

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

FOR THE YEAR  
2022

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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

**CONTENTS**

	<b>Page</b>
Membership.....	A

**MINUTES OF THE COMMITTEE ON MDC GOVERNMENT**

January 10.....	1
January 31.....	6
September 28.....	8
November 2 .....	12
December 5.....	22

**INDEX**

Minutes of the Committee on MDC Government.....	I-1
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**MEMBERSHIP**  
**OF**  
**THE COMMITTEE ON MDC GOVERNMENT**  
**2022**

**ALLEN HOFFMAN**      Chairman, Committee on MDC Government

**AVERY BUELL**      Vice Chairman, Committee on MDC Government

JOHN AVEDISIAN

DAVID IONNO

AVERY BUELL

SHUBHADA KAMBLI

PETER GARDOW

GARY LEBEAU

JAMES HEALY

MAUREEN MAGNAN

ALLEN HOFFMAN

ALPHONSE MAROTTA

JEAN HOLLOWAY

ALVIN TAYLOR

# **MINUTES**

**OF**

**MEETINGS OF THE COMMITTEE ON MDC GOVERNMENT**

**HELD IN 2022**

**COMMITTEE ON MDC GOVERNMENT  
SPECIAL MEETING**

555 Main Street  
Hartford, Connecticut 06103  
Monday, January 10, 2022

**Present:** Commissioners John Avedisian, Allen Hoffman and District Chairman William A. DiBella (3)

**Remote**

**Attendance:** Commissioners Clifford Avery Buell, Peter Gardow, James Healy, Jean Holloway, Gary LeBeau, Maureen Magnan and Alvin Taylor (7)

**Absent:** Commissioners David Ionno, Shubhada Kambli and Alphonse Marotta (3)

**Also**

**Present:** Commissioner Diane Lewis (Remote Attendance)  
Commissioner Jacqueline Mandyck  
Commissioner Pasquale Salemi (Remote Attendance)  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer (Remote Attendance)  
Sue Negrelli, Director of Engineering (Remote Attendance)  
Robert Schwarm, Director of Information Technology (Remote Attendance)  
Tom Tyler, Director of Facilities (Remote Attendance)  
Jamie Harlow, Director of Human Resources (Remote Attendance)  
Nick Salemi, Communications Administrator  
Carrie Blardo, Assistant to the Chief Operating Officer  
Victoria Escoriza, Executive Assistant

**CALL TO ORDER**

Chairman Hoffman called the meeting to order at 4:34 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 December 6, 2021 were approved.***

***Commissioner LeBeau entered the meeting at 4:45 PM***

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

To: Committee on MDC Government

January 10, 2022

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 2022 state and federal legislative consultants. The term of these appointments would be from January 1, 2022 through December 31, 2022, 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.

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, 2022 and

terminating on December 31, 2022. 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.

**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, 2022 and terminating on December 31, 2022. 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 Commissioner Magnan and duly seconded, the report was received and resolution adopted by unanimous vote of those present.***

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

To: Committee on MDC Government for consideration January 10, 2022

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.

The District Board first approved the addition of Bylaw § B1j in October 2014 to allow members to participate at meetings and be counted toward a quorum for the meeting. The original § B1j included a requirement that at least a majority of the required quorum be physically present.

In March 2020, Governor Lamont issued executive orders that suspended public meeting requirements under the Freedom of Information Act in order to allow remote participation for public agency members and the general public. In July 2021, the General Assembly passed Public Act 21-2 that codified into law

the ability for public agencies to hold fully remote meetings so long as certain conditions are met. Both the executive orders and Public Act 21-2 allow remote attendees to count towards a quorum.

In July 2021 the Committee on MDC Government recommended to the District Board revision to Bylaw § B1j to give the District the same ability to hold remote meetings as other public agencies. In October 2021, the District Board considered the revision and amended the recommended bylaw to add a sunset provision that will remove the District's ability to count remote attendees towards a quorum and hold remote meetings as of March 1, 2022. It is the recommendation of the District Clerk and Office of District Counsel to remove the sunset provision in order to allow the District Board and committees to function the same as all other public agencies in accordance with the State of Connecticut Freedom of Information Act.

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 as of March 1, 2022 and absent action by the District Board to the contrary, Commissioners physically present at any meeting must constitute a majority of the required quorum.~~

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer

***On motion made by Commissioner Avedisian 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 4:49 PM

ATTEST:  
*John Mirtle*  
John S. Mirtle, Esq.  
District Clerk

January 31, 2022  
\_\_\_\_\_  
Date of Approval

**COMMITTEE ON MDC GOVERNMENT  
SPECIAL MEETING**

555 Main Street  
Hartford, Connecticut 06103  
Monday, January 31, 2022

**Present:** Commissioners John Avedisian, Allen Hoffman, Alvin Taylor and District Chairman William A. DiBella (4)

**Remote**

**Attendance:** Commissioners Clifford Avery Buell, Peter Gardow, James Healy, Jean Holloway, Gary LeBeau and Maureen Magnan (6)

**Absent:** Commissioners David Ionno, Shubhada Kambli and Alphonse Marotta (3)

**Also**

**Present:** Commissioner Andrew Adil (Remote Attendance)  
Commissioner Diane Lewis (Remote Attendance)  
Commissioner Bhupen Patel (Remote Attendance)  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk (Remote Attendance)  
Brendan Fox, Assistant District Counsel  
Steve Bonafonte, Assistant District Counsel  
Christopher Levesque, Chief Operating Officer (Remote Attendance)  
Kelly Shane, Chief Administrative Officer (Remote Attendance)  
Bob Barron, Chief Financial Officer (Remote Attendance)  
Sue Negrelli, Director of Engineering (Remote Attendance)  
Nick Salemi, Communications Administrator (Remote Attendance)  
Carrie Blardo, Assistant to the Chief Operating Officer (Remote Attendance)  
Victoria Escoriza, Executive Assistant  
Janice Flemming-Butler, Legislative Consultant  
Joseph Szerejko, Independent Consumer Advocate

**CALL TO ORDER**

District Counsel Christopher Stone called the meeting to order at 4:02 PM

**ELECTION OF CHAIRPERSON**

District Counsel Christopher Stone called for the election of the Chairperson. Commissioner Avedisian placed Commissioner Allen Hoffman's name in nomination, the nomination was duly seconded.

There being no further nominations, the nominations were closed. Commissioner Hoffman was elected Chairperson of the Committee on MDC Government for 2022 and 2023. Chairperson Hoffman assumed the Chair and thanked the Committee on MDC Government.

### **ELECTION OF VICE CHAIRMAN**

Chairman Hoffman called for the election of the Vice Chairperson. Commissioner Hoffman placed Commissioner Avery Buell's name in nomination and the nomination was duly seconded.

There being no further nominations, the nominations were closed. Commissioner Avery Buell was elected Vice Chairperson of the Committee on MDC Government for 2022 and 2023.

### **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 January 10, 2022 were approved.*

### **DISCUSSION RE: 2022 LEGISLATIVE UPDATE**

Assistant District Counsel Steve Bonafonte gave a report regarding federal funding opportunities.

Assistant District Counsel Brendan Fox gave a report regarding state legislative issues.

### **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

### **ADJOURNMENT**

The meeting was adjourned at 4:58 PM

ATTEST:

  
John S. Mirtle, Esq.  
District Clerk

September 28, 2022  

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Date of Approval

**COMMITTEE ON MDC GOVERNMENT  
SPECIAL MEETING**

555 Main Street  
Hartford, Connecticut 06103  
Monday, September 28, 2022

**Present:** Commissioners John Avedisian, Peter Gardow, Allen Hoffman, Jean Holloway and District Chairman William A. DiBella (5)

**Remote**

**Attendance:** Commissioner Maureen Magnan and Alvin Taylor (2)

**Absent:** Commissioners Avery Buell, James Healy, David Ionno and Alphonse Marotta (4)

**Also**

**Present:** Commissioner Jackie Mandyck  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Steve Bonafonte, Assistant District Counsel  
Christopher Levesque, Chief Operating Officer (Remote Attendance)  
Kelly Shane, Chief Administrative Officer  
Sue Negrelli, Director of Engineering  
Robert Schwarm, Director of Information Services (Remote Attendance)  
Tra Phan, Controller (Remote Attendance)  
Jason Waterbury, Manager of Engineering Services  
Carrie Blardo, Assistant to the Chief Executive Officer (Remote Attendance)  
Julie Price, Executive Assistant  
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

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

***Commissioner Taylor and Commissioner Magnan entered the meeting at 4:10 PM***

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

Judy Allen of West Hartford stated that the Bylaw as drafted is confusing and suggests that the conflict of interest disclosure form should be written in a more user-friendly way and possibly include a statement that Commissioners understand their responsibility of any disclosed conflict. She also stated that Bylaw B6d, as drafted, would have made the circumstances around bringing Niagara to the area a violation.

**APPROVAL OF MINUTES**

*On motion made by District Chairman DiBella and duly seconded, the meeting minutes of January 31, 2022 were approved.*

**CODE OF ETHICS ACKNOWLEDGMENT & POTENTIAL CONFLICT OF INTEREST DISCLOSURE FORM**

*The Committee discussed the draft disclosure form and no action was taken. Agenda Item #4: "Code of Ethics Acknowledgement & Potential Conflict of Interest Disclosure Form" was postponed to a future meeting.*

**REVISION OF BYLAW § B6d "DISCLOSURE OF INTEREST"**

*No action was taken. Agenda Item #5: "Revision of ByLaw § B6d 'Disclosure of Interest'" was postponed to a future meeting.*

**REVISION OF SEWER ORDINANCE § S12x DUE TO CONSENT ORDER #COWRMU22002 AND INTEGRATED PLAN**

*Without objection, the Revision of Sewer Ordinance § S12x was referred to a public hearing.*

**BYLAWS RELATED TO ORGANIZATION OF COMMITTEES**

*Agenda item #7: "Bylaws related to Organization of Committees" was postponed to a future meeting.*

**REVISION TO DISTRICT BYLAW § B3a**

To: Committee on MDC Government for consideration September 28, 2022

At the January 10, 2022 District Board meeting as part of the resolution organizing committee membership for 2022 and 2023, the District Board disbanded and dissolved several committees that had been inactive for many years. One such committee was the Farmington River Watershed Advisory Committee which is identified in Bylaw § B3a as a continuing standing committee. Bylaw § B3a should be updated to remove the Farmington River Watershed Advisory Committee as a standing committee due to its dissolution.

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

**B3a GENERAL**

The District Board shall be organized into bureaus, commissions and committees as follows:

- 1) As provided by charter:
  - Water Bureau
  - Bureau of Public Works
  - Commission on Regional Planning
  - Board of Finance
- 2) Continuing standing committees:
  - Committee on Organization
  - Personnel, Pension and Insurance Committee
  - Committee on MDC Government
  - Community Affairs Committee
  - Committee on General Policy and Planning
  - ~~Farmington River Watershed Advisory Committee~~
  - Internal Audit Committee
- 3) Special Committees (as may be raised by the District Board from time to time).
- 4) The quorum of each standing committee shall be established by the respective committee.

The Chairman or presiding officer of any bureau, board, committee or commission may participate in the discussion of, or debate concerning, any matter proper to come before such bureau, board, committee or commission, without being required to relinquish the chair during the discussion, debate and disposition of such matter, and may vote on such matter.

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer

***On motion made by Commissioner Gardow 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 recommended making copies of the disclosure form publicly available.

**ADJOURNMENT**

The meeting was adjourned at 4:58 PM

ATTEST:  
  
John S. Mirtle, Esq.  
District Clerk

November 2, 2022  

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Date of Approval

**COMMITTEE ON MDC GOVERNMENT  
SPECIAL MEETING**

555 Main Street  
Hartford, Connecticut 06103  
Wednesday, November 2, 2022

**Present:** Commissioners John Avedisian, Peter Gardow, Allen Hoffman, Jean Holloway, Maureen Magnan, Alvin Taylor and District Chairman William A. DiBella (7)

**Remote**

**Attendance:** (0)

**Absent:** Commissioners Avery Buell and James Healy (2)

**Also**

**Present:** Commissioner John Bazzano  
Commissioner Donald Currey  
Commissioner John Gale  
Commissioner Joan Gentile  
Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Commissioner Bhupen Patel (Remote Attendance)  
Commissioner Pasquale Salemi  
Commissioner Calixto Torres  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
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 Services  
Tom Tyler, Director of Facilities  
Carrie Blardo, Assistant to the Chief Executive Officer  
Victoria Escoriza, Executive Assistant  
David Baker, IT Consultant (Remote Attendance)  
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

Chairman Hoffman called the meeting to order at 5:01 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

Judy Allen of West Hartford submitted the following written comments:

"I am in total support of a bylaw change and creation of a form to clarify and report any conflicts of interest. The MDC is charged with overseeing a natural resource and providing essential drinking water and sanitation. The need for transparency is crucial.

But I have some concerns about specific portions of what is being proposed. It may be I'm just not fluent in legalese.

I have questions about the section that deals with the "impossibility" of disclosure. To me, impossible to disclose might be exactly the kind of ethics violation the public needs to know.

What does impossibility mean?

What would be an example?

Does it mean impossible to disclose to the public?

Does it mean a family member won't give the information needed?

There should be at least be some sort of guidance for the Ethics Advisory Board to use in evaluating a waiver due to impossibility or conflict. Or does the board get to decide that for themselves?

The Ethics Advisory Board should have the responsibility to inform the District Board when a waiver has been made because of impossibility and recommend which general issues the commissioner should not be able to discuss or vote on.

I'm assuming a waiver because of impossibility in one area does not excuse an individual to disclose and file conflicts of interest in other areas.

I also have questions about how the thresholds of \$10,000 or 35% for some transactions and ownership were arrived at. At least for commissioners these need to be very stringent.

What if I'm 25% owner in a company from which I get \$10,5000 a year? Is that a conflict of interest? Would I even need to disclose this at all?

If I and my son use the same attorney for personal reasons, who's business transactions are the same as for others, and I pay that attorney \$9,000 and my son pays the same attorney \$5,000. Is that a violation?

Does "in the aggregate" mean the total is for both me and any family member together?

I believe the Chair of the District Board is in a unique position of influence and is granted significant power. Therefore the chair should not be a member of the Ethics Advisory Board nor involved in proposing any commissioner to serve on that board.

I believe that the Chair should be held to a higher standard and should not have any ownership in any company doing business with the MDC. There should not be even any appearances of conflict.

Since standards for conflict of interest apply to both employees and officers and would not be referred to the Ethics Advisory Board, would it be the district counsel's responsibility to determine any violations and what the proper response should be?

I'm assuming employee filings would not be made public. But I see the value in making officer's filings public.

Taking on the position of commissioner is an important commitment. I am grateful for your work and the time commitments involved for no pay. I would like the MDC Board to have a sterling reputation for transparency. I think your customers will be grateful for strict ethical standards that are enforced."

Judy Allen  
West Hartford

### **APPROVAL OF MINUTES**

*On motion made by District Chairman DiBella and duly seconded, the meeting minutes of September 28, 2022 were approved.*

### **REVISION TO DISTRICT BYLAWS**

To: Committee on MDC Government for consideration November 2, 2022

At the September 28, 2022 meeting of the Committee on MDC Government, the Office of District Counsel presented to the Committee a draft amendment to the District Bylaws which would require Commissioners and Citizen Members to provide an annual signed acknowledgment of the Code of Ethics and disclosure of potential conflicts of interest on a form to be provided by the Office of District Counsel. Additional revisions to this amendment were made based on comments received at this meeting and the proposed final draft language is provided below for consideration and action.

Therefore, it is **RESPECTFULLY SUBMITTED** that it be

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

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

#### **B6d DISCLOSURE OF INTEREST**

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. (ab) 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.

(b) On or before January 31 of each year or within thirty (30) days of appointment, each Commissioner and Citizen member shall file an acknowledgment of the Code of Ethics and Disclosure of Potential Conflict of Interests, on a form to be provided by the Office of District Counsel.

The statement shall include the following information regarding the individual required to file the statement and the individual's immediate family:

- (1) A disclosure of any business transaction with the District;
- (2) The disclosure of any business or family relationship with any Commissioner, Citizen Member, officer or employee of the District;
- (3) The disclosure of any family relationship with any third-parties having a business relationship with the District (i.e., a family member acting as an officer, employee or member of third-party);
- (4) An affirmative attestation that the Citizen Member or Commissioner is in full compliance with all eligibility requirements for said office;
- (5) A broad statement of disclosure of any other known potential conflicts of interest.

The statement filed pursuant to this section shall be a matter of public information. Any individual who is unable to provide information required under the provisions this section by reason of impossibility may petition the Ethics Advisory Board for a waiver of the requirements. Any individual who fails to file the statement of financial interests or other information as required by this section and is found by the Ethics Advisory Board to be in violation of this section, shall be reported to the District Board and to their respective appointing authority for possible action.

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer

***Chairman DiBella moved to amend the resolution as stated by Commissioner Currey. The amendment was adopted by unanimous vote of those present and is shown above in blue text.***

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

**CODE OF ETHICS POLICY ACKNOWLEDGMENT  
AND DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

To: Committee on MDC Government for consideration November 2, 2022

At the September 28, 2022 meeting of the Committee on MDC Government, the Office of District Counsel presented to the Committee a draft amendment to the District Bylaws which would require Commissioners and Citizen Members to provide an annual signed acknowledgment of the Code of Ethics and disclosure of potential conflicts of interest on a form to be provided by the Office of District Counsel. Additional revisions to this amendment were made based on comments received at this meeting and the proposed final draft language is provided below for consideration and action.

Therefore, it is **RESPECTFULLY SUBMITTED** that it be

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

**RESOLVED:** That the following “CODE OF ETHICS POLICY ACKNOWLEDGMENT AND DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST” form is hereby adopted and approved for use:

**THE METROPOLITAN DISTRICT****CODE OF ETHICS POLICY ACKNOWLEDGMENT  
AND DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

I have received, read and understand, and agree to abide by the By-Laws of the District Board and the Code of Ethics contained therein. As outlined in the Code of Ethics, 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. In furtherance of this policy, I hereby make the following affirmative statements and representations:

1. Do you, or to your knowledge does a Family Member<sup>1</sup> directly or indirectly, (i) maintain any business transaction with the District, or (ii) receive any compensation, grants, gifts or other benefits from the District, or any person seeking to do or doing business with the District? Examples of a business transaction may include a purchase or sale, lease, contractual arrangement, performance of services or participation in a joint venture.

Yes

No

If so, please describe the nature of the business transaction, compensation arrangement, or any other benefit, and the identities of each of the parties involved. If the applicable arrangement concerns a Related Person, please describe how the person or entity is related to you. If more than one relationship must be disclosed, please number the relationships.

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<sup>1</sup>A **Family Member** is a spouse, sibling (whether by whole or half-blood), child (natural or adopted), grandchild, or spouses of siblings, children or grandchildren.

2. To the best of your knowledge, do you have a business<sup>2</sup> or family relationship with any other current Commissioner, Citizen Member, officer or employee of the District?

Yes

No

Please describe the exact nature of any family relationships or business relationships or transactions, and the parties involved. If more than one relationship or transaction must be disclosed, please number the relationships and transactions.

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3. Do you, or to your knowledge, does a Family Member, serve as an officer, employee, or member of the governing body of an entity which has in the past year applied, or which you anticipate may apply, for funding from or engage in a business transaction with the District?

Yes

No

<sup>2</sup> A **business relationship** is defined as:

1. One person is employed by the other in a sole proprietorship or by an organization with which the other is associated as a trustee, director, officer, key employee, or greater than 35% owner.
2. One person is transacting business with the other (other than in the ordinary course of either party's business on the same terms as are generally offered to the public), directly or indirectly, in one or more contracts of sale, lease, license, loan, performance of services, or other transaction involving transfers of cash or property valued in excess of \$10,000 in the aggregate during the organization's tax year. Indirect transactions include transactions with an organization with which one person is associated as a trustee, director, officer, key employee, or greater than 35% owner.
3. The two persons are each a director, trustee, officer, or greater than 10% owner in the same business or investment entity. "Ownership" is measured by stock ownership (either voting power or value) of a corporation, profits or capital interest in a partnership or limited liability company, membership interest in a nonprofit organization, or beneficial interest in a trust. Ownership includes indirect ownership (e.g., ownership in an entity that has ownership in the entity in question); there can be ownership through multiple tiers of entities.

Please list the applicable entity or entities, and the position held by you or your Family Member:

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4. Continued Appointment Eligibility and Additional Potential Conflicts of Interest:

Please answer the following two (2) questions:

1. Are all eligibility conditions of your appointment as an officer, Commissioner/Citizen Member presently satisfied (e.g., residency/elector of district/municipality, as your particular appointment requires)?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. To the best of your knowledge, are you or your immediate family involved in any other activity or relationship not characterized or described above, business or otherwise, which has the potential for being a conflict of interest with your role and responsibilities to the District?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes to either or both, please describe:

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ATTEST:

I hereby swear under penalty of false statement that the foregoing statements are true and complete to the best of my knowledge and belief.

I understand that I have an ongoing obligation to amend this form should any circumstances change which would cause any of the statements herein to be inaccurate or incomplete.

If an apparent or potential conflict hereafter arises within the spirit of the Conflict of Interest Policy, I shall immediately disclose the facts and circumstances in writing or via e-mail to the District Counsel.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

State of Connecticut  
County of Hartford

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public/Commissioner of Superior Court

***Please return this completed questionnaire (hard copy or via e-mail) to:***

Office of the District Counsel  
The Metropolitan District  
555 Main Street  
Hartford, CT 06103  
[legal@themdc.com](mailto:legal@themdc.com)

NOTE: Failure to submit this form to District Counsel on or before January 31 of each calendar year will result in notice being provided to the District Board and the appointing authority of the Commissioner/Citizen Member.



**COMMITTEE ON MDC GOVERNMENT  
SPECIAL MEETING**

555 Main Street  
Hartford, Connecticut 06103  
Monday, December 5, 2022

**Present:** Commissioners John Avedisian, Avery Buell, Peter Gardow, Allen Hoffman, Jean Holloway, Alvin Taylor and District Chairman William A. DiBella (7)

**Remote**

**Attendance:** (0)

**Absent:** Commissioners James Healy and Maureen Magnan (2)

**Also**

**Present:** Commissioner Donald Currey  
Commissioner Joan Gentile (Remote Attendance)  
Commissioner Jackie Mandycyk  
Commissioner Bhupen Patel (Remote Attendance)  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Robert Barron, Chief Financial Officer  
Jamie Harlow, Director of Human Resources  
Robert Schwarm, Director of Information Services  
Tom Tyler, Director of Facilities  
Piotr Kryzk, Financial Analyst  
Victoria Escoriza, Executive Assistant  
Dylan Pecego, IT Consultant (Remote Attendance)  
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

Chairman Hoffman called the meeting to order at 4:03 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

Judy Allen of West Hartford submitted the following written comments:

“As you consider water and sewer rates for 2023, I must again call your attention to the discounts for large volume water users. Currently only one customer can make use of the discount. No other customer is even close to using that amount of water. It is clear that this customer buys water in response to market conditions and not because of discounts.

Therefore, since the establishment of these discounts, the MDC has lost over \$1,033,000 in revenue.

This discount has been called an economic development rate, yet this large volume user rate has no end date. A typical economic development rate is gradually lessened over time such that eventually the business is paying full freight just as all other customers do.

While there is nothing preventing you from reducing the amount of the discount, in the past 2 years there has been no indication that a reduction over time is being considered.

This rate has failed to accomplish its goal. It has not attracted any new industry to the MDC member towns, it has not resulted in Niagara Bottling buying extra huge amounts of water.

The action you should take is quite clear. Either decide to eliminate the large volume user rate, or begin to reduce it.

What is proposed for next year is a rate for large volume users that is \$.75 less than the rest of us pay. Take one baby step toward making this a true economic development rate, reduce the large volume water rate by just one nickel. At least have a discussion about the discounted rates in public. Niagara is here, it is established, they aren't moving out.

MDC is abundantly fortunate to have plentiful water. Other parts of our state are in dire need of potable water. Please set an example of being good stewards of our water and don't give away water while others struggle."

Thank you,  
Judy Allen  
West Hartford

### **APPROVAL OF MINUTES**

***On motion made by District Chairman DiBella and duly seconded, the meeting minutes of November 2, 2022 were approved.***

### **REVISION DISTRICT ORDINANCES**

To: Committee on MDC Government for consideration December 5, 2022

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”

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:

<u>BILLS RENDERED MONTHLY</u>	<u>RATE</u>
	<del>\$4.09</del> <b>\$3.80</b> 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:

<u>BILLS RENDERED MONTHLY</u>	<u>RATE</u>
	<del>\$4.09</del> <b>\$3.80</b> per 100 Cubic Feet

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

<u>BILLS RENDERED MONTHLY</u>	<u>RATE</u>
	<del>\$3.34</del> <b>\$3.05</b> 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:

<u>BILLS RENDERED MONTHLY</u>	<u>RATE</u>
	<del>\$4.09</del> <b>\$3.80</b> 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).

### MONTHLY BILLING

SIZE OF METER	Farmington		Glastonbury <span style="color: blue;">Amendment</span>			South Windsor		Manchester	
	<u>2022</u>	<u>2023</u>	<u>2022</u>	<u>2023</u>	<u>2023</u>	<u>2022</u>	<u>2023</u>	<u>2022</u>	<u>2023</u>
5/8"	\$2.26	<b>\$1.84</b>	\$1.76	<b>\$1.63</b>	<b>\$1.60</b>	\$1.33	<b>\$1.46</b>	\$2.84	<b>\$2.79</b>
¾"			\$2.64	<b>\$2.44</b>	<b>\$2.39</b>	\$2.00	<b>\$2.19</b>		
1"	\$4.52	<b>\$3.68</b>	\$3.53	<b>\$3.25</b>	<b>\$3.19</b>	\$2.67	<b>\$2.92</b>	\$5.68	<b>\$5.57</b>
1 ½"	\$9.04	<b>\$7.36</b>	\$7.05	<b>\$6.50</b>	<b>\$6.39</b>	\$5.33	<b>\$5.85</b>		
2"	\$169.44	<b>\$138.08</b>	\$132.24	<b>\$121.93</b>	<b>\$119.74</b>	\$99.95	<b>\$109.67</b>		
3"	\$395.36	<b>\$322.20</b>	\$308.55	<b>\$284.51</b>	<b>\$279.39</b>	\$233.24	<b>\$255.90</b>	\$496.79	<b>\$487.54</b>
4"	\$677.76	<b>\$552.33</b>	\$528.95	<b>\$487.73</b>	<b>\$478.96</b>	\$399.79	<b>\$438.68</b>		
6"	\$903.68	<b>\$736.45</b>			<b>\$638.61</b>	\$533.05	n/a	\$1,135.52	<b>\$1,114.38</b>
8"	\$2,259.20	<b>\$1,841.12</b>							

## **SEWER ORDINANCES:**

### **§ S12X “SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM”**

#### **SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR ~~CAPTIAL~~ CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM**

- ~~a.)~~ (1) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b), and S12x(c), and S12(d) said rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.
- ~~b.)~~ (2) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.
- ~~c.)~~ (3) Customers subject to the provisions of this Section 12x, other than customers subject to Subsection S12x(b) above, shall be subject to the special sewer service charge as follows: 1) for the first 24,060 hundred cubic feet of water consumed from a single water meter per month, the special sewer service charge shall be assessed at the rate established by The Metropolitan District against each one hundred cubic feet of water consumed; and 2) for all water consumed in excess of 24,060 hundred cubic feet per month from a single water meter, the special sewer service charge shall be assessed at such rate against each one hundred cubic feet of sewer flow generated by the water used in excess of 24,060 hundred cubic feet per month metered at a location approved by the Metropolitan District. This excess sewer flow shall be calculated via the proportion of sewage discharged to water consumed for the month, with this proportion applied to the volume of water consumed in excess of 24,060 hundred cubic feet per month and billed pursuant to Section S12f. The special sewer service charge assessed pursuant to this subsection shall be billed monthly.

~~e.)~~ (4) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with: (a) a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut; (b) and a certain consent order (Consent Order No. 5434) executed by and between The Metropolitan District and the State of Connecticut on or about November 6, 2006 relating to the reduction of combined sewer overflows; (c) the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued December 21, 2005 October 5, 2018; and (d) a certain consent order (Consent Order No. COWRMU22002) executed by and between The Metropolitan District and the State of Connecticut relating to the implementation of an integrated planning concept dated September 12, 2022, as such decree and orders may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or orders, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such decree and orders. For this purpose “indebtedness” shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans, and “Debt service” shall mean: (i) any obligation that would constitute “debt service” if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term “debt service” is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture; and (ii) any obligation of The Metropolitan District incurred in furtherance of compliance with Consent Order No. COWRMU22002, including, but not limited to, any indebtedness incurred or capital expenditures made pursuant to Public Act No. 15-114.

~~e.)~~ (5) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer

***Chairman DiBella moved to amend the resolution as shown above in blue text.  
The amendment was adopted by unanimous vote of those present.***

***On motion made by Commissioner DiBella and duly seconded, the report was  
received and resolution, as amended, 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 4:15 PM

ATTEST:  
  
John S. Mirtle, Esq.  
District Clerk

January 4, 2023

\_\_\_\_\_  
Date of Approval

**INDEX**

**To**

**MINUTES OF THE COMMITTEE ON MDC  
GOVERNMENT**

# Committee on MDC Government - 2022

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	<b>Page</b>
<b>B</b>	
<b>BUELL, CLIFFORD AVERY</b>	
Elected Vice Chairperson	7
<b>BYLAW, REVISION</b>	
Bylaw B1j "Telephonic Attendance at Meetings"	3
Bylaw B3a "General"	9
Bylaw B6d "Disclosure of Interest"	9
Bylaw B6d "Disclosure of Interest"	14
<b>C</b>	
<b>CHAIRPERSON, ELECTION OF</b>	
Election of Allen Hoffman	6
<b>CODE OF ETHICS</b>	
Acknowledgment & Potential Conflict of Interest Disclosure Form	9
Acknowledgment & Potential Conflict of Interest Disclosure Form	16
<b>H</b>	
<b>HOFFMAN, ALLEN</b>	
Elected Chairperson	6
<b>L</b>	
<b>LEGISLATIVE CONSULTANTS, APPOINTMENT OF</b>	
Gaffney, Bennett and Associates Inc.; SJB Strategies, LLC; Strategic Outreach Solutions, LLC; and Squire Patton Boggs	2
<b>LEGISLATIVE UPDATE</b>	
2022	7
<b>O</b>	
<b>ORDINANCE REVISION</b>	
Sewer Ordinance S12x Referred to Public Hearing	9
<b>ORDINANCE REVISIONS</b>	

	<b>Page</b>
Water Supply Ordinances W1a "Water Used Charge" and W1f "Surcharge Outside the Metropolitan District"	23
Sewer Ordinance S12x "Special Sewer Service Charge for Capital Improvements to Sewerage System"	23
<b>V</b>	
<b>VICE CHAIRPERSON, ELECTION OF</b>	
Election of Clifford Avery Buell	7