

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

FOR THE YEAR
2021

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Office of the District Clerk

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

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MEMBERSHIP
OF
THE COMMITTEE ON MDC GOVERNMENT
2021

ALLEN HOFFMAN Chairman, Committee on MDC Government

AVERY BUELL Vice Chairman, Committee on MDC Government

JOHN AVEDISIAN

DAVID IONNO

AVERY BUELL

GARY LEBEAU

JAMES HEALY

MAUREEN MAGNAN

ALLEN HOFFMAN

ALVIN TAYLOR

JEAN HOLLOWAY

MINUTES

OF

MEETINGS OF THE COMMITTEE ON MDC GOVERNMENT

HELD IN 2021

COMMITTEE ON MDC GOVERNMENT

Remote Only Meeting
Hartford, Connecticut 06103
Monday, January 4, 2021

Present: Commissioners John Avedisian, James Healy, Allen Hoffman, Jean Holloway, Gary LeBeau, Maureen Magnan, Alvin Taylor and District Chairman William A. DiBella (8)

Absent: Commissioners Clifford Avery Buell, David Ionno and James Healy (3)

Also

Present: Commissioner Donald Currey
Commissioner Jacqueline Mandyck
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Brendan Fox, Assistant District Counsel
Steve Bonafonte, Assistant District Counsel
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Nick Salemi, Communications Administrator
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria S. Escoriza, Executive Assistant
Julie Price, Professional Level Trainee
Christopher Taveras, IT Network Analyst
David Silverstone, Independent Consumer Advocate

CALL TO ORDER

Chairman Hoffman called the meeting to order at 4:09 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by District Chairman DiBella and duly seconded, the meeting minutes of December 7, 2020, 2020 were approved.

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

To: Committee on MDC Government

January 4, 2021

Over the past year, the firms of Gaffney, Bennett and Associates Inc. (Attorney Brendan Fox), SJB Strategies, LLC (Attorney Steve Bonafonte) and Strategic Outreach Solutions, LLC (Janice Flemming) have provided exemplary service in the area of government relations and advocacy within state government on behalf of the District, and the same holds true for Squire Patton Boggs (William Schuster) and SJB Strategies, LLC on the federal level. 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 each of these firms for the 2021 state and federal legislative consultants. The term of these appointments would be from January 1, 2021 through December 31, 2021, subject to Board approval.

Furthermore, in the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends the following annual fees for state legislative/administrative consultants: (1) Gaffney, Bennett and Associates, Inc. receive \$60,000.00, (2) SJB Strategies, LLC receive \$20,000.00 and (3) Strategic Outreach Solutions, LLC receive \$60,000.00, for a total of \$140,000.00. By moving Gaffney Bennet and Strategic Outreach to \$60,000.00 each, there is a slight increase from the 2020. As such, Gaffney, Bennet will be specifically tasked with providing legal advice on proposed legislation affecting the District, and Strategic Outreach will specifically tasked with an expanded role of improving our outreach to the Black and Hispanic Caucus and explaining and defending the Clean Water Project charge to legislators representing communities and constituents most adversely affected.

On the Federal level, District staff recommends the reappointment of Squire Patton Boggs and SJB Strategies LLC as federal legislative consultants. In the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends the following annual fees for federal legislative/administrative consultants: (1) Squire Patton Boggs receive \$150,000.00; and (2) SJB Strategies, LLC receive \$70,000.00.

It is therefore recommended that it be:

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

Resolved: That the firms of Gaffney, Bennett and Associates Inc., SJB Strategies, LLC and Strategic Outreach Solutions, LLC be retained to perform state lobbying services for a period commencing on January 1, 2021 and terminating on December 31, 2021. Gaffney, Bennett and Associates, Inc. fee will receive \$60,000.00, SJB Strategies, LLC will receive

\$20,000.00, and Strategic Outreach Solutions, LLC will receive \$60,000.00, 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, including those tasks specifically referenced above.

Further

Resolved: That the firms of Squire Patton Boggs and SJB Strategies, LLC be retained to perform federal lobbying services for a period commencing on January 1, 2021 and terminating on December 31, 2021. Squire Patton Boggs will receive at \$150,000.00 and SJB Strategies, LLC will receive \$70,000.00, 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,



Scott W. Jellison
Chief Executive Officer

On motion made by District Chairman DiBella 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 4:40 PM

ATTEST:


John S. Mirtle, Esq.
District Clerk

July 28, 2021

Date of Approval

**COMMITTEE ON MDC GOVERNMENT
SPECIAL MEETING**

Hartford, Connecticut 06103

Wednesday, July 28, 2021

Present: Commissioners John Avedisian, James Healy, Allen Hoffman, Gary LeBeau, Alvin Taylor and District Chairman William A. DiBella (6)

Remote

Attendance: Commissioners Jean Holloway and Maureen Magnan (2)

Absent: Commissioners Clifford Avery Buell and David Ionno (2)

Also

Present: Commissioner Richard Bush (Remote Attendance)
Commissioner Bhupen Patel (Remote Attendance)
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Brendan Fox, Assistant District Counsel
Steve Bonafonte, Assistant District Counsel
Robert Barron, Chief Financial Officer / Director of Finance
Kelly Shane, Chief Administrative Officer
Sue Negrelli, Director of Engineering (Remote Attendance)
Robert Schwarm, Director of IT (Remote Attendance)
Tom Tyler, Director of Facilities (Remote Attendance)
Jamie Harlow, Manager of Labor Relations (Remote Attendance)
Victoria S. Escoriza, Executive Assistant
David Baker, IT Consultant
Janice Flemming, Legislative Consultant
David Silverstone, Independent Consumer Advocate

CALL TO ORDER

Chairman Hoffman called the meeting to order at 4:32 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen, West Hartford resident, spoke regarding proposed bylaw § B2k and the ability for Commissioners to communicate with staff.

APPROVAL OF MINUTES

On motion made by Commissioner LeBeau and duly seconded, the meeting minutes of January 4, 2021, were approved.

**ADDITION TO DISTRICT BYLAWS
COMMISSIONER COMMUNICATIONS TO STAFF**

To: Committee on MDC Government for consideration July 28, 2021

District staff, through the Office of District Counsel, submits the following bylaw addition to The Metropolitan District Bylaws for consideration by the Committee on MDC Government.

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

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

RESOLVED: That the following addition to The Metropolitan District's Bylaws be adopted as follows:

**B2k COMMISSIONER INTERACTIONS WITH DISTRICT STAFF, CONSULTANTS
AND CONTRACTORS**

In order to ensure proper adherence with existing protocols of the Board of Commissioners and to maintain awareness of issues or concerns that may arise, should any commissioner or citizen member wish to contact any District employee with ultimate reporting authority to the Chief Executive Officer, or any of its consultants or contractors, regarding District business, they shall first direct their inquiry to the District Chairman and Chief Executive Officer who, upon receipt of any such inquiry, shall either facilitate the interaction between the Commissioner and the appropriate employee and/or provide the Commissioner with a response to any such inquiry.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

No action was taken. The resolution was tabled until a future meeting.

**REVISION TO DISTRICT BYLAWS
TELEPHONIC ATTENDANCE AT MEETINGS**

To: Committee on MDC Government for consideration July 28, 2021

District staff, through the Office of District Counsel, submits the following bylaw revision to The Metropolitan District Bylaws for consideration by the Committee on MDC Government.

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

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

RESOLVED: That the revision to The Metropolitan District's Bylaws be adopted as follows:

B1J TELEPHONIC ATTENDANCE AT MEETINGS

Commissioners may participate in and act at any meeting of the Board or any Committee through the use of a conference telephone or by means of other electronic equipment so long as all persons participating in the meeting can communicate with each other concurrently. Telephonic or electronic participation in a meeting shall constitute attendance and presence at the meeting ~~provided that those present constitute a majority of the required quorum.~~

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

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

2021 LEGISLATIVE UPDATE

Brendan Fox, Assistant District Counsel, provided an update on legislative matters

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 5:12 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

December 6, 2021

Date of Approval

**COMMITTEE ON MDC GOVERNMENT
SPECIAL MEETING**

Hartford, Connecticut 06103

Monday, December 6, 2021

Present: Commissioners John Avedisian, Clifford Avery Buell, Peter Gardow, Allen Hoffman, Maureen Magnan and District Chairman William A. DiBella (6)

Remote

Attendance: Commissioners Jean Holloway and Gary LeBeau (2)

Absent: Commissioners James Healy, David Ionno, Shubhada Kambli, Alphonse Marotta, Alvin Taylor (2)

Also

Present: Commissioner Diane Lewis (Remote Attendance)
Commissioner Jackie Mandyck
Commissioner Dominic Pane
Commissioner Bhupen Patel
Commissioner Raymond Sweezy
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Robert Barron, Chief Financial Officer
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Jamie Harlow, Director of Human Resources
Sue Negrelli, Director of Engineering
Robert Schwarm, Director of IT (Remote Attendance)
Tom Tyler, Director of Facilities
Michael Curley, Manager of Technical Services
Lisa Remsen, Manager of Budget and Analysis
Peter Kryzk, Financial Analyst (Remote Attendance)
Nefertere Whittingham, Financial Analyst (Remote Attendance)
David Baker, IT Consultant
Julie Price, Professional Level Associate
David Silverstone, Independent Consumer Advocate

CALL TO ORDER

Chairman Hoffman called the meeting to order at 4:06 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

***On motion made by Commissioner Magnan and duly seconded,
the meeting minutes of July 28, 2021, were approved.***

ORDINANCE REVISIONS

To: Committee on MDC Government for consideration December 6, 2021

District staff, through the Office of District Counsel, submits the following ordinance revisions and additions to The Metropolitan District Water and Sewer Ordinances for consideration by the Committee on MDC Government.

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

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

RESOLVED: That the following revisions and additions to The Metropolitan District Water and Sewer Ordinances be adopted as follows:

WATER SUPPLY ORDINANCES:

§ W1a “WATER USED CHARGE (TREATED WATER)”

§ W1f “SURCHARGE OUTSIDE THE METROPOLITAN DISTRICT FOR CAPITAL IMPROVEMENTS”

SEC. W1a WATER USED CHARGE (TREATED WATER)

For customers which do not resell treated water, the WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

BILLS RENDERED
MONTHLY

RATE
~~\$4.05~~ \$4.09 per 100 Cubic Feet

The WATER USED CHARGE for such customers subject to § S12x of The Metropolitan District Sewer Ordinances who purchase more than 802ccf of water per day, as averaged over a monthly billing period, as follows:

For each of the first 802ccf of water used per day:

BILLS RENDERED
MONTHLYRATE
~~\$4.05~~ **\$4.09** per 100 Cubic Feet

For each ccf of water used per day in excess of 802ccf:

BILLS RENDERED
MONTHLYRATE
~~\$3.30~~ **\$3.34** per 100 Cubic Feet

For customers which, by agreement with the District or otherwise, resell treated water, the WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

BILLS RENDERED
MONTHLYRATE
~~\$4.05~~ **\$4.09** per 100 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 the charges set forth in 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:

1. On or before the end of each fiscal year, The Metropolitan District shall determine the actual cost of each capital improvement constructed for each non-member town and the net cost (cost less assessments) of layout and assessment projects constructed for each non-member town. The costs and/or net costs, as applicable, shall be allocated to the towns for which the work was performed and shall be a surcharge on the water rates of the users located in such towns.
2. The annual surcharge to be added to each user's water rate shall equal the total amount of the costs and/or net costs, as applicable, allocated to the town in which such user is located [excluding costs which the town has paid as set forth in Section W1f(3)] amortized over a twenty year period using an interest rate computed by the District which approximates the District's long-term cost of funds for its General Obligation Bond portfolio-multiplied by the percentage of hydraulic capacity of each user's meter size (based on the American Water Works Association meter size capacity) of the aggregate hydraulic capacity of all meters in such town. The surcharge shall be billed in either quarterly or monthly installments, as applicable, commencing with the first bill sent out in the fiscal year succeeding the fiscal year in which the work was performed and continuing over the twenty year period.
3. The District shall, as soon as possible after the completion of each capital improvement project or separate phase thereof, provide to the non-member towns for which a capital improvement was constructed a compilation of the costs associated with the construction of such project(s). If, on or before the end of the District's fiscal year in

which such construction was completed, a non-member town agrees to pay and does in fact pay all or a portion of the cost of a capital improvement constructed for such town, then the amount paid by such town shall be deducted from the total amount of costs and/or net costs allocated to such town as described in Section W1f(1) and used to calculate the individual surcharges as set forth in Section W1f(2).

Farmington

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>MONTHLY BILLING</u>
5/8"	\$2.23	\$2.26
1"	\$4.47	\$4.52
1 1/2"	\$8.94	\$9.04
2"	\$167.53	\$169.44
3"	\$390.91	\$395.36
4"	\$670.13	\$677.76
6"	\$893.50	\$903.68
8"	\$2,233.76	\$2,259.20

Glastonbury

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>MONTHLY BILLING</u>
5/8"	\$1.81	\$1.76
3/4"	\$2.71	\$2.64
1"	\$3.62	\$3.53
1 1/2"	\$7.23	\$7.05
2"	\$135.59	\$132.24
3"	\$316.37	\$308.55
4"	\$542.34	\$528.95

South Windsor

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>MONTHLY BILLING</u>
5/8"	\$0.34	\$1.33
3/4"	\$0.67	\$2.00
1"	\$1.01	\$2.67
1 1/2"	\$1.35	\$5.33
2"	\$25.29	\$99.95
3"	\$59.00	\$233.21
4"	\$101.15	\$399.79
6"	\$134.86	\$533.05

Manchester

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>MONTHLY BILLING</u>
5/8"	\$2.89	\$2.84
1"	\$5.78	\$5.68
3"	\$506.04	\$496.79
6"	\$1,156.66	\$1,135.52

SEWER ORDINANCES:**§ S2e "WASTES EXCLUDED FROM ALL SEWERS"****§ S2q "USE OF COMBINED SEWERS"****§ S2s "STATE OF CT GENERAL PERMIT FOR DISCHARGES FROM
MISCELLANEOUS INDUSTRIAL USERS"****§ S2t "REQUIRED WASTEWATER DISCHARGE PERMIT(S)" (NEW)****§ S2u "DISCHARGE GREATER THAN 50,000GPD" (NEW)****§ S2v "ADDITIONAL PROHIBITIONS" (NEW)****SEC. S2e WASTES EXCLUDED FROM ALL SEWERS**

No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his control into any public sewer of any kind or type, any of the following:

- (1) Any substance or object likely to damage, injure, destroy or cause an obstruction in any sewer, or appurtenance thereof, into which it may be discharged;
- (2) Any substance which may attack, damage or alter by either abrasion or chemical action the materials of which the sewer and its appurtenances are composed or built;
- (3) Sticks, stones of material size, coarse rubbish, rags, unground or unshredded garbage or refuse, portions of any animal carcass more than one inch in longest dimension;
- (4) Any debris or substance which by depositing any considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer is likely to cause an obstruction in any sewer or appurtenance;
- (5) Any gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any substance which may generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substances commonly found in sewers; (See Section S2g).

(6) Steam, water vapor or other substance at a temperature above 150F, or substance which, upon coming into contact with water or sewage, will generate steam or vapor within such sewer; (See Section S2g).

(7) Any waste or waste water which is strongly acid, and which, when tested in the usual technical manner, has a "pH" less than 5.5 or which is strongly alkaline and has a "pH" more than 10.0; ("pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution).

(8) Objectionable poisons, cyanides, or any substance likely to generate poisonous fumes that may interfere with, constitute a hazard to, or be dangerous to human beings or domestic animals;

(9) Any waste water or sewage containing animal guts or tissues, entrails, offal, blood, feathers, hair, hides, scraps, unshredded fruits or vegetables, straw or cinders;

(10) Any water containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with sewage treatment and sludge digestion processes including the sedimentation, biological and chemical processes used by the District at its sewage treatment plants;

(11) Any considerable quantity of waste from an industrial or commercial process or processes containing more parts per million than the limit indicated below, for any of the following:

<u>Arsenic</u>	<u>0.1 ppm</u>
Cadmium	0.2 ppm
Chromium (total)	2.0 ppm
Chromium (hexavalent)	0.2 ppm
Copper	2.0 ppm
Cyanide	2.0 ppm
Lead	0.5 ppm
Mercury	Prohibited
Nickel	2.0 ppm
Oil and Grease	100 ppm
Silver	0.5 ppm
Tin	4.0 ppm
Total Nitrogen*	16 lbs/day
Zinc	2.0 ppm
Hydrogen sulfide, sulfur dioxide, nitrous oxide or any halogen gas	10 ppm
Suspended solids other than above (i.e., solids that float on the surface of or are in suspension in sewage which are removable by laboratory filtering)	600 ppm

*Total Nitrogen shall be measured by analyzing the wastewater for Total Kjeldahl Nitrogen (TKN) plus Nitrate-nitrite. The total mass loading (flow multiplied by concentration) shall not exceed 16lbs per day.

(12) Any waste waters or sewage likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in sewage treatment and disposal for the District. This prohibition shall be understood as applying to the kind or character of wastes discharged into any sewer and as limiting the quantity of wastes or waters which may be discharged from any one parcel or plot of property and the rate or rates at which wastes are discharged to approximately the quantity of sewage or water which the sewer was intended to receive from that particular parcel or plot or from a typical parcel of that size or area.

(13) Unusual biochemical oxygen demand (B.O.D.), chemical oxygen demand (C.O.D.), or chlorine demand in such quantities as to constitute a significant load and/or harmful effect on the MDC sewerage system including the sewage treatment plants.

(14) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in applicable State or Federal regulations.

(15) Any discharge of any pollutant that may cause pass through or interference, as defined in 40 CFR Part 403.

SEC. S2q USE OF COMBINED SEWERS

A combined sewer, except as provided in Section S2p or as otherwise specifically provided in any particular case, may be used to receive and convey any sewage or waste waters which under the preceding sections of this ordinance may be lawfully discharged into either a sanitary sewer or a storm drain. No waste water or substance which is or has been excluded from both sanitary sewers and storm drains by the preceding sections of this ordinance shall be discharged, directly or indirectly, into any combined sewer. (See also Section S2p). The District prohibits the construction of new combined sewers. The District prohibits the introduction of new inflow sources to the existing combined sewer system.

SEC. S2s STATE OF CT GENERAL PERMIT FOR DISCHARGES FROM MISCELLANEOUS INDUSTRIAL USERS

No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his/her control into any public sewer of any kind or type, any new discharge of miscellaneous sewer compatible wastewater subject to the State of Connecticut Department of Energy & Environmental Protection's ("CT DEEP") General Permit for Discharges from Miscellaneous Industrial Users ("MIU General Permit") without first submitting the required notification form under the MIU General

Permit to the District. All notification form submittals to the District under the MIU General Permit shall include an administrative review fee as established, and amended or modified, by the District Board. No variances shall be granted by the District to any discharger under the MIU General Permit unless the discharger has taken actions to achieve compliance and has implemented best management practices that are determined to be appropriate by the District. For any person or property owner requesting a variance, ~~they must apply to CT DEEP for authorization to discharge~~ under the CT DEEP Significant Industrial User (SIU) General Permit and/or other applicable state permit(s) they shall provide information to the District as to why the discharger is unable to comply with the conditions of the permit and the best management practices that have been implemented. The District retains the right to deny any variance request.

(Adopted December 16, 2019)

(Effective January 1, 2020)

SEC. S2t REQUIRED WASTEWATER DISCHARGE PERMIT(S)

No person or property owner shall discharge any new sources of non-domestic wastewater conveyed to the District Water Pollution Control facilities through its sanitary sewerage system or by any means other than its sanitary sewage system unless the generator of such wastewater; (a) is authorized by a permit issued by the CT DEEP under Section 22a-430 CGS (individual permit), or, (b) is authorized under Section 22a-430b (general permit), or, (c) has been issued an emergency or temporary authorization. All permits must also be approved by MDC.

SEC. S2u DISCHARGE GREATER THAN 50,000 GPD

No new discharge of domestic sewage from a single source to the District Water Pollution Control Facilities in excess of 50,000 gallons per day shall be allowed by the District until the CT DEEP has been notified in writing.

SEC. S2v ADDITIONAL PROHIBITIONS

Discharges to the District Water Pollution Control Facilities shall not cause the following in the final effluent, outside the Zone of Influence, in the receiving water body:

(1) sludge deposits, solid refuse, floating solids, oils and grease, or scum except as may result from a discharge from a wastewater treatment facility providing appropriate treatment and none exceeding levels necessary to protect and maintain all designated uses;

(2) color resulting in obvious discoloration of the surface water;

(3) suspended and settleable solids in concentrations or combinations which would impair the designated uses; be aesthetically objectionable; significantly alter the physical or chemical composition of bottom sediments; and/or adversely impact organisms living in or on the bottom sediment;

(4) silt or sand deposits other than of natural origin;

(5) turbidity other than that of natural origin except as may result discharge from a wastewater treatment facility providing appropriate treatment, provided all reasonable controls are used to control turbidity and none exceeding levels necessary to protect and maintain all designated uses; or

(6) odor that would impair the designated uses specifically assigned to this Classification pursuant to the Connecticut Water Quality Standards Regulations (RCSA §§ 22a-426-1—22a-426-9).

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

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

ADDITION TO DISTRICT BYLAWS COMMISSIONER COMMUNICATIONS TO STAFF

To: Committee on MDC Government for consideration December 6, 2021

District staff, through the Office of District Counsel, submits the following bylaw addition to The Metropolitan District Bylaws for consideration by the Committee on MDC Government.

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

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

RESOLVED: That the following addition to The Metropolitan District's Bylaws be adopted as follows:

B2k COMMISSIONER INTERACTIONS WITH DISTRICT STAFF, CONSULTANTS AND CONTRACTORS

In order to ensure proper adherence with existing protocols of the Board of Commissioners and to maintain awareness of issues or concerns that may arise, should any commissioner or citizen member wish to make a request of any District employee with ultimate reporting authority to the Chief Executive Officer, including Executive Administrative staff, or any of its consultants or contractors, regarding District business, they shall direct their request to the District Chairman and Chief Executive Officer who, upon receipt of any such request, shall either facilitate the interaction between the Commissioner and the appropriate employee, consultant, or contractor, as the case may be, and/or provide the Commissioner with a response to any such request. Any request and/or subsequent response that involve matters of District policy or relate to either customers or member towns generally shall be shared with all Commissioners.

No Commissioner shall take any action in direct contravention to the proper implementation by District staff of the policy decisions and directives formally adopted by the District Board.

Violation of this by-law may result in the subject Commissioner being removed from committee assignments or reassigned to another committee, and/or reporting said violation to his/her appointing authority.

Nothing in this section shall preclude a Commissioner or Citizen Member from making ~~general~~ inquiries to District Staff regarding ~~routine~~ operations or community activities provided such Commissioner or Citizen Member does not, either explicitly or implicitly, ask or direct staff to take or not take any particular course of action.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

Commissioner LeBeau made a motion to amend the by-law as shown above in redline, striking two words. The amendment was approved by a majority vote of those present. Commissioner Avedisian opposed.

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

**REVISION TO DISTRICT BYLAWS
CHAPTER 6 - CODE OF ETHICS**

To: Committee on MDC Government for consideration December 6, 2021

District staff, through the Office of District Counsel, submits the following bylaw revision to The Metropolitan District Bylaws for consideration by the Committee on MDC Government.

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

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

RESOLVED: That Chapter 6 of the Bylaws of the District Board of The Metropolitan District, Code of Ethics, be repealed in full and replaced by the following:

**CHAPTER 6
CODE OF ETHICS**

<u>Section</u>	<u>Title</u>
	Preamble
B6a	Fair and Equal Treatment
B6b	Disclosure of Confidential Information
B6c	Representing Private or Public Interest in District Matters
B6d	Disclosure of Interest
B6e	Gifts and Favors
B6f	Employment by District
B6g	Personnel Matters
B6h	Ethics Advisory Board

PREAMBLE

Public office is a public trust. The proper operation of government requires that public officers and employees be independent, impartial and responsible to the citizens whom they represent and serve. The work of government, including but not limited to the procurement of goods and services, must be performed honestly, free from threats, favoritism, undue influence and all forms of impropriety. Public office and public employment should not be pursued or used for the purpose of personal gain, and public officials and employees should have clear guidelines for ethical standards of conduct in order to act with integrity, fairness and in the best interests of the District. This Code of Ethics is provided to give these guidelines and to help ensure these standards are achieved.

The provisions of this Chapter shall apply to all Commissioners, Citizen Members, officers and employees of The Metropolitan District, paid or unpaid.

B6a USE OF DISTRICT PROPERTY

No officer, Commissioner, Citizen Member, officer or employee shall use, permit the use of or direct others to use District funds, services, property, equipment or materials, except as provided by law, or in accordance with administrative direction.

B6b DISCLOSURE OF CONFIDENTIAL INFORMATION

No officer, Commissioner, Citizen Member or employee shall disclose Confidential Information or use any such Confidential Information, nor direct any other person to disclose or use any such Confidential Information, for the purpose of advancing the financial or personal interest of him/herself or others.

“Confidential Information” means information, whether transmitted orally or in writing, which is obtained by reason of the public position or office held and is of such nature that it is not, at the time of transmission, a matter of public record or public knowledge.

B6c REPRESENTING PRIVATE OR PUBLIC INTEREST IN DISTRICT MATTERS

No officer, Commissioner, Citizen Member or employee shall appear for, or represent, any personal interest, or any public interest except that of The Metropolitan District, in any matter pending before or procurement being considered by the District staff, District Board, or any of its Bureaus, Commissioners, or Committees. No former officer, Commissioner, Citizen Member or employee shall represent anyone other than the District concerning any particular matter in which he/she participated personally and substantially while in District service. Nothing in this section shall prohibit or restrict an officer, Commissioner, Citizen Member or employee from appearing before the District

Board or any of its Bureaus or Committees, on his/her own behalf, or from being a party in any action, proceeding or litigation brought by or against the officer, Commissioner, Citizen Member or employee to which the District is a party.

B6d DISCLOSURE OF INTEREST

(a) No officer, Commissioner, Citizen Member or employee engage in or participate in any business or transaction, including outside employment with a private business, or pursue an interest, directly or indirectly, which is incompatible with the proper discharge of his or her official responsibilities in the public interest or which would tend to impair his or her independent judgment or action in the performance of official responsibilities.

(b) If any officer, Commissioner, Citizen Member or employee has a personal interest, or a member of his/her immediate family has a financial or personal interest, in any matter coming before, or which has been before, the District Board, or any of its Bureaus, Commissions or Committees, or if there is any matter, the consummation of which is incompatible with the proper discharge of official duties, such officer, Commissioner, Citizen Member or employee shall so advise such body. If such officer, Commissioner, Citizen Member or employee is a member of such body, he or she shall refrain from voting upon or otherwise participating in the consideration of such matter or any determination in connection therewith by such body, and shall not be present at any executive session of such body at which such matter is considered. Notwithstanding the prohibition in subsection, such officer, Commissioner, Citizen Member or employee a public employee or public official may vote or otherwise participate in a matter if it involves a determination of general policy and the interest is shared with a substantial segment of the population of the municipality; provided, in the case of a Commissioner, said Commissioner shall not preside over any meeting or hearing involving such matter.

B6e GIFTS AND FAVORS

No officer, Commissioner, Citizen Member or employee shall solicit or accept any gift from: 1) any person, firm or corporation which to his or her knowledge is interested in any pending matter within such individual's official responsibility or is pending or to be presented, or has been presented, before the District Board or any of its Bureaus, Commissions, or Committees; and 2) any consultant or third-party contractor providing goods or services to the District.

If a prohibited gift is offered, the recipient must refuse it, and if delivered, the intended recipient must return it.

For purposes of this section, the term "gift" means anything of value, including entertainment, food, beverage, travel, and lodging given or paid to an officer, Commissioner, Citizen Member or employee to the extent that consideration of equal or greater value is not received. A gift does not include:

- 1) a political contribution otherwise reported as required by law or a donation or payment as described in subdivision (9) or (10) of subsection (b) of section 9-601a;
- (2) services provided by persons volunteering their time, if provided to aid or promote the success or defeat of any political party, any candidate or candidates for public office or the position of convention delegate or town committee member or any referendum question;
- (3) a commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business;
- (4) a gift received from (A) an individual's spouse, fiance or fiancée, (b) the parent, brother or sister of such spouse or such individual, or (C) the child of such individual or the spouse of such child;
- (5) goods or services which are provided to the District and facilitate governmental action or functions;
- (6) a certificate, plaque or other ceremonial award costing less than one hundred dollars;
- (7) a rebate, discount or promotional item available to the general public;
- (8) printed or recorded informational material germane to governmental actions or functions;
- (9) an honorary degree bestowed upon an officer, Commissioner, Citizen Member or employee by a public or private university or college;
- (10) a meal provided at an event and/or the registration or entrance fee to attend such an event, in which an officer, Commissioner, Citizen Member or employee participates in his official capacity;
- (11) a meal provided in the home by an individual;
- (12) a gift, including but not limited to, food or beverage or both, provided by an individual for the celebration of a major life event such as the birth or adoption of a child, a wedding, a confirmation or bar/bat mitzvah, and a funeral, provided any such gift provided by an individual who is not a member of the family of the recipient shall not exceed two hundred fifty dollars. Major life event shall not include any event which occurs on an annual basis such as an anniversary; except that personal gifts of up to twenty-five dollars per occasion, aggregating no more than fifty dollars per recipient in a calendar year, shall be permitted to a minor incident to a birthday or other traditional gift-giving occasion, e.g., Christmas or Chanukah.

(13) anything of value provided by an employer of (A) a public official, (B) a public employee, or (C) a spouse of a public official or public employee, to such official, employee or spouse, provided such benefits are customarily and ordinarily provided to others in similar circumstances;

(14) anything having a value of not more than ten dollars, provided the aggregate value of all things provided by a donor to a recipient under this subdivision in any calendar year shall not exceed fifty dollars; or

(15) training that is provided by a vendor for a product purchased by a municipality which is offered to all customers of such vendor.

B6f EMPLOYMENT BY DISTRICT

(a) No Commissioner or Citizen Member shall, on behalf of any existing employee or candidate for employment, solicit any officer or employee for promotion, reassignment or employment of any person, nor shall any Commissioner or Citizen Member hold any staff office of employment or other relationship of remuneration with the District while serving as Commissioner or Citizen Member, or for a period of one year after termination of service as a Commissioner or Citizen Member. The restriction during the year after service as a Commissioner or Citizen Member shall not apply to any contract awarded as a result of a bid on a competitive basis after sealed bids and public notice.

(b) No Commissioner or Citizen Member may represent any business or person, other than himself or herself, before the commission for a period of one year following the end of such member's service on the commission.

B6g PERSONNEL MATTERS

No Commissioner or Citizen Member shall represent the personal interest of any District employee in regard to personnel matters, including but not limited to, the operation of personnel administration processes and procedures as it may affect such employee, disciplinary actions, whistleblower complaints, and grievances, provided nothing herein shall serve to interfere with any right to initiate policy, to oversee the implementation of policy, to initiate investigations, or to select District officers.

B6h ETHICS ADVISORY BOARD

There shall be a standing Ethics Advisory Board of the District Board consisting of three Commissioners appointed by the Chairman, who shall render advisory opinions whenever there exists any doubts as to the applicability of the provisions and restrictions of this code. The finding or recommendation of the Ethics Advisory Board shall be reported to the District Board for final action. In the event a matter referred to the Ethics Advisory Board in any way relates to or concerns a member of the Ethics

Advisory Board, such board member shall be removed as a member and replaced by the Chairman for purposes of the board's consideration of such matter.

B6i INVESTIGATION OF COMPLAINTS

The Office of District Counsel, with oversight and direction from the Ethics Advisory Board of the District Board established under B6h, shall be responsible for the investigation of any formal complaints which may be received regarding the compliance with the Code of Ethics. District Counsel, upon the advice and consent of the Ethics Advisory Board, is authorized to retain and oversee such additional resources as may be necessary, including retaining independent counsel, in the course of conducting said investigation(s). The finding of any investigation shall be reported to the District Board for final action, as appropriate.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

On motion made by District Chairman DiBella 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 4:44 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

January 10, 2022

Date of Approval

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To

**MINUTES OF THE COMMITTEE ON MDC
GOVERNMENT**

Committee on MDC Government - 2021

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