municipality shall post a notice of the provisions of the statute relating to large state contractors in a conspicuous place which is readily available for viewing by the employees of the Municipality.

20) Section 10.13 of the Original Agreement is deleted in its entirety and the following is substituted in lieu thereof:

Section 10.13 Disclosure of Records

This Agreement may be subject to the provisions of section 1-218 of the Connecticut General Statutes. In accordance with such statute, each contract in excess of two million five hundred thousand dollars between a public agency and a person for the performance of a governmental function shall (a) provide that the public agency is entitled to receive a copy of records and files related to the performance of the governmental function, and (b) indicate that such records and files are subject to FOIA and may be disclosed by the public agency pursuant to FOIA. No request to inspect or copy such records or files shall be valid unless the request is made to the public agency in accordance with FOIA. Any complaint by a person who is denied the right to inspect or copy such records or files shall be brought to the Freedom of Information Commission in accordance with the provisions of sections 1-205 and 1-206 of the Connecticut General Statutes.

21) A new section 10.14 is added to the Original Agreement to read as follows:

Section 10.14 Setoff

In addition to all other remedies available hereunder, the State, in its sole discretion, may setoff (1) any costs or expenses that the State incurs resulting from the Municipality's unexcused nonperformance under this Agreement and under any other agreement or arrangement that the Municipality has with the State and (2) any other amounts that are due or may become due from the State to the Municipality, against amounts otherwise due or that may become due to the Municipality under this Agreement, or under any other agreement or arrangement that the Municipality has with the State. The State's right of setoff shall not be deemed to be the State's exclusive remedy for the Municipality's breach of this Agreement, all of which shall survive any setoffs by the State.

22) A new section 10.15 is added to the Original Agreement to read as follows:

Section 10.15 Breach

If either party breaches this Agreement in any respect, the non-breaching party shall provide written notice of such breach to the breaching party and afford the breaching party an opportunity to cure such breach within ten (10) days (unless a different number of days is stated in such written notice) from the date that the breaching party receives such notice. Such right to a cure period shall be extended if the non-breaching party is satisfied that the breaching party is making a good faith effort to cure but the nature of the breach is such that it cannot be cured within the right to cure period. Such notice may include a date this Agreement will terminate in the event the breach is not cured by the date stated in such notice and, unless otherwise notified by

the non-breaching party in writing prior to the termination date stated therein, no further action shall be required of any party to effect the termination of this Agreement on the termination date set forth in such notice. If the notice does not set forth an effective Agreement termination date, then the non-breaching party may terminate this Agreement by giving the breaching party no less than twenty four (24) hours' prior written notice. If the State believes that the Municipality has not performed according to this Agreement, the State may withhold payment pursuant to this Agreement, in whole or in part, pending resolution of such performance issue, provided that the State notifies the Municipality in writing prior to the date that the payment would have been due.

IN WITNESS WHEREOF, the parties hereto have caused this Project Loan and Project Grant Agreement to be duly executed as of the day and year first above written.

WITNESSES:

STATE OF CONNECTICUT DEPARTMENT OF
ENERGY AND ENVIRONMENTAL
PROTECTION

Robert J. Klee
Commissioner

Date

WITNESSES:

THE METROPOLITAN DISTRICT

By:

William A. Dibella
Chairman

Date

WITNESSES:

THE METROPOLITAN DISTRICT

By:

~~John M.~~ M. Zinzarella
~~Deputy~~ Deputy Chief Executive Officer of
Business Services/CFO/Treasurer

Date

By: _____
Associate Attorney General

Date

SECTION 3 AMENDMENTS TO THE ATTACHMENTS OF THE ORIGINAL AGREEMENT

- 1) Exhibit VI of the Original Agreement is deleted in its entirety, and the following Exhibit VI is inserted in lieu thereof.
- 2) Exhibit VII of the Original Agreement is deleted in its entirety, and the following Exhibit VII is inserted in lieu thereof.
- 3) Exhibit VIII of the Original Agreement is deleted in its entirety, and the following Exhibit VIII is inserted in lieu thereof.
- 4) Exhibit IX of the Original Agreement is deleted in its entirety, and the following Exhibit IX is inserted in lieu thereof.
- 5) Exhibit X of the Original Agreement is deleted in its entirety, and the following Exhibit X is inserted in lieu thereof.
- 6) Exhibit XI of the Original Agreement is deleted in its entirety, and the following Exhibit XI is inserted in lieu thereof.
- 7) Exhibit XII of the Original Agreement is deleted in its entirety.

Exhibit VI Budget

Budget Report

CWF#: 657-C

THE METROPOLITAN DISTRICT

<i>Category</i>	<i>Contractor</i>	<i>Contract #</i>	<i>Cost</i>	<i>Funds from Other Sources</i>	<i>Grant</i>	<i>Loan</i>	<i>Local Share</i>
CONSTRUCTION	CH Nickerson	2014B-14	44,190,835.36	0.00	9,245,363.34	33,977,466.66	967,805.36
	Carlin	2012-21	153,383,396.26	0.00	55,708,849.52	97,674,546.74	0.00
CONSTRUCTION ADMIN	Hazen and Sawyer	Rocky Hill	4,895,540.00	0.00	1,047,156.01	3,848,383.99	0.00
	Arcadis	Dual Use	7,537,687.00	0.00	2,737,687.92	4,799,999.08	0.00
INTEREST			3,000,000.00	0.00	0.00	3,000,000.00	0.00
CONTINGENCY		2014B-14	2,775,523.81	0.00	593,684.54	2,181,839.27	0.00
		2012-21	7,368,613.34	0.00	2,676,280.37	4,692,332.97	0.00
Engineering Services		2016B-04	317,876.00	0.00	34,902.78	282,973.22	0.00
CONSTRUCTION		2016B-04	3,772,436.00	0.00	391,449.19	3,173,661.81	207,325.00
CONTINGENCY		2016B-04	178,255.55	0.00	19,572.46	158,683.09	0.00
<i>Totals:</i>			227,419,963.32	0.00	72,454,946.13	153,789,886.83	1,175,130.36

Exhibit VII Form of Request for Advance**UNDER THE INTERIM FUNDING OBLIGATION**

The ***** (the "Municipality") hereby requests that an advance be made to the Municipality upon the \$_____ Interim Funding Obligation issued by the Municipality to the State pursuant to the Project Loan and Project Grant Agreement No. _____, entered into between the Municipality and the State, dated _____, (the "Project Loan Agreement") 20____, in the amount of \$_____ to be made by the 13th business day of the month, or such other date as designated by the State. The Municipality requires such advance to pay Total Project Costs as defined in the Project Loan Agreement.

The Municipality hereby represents that (i) no default or any event that, but for the giving of notice or lapse of time or both, would constitute an event of default has occurred or is continuing under the Project Loan Agreement and (ii) the representations contained in the Project Loan Agreement are true and correct as of the date hereof.

By _____
Authorized Officer

Exhibit VIII Closing Statement

State of Connecticut Department of Energy and Environmental Protection
Clean Water Fund Project Loan Obligation CWF # ***-**-**

Municipality: *****

Execution Date: xx/xx/xxxxLoan Advances received prior to / / \$ - 0 -Loan Advances deposited today* - 0 -Accrued Interest through / / ** - 0 -Amount of Project Loan Obligation \$ - 0 -

* This amount has been deposited today by the State in the Municipality's Account.

** Interest accrued on Interim Funding Obligations through / / is \$ - 0 -, of which
\$ - 0 - has been funded by the \$ - 0 - Project Loan Obligation.

[The balance of \$ - 0 - has been paid by the Municipality separately today by check or
wire.]

The Municipality acknowledges that the loan advance identified above, made on / / is
for Project Costs due and payable within 30 days of the closing date for the following:

	<u>Grant</u>	<u>Loan</u>
Construction	\$ - 0 -	\$ - 0 -
Legal	\$ - 0 -	\$ - 0 -

The Municipality may not withdraw any funds from the account until invoices for such services
have been submitted to DEEP.

The Municipality also acknowledges that any unspent loan advances remaining in the Account
as of / / must be returned to OTT by or within days of to be
applied to prepayment of the Project Loan Obligation.

Grant Advances made prior to / / \$ - 0 -Grant Advances to be deposited* \$ - 0 -

* This amount has been deposited today by the State in the Municipality's Account.

Any unspent grant advanced funds remaining in the account as of / / must be returned to
OTT by or within days of and will be reallocated at the discretion of
the State.

Funding Summary:

	Item #	Date	\$\$ GRANT	\$\$ LOAN	Local Share/ Other Financing	\$\$ Total
Bond Commission Approval:						
Bond Commission Approval:						
<i>Total approved by Bond Commission</i>						
Contract Totals (IFO):						
Final Costs (PLO):						
Bond Commission totals less PLO values = Amounts to decommit:						

Please note that as of / / the State will de-commit the remaining unused loan amount of \$ - 0 - and unused grant amount of \$ - 0 - .

Dated this / / .

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND
ENVIRONMENTAL PROTECTION

By _____

By _____

Title: _____

Title: _____

CC: Susan Hawkins, Department of Energy and Environmental Protection
Pooran Singh, Office of the State Treasurer
Marie Moylan Hoadley, Office of the State Treasurer

Exhibit IX Conditions Precedent**Conditions Precedent**

Refer to Section VI of the Agreement for conditions precedent to the obligation of the State to make the Project Loan.

Notwithstanding anything contained in the Agreement to the contrary, the Municipality shall not be entitled to a Project Loan Advance, unless and until the Municipality has delivered satisfactory documentation to the State, evidencing the Municipality's compliance with the requirements of the Act, the Federal Act and all other applicable state and federal laws and regulations pertaining to the Project. Such documentation shall include, but not be limited to, the outstanding submittals below and shall be reviewed and approved by the Commissioner of DEEP in writing.

Required Documentation:

Date to be provided:

No additional conditions precedent at the time of this Agreement.

Acknowledged by: _____

Print Name:

Title:

Date:

Exhibit X Insurance Requirements**INSURANCE AND RISK MANAGEMENT BOARD RECOMMENDATIONS
FOR MINIMUM INSURANCE REQUIREMENTS****Insurance Guidelines (Limits and Scope)**

Before commencing work, the Municipality shall require each Contractor who works on the Project to obtain, at its own cost and for the duration of the contract, the following insurance:

1. Commercial General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. Coverage shall include Premises and Operations, Independent Contractors, Products and Completed Operations, Contractual Liability and Broad Form Property Damage coverage. If a general aggregate is used, the general aggregate limit shall apply separately to the project or the general aggregate limit shall be twice the occurrence limit.
2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury. Coverage extends to owned, hired and non-owned automobiles. If the Contractor does not own an automobile, but one is used in the execution of the contract, then only hired and non-owned coverage is required. If a vehicle is not used in the execution of the contract then automobile coverage is not required.
3. Workers' Compensation and Employers Liability: Statutory coverage in compliance with the Compensation laws of the State of Connecticut. Coverage shall include Employer's Liability with minimum of \$100,000 each accident, \$500,000 Disease – Policy limit, \$100,000 each employee.
4. Professional Liability: \$1,000,000 each occurrence.

Insurance Provisions

- A. The Municipality and State of Connecticut, its officers, officials, employees, agents, boards and commissions shall be named and endorsed as an Additional Insured.
- B. Contractor shall assume any and all deductibles in the described insurance policies.
- C. The Contractor's insurer shall have no right of recovery or subrogation against the Municipality or the State of Connecticut and the described insurance shall be primary coverage.
- D. Each required insurance policy shall not be suspended, voided, cancelled or reduced except after 30 days prior written notice by certified mail, has been given to the Municipality.
- E. "Claims Made" coverage is unacceptable, with the exception of Professional Liability.
- F. Insurance is to be placed with insurers with a current AM Best Rating of no less than A-, VII.
- G. Contractor shall include all subcontractors as insured under its policies or shall obtain separate certificate of insurance evidencing insurance requirements herein.
- H. Contractor shall furnish to Municipality a certificate of insurance prior to commencement of work.

Exhibit XI Authorization for ACH Payments**INSTRUCTIONS FOR REQUESTING PAYMENTS ELECTRONICALLY**

Thank you for your interest in the Comptroller's Vendor Direct Deposit (ACH) Program. Attached please find the Vendor Direct Deposit (ACH) Election Form for Clean Water Funds. You should only submit this form when instructed to do so by a representative of either the State Treasurer's Office, Department of Energy and Environmental Protection (DEEP), or Department of Public Health.

Please provide a completed IRS Form W-9 (Request for Taxpayer Identification Number and Certification). This is a federal form that certifies the Taxpayer Identification Number (Federal Employer Identification Number or Social Security Number). This form allows us to make sure the information recorded in our Vendor File is current. You may access a fillable version of the form at www.irs.gov/pub/irs-pdf/fw9.pdf.

If the account type is a checking account, attach a voided check to the Vendor Direct Deposit (ACH) Election Form. For accounts which you do not write checks from please include a letter from your bank which shows the ABA routing number, account number, and the name(s) on the account.

Keep a copy of the Vendor Direct Deposit (ACH) Election Form for your records. You must inform the ACH/VSS Unit of any changes to the information provided in writing to the below address or by email to osc.apdvf@ct.gov. Please return completed forms to:

Office of the State Comptroller
Accounts Payable Division ACH/VSS Unit
55 Elm Street 6th Floor
Hartford, CT 06106-1775

If you choose to participate in this program:

- Altered forms will not be accepted. You must submit a signed copy of this form along with a signed W-9 and one form of account verification (Voided Check, Deposit Slip, Bank Letter).
- Upon approval, all clean water payments from the State of Connecticut issued by the Office of the State Comptroller Accounts Payable Division will be deposited electronically to the bank account you designate.
- Remittance information may be viewed by accessing our accounting system through Vendor Self-Serve (VSS). Please visit our website at www.osc.ct.gov/vendor/ for information on the VSS system. When we receive your completed Vendor Direct Deposit (ACH) Election Form we will contact you regarding a User ID and password for VSS. Additionally, your financial institution may provide you with addenda information at the time of deposit. Contact your financial institution for more information on receiving electronic addenda.
- Your financial institution's ability to receive payments from us and properly credit your account will be verified with the transmission of a test transaction to your account. Further instructions will be sent to the contact email you list in the form's VSS field. They will describe how to validate your ACH (EFT) test transaction. Failure to follow these instructions may delay your participation in this program. Once you have confirmed receipt of all test data, including accessing the remittance information in VSS, please contact the ACH/VSS Unit at (860) 702-3409 or by email at osc.apdvf@ct.gov.
- Changes to your bank account information can only be authorized by the individuals listed on the Vendor Direct Deposit (ACH) Election Form. To request changes to the authorized individuals please contact the ACH/VSS Unit at osc.apdvf@ct.gov.
- To process a change to your destination account number or financial institution you will need to submit another application package with the new information. Changes can take up to a week from the receipt of the form. To stop payment to a closed account immediately contact the ACH/VSS Unit by email at osc.apdvf@ct.gov.
- When contacting us by email, always include the ACH(EFT) in the subject line.

Thank you for your interest in this program.

On motion made by Commissioner Salemi and duly seconded, the reports for resolutions #10K "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 219-CSL", #10L "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 697-DC" and #10M "APPROVAL FOR STATE OF CONNECTICUT FINANCING CWF NO. 657-C1" were received and the resolutions adopted by unanimous vote of those present.

**BOARD OF FINANCE
CLOSEOUT OF WATER, SEWER AND COMBINED PROGRAMS
WATER CAPITAL PROJECT PROGRAMS**

To: District Board

December 4, 2017

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Proj. Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance
WAT.CW1371.01	2013	2113	2013 CWP-CAPITAL AVE	Hartford	270,000.00	7,869.91	262,130.09
		2113 Total			270,000.00	7,869.91	262,130.09
WAT.CW1233.01	2008	2208	General Purpose Water Program	Various	1,100,000.00	890,000.00	210,000.00
WAT.CW1240.01	2008	2208	2008 Watershed Road Rehabilitation	Barkhamsted	800,000.00	797,537.62	2,462.38
		2208 Total			1,900,000.00	1,687,537.62	212,462.38
WAT.CW1244.02	2010	2209	2010-Broad Street	Hartford	900,000.00	650,097.32	249,902.68
		2209 Total			900,000.00	650,097.32	249,902.68
CWN0001112	2000	2304	2000 DAM SAFETY IMPR	West Hartford	5,000,000.00	4,996,070.74	3,929.26
		2304 Total			5,000,000.00	4,996,070.74	3,929.26
WAT.CW1271.01	2010	2320	2010WatrMain WetherA	Hartford	300,000.00	0	300,000.00
WAT.CW1279.01	2010	2320	2010WaterMain Warner	Hartford	3,420,000.00	3,419,997.00	3.00
WAT.CW1280.01	2010	2320	2010WaterMain Bond S	Hartford	678,000.00	0	678,000.00
WAT.CW1315.01	2011	2320	2011 CWP-WMR	Various	290,798.00	273,739.66	17,058.34
WAT.CW1315.20	2011	2320	2011 CWP-WMR A	Hartford	2,151,473.43	2,151,383.08	90.35
WAT.CW1315.30	2011	2320	2011 CWP-WMR FRA	Hartford	1,307,728.57	1,304,821.27	2,907.30
WAT.CW1316.02	2011	2320	2012 CWP-ENFIELD ST	Hartford	120,000.00	0	120,000.00
WAT.CW1317.01	2011	2320	2011CWP GREENFIELD S	Hartford	240,000.00	0	240,000.00
WAT.CW1318.01	2011	2320	2011 CWP-MAGNOLIA ST	Hartford	575,000.00	0	575,000.00
WAT.CW1319.01	2011	2320	2011 CWP ALBANY AVE	Hartford	150,000.00	0	150,000.00
WAT.CW1325.01	2011	2320	2011 CWP WETHERSFIEL	Hartford	60,000.00	0	60,000.00
WAT.CW1326.01	2011	2320	2011 CWP PARK RIVER	Hartford	117,000.00	0	117,000.00
WAT.CW1327.01	2011	2320	2011 CWP NORTH BEACO	Hartford	1,060,000.00	0	1,060,000.00
WAT.CW1336.01	2012	2320	2012 CWP SMAPLE E HA	Hartford	2,750,000.00	2,747,129.02	2,870.98
WAT.CW1347.01	2012	2320	2012 WPS CANAL WH	West Hartford	1,779,000.00	1,552,524.24	226,475.76
		2320 Total			14,999,000.00	11,449,594.27	3,549,405.73
WAT.CW1199.01	2008	2324	2008 Water Supply Facility Improvements	Barkhamsted	2,200,000.00	1,806,548.66	393,451.34
		2324 Total			2,200,000.00	1,806,548.66	393,451.34
WAT.CW1214.01	2007	2330	2007 Tower Ave Water	Hartford	3,595,000.00	2,976,300.68	618,699.32
WAT.CW1238.01	2007	2330	2007 Cedar St Htfd	Hartford	1,040,000.00	951,363.97	88,636.03
		2330 Total			4,635,000.00	3,927,664.65	707,335.35
		2331 Total			3,560,000.00	698,826.34	2,861,173.66
WAT.CW1207.01	2008	2333	2008 Farmington Ave	Hartford	1,000,000.00	642,624.53	357,375.47
		2333 Total			1,000,000.00	642,624.53	357,375.47
WAT.CW1197.01	2008	2337	2008 WH Security	West Hartford	2,500,000.00	2,488,492.24	11,507.76
		2337 Total			2,500,000.00	2,488,492.24	11,507.76
WAT.CW1357.01	2012	2340	2012 WATER REHAB PRG	Various	1,500,000.00	641,175.25	858,824.75
WAT.CW1313.02	2011	2340	2011 COLLINSVILLE WTPF	Collinsville	24,560.00	23,090.09	1,469.91
		2340 Total			1,524,560.00	664,265.34	860,294.66
WAT.CW1305.01	2011	2341	2011 LAND ACQUISITION	Various	300,000.00	-	300,000.00
		2341 Total			300,000.00	-	300,000.00
		Grand Total			38,788,560.00	29,019,591.62	9,768,968.38

At a meeting of the Board of Finance held on November 8, 2017, it was:

It is **RECOMMENDED** that it be

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
CLOSEOUT OF WATER, SEWER AND COMBINED PROGRAMS
SEWER CAPITAL PROJECT PROGRAMS**

To: District Board

December 4, 2017

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Proj. Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance
WWA.CS1144.01	2007	5107	2007 Mansfield St.	Hartford	1,000,000.00	1,000.00	999,000.00
		5107 Total			1,000,000.00	1,000.00	999,000.00
WWA.CS1136.01	2008	5108	2008 GPS Program	Various	521,561.00	181,976.42	339,584.58
WWA.CS1143.01	2008	5108	2008 Cedar St Htfd	Hartford	1,200,000.00	978,811.80	221,188.20
		5108 Total			1,721,561.00	1,160,788.22	560,772.78
WWA.CS1133.01	2009	5109	2009 GPSP	Various	1,322,200.00	1,143,342.87	178,857.13
WWA.CS1145.01	2009	5109	2009 Cedar St. Htfd	Hartford	1,400,000.00	1,140,492.74	259,507.26
WWA.CS1160.01	2009	5109	Erosion Slope Repair	Hartford	284,800.00	129,689.99	155,110.01
WWA.CS1163.01A	2011	5109	2011 General Purpose Sewer	Various	74,422.14	51,186.00	23,236.14
WWA.CS1163.11	2011	5109	2011 General Purpose Sewer	Various	422,707.00	358,106.00	64,601.00
WWA.CS1163.20	2011	5109	2011 GPS EH High St	East Hartford	1,502,870.86	1,377,517.94	125,352.92
		5109 Total			5,007,000.00	4,200,335.54	593,474.40
WWA.CS1218.01	2013	5113	2013 WPC EQPMT REFRB	Various	1,260,000.00	1,199,671.32	60,328.68
WPC.EQ0014.02	2014	5113	2014 WPC Renw&Replac	Various	2,250,000.00	2,185,159.61	64,840.39
		5113 Total			3,510,000.00	3,384,830.93	125,169.07
WWA.CSA445.01	2008	5630	2008 Orchard Road WH	West Hartford	600,000.00	237,263.37	362,736.63
WWA.CSA442.01	2009	5630	2009 Assessable Sew	Various	170,266.60	170,266.60	0.00
WWA.CSA448.01	2009	5630	2009 -1200 Wind. Ave	Hartford	911.34	911.34	0.00
WWA.CSA447.01	2010	5630	2010 -1037 Wind. Ave	Hartford	125,400.00	108,271.32	17,128.68
WWA.CSA446.01	2010	5630	2010 Assessable Sewer	Various	128,600.00	0	128,600.00
		5630 Total			1,025,177.94	516,712.63	508,465.31
WWA.CS1166.01	2011	5680	2011 WPC E&F REFURB	Various	1,200,000.00	1,152,780.06	47,219.94
WWA.CS1186.01	2012	5680	2012 WPC EQ & FAC RE	Various	1,200,000.00	1,002,067.42	197,932.58
		5680 Total			2,400,000.00	2,154,847.48	245,152.52
WWA.CS1137.01	2008	5738	2008 SCADA System	Various	2,500,000.00	2,420,666.96	79,333.04
		5738 Total			2,500,000.00	2,420,666.96	79,333.04
WWA.CS1159.01	2008	5741	Goff Brook South Branch	Hartford	1,621,519.61	1,401,196.09	220,323.52
WWA.CS1168.01	2008	5741	Goff Brook - South Branch Phase II	Hartford	3,208,000.00	3,140,994.67	67,005.33
WWA.CS1131.01	2009	5741	2009 CMOM Compli	MDC	1792000	1506261.31	285,738.69
		5741 Total			6621519.61	6048452.07	573,067.54
SSO0000004	2006	5800	2006 SSO - Rocky Hil	Rocky Hill	5,000,000.00	3,847,284.59	1,152,715.41
SSO0000005	2006	5800	2006 SSO - Weth.	Wethersfield	5,000,000.00	4,828,753.86	171,246.14
SSO0000006	2006	5800	2006 SSO - Windsor	Windsor	5,000,000.00	3,762,238.43	1,237,761.57
		5800 Total			15,000,000.00	12,438,276.88	2,561,723.12
WWA.CS1176.01	2012	5803	2012 S 4 MILE RD WH	West Hartford	4,905,000.00	4,904,464.33	535.67
WWA.CS1216.01	2013	5803	2013 SWR REHAB PRGM	Various	2,500,000.00	2,008,743.87	491,256.13
		5803 Total			7,405,000.00	6,913,208.20	491,791.80
		Grand Total			46,190,258.55	39,239,118.91	6,951,139.64

At a meeting of the Board of Finance held on November 8, 2017, it was:

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
CLOSEOUT OF WATER, SEWER AND COMBINED PROGRAMS
COMBINED CAPITAL PROJECT PROGRAMS**

To: District Board

December 4, 2017

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Proj. Definition	Year	BA	Project Description	Town	Budget	Expended Amount	Remaining Balance
COM.CFP180.01	2013	5613	2013 FLEET REPALCMNT	MDC	1,100,000.00	1,046,792.29	53,207.71
		5613 Total			1,100,000.00	1,046,792.29	53,207.71
COM.CFP145.01	2008	5651	ADA Handicapped Access Ir	MDC	500,000.00	291,556.56	208,443.44
		5651 Total			500,000.00	291,556.56	208,443.44
COM.CFP144.01	2009	5652	2009 Cap.Equip.Rep.	MDC	1,877,000.00	1,546,827.47	330,172.53
		5652 Total			1,877,000.00	1,546,827.47	330,172.53
		Grand Total			3,477,000.00	2,885,176.32	591,823.68

At a meeting of the Board of Finance held on November 8, 2017, it was:

It is **RECOMMENDED** that it be

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
CLOSEOUT OF CLEAN WATER PROGRAMS
CLEAN WATER FUND PROJECT PROGRAMS**

To: District Board

December 4, 2017

From: Board of Finance

The District has undertaken the task of updating its Clean Water Fund Program records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Proj. Definition	Year	BA	Project Description	Budget	Expended Amount	Remaining Balance
CW1.FSSFAR.06	2007	5300	Farmington Proj #6	\$ 8,191,515.15	\$ 8,191,515.15	\$ -
CW1.MGMPMC.15	2007	5300	2015 CWP PMC / CDM	6,125,657.96	6,125,657.96	-
CW1.SSOGEN.11	2007	5300	SSO Pilot Study	3,333,591.26	3,333,591.26	-
CW1.SSONWT.01	2007	5300	2012 SSO-Newington	3,409,832.12	3,409,832.12	-
CW1.SSONWT.02	2007	5300	2012 Newinton Lining	6,087,908.08	6,087,908.08	-
CW1.SSOWHA.01	2007	5300	2012 W. Hartford PR	1,577,096.29	1,577,096.29	-
CW1.SSOWHA.02	2007	5300	2012 SSO Pilot E- WH	2,047,087.39	2,047,087.39	-
CW1.SSOWHA.04	2007	5300	2012 Four Mile Rd	2,689,904.58	2,689,904.58	-
CW1.SSOWND.01	2007	5300	2012 SSO-Windsor	2,669,498.47	2,669,498.47	-
CW1.SSOWTH.01	2007	5300	2011 SSO-Wthersfield	4,204,575.71	4,204,575.71	-
CW1.SSOWTH.03	2007	5300	2012 SSO Pilot D-Wet	2,286,152.78	2,286,152.78	-
CW1.SSSPAR.07	2007	5300	Retreat Avenue	9,331,401.93	9,331,401.93	-
CW1.WTFHAR.16	2007	5300	BNR Phase II Upgrade	35,419,750.97	35,419,750.97	-
CW1.WTFHAR.17	2007	5300	2011 Solids Handling	779,406.04	779,406.04	-
		5300 Total		\$ 88,153,378.73	\$ 88,153,378.73	\$ -

At a meeting of the Board of Finance held on November 8, 2017, it was:

It is **RECOMMENDED** that it be

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

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

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.

WATER BUREAU REVISIONS TO DISTRICT WATER RATES

To: District Board

December 4, 2017

From: Water Bureau

The 2018 budget in support of Water Operations calls for the water use rate to increase to \$3.14 per hundred cubic feet (CCF). The changes will become effective January 1, 2018.

A discussion of the several rates that comprise the proposed schedule for 2018 and the recommendations pertaining to each follows:

Water Used Charge – Treated Water

Staff recommends that the rate charged for the use of treated water based on actual metered consumption increase from \$2.77 per CCF to \$3.14 per CCF.

The recommended rate for treated water, based on actual metered consumption, is:

<u>WATER USAGE</u>	<u>CURRENT RATE</u>	<u>PROPOSED RATE</u>
All Customers	\$2.77/100 Cu. ft.	\$3.14/100 Cu ft.

Customer Service Charge

Revenues from this customer service charge are intended to support a portion of the fixed operating, maintenance and debt costs associated with water operations. The customer service charges in the residential category (5/8", 3/4", and 1" meters) will remain at \$44.94 per quarter. The customer service charges for the 6" will remain at \$1,458.21 per quarter. The customer service charges for the 1 1/2", 2", 3", 4", 8", 10" and 12" meters will remain at \$145.80, \$233.40, \$437.67, \$730.65, \$2,313.48, \$3,533.31, \$5,689.14 per quarter respectively.

Surcharge Outside The Metropolitan District

A fixed "surcharge" rate is added to all accounts for service outside the boundaries of the District. The surcharge is based on the size of the meter that serves each delivery point. Revenues from this charge are for the reimbursement of assets deployed. The surcharge rates have been set at the same rates as the Customer Service Charges. The surcharge rates in the residential category (5/8", 3/4", and 1" meters) will remain at \$44.94 per quarter. The customer service charges for the 6" will remain at \$1,458.21 per quarter. The customer service charges for the 1 1/2", 2", 3", 4", 8", 10" and 12" meters will remain at \$145.80, \$233.40, \$437.67, \$730.65, \$2,313.48, \$3,533.31, \$5,689.14 per quarter respectively.

Water Used Charge – Untreated Water

The District provides untreated water to other agencies and water companies for a fixed rate based on actual consumption. The current rate for this untreated or "raw" water is \$1.00 per hundred cubic feet of consumption. It is recommended that the charge for untreated water increase to the rate of \$1.50 per hundred cubic feet.

Surcharge Outside the Metropolitan District for Capital Improvements

A surcharge is added to the water rate to recover the cost of major capital improvements and/or upgrades such as water main extensions, pump stations, etc. In non-member towns.

Private Fire Protection Charge

Rates for private fire protection are charged to all fire service accounts based on the size of the service connection. Staff recommends monthly service charges for the 2", 3", 4", 6", 8", 10" and 12" meters rates increase to \$17.91, \$23.30, \$34.98, \$58.67, \$88.21, \$147.73, \$207.76 respectively.

Conclusion

Staff believes that the foregoing rate change recommendations are justified, reflect the sound financial administration that has earned the District support among credit rating agencies and financial advisors, and are consistent with the policy direction of the Commission.

At a meeting of the Water Bureau held on December 4, 2017, it was:

RECOMMENDED that it be

Voted: That the Water Bureau, acting under Section 5-4 of the District Charter, establishes revised water rates effective with the meter readings rendered on and after January 1, 2018, as set forth in the following Water Supply Ordinances

Further

Voted: That following the public hearing held on November 15, 2017, as required by Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, and Section 2-14 of the Charter of The Metropolitan District, the Water Bureau recommends to the District Board, through the Committee on MDC Government, approval of revisions to Water Supply Ordinances §§ W1a, W1d and W6f by the enactment of said proposed ordinances. (Additions are indicated by underscoring and deletions are crossed out).

**REVISIONS TO WATER SUPPLY ORDINANCES
W-1 WATER RATES**

SEC. W1a WATER USED CHARGE (TREATED WATER)

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

BILLS RENDERED	RATE
MONTHLY AND QUARTERLY	\$2.77 per 100 Cubic Feet
	<u>\$3.14 per 100 Cubic Feet</u>

SEC. W1b CUSTOMER SERVICE CHARGE

The CUSTOMER SERVICE CHARGE is a service charge applicable to all metered services and services to be metered. The charge shall be determined from the size of each meter installed or to be installed on the premises, as follows:

SIZE OF METER	<u>MONTHLY BILLING</u>	<u>QUARTERLY BILLING</u>
5/8"	<u>\$14.98</u>	<u>\$44.94</u>
3/4"	<u>\$14.98</u>	<u>\$44.94</u>
1"	<u>\$14.98</u>	<u>\$44.94</u>
1 1/2"	<u>\$48.60</u>	<u>\$145.80</u>
2"	<u>\$77.80</u>	<u>\$233.40</u>
3"	<u>\$145.89</u>	<u>\$437.67</u>
4"	<u>\$243.55</u>	<u>\$730.65</u>
6"	<u>\$486.07</u>	<u>\$1,458.21</u>
8"	<u>\$771.16</u>	<u>\$2,313.48</u>
10"	<u>\$1,777.77</u>	<u>\$3,533.31</u>
12"	<u>\$1,896.38</u>	<u>\$5,689.14</u>

SEC. W1c SURCHARGE OUTSIDE THE METROPOLITAN DISTRICT

In towns outside the limits of The Metropolitan District, in addition to charges under SEC. W1a and W1b, there shall be a surcharge determined from the size of the meter installed on the premises, as follows:

SIZE OF METER	MONTHLY BILLING	QUARTERLY BILLING
5/8"	<u>\$14.98</u>	<u>\$44.94</u>
3/4"	<u>\$14.98</u>	<u>\$44.94</u>
1"	<u>\$14.98</u>	<u>\$44.94</u>
1 1/2"	<u>\$48.60</u>	<u>\$145.80</u>
2"	<u>\$77.80</u>	<u>\$233.40</u>
3"	<u>\$145.89</u>	<u>\$437.67</u>
4"	<u>\$243.55</u>	<u>\$730.65</u>
6"	<u>\$486.07</u>	<u>\$1,458.21</u>
8"	<u>\$771.16</u>	<u>\$2,313.48</u>
10"	<u>\$1,777.77</u>	<u>\$3,533.31</u>
12"	<u>\$1,896.38</u>	<u>\$5,689.14</u>

SEC. W1d CHARGES FOR UNTREATED WATER

Charges for untreated water sold to water companies and agencies under agreement between The Metropolitan District and such companies or agencies, or by other arrangement, shall ~~remain at the rate of \$1.00 cents~~ be a rate of \$1.50 per hundred cubic feet.

SEC. W1f SURCHARGE OUTSIDE THE METROPOLITAN DISTRICT FOR CAPITAL IMPROVEMENTS

In towns outside the limits of The Metropolitan District for which capital improvements or layout and assessment projects are constructed, in addition to charges under SEC. W1a, W1b and W1c, there shall be a surcharge on the water rates determined from the size of the meter installed on the premises, as follows:

Farmington

SIZE OF METER	MONTHLY BILLING	QUARTERLY BILLING
5/8"	<u>\$1.32</u>	<u>\$3.96</u>
1"	<u>\$2.21</u>	<u>\$6.63</u>
1 1/2"	<u>\$4.41</u>	<u>\$13.23</u>
2"	<u>\$7.06</u>	<u>\$21.18</u>
3"	<u>\$13.23</u>	<u>\$39.69</u>
4"	<u>\$22.05</u>	<u>\$66.15</u>
8"	<u>\$70.56</u>	<u>\$211.68</u>

Glastonbury

SIZE OF METER	MONTHLY BILLING	QUARTERLY BILLING
	<u>\$1.74</u>	<u>\$5.22</u>
5/8"	<u>\$1.76</u>	<u>\$5.28</u>
3/4"	<u>\$2.90</u>	<u>\$8.70</u>
1"	<u>\$5.81</u>	<u>\$17.43</u>
1 1/2"	<u>\$9.29</u>	<u>\$27.87</u>
2"	<u>\$17.43</u>	<u>\$52.29</u>
3"	<u>\$28.99</u>	<u>\$86.97</u>
4"		

South Windsor

SIZE OF METER	MONTHLY BILLING	QUARTERLY BILLING
	<u>\$.57</u>	<u>\$1.71</u>
5/8"	<u>\$.57</u>	<u>\$1.71</u>
3/4"	<u>\$.95</u>	<u>\$2.85</u>
1"	<u>\$1.91</u>	<u>\$5.73</u>
1 1/2"	<u>\$3.05</u>	<u>\$9.15</u>
2"	<u>\$5.72</u>	<u>\$17.16</u>
3"	<u>\$9.51</u>	<u>\$28.53</u>
4"	<u>\$19.02</u>	<u>\$57.06</u>
6"		

SEC. W6f CHARGES FOR PRIVATE FIRE PROTECTION SERVICE

Charges for connections to water mains supplying water for fire protection, metered, or unmetered, shall be in accord with the following table:

SIZE OF CONNECTION	MONTHLY CHARGE
2"	<u>\$15.75</u>
3"	<u>\$20.49</u>
4"	<u>\$30.76</u>
6"	<u>\$51.59</u>
8"	<u>\$77.57</u>
10"	<u>\$129.91</u>
12"	<u>\$182.70</u>

SIZE OF CONNECTIONMONTHLY CHARGE

<u>2"</u>	<u>\$17.91</u>
<u>3"</u>	<u>\$23.30</u>
<u>4"</u>	<u>\$34.98</u>
<u>6"</u>	<u>\$58.67</u>
<u>8"</u>	<u>\$88.21</u>
<u>10"</u>	<u>\$147.73</u>
<u>12"</u>	<u>\$207.76</u>

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 majority vote of those present. Commissioners Avedisian, Gardow, Hall and Ionno opposed.

**WATER BUREAU
REVISIONS TO WATER ASSESSMENT RATES AND OTHER RELATED
CHARGES AND SPECIAL WATER RATES AND CHARGES**

To: District Board

December 4, 2017

From: Water Bureau

In support of the annual water operating budget, staff is submitting these rates in conjunction with the revisions to the proposed Fiscal Year 2018 water rates and other peripheral charges associated with the delivery and sale of water as part of the annual budget adoption process.

Staff has reviewed the following rates and recommends the rates remain the same as Fiscal Year 2017.

At a meeting of the Water Bureau held on December 4, 2017, it was:
Voted: That the Water Bureau hereby adopts the following schedule of fees effective January 1, 2018:

Water Assessment Rates and Other Related Charges:

Main Pipe Assessment	\$77.00/ft
Service Pipe Taps	
Domestic (includes spacer and meter costs):	
1" Service Tap with 5/8" Meter	\$550.00
1" Service Tap with 3/4" Meter	\$575.00
1-1/2" Service Tap with 1" Meter	\$695.00
2" Service Tap with 1-1/2" Meter	\$1,400.00
4" Service Tap with 2" Meter	\$1,450.00
4" Service Tap with 3" Meter	\$1,580.00
6" Service Tap with 4" Meter	\$1,780.00
8" Service Tap with 6" Meter	\$2,400.00
10" Service Tap with 8" Meter	\$3,370.00
Fire Service	
2" Fire Service Tap	\$565.00
4", 6", 8 " Fire Service Tap	\$460.00
Hydrants	
Installed after the main	\$9,800.00
Hydrant Maintenance	\$100.00
Hydrant Relocation	\$15,000.00
	deposit +/- actual
	cost + overhead
Fire Flow Testing	\$340.00

Special Meter Charges and Deposits:

Hydrant Meters	
Administrative and meter reading fee, including connection and inspection fees + actual water use to be billed	\$1,000.00
Hydrant Meter Deposit	\$1,500.00
Subsequent re-inspection and testing fee, if backflow prevention device required	\$50.00
Frozen, Lost or Damaged Meters	
5/8" meter	\$200.00
3/4" meter	\$240.00
1" meter	\$275.00
1-1/2" meter	\$920.00

2" meter	\$1,155.00
3" meter	\$1,355.00
4" meter	\$1,615.00
6" meter	\$2,560.00
8" meter	\$4,000.00
Radio transmitter unit	\$155.00
Spacer Charges	
5/8", 3/4"	\$145.00
1"	\$150.00
1-1/2"	\$200.00
2" & larger	\$220.00
3 rd Party Damaged Hydrant Charge	
Repair or Replacement	actual cost + overhead
Delinquent Account Review and Lien Fees	\$85.00
Delinquent Account Review and Lien Fees – Condo Assoc.	\$26.00
Checks Returned for Insufficient Funds	\$50.00
Shut-Off/Turn-on for Non-Payment	\$100.00
Shut-Off/Turn-on for Non-Payment (subsequent event in same year)	\$200.00
Scheduled Overtime/Emergency Inspections	\$325.00
Off and On Within 12 Months	\$95.00
Install Permanent Meter (No Service Tap)	
5/8" – 1" Meter	\$95.00
2" Meter & larger	\$240.00
Backflow Prevention Device Testing	\$90.00
Service Call 1 st visit free	N/A
Service Call - Subsequent visits	\$90.00/ea
Closing Meter Reading Fee	\$90.00
Water Wagon - Non-Sunday	\$1,030.00
Water Wagon – Sunday	\$1,350.00
Water Tanker – Administrative Fee	
+ actual water use to be billed	\$75.00
Administrative Review for Water and/or Sewer Services	\$465.00
Tampering of Hydrant or Water Supply	
First offense	\$500.00

Subsequent offense	\$1,000.00
Water Service Installation Charge	\$1,800.00

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

Commissioner Osgood left the meeting at 7:07 PM

**COMMITTEE ON MDC GOVERNMENT
PROPOSED ADDITION TO THE GENERAL ORDINANCES § G9
OF THE METROPOLITAN DISTRICT**

To: District Board

December 4, 2017

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the addition of Section G9, "INDEPENDENT CONSUMER ADVOCATE", 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).

At a meeting of the Committee on MDC Government held on December 4, 2017 it was:

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

RESOLVED: That the addition to The Metropolitan District's General Ordinances be adopted as follows:

**G-9 INDEPENDENT CONSUMER ADVOCATE
PART 9, GENERAL ORDINANCES**

Section

Section Title

G9a	Independent Consumer Advocate
G9b	Reports

SEC. G9a INDEPENDENT CONSUMER ADVOCATE

The State of Connecticut Consumer Counsel ("Consumer Counsel") will appoint an Independent Consumer Advocate ("Consumer Advocate") who shall be a member of the Connecticut bar and shall have private legal experience in public utility law and policy. The Consumer Advocate shall act as an independent advocate for consumer interests in all matters which may affect District consumers, including, but not limited to, rates, water quality, water supply and wastewater service quality. The Consumer Counsel will appoint the Independent Consumer Advocate prior to November 1, 2017 and then in each odd numbered year thereafter to serve for a two-year term commencing on the following first day of January. The Consumer Advocate shall be independent of the District Board and may not be removed by the District Board for any reason. The District Board shall not direct or oversee the activities of the Consumer Advocate. The District Board shall cooperate with reasonable requests of the Consumer Advocate to enable the Consumer Advocate to effectively perform his or her duties and functions. The Consumer Advocate may be terminated by the Consumer Counsel prior to the completion of a two-year term only for misconduct, material neglect of duty or incompetence. Costs related to the Consumer Advocate, including, but not limited to, hourly fees and necessary expenses shall be paid for by the District. The annual amount of such costs shall not exceed seventy thousand dollars for the period from November 1, 2017 through December 31, 2018 and fifty thousand dollars for each year thereafter, unless there is a demonstration of substantial need made by the Consumer Advocate and approved by the District Board. From November 1, 2017 through December 31, 2017, the Consumer Advocate shall not perform any of his or her official functions as set forth herein, but rather perform those duties reasonably necessary to enable him or her to commence performing the official functions of the Consumer Advocate as of January 1, 2018.

The Consumer Advocate may appear and participate in District matters or any other federal or state regulatory or judicial proceeding in which consumers generally of the District are or may be involved. The Consumer Advocate, in carrying out his or her duties, shall: (1) Have access to the records of the District, (2) have the right to make a reasonable number of copies of District records, (3) be entitled to call upon the assistance of the District's technical and legal experts, and (4) have the benefit of all other information of the District, except for employment records and other internal documents that are not relevant to the duties of the Consumer Advocate. Prior to January 1, 2018, the Consumer Advocate and representatives of the District shall determine those District records that may be publicly disclosed without prior consent of the District. Requests for public disclosure of any other records shall be forwarded to the District Clerk and processed in accordance with the State of Connecticut Freedom of Information Act.

Nothing herein shall be construed to prevent any party interested in any proceeding or action of the District from appearing in person or from being represented by counsel therein.

SEC. G9b REPORTS

The Consumer Advocate shall prepare reports of his or her activities and submit such reports at the end of each calendar quarter to the District, the chief elected official of each town receiving service from the District and to the Consumer Counsel. Such quarterly reports shall be posted on the Internet web sites of the District and the Consumer Counsel. The Consumer Advocate shall hold an annual public forum on the second Wednesday of October each year at a location where the District holds hearings, for the purpose of describing the recent activities of the Consumer Advocate and receiving feedback from consumers. The District shall publicize the public forum through an announcement at the preceding scheduled meeting of the District, on its Internet web site and in a notice on or attached to its consumer bills. The Consumer Advocate may hold additional public forums as he or she deems necessary.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Pane and duly seconded, the report was received and resolution adopted by majority vote of those present. Commissioners Avedisian, Gardow, Hoffman and Ionno opposed; Commissioner Camilliere abstained.

**COMMITTEE ON MDC GOVERNMENT
REVISIONS TO DISTRICT WATER ORDINANCES
§§ W1A, W1D, W2B, W2C, W4H, W4I, W5G, W6B, W6F, W7O**

To: District Board

December 4, 2017

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the following ordinance revisions 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).

§ W1a	"WATER USED CHARGE (TREATED WATER)"
§ W1d	"CHARGES FOR UNTREATED WATER"
§ W2b	"UNPAID WATER BILL CONSTITUTES LIEN"
§ W2c	"SHUT-OFF FOR NON-PAYMENT/DENIAL OF ACCESS"
§ W4h	"INSTALLATION OF MAINS BY DEVELOPER'S METHOD"
§ W4i	"ACQUISITION OF PRIVATE SYSTEM"
§ W5g	"COMBINATION SERVICES NOT ALLOWED"
§ W6b	"CHARGES FOR MAINTENANCE"
§ W6f	"CHARGES FOR PRIVATE FIRE PROTECTION SERVICE"
§ W7o	"AIRCRAFT"

SEC. W1a WATER USED CHARGE (TREATED WATER)

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

BILLS RENDERED	RATE
MONTHLY AND QUARTERLY	\$2.77 per 100 Cubic Feet <u>\$3.14 per 100 Cubic Feet</u>

SEC. W1d CHARGES FOR UNTREATED WATER

Charges for untreated water sold to water companies and agencies under agreement between The Metropolitan District and such companies or agencies, or by other arrangement, shall ~~remain at the rate of \$1.00 cents~~ **be a rate of \$1.50** per hundred cubic feet.

SEC. W2b UNPAID WATER BILL CONSTITUTES LIEN

Any claim or debt due for charges for the use of water shall be and constitute a lien upon the lot, house, tenement or premises upon, or in conjunction with which, said water was used until such claim or debt, together with interest and lien charges shall be fully paid, but no such lien shall attach unless a certificate of such lien, describing the property on which the same exists and the amount to be claimed, signed by the Registrar or other authorized representative of the Water Bureau, shall be filed with the town clerk of the town wherein such lien accrued, within ~~one~~ **two** years ~~s~~ after the original charge shall have become payable.

SEC. W2c SHUT-OFF FOR NON-PAYMENT/DENIAL OF ACCESS

The Water Bureau reserves the right to shut off the water from premises where the bill remains unpaid 30 days after date on which payment is due **or the property owner refuses to grant access to view, inspect, repair or replace the water**

meter or other District equipment. If so turned off, the water will not be turned on again without payment of all charges, or the granting of access to the District equipment, as the case may be, plus a fee as established by the Water Bureau as part of its Special Rules and Charges.

SEC. W4h INSTALLATION OF MAINS BY DEVELOPER'S METHOD

In lieu of the installation of a Class II main or mains and appurtenances and the assessment therefore, ~~in unimproved rights-of-way in sub-division developments~~, the Water Bureau may, by agreement with the developer or owner, require the construction of, such main or mains and appurtenances at the expense of said developer or owner. The Water Bureau is empowered to authorize the District Clerk to enter into agreements on behalf of the developer's contractors or Water Bureau forces, or combinations thereof, as mutually determined and agreed upon. Such agreements shall provide for assumption of liability by the developer or owner in connection with such construction and adequate insurance shall be required. In cases where, in staff's opinion, special circumstances are involved, the Administration must bring the matter to The Water Bureau for approval. The Chairman or Vice Chairman of the Water Bureau is authorized to sign all such agreements on behalf of The Metropolitan District. The Chairman of the Water Bureau may, at his or her discretion, authorize the District Clerk to sign all such agreements on behalf of The Metropolitan District.

SEC. W4i ACQUISITION OF PRIVATE SYSTEM

If any private water system petitions the District to acquire or incorporate the private system into the District's water supply distribution system, or the District is legally ordered to acquire any private system in accordance with Conn. Gen. Stat. § 16-262o, the system must be inspected by District staff and meet District design and construction standards. The design and construction of any necessary improvements will be done in accordance with the District's process for the Developer's Method described in § W4h. The costs associated with any necessary improvements of the acquired private water system shall be paid by the acquired water company or by the properties so served.

SEC. W5g COMBINATION SERVICES NOT ALLOWED

The installation of combined fire and domestic services will not ordinarily be permitted except by special permission, a separate service connection being required in each case. When a combination service is to be installed by special permission or an existing combination service is repaired or replaced, the service pipe shall be laid in a manner prescribed by the Water Bureau and subject to inspection, before backfilling, by a representative of said bureau.

SEC. W6b CHARGES FOR MAINTENANCE

All public hydrants and their connections, when installed, are part of the plant public water system of The Metropolitan District, which will maintain them subject to an annual charge to be paid by the requesting authority responsible party. A public hydrant is defined as any hydrant connected to a public water main regardless of whether the public main is located outside a public roadway. Annual charges for maintenance will be billed to the municipality where the public hydrant is located. A private hydrant is a hydrant connected to a private service and is outside The District's public water system. Annual charges for maintenance of private hydrants will be billed to the property owner or owner of the private water system. The amount of the annual charges for public and private hydrants shall be those established by the Water Bureau, based on current costs.

Non-payment of the annual maintenance charge, after due notice thirty days in advance, will be sufficient authority for the Water Bureau to discontinue service at all hydrants where such payment is in arrears.

SEC. W6f CHARGES FOR PRIVATE FIRE PROTECTION SERVICE

Charges for connections to water mains supplying water for fire protection, metered, or unmetered, shall be in accord with the following table:

SIZE OF CONNECTION	MONTHLY CHARGE
2"	<u>\$15.75</u>
3"	<u>\$20.49</u>
4"	<u>\$30.76</u>
6"	<u>\$51.59</u>
8"	<u>\$77.57</u>
10"	<u>\$129.91</u>
12"	<u>\$182.70</u>
<u>SIZE OF CONNECTION</u>	<u>MONTHLY CHARGE</u>
<u>2"</u>	<u>\$17.91</u>
<u>3"</u>	<u>\$23.30</u>
<u>4"</u>	<u>\$34.98</u>
<u>6"</u>	<u>\$58.67</u>
<u>8"</u>	<u>\$88.21</u>
<u>10"</u>	<u>\$147.73</u>
<u>12"</u>	<u>\$207.76</u>

SEC. W7o AIRCRAFT

The landing of aircraft on any reservoir, pond, or lake which is on the premises of the Metropolitan District is prohibited, except in case of emergency, and except that permission may be granted by an authorized agent of The Metropolitan District. The unauthorized use of any unmanned aerial vehicle (drone) is prohibited on all property owned by The Metropolitan District.

At a meeting of the Committee on MDC Government held on December 4, 2017, it was:

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

RESOLVED: That the following Metropolitan District's Water Ordinances be revised and 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:

BILLS RENDERED	RATE
MONTHLY AND QUARTERLY	\$3.14 per 100 Cubic Feet

SEC. W1d CHARGES FOR UNTREATED WATER

Charges for untreated water sold to water companies and agencies under agreement between The Metropolitan District and such companies or agencies, or by other arrangement, shall be a rate of \$1.50 per hundred cubic feet.

SEC. W2b UNPAID WATER BILL CONSTITUTES LIEN

Any claim or debt due for charges for the use of water shall be and constitute a lien upon the lot, house, tenement or premises upon, or in conjunction with which, said water was used until such claim or debt, together with interest and lien charges shall be fully paid, but no such lien shall attach unless a certificate of such lien, describing the property on which the same exists and the amount to be claimed, signed by the Registrar or other authorized representative of the Water Bureau, shall be filed with the town clerk of the town wherein such lien accrued, within two years after the original charge shall have become payable.

SEC. W2c SHUT-OFF FOR NON-PAYMENT/DENIAL OF ACCESS

The Water Bureau reserves the right to shut off the water from premises where the bill remains unpaid 30 days after date on which payment is due or the property owner refuses to grant access to view, inspect, repair or replace the water meter or other District equipment. If so turned off, the water will not be turned on again without payment of all charges, or the granting of access to the District equipment, as the case may be, plus a fee as established by the Water Bureau as part of its Special Rules and Charges.

SEC. W4h INSTALLATION OF MAINS BY DEVELOPER'S METHOD

In lieu of the installation of a Class II main or mains and appurtenances and the assessment therefore, the Water Bureau may, by agreement with the developer or owner, require the construction of, such main or mains and appurtenances at the expense of said developer or owner. The Water Bureau is empowered to authorize the District Clerk to enter into agreements on behalf of the developer's contractors or Water Bureau forces, or combinations thereof, as mutually determined and agreed upon. Such agreements shall provide for assumption of liability by the developer or owner in connection with such construction and adequate insurance shall be required. In cases where, in staff's opinion, special circumstances are involved, the Administration must bring the matter to The Water Bureau for approval. The Chairman or Vice Chairman of the Water Bureau is authorized to sign all such agreements on behalf of The Metropolitan District. The Chairman of the Water Bureau may, at his or her discretion, authorize the District Clerk to sign all such agreements on behalf of The Metropolitan District.

SEC. W4i ACQUISITION OF PRIVATE SYSTEM

If any private water system petitions the District to acquire or incorporate the private system into the District's water supply distribution system, or the District is legally ordered to acquire any private system in accordance with Conn. Gen. Stat. § 16-262o, the system must be inspected by District staff and meet District design and construction standards. The design and construction of any necessary improvements will be done in accordance with the District's process for the Developer's Method described in § W4h. The costs associated with any necessary improvements of the acquired private water system shall be paid by the acquired water company or by the properties so served.

SEC. W5g COMBINATION SERVICES NOT ALLOWED

The installation of combined fire and domestic services will not ordinarily be permitted except by special permission, a separate service connection being required in each case. When a combination service is to be installed by special permission or an existing combination service is repaired or replaced, the service pipe shall be laid in a

manner prescribed by the Water Bureau and subject to inspection, before backfilling, by a representative of said bureau.

SEC. W6b CHARGES FOR MAINTENANCE

All public hydrants and their connections, when installed, are part of the public water system of The Metropolitan District, which will maintain them subject to an annual charge to be paid by the responsible party. A public hydrant is defined as any hydrant connected to a public water main regardless of whether the public main is located outside a public roadway. Annual charges for maintenance will be billed to the municipality where the public hydrant is located. A private hydrant is a hydrant connected to a private service and is outside The District's public water system. Annual charges for maintenance of private hydrants will be billed to the property owner or owner of the private water system. The amount of the annual charges for public and private hydrants shall be those established by the Water Bureau, based on current costs.

Non-payment of the annual maintenance charge, after due notice thirty days in advance, will be sufficient authority for the Water Bureau to discontinue service at all hydrants where such payment is in arrears.

SEC. W6f CHARGES FOR PRIVATE FIRE PROTECTION SERVICE

Charges for connections to water mains supplying water for fire protection, metered, or unmetered, shall be in accord with the following table:

<u>SIZE OF CONNECTION</u>	<u>MONTHLY CHARGE</u>
<u>2"</u>	<u>\$17.91</u>
<u>3"</u>	<u>\$23.30</u>
<u>4"</u>	<u>\$34.98</u>
<u>6"</u>	<u>\$58.67</u>
<u>8"</u>	<u>\$88.21</u>
<u>10"</u>	<u>\$147.73</u>
<u>12"</u>	<u>\$207.76</u>

SEC. W7o AIRCRAFT

The landing of aircraft on any reservoir, pond, or lake which is on the premises of the Metropolitan District is prohibited, except in case of emergency, and except that permission may be granted by an authorized agent of The Metropolitan District. The unauthorized use of any unmanned aerial vehicle (drone) is prohibited on all property owned by The Metropolitan District.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Pane and duly seconded, the report was received and resolution adopted by majority vote of those present. Commissioner Avedisian, Gardow, Hall and Ionno opposed.

No action was taken on Agenda Items #13A "Encroachment Agreement – 100 Phoenix Crossing, Bloomfield" and #13B "Acceptance of Sewers built by Developers Permit Agreement – Woodland Avenue, Bloomfield and Fraser Place, Hartford" because they were previously voted on and adopted at the November 1, 2017 District Board Meeting.

No action was taken on Agenda Item #14 "Petitions for Disability Retirement" because disability retirement is within the exclusive jurisdiction of the Personnel, Pension & Insurance Committee and no action is necessary, or warranted, by the District Board.

**SETTLEMENT OF PENDING LITIGATION
HELEN KUNIGIEL-BUKOWSKI V. MDC ET AL.**

To: District Board

December 4, 2017

BE IT HEREBY 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 lawsuit captioned *HELEN KUNIGIEL-BUKOWSKI V. The Metropolitan District et al.*, Docket No. HHD-CV16-6070739 ("*Litigation*"), for the total sum of \$10,000.00, 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 Sweezy and duly seconded, the report was received and resolution adopted by unanimous vote of those present.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Hall spoke regarding greater communications with our community and having local TV Stations to film our meetings.

Commissioner Vicino asked about low income assistance for water rates. A previous study will be distributed to Commissioners and will be referred to the Board of Finance and Committee on MDC Government.

Commissioner Salemi spoke about the water bill and revamping the way it looks and to clearly label and detail the charges.

Commissioner Adil discussed looking into public/private partnerships like they are doing within member towns. He suggested that the Strategic Planning Committee look into that.

Commissioner Currey discussed looking out of the box to find ways to decrease Ad Valorem in the future. This will be referred to the Board of Finance.

Commissioner Hoffman thanked the finance staff for their hard work during the budget process.

Chairman DiBella followed up and also thanked the finance staff for their hard work.

ADJOURNMENT

The meeting was adjourned at 7:30 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

January 8, 2018

Date of Approval

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To

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