

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

**FOR THE YEAR
2023**

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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

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MEMBERSHIP
OF
THE COMMITTEE ON MDC GOVERNMENT
2023

ALLEN HOFFMAN Chairman, Committee on MDC Government

AVERY BUELL Vice Chairman, Committee on MDC Government

KYLE ANDERSON

JAMES HEALY

JOHN AVEDISIAN

ALLEN HOFFMAN

JOHN BAZZANO

JEAN HOLLOWAY

AVERY BUELL

MAUREEN MAGNAN

DIMPLE DESAI

DAVID STEUBER

PETER GARDOW

ALVIN TAYLOR

MINUTES
OF
MEETINGS OF THE COMMITTEE ON MDC GOVERNMENT
HELD IN 2023

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Wednesday, January 4, 2023

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

Absent: Commissioners James Healy and Maureen Magnan (2)

Also

Present: Commissioner Richard Bush
Commissioner Donald Currey
Commissioner Jacqueline Mandyck
Commissioner Dominic Pane
Commissioner Pasquale Salemi (Remote Attendance)
Commissioner James Woulfe
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Brendan Fox, Assistant District Counsel (Remote Attendance)
Christopher Levesque, Chief Operating Officer (Remote Attendance)
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Robert Barron, Chief Financial Officer
Jamie Harlow, Director of Human Resources (Remote Attendance)
Sue Negrelli, Director of Engineering (Remote Attendance)
David Rutty, Director of Operations
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities (Remote Attendance)
Carrie Blardo, Assistant to the Chief Operating Officer
Julie Price, 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 5:05 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

*On motion made by Commissioner Buell and duly seconded,
the meeting minutes of December 5, 2022 were approved.*

APPOINTMENT OF LEGISLATIVE CONSULTANTS

To: Committee on MDC Government

January 4, 2023

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 2023 state and federal legislative consultants. The term of these appointments would be from January 1, 2023 through December 31, 2023, 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~~ \$69,000.00, (2) SJB Strategies, LLC receive ~~\$20,000.00~~ \$25,000.00 and (3) Strategic Outreach Solutions, LLC receive ~~\$60,000.00~~ \$66,000.00, for a total of ~~\$140,000.00~~ \$160,000.00.

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, 2023 and terminating on December 31, 2023. Gaffney, Bennett and Associates, Inc. fee will receive ~~\$60,000.00~~ \$69,000.00, SJB Strategies, LLC will receive ~~\$20,000.00~~ \$25,000.00, and Strategic Outreach Solutions, LLC

will receive ~~\$60,000.00~~ **\$66,000.00**, 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, 2023 and terminating on December 31, 2023. 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

District Chairman DiBella made a motion to amend the resolution as shown above in redline. The amendment was duly seconded. The amendment passed by unanimous vote of those present.

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

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen inquired about whether the lobbyists asked for this raise or was it done without request. She suggested that the process of Charter revisions also should not be viewed as adversarial.

ADJOURNMENT

The meeting was adjourned at 5:22 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

February 21, 2023
Date of Approval

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
February 21, 2023

Present: Commissioners Kyle Anderson, John Avedisian, John Bazzano, Clifford Avery Buell, Peter Gardow, Allen Hoffman and Alvin Taylor (7)

Remote

Attendance: Commissioner Maureen Magnan (1)

Absent: Commissioners Dimple Desai, James Healy, Jean Holloway and David Steuber (4)

Also

Present: Commissioner Joan Gentile
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Brendan Fox, Assistant District Counsel
Christopher Levesque, Chief Operating Officer
David Rutty, Director of Operations
Robert Schwarm, Director of Information Technology (Remote Attendance)
Tom Tyler, Director of Facilities
Tra Phan, Controller
Lisa Remsen, Manager of Budget and Analysis
Piotr Krzyk, Financial Analyst
Nefertere Whittingham, Financial Analyst
Carrie Blardo, Assistant to the Chief Executive Officer (Remote Attendance)
Victoria Escoriza, Executive Assistant
Wayne Brelsford, IT Consultant (Remote Attendance)
Dave Baker, IT Consultant (Remote Attendance)

CALL TO ORDER

Chairman Hoffman called the meeting to order at 3:02 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford recently attended the press conference and public hearing on HB5888 related to the MDC. She believes the legislators explained the reasoning for the bill and that District Counsel Stone stated the changes were unnecessary. She feels that a task force would be a long overdue review of the full MDC Charter to help update it.

Without objection, agenda item #3, “Election of Chairperson” was postponed until the end of the meeting.

APPROVAL OF MINUTES

On motion made by Commissioner Gardow and duly seconded, the meeting minutes of January 4, 2023 were approved.

2023 LEGISLATIVE UPDATE

District Counsel Stone and Brendan Fox of Gaffney, Bennet and Associates, provided an update on the General Assembly 2023 legislative session.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

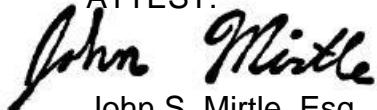
Judy Allen of West Hartford believes that the MDC is transparent in some cases, but public perception is that it is not the case. She expressed that she wishes the disagreement by the MDC did not have to be contentious, and that people see things two different ways and all need to listen and understand each side. She also stated the MDC Charter is very outdated and needs to be updated.

Without objection, agenda item #3, “Election of Chairperson” was postponed until the next meeting.

ADJOURNMENT

The meeting was adjourned at 3:55 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

April 5, 2023
Date of Approval

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
April 5, 2023

Present: Commissioners Kyle Anderson, John Avedisian, John Bazzano, Allen Hoffman, Jean Holloway, Maureen Magnan, David Steuber, Alvin Taylor and District Chairman William DiBella (9)

Remote

Attendance: Commissioner James Healy (1)

Absent: Commissioners Avery Buell, Dimple Desai and Peter Gardow (3)

Also

Present: Commissioner Donald Currey
Commissioner John Gale
Commissioner Joan Gentile
Commissioner Bhupen Patel
Scott 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
Jamie Harlow, Director of Human Resources
Robert Schwarm, Director of Information Technology (Remote Attendance)
Tom Tyler, Director of Facilities
Nick Salemi, Communications Administrator
Victoria Escoriza, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Dave Baker, IT Consultant (Remote Attendance)
Janice Flemming Butler, Strategic Outreach Solutions

CALL TO ORDER

Chairman Hoffman called the meeting to order at 3:32 PM

ELECTION OF CHAIRPERSON

Chairman Hoffman resigned as Chair of the Committee on MDC Government due to recently becoming Chairman of the Bureau of Public Works.

Commissioner Hoffman called for the election of the Chairperson. Commissioner Hoffman placed Commissioner Maureen Magnan's name in nomination.

Commissioner Taylor placed Commissioner John Bazzano's name in nomination.

Commissioner Taylor moved that the nominations be closed. The District Clerk called a roll call vote for the Chairperson position.

The result of the roll call:

Bazzano: Commissioners Kyle Anderson, John Bazzano, Jean Holloway, David Steuber, Alvin Taylor and District Chairman DiBella (6)

Magnan: Commissioners John Avedisian, Allen Hoffman and Maureen Magnan (3)

Abstentions: James Healy (0)

Absent &

Not Voting: Commissioners Avery Buell, Dimple Desai and Peter Gardow (3)

Commissioner Bazzano was elected Chairperson of the Committee on MDC Government for the remainder of 2023. Chairperson Bazzano assumed the Chair and thanked the Committee on MDC Government.

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 February 21, 2023 were approved.

2023 LEGISLATIVE UPDATE

District Counsel Stone, Brendan Fox (Gaffney, Bennet and Associates), Steve Bonafonte (SJB Strategies LLC), and Janice Flemming Butler (Strategic Outreach Solutions), provided an update on the General Assembly 2023 legislative session.

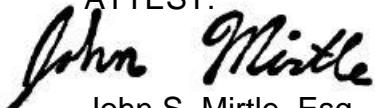
OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen, of West Hartford, spoke regarding SB 1139, stating that in the past people from MDC have said that the task force that this would create is not necessary because the legislature can already change the charter. She stated that you cannot have it both ways; you cannot say that legislature can already do what they want to do but they cannot have a task force to learn what it is that they might want to do. Lastly, she stated that the legislature needs to have information to make good choices and the task force is something that could do that.

ADJOURNMENT

The meeting was adjourned at 3:53 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

May 9, 2023

Date of Approval

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Tuesday, May 9, 2023

Present: Commissioners Kyle Anderson, John Avedisian, John Bazzano, Avery Buell, Peter Gardow, Allen Hoffman, Jean Holloway, Maureen Magnan, Alvin Taylor and District Chairman William DiBella (10)

Remote

Attendance: (0)

Absent: Commissioners Dimple Desai, James Healy and David Steuber (3)

Also

Present: Commissioner Donald Currey
Commissioner Richard Bush
Commissioner Joan Gentile (Remote Attendance)
Commissioner Bhupen Patel
Commissioner Pasquale Salemi
Scott Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk (Remote Attendance)
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer (Remote Attendance)
Jamie Harlow, Director of Human Resources (Remote Attendance)
Victoria Escoriza, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Dave Baker, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate

CALL TO ORDER

Chairman Bazzano called the meeting to order at 5:05 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen, of West Hartford, agrees with the recommendations from the Internal Audit Committee and agrees with the revision to ByLaw B2K, as well as Chairperson and Vice Chairperson term limits. She stated that she has read through the sewer ordinances and sees references to program requirements, but does not see the requirements of the program

APPROVAL OF MINUTES

On motion made by District Chairman DiBella and duly seconded, the meeting minutes of April 5, 2023 were approved.

Commissioner Gardow abstained.

**REFERRAL FOR PUBLIC HEARING - SEWER ORDINANCES RE:
PRIVATE PROPERTY SEWER CONNECTION POWER RODDING OR
REPAIR**

Without objection, the Sewer Ordinances re: Private Property Sewer Connection Power Rodding or Repair was referred to a Public hearing by Chairman Bazzano.

**REFERRAL FROM DISTRICT BOARD RE: MODIFICATION OF
BYLAW § B2K**

Without objection, the modification Bylaw § B2k was referred to the Office of District Counsel for revisions by Chairman Bazzano.

Commissioner Salemi spoke and requested the following memo be made part of the record:

MEMORANDUM

MAY 7, 2023

TO: The Members of the Committee on MDC Government

Anderson, Healy, Avedisian, Hoffman, Bazzano (C), Holloway, Buell (VC), Magnan, Desai, Steuber, DiBella (Ex-Officio), Taylor, Gardow,

FROM: Pasquale Salemi, Commissioner

SUBJECT: Agenda Items 5, 6, 7 of May 9, 2023, Meeting.

The agenda for your meeting captioned above is posted on the MDC website and the following items are listed as referrals from the District Board:

5. CONSIDERATION AND POTENTIAL ACTION RE: REFERRAL FROM DISTRICT BOARD RE: MODIFICATION OF BYLAW § B2K

6. CONSIDERATION AND POTENTIAL ACTION RE: REFERRAL FROM DISTRICT BOARD RE: DEVELOPMENT OF ANNUAL TRAINING AND ORIENTATION OF COMMISSIONERS RELATING TO COMMISSIONER AUTHORITY UNDER DISTRICT'S CHARTER, ORDINANCES AND BYLAWS

7. CONSIDERATION AND POTENTIAL ACTION RE: REFERRAL FROM DISTRICT BOARD RE: TERM LIMITS OF CHAIRPERSONS AND VICE-CHAIRPERSONS

This agenda does not include an attachment of the actual recommendations adopted by the District Board for your review.

These are in fact, the recommendations found on page 45 and 46 of the INVESTIGATION REPORT RELATING TO SANDLER & MARA, P.C. INVOICES APRIL 4, 2023, by Patrick J. McHale and Jennifer L. Dixon of Kainen, Escalera & McHale, P.C. April 4, 2023. They are presented under the heading:

VII. Recommended Changes (Note: To the extent any of the following recommendations relate to the Office of District Counsel, many of these recommendations are consistent with past and existing procedures of that office).

These Recommended Changes are presented in response to the Internal Audit Committee's resolution defining the scope of the investigative legal counsel's work found on page 1 of the REPORT as follows:

- (1) findings of fact,
- (2) determine if there is a violation of the MDC Charter, Ordinances, By-Laws or Policies,
- (3) based on findings of items 1 & 2, recommend changes of the MDC Charter, Ordinances, By-

Laws or Policies as may be necessary.

It certainly appears that the Internal Audits Committee has assigned itself the role of recommending Charter Changes in response to their findings of violations to said Charter which McHale presents in Section VI of the report. In assigning McHale the tasks above the Internal Audits Committee ignores the original resolution of the District Board passed on August 1, 2022 and creates its own, with, I assume, the advice and counsel of District Counsel. (No transcript is available for this meeting). Here below is the actual resolution of the Board:

Commissioner Torres made a motion to refer the matter to the Internal Audit Committee to review the following: verification of the work performed, whether the work and invoices were properly authorized by an MDC Representative with authority to do so and whether the invoices constitute an obligation by the MDC to pay. Commissioner Patel seconded the motion.

Without objection, Commissioner Gentile made a friendly amendment for the Internal Audit Committee to also review whether the invoices were timely, complete, accurate and reasonable.

Without objection, Commissioner Bush made a friendly amendment for the Internal Audit Committee to also review if all meetings occurred, who called the meetings, who authorized payment of the meetings and what or where is the resulting work product. The motion to refer to the matter of outstanding 2021 & 2022 Sandler & Mara P.C.

The District Board does not contemplate suggested Charter revisions, nor does it assign the task of recommending Charter Revisions to the IAC.

McHale reports that the aforementioned resolution of the Board is passed unanimously in the very first sentence of the REPORT;

On August 1, 2022, at a special meeting of the Board of Commissioners of The Metropolitan District ("MDC"), the Board of Commissioners ("the MDC Board") addressed outstanding Sandler & Mara, P.C. ("Sandler & Mara" or "the Firm") invoices from 2021 and 2022 totaling \$85,036.25. A motion was passed unanimously referring the matter to the Internal Audit Committee of the MDC.

This statement is FALSE! The motion to refer the "matter" as stated above was passed by a majority vote of 15 yeas to 7 nays.

Those voting nay were; Commissioners John Avedisian, David Drake, Peter Gardow, Allen Hoffman, Diane Lewis, Dominic Pane and Raymond Sweezy. Five of the seven nay votes are actually, members of the Internal Audits Committee and constitute a majority of that committee, which would take up the issue only 3 days later.

I point to this serious lapse in due diligence on the part of Atty. McHale and the members of the IAC in concurring with the REPORT as they have, and hope that the District Board itself and in fact all of the members of the Government Affairs Committee who were present when the recommendations were presented are not influenced by the suggestion of unanimity of the Board and then releasing themselves from what they are informed of as unanimity in considering the findings of fact and thereby suggesting these recommendations.

Here are the actual recommendations you are asked to consider written, I assume, by Atty. McHale.

13. The first paragraph of Section B2k in the MDC By-Laws, which appears designed to prohibit the MDC Commissioners and citizen members from pressuring the MDC employees to act or refrain from acting in a desired manner, is unclear. It should be modified to require the MDC Commissioners (including the MDC Chairman) to direct any individual requests only to the Chief Executive Officer, not to both the District Chairman and the Chief Executive Officer, because all District employees ultimately report to the Chief Executive Officer. Referred to the Committee on MDC Government.
14. The Committee on MDC Government shall develop an annual training and orientation of new and existing Board members to provide such members with information relating to their specific authority under the District Charter, Ordinances and By-Laws and the operation, organization, and governance of The Metropolitan District in general.
15. The Committee on MDC Government shall consider the issue of whether, and if so to what extent, the terms of the chairpersons and vice chairpersons of the Board and all committees, bureaus and subcommittees should be limited, by ordinance or by-law, and shall report its recommendations, if any, to the District Board on or before September 1, 2023.

They are derived from the following findings of fact:

VI. Violations of Relevant Governing Documents Based on the findings of fact, the following violations of the MDC's Charter and By-Laws were found:

1. Chairman DiBella exceeded the authority provided to the Chairman in the Charter and By-Laws when he authorized Attorney Sandler to continue working on the property disposition project after August 17, 2021. Also, none of the governing documents provide such authority to the commissioners. Chairman DiBella admitted that Mr. Jellison told him and Commissioner Salemi that Attorney Sandler's work on the property disposition project should stop because an issue about the payment of his fees existed. Yet, he disregarded Mr. Jellison's directive and did not tell Attorney Sandler to stop working on the property disposition issue even though he knew that Attorney Sandler was continuing to work on this issue. In addition, he discussed with Commissioner Salemi and Attorney Sandler the need for a budget to continue Attorney Sandler's work, and there was an understanding that Attorney Sandler would continue working until the budget was resolved. Further, Chairman DiBella knew, but ignored, that the MDC had no engagement letter or contract with Sandler & Mara for Attorney Sandler's work in 2022.
2. Chairman DiBella exceeded the authority provided to the Chairman in the Charter and By-Laws when he authorized Attorney Sandler to work on the South Meadows project in 2022. Also, none of the governing documents provide such authority to the commissioners. Chairman DiBella admitted that he authorized Attorney Sandler to perform work on the Hartford Solid Waste Task Force in 2022, and Attorney Sandler stated that he was performing the work "under the direction of Chairman DiBella." In addition, Chairman DiBella knew that Attorney Sandler was performing work on the South Meadows issues and property disposition project even though Attorney Sandler had no engagement letter with the MDC in 2022.
3. Chairman DiBella violated the third paragraph of Section B2k of the By-Laws, which prohibits Commissioners from "either explicitly or implicitly, ask[ing] or direct[ing] staff to take or not take any particular course of action," when in 2022 he asked Mr. Jellison to pay the Sandler & Mara invoice dated October 1, 2021 in the amount of \$14,095.25, which was received in 2022 relating to the property disposition project.

4. Commissioner Salemi exceeded the authority provided to the Board of Finance in Section 3-1 of the Charter when he continued to work on the property disposition project with Attorney Sandler after August 17, 2021, the date that Mr. Jellison directed that Attorney Sandler's work on the property disposition project end. Also, none of the governing documents provide such authority to the commissioners. Commissioner Salemi disregarded Mr. Jellison's directive and continued working on the project with Attorney Sandler because he expected that funding would be approved by the Board and Attorney Sandler would ultimately be paid. Thus, Attorney Sandler agreed to work "in good faith" due to his communications with Commissioner Salemi. In fact, Commissioner Salemi acknowledged that he attended all of the meetings reflected in the entries of Attorney Sandler's invoice dated June 1, 2022. Further, he, Attorney Sandler, and Chairman DiBella discussed the need for a budget to continue Attorney Sandler's work, and there was an understanding that Attorney Sandler would continue working until the budget was resolved.

5. Attorney Sandler's work listed in entries after August 17, 2021 in the Sandler & Mara invoice #2021-05-03 (Property Disposition) dated October 1, 2021 (totaling \$4,013.75) was not properly authorized by the MDC. Mr. Jellison directed on August 17, 2021 that all work by Attorney Sandler stop, and Chairman DiBella, Commissioner Salemi, and Attorney Sandler all knew about this directive.

6. While the work listed in entries dated in 2021 in the Sandler & Mara invoice #2009- 28-98 (Energy) were properly authorized by the MDC, the payment for this work was included in the retainer fee paid under the February 23, 2021 engagement letter between Sandler & Mara and the MDC. One entry in this invoice, dated January 3, 2022, however, was not authorized by the MDC, since the engagement letter dated February 23, 2021 expired on December 31, 2021, and no engagement agreement existed between Sandler & Mara for the year 2022.

7. Attorney Sandler's work listed in the following invoices was not properly authorized by the MDC because no engagement agreement existed between the MDC and Sandler & Mara for the year 2022, and also, with respect to the property disposition project, Mr. Jellison had directed that Attorney Sandler's work stop after August 17, 2021: (1) invoice #2021-05-04 dated July 1, 2022 (Property Disposition) in the amount of \$8,950.50; (2) invoice #2021-04-13 dated February 1, 2022 (South Meadows) in the amount of \$11,807.25; invoice; (3) invoice #2021-04-14 dated March 1, 2022 (South Meadows) in the amount of \$12,028.25; (4) invoice #2021-04- 15 dated April 1, 2022 (South Meadows) in the amount of \$8,541.00; (5) invoice #2021-04-16 dated May 1, 2022 (South Meadows) in the amount of \$9,421.75; (6) invoice #2021-04-17 dated June 1, 2022 (South Meadows) in the amount of \$6,175.00; (7) invoice #2021-04-18 dated July 1, 2022 (South Meadows) in the amount of \$10,344.75

I do hope to be present at your meeting on May 9, 2023, and hope that you allow me to provide my commentary on the items before you. Please find attached here a written summary of that commentary.

Comments of Commissioner Pasquale Salemi on the bylaw changes suggested by the Internal Audits Committee, accepted by the District Board and submitted to the Committee on MDC Government for action.

As to the proposed changes to B2k;

13. The first paragraph of Section B2k in the MDC By-Laws, which **appears designed to prohibit the MDC Commissioners and citizen members from pressuring the MDC employees** to act or refrain from acting in a desired manner, is unclear. It should be modified to require the MDC Commissioners (including the MDC Chairman) to direct any individual requests only to the Chief Executive Officer, not to both the District Chairman and the Chief Executive Officer, because all District employees ultimately report to the Chief Executive Officer. Referred to the Committee on MDC Government.

Comments:

1. *This "recommendation" mentions the "first paragraph" BUT DOESN'T SHOW THE READER THE FIRST PARAGRAPH. B2k is provided with the following statement of purpose in its first paragraph;*

The “proposer” doesn’t trust you to analyze the “meaning” of B2k for yourselves, they simply provide it to you after having found “violations” that include the District Chair who they now seek to remove from the process.

From the By-Laws of the Metropolitan District:

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. 12 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 inquiries to District Staff regarding 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.

(Adopted December 6, 2021)

(For the record, both Commissioner Taylor and I were inpatients at St. Francis Hospital on December 6, 2021, both of us having undergone major surgery during the days before this meeting. I was unable to attend virtually due to my condition and restrictions imposed by the Hospital and my physician.)

2. *Which of the “violations of the Charter” does this respond to? Please ask the District Counsel to explain.*
3. *This appears to be proposed by a party to the report who feels aggrieved by the decision of the District Board at the December 5, 2022, District Board Meeting.*

POTENTIAL VIOLATION OF BYLAW § B2k BY COMMISSIONER TAYLOR To: District Board December 5, 2022.

Commissioner Salemi moved that this action be dismissed. The motion passed by majority of a roll call vote.

The result of the roll call:

Yays: Commissioners Andrew Adil, John Bazzano, Avery Buell, Donald Currey, William DiBella, John Gale, Jean Holloway, Byron Lester, Diane Lewis, Pasquale J. Salemi, Alvin Taylor, Calixto Torres, and James Woulfe (13)

Nays: Commissioners John Avedisian, Richard Bush, Dimple Desai, David Drake, Joan Gentile, James Healy, Allen Hoffman, Maureen Magnan, Jacqueline Mandyck and Dominic Pane (10)

Abstentions: (0) Absent & Not Voting: Commissioners Peter Gardow, Bhupen Patel, Jon Petoskey and Richard Vicino (4)

These Minutes are, indeed, sparse! The argument I provided in support of my motion to dismiss speaks directly to B2k and **the fact that not all employees ultimately report to the CEO.**

The argument provided in the “recommendation of Atty. McHale and the IAC” suggests the opposite, “**because all District employees ultimately report to the Chief Executive Officer**”.

This recommendation seeks to overturn the vote of the District Board of December 5, 2022.

Additionally, **it ignores the Charter itself** wherein the Position(s) of District Counsel, District Clerk, Board Chair and CEO are promulgated by the Commission and for the Commission’s benefit directly as it sees fit.

In fact, the Charter itself would have to be amended to support this “recommendation” and the creation of positions directly by the Board, obviated by the recommendation itself.

The Metropolitan District Commission has long enjoyed its relationship with all its employees and enjoyed the opportunity to communicate directly and candidly with all its employees in its mission to create policies and plans which directly effect those employees. It has been the practice of our current chair to keep the lines of candid communications open for the benefit of the Commission and the employees and I, along with other Commissioners have supported that practice along with representatives of the employees and individual employees as well.

The By-Law B2k is created to support the free exchange of the Commissioners and employees and provides protocols to that free exchange and actually directs the CEO to support it.

This recommendation seeks to turn a suspicious eye on those communications and suggest that any conversation not approved by the CEO would be a “violation” if the CEO determines it to be.

This recommendation amounts to the response of a petulant child, angry over being rebuked. (see the video of the December 5, 2022 DB Meeting)

The District Board cannot relinquish its responsibilities for oversight of the faithful adherence to its own Policies by the CEO and any District employee with ultimate reporting authority to the Chief Executive Officer. The CEO is charged with;

“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.

B2k goes on to enumerate what can only be described as punitive actions to be taken against Commissioners and Citizen Members should they be declared in violation of B2k and describes how that might come to be.

It does not suggest that there is any way that the CEO might be found in violation and what punitive actions might be taken against the CEO if found to be in violation of B2k.

With the good and benefit of the District at stake and fairness and transparency as a stated goal could the District Board have intended this?

As I stated before I was not present when B2k was proposed to the District Board due to my hospitalization. Had I been, I most certainly would have objected to this one-way street that allows only Board members to become, through their own actions and with the judgement of the Chair and CEO, miscreants deserving of punishment(s). I have consoled myself with the acknowledgement that the Board maintains its prominence in such matters with the participation of its Chair, representing the Board as a whole or any one of its members. I see now that my only consolation is to be summarily removed with prejudice.

I recognize that the Board has adopted B2k with its approval on December 5, 2022, and have accepted that my opportunity to object had passed. However, The Board's referral of this matter to the MDC Committee on Government has opened this By-Law up for reconsideration.

I suggest that the Chair remain as a part of the management of requests by Commissioners.

I suggest that if the punitive actions against Commissioners as described are to remain that they be extended to the Chair and CEO should they fail in their responsibilities as described herein. B2k cannot possibly be considered "Just and Fair" if only the creating body of this By-Law is subject to punishments for violations.

With respect to the second recommendation before you;

14. The Committee on MDC Government shall develop an annual training and orientation of new and existing Board members to provide such members with information relating to their specific authority under the District Charter, Ordinances and By-Laws and the operation, organization, and governance of The Metropolitan District in general.

I would say that perhaps not as a promulgated plan from the Government Committee this has been provided for Commissioners in the past and in particular for myself, more than 30 years ago.

Consideration should be given to the fact that it is here presented as a development of the REPORT having found violations and being interested in providing recommendations gleaned from its investigation of same. **As such I'm of the opinion that it at once, looks backward and forward and suggests that Commissioners should be (and should have been) armed with this "training" so that violations would be readily recognized and transgressors duly punished forthwith without having to spend \$50,000.00 of the Board's budget.**

With that acknowledgement, I would concur with the recommendation having already received such training myself, but ask that a **training program be described in detail before adoption and that those details include who, will provide such training.**

Finally, with respect to the third recommendation;

15. The Committee on MDC Government shall consider the issue of whether, and if so to what extent, the terms of the chairpersons and vice chairpersons of the Board and all committees, bureaus and subcommittees should be limited, by ordinance or by-law, and shall report its recommendations, if any, to the District Board on or before September 1, 2023.

This is so obviously directed at the favorite "miscreants" of the IAC's Reports as to be laughable. Hahahahahahaha!!! Let us not forget, that it is derived from the findings of violations of the Charter by Atty. McHale with the unanimous concurrence of the IAC. It suggests that somehow, longevity in the position of chair becomes more and more suspect as time goes by and the obvious solution is to guarantee that no one achieve such longevity as a way to prevent the abuses of a chair with respect to their duties. Does this prevent a chair, with a shorter tenure from violating his or her chartered duties?

I'll tell you what, "you show me an appointing authority of a District Commissioner that is subject to term limitations in their own office, and I will agree that that Commissioner so appointed should be limited to the same tenure restrictions as their appointing authority.

Please accept this an official communication to your committee from Commissioner Pasquale Salemi.

REFERRAL FROM DISTRICT BOARD RE: DEVELOPMENT OF ANNUAL TRAINING AND ORIENTATION OF COMMISSIONERS RELATING TO COMMISSIONER AUTHORITY UNDER DISTRICT'S CHARTER, ORDINANCES AND BYLAWS

Without objection, the development of annual training and orientation of Commissioners relating to Commissioner authority under the District's charter, ordinances and bylaws was referred to the Office of District Counsels for revisions by Chairman Bazzano.

Commissioner Buell exited the meeting at 6:00 PM

REFERRAL FROM DISTRICT BOARD RE: TERM LIMITS OF CHAIRPERSONS AND VICE-CHAIRPERSONS

Commissioner Anderson made a motion to not refer potential term limits for chairpersons and vice-chairperson to the Office of District Counsel.

The motion was approved by majority by a roll call vote.

The results of the roll call vote:

Yea: Commissioners Kyle Anderson, John Bazzano, William A. DiBella, Jean Holloway and Alvin Taylor (5)

Nay: Commissioners John Avedisian, Peter Gardow, Allen Hoffman and Maureen Magnan (4)

Abstentions: None

Absent &

Not Voting: Commissioners Clifford Avery Buell, Dimple Desai, James Healy and David Steuber (4)

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen, of West Hartford, stated that there is usually a Commissioner that speak up to give context regarding resolutions at Board meetings. There was no one in attendance from the Internal Audit Committee that explained the background for why these recommendations on the agenda were before The Committee on MDC Government.

ADJOURNMENT

The meeting was adjourned at 6:14 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

July 10, 2023

Date of Approval

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Monday, July 10, 2023

Present: Commissioners John Bazzano, Avery Buell, Peter Gardow, Allen Hoffman, Jean Holloway, David Steuber, Alvin Taylor and District Chairman William DiBella (8)

Remote

Attendance: Kyle Anderson and Maureen Magnan (2)

Absent: Commissioners John Avedisian, Dimple Desai and James Healy (3)

Also

Present: Commissioner Joan Gentile (Remote Attendance)
Commissioner Jackie Mandyck
Commissioner Dominic Pane
Commissioner James Woulfe
Scott Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Susan Negrelli, Director of Engineering
Tom Tyler, Director of Facilities
Robert Schwarm, Director of Information Technology
Dave Rutty, Director of Operations
Jason Waterbury, Manager of Engineering Services
Victoria Escoriza, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Dave Baker, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate

CALL TO ORDER

Chairman Bazzano called the meeting to order at 5:29PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford spoke regarding the prior meeting minutes which indicate a 5 to 4 vote on the referral from the District Board on chairperson and vice-chairperson

term limits. There were 4 Commissioners absent and not voting and she pointed out the importance of attendance because the vote could have turned out differently.

APPROVAL OF MINUTES

On motion made by Commissioner Buell and duly seconded, the meeting minutes of May 9, 2023 were approved.

SEWER ORDINANCE REVISIONS

To: Committee on MDC Government for consideration July 10, 2023

District staff, through the Office of District Counsel, submits the following ordinance revisions to The Metropolitan District Sewer Ordinances for consideration by the Committee on MDC Government. A public hearing on the proposed ordinance revisions was held on May 30, 2023.

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 to The Metropolitan District Sewer Ordinances be adopted as follows:

SEWER ORDINANCES:

§ S3c “CONNECTIONS TO SEWERS”

§ S3s “MAINTENANCE OF SEWER CONNECTIONS”

§ S3t “SEWER STOPPAGES”

§ S3u “REPAIR OF HOUSE CONNECTIONS CAUSING STREET CAVITIES”

SEC. S3c CONNECTIONS TO SEWERS

No person shall make any connection to any public sewer of the District or appurtenance thereof, or to any pipe or appurtenance discharging thereto, or remove or disconnect any existing connection thereto, except as provided in this ordinance; provided, plumbing work and fixtures within buildings and similar structures may be built and connected as provided by local or state plumbing codes, laws and regulations and by permits issued thereunder. For new house connections to the District's sewer, the property owner may, at his or her election, request to participate in the District's Sewer House Connection Program established by the Bureau of Public Works, as may be modified or amended from time to time. The Sewer House Connection Program provides property owners with the option to pay for a new house connection over time as part of their monthly water bill.

The District may, in coordination with or as part of a District or member town's capital improvement project, elect to replace or reline a property's sewer house connection, including the portion on private property, at no cost to the property owner.

SEC. S3s MAINTENANCE OF SEWER CONNECTIONS

All ~~Maintenance of the entire length of~~ sewer house connections ~~on private property shall be maintained by, and at the expense of,~~ remains the responsibility of the property owner, subject to Section S3i. When a sewer house connection is in need of replacement or lining, or for a new house connection to the District's sewer, When maintenance on an existing sewer house connection is needed, the property owner may at his or her election, request to participate in the District's sewer ~~Sewer installation~~ House Connection ~~Program~~ Program as established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the Sewer House Connection Program are met, the District, or its contractor, will repair, replace or line an existing sewer house connection at no cost to the Property Owner. If the property owner chooses to not participate in the District's program, all maintenance expenses are borne by the property owner. The ~~sewer~~ installation program provides property owners with the ability to pay for house connection replacement, lining or installation over time as part of their monthly water bill.

SEC. S3t SEWER STOPPAGES

In the event of complaint regarding a sewer stoppage, the District will ascertain if the main sewer is clear, and if not, any stoppages ~~blockages~~ therein will be relieved as quickly as possible.

If the main (public) sewer is found by the District to be clear, the Owner will be so informed and the Owner ~~shall~~ may then, at his/her own expense, employ a licensed plumber, ~~reputable~~ cleaner or licensed drain layer to clear any stoppage in the sewer house connection.

~~If the licensed plumber, licensed drain layer or reputable sewer cleaner finds that the stoppage is within the sewer house connection located within the public street, and that the stoppage cannot be cleared by power rodding or snaking, the licensed plumber, licensed drain layer or reputable sewer cleaner shall inform the District.~~

~~If upon investigation by the District forces, the stoppage is found in the portion of the sewer house connection located in the public street and the stoppage is of such nature that it could not have been cleared by power rodding or snaking, the condition will be corrected by the District or the District's contractor without additional charge to the Owner.~~

~~If, however, it is found that the stoppage could have been cleared by power rodding or snaking and is not due to faulty condition (disrepair) of the sewer house connection located within the public street, the Owner will be so informed and shall pay to the District the expense incurred by the District. The bill for such expense shall be paid promptly, and failure to do so shall result in the District taking such action as it deems appropriate.~~

Alternatively, the Owner may request to participate in the District's Sewer House Connection Program established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the Sewer House Connection Program are met, the District or its contractor will power rod the house connection to clear a blockage at no cost to the Owner, if applicable. If repair, replacement or relining the sewer house connection is required, the District or its contractor will perform the work at no cost to the Owner. If the Owner elects to participate in the Sewer House Connection Program, the District will make reasonable efforts to clear the blockage in a timely manner and notify the Owner of the anticipated schedule of repair. The Owner shall be the party ultimately responsible for determining whether the anticipated schedule for maintenance/repair under the Sewer House Connection Program will resolve any blockages or other issues in the sewer house connection in a timely manner to avoid potential future damage as a result of the condition of the sewer house connection. Prior to any cleaning or repair being performed under the Sewer House Connection Program, the Owner shall, in writing: (1) authorize the District or its contractor to perform work on and within the sewer house connection including on private property; (2) acknowledge that by performing the work the District does not assume ownership of, or have a continued obligation to maintain, the sewer house connection; and (3) release the District from liability for future potential damages arising from, or related to, the timeliness or scheduling of any planned repair work and damages that may occur as a result of the condition of the sewer house connection prior to performance of the work by the District or its contractor.

Where necessary, the District will repair or renew from the main sewer to the street line (property line) any sewer house connection at no cost to the Owner.

It is to be understood that maintenance of the house connection as defined herein is entirely the Owner's responsibility.

SEC. S3u REPAIR OF HOUSE CONNECTIONS CAUSING STREET CAVITIES

Whenever the District is informed or learns that a cavity, depression or other abnormality in the public street is or may be caused by ~~disrepair in the condition of~~ the public sewer or house connection, the District will ascertain if the public sewer or the sewer house connection within the public ~~street right of way~~ is the cause of the street cavity, depression or other abnormality.

If the District determines that such cavity within the public street is caused or contributed to by ~~disrepair the condition of the~~ in the public sewer or ~~by disrepair in~~ the sewer house connection within the ~~said street~~the public right of way, the District shall proceed to excavate and make the necessary repairs or have its contractor do so.

If ~~it should be as~~ determined by the District that: (1) disrepair of a sewer house connection in private lands is the cause of any cavity, depression or other abnormality with in the public ~~street right of way~~; or (2) ~~that any disrepair exists in~~the condition of the sewer house

connection located in private lands, which disrepair allows or may allow the discharge of excluded or non-permissible wastes to the public sewer; or that any house connection is not being properly maintained; the Owner may request to participate in the District's Sewer House Connection Program established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the Sewer House Connection Program are met, the District or its contractor will power rod the house connection to clear a blockage at no cost to the Owner, if applicable. If repair, replacement or relining the sewer house connection is required, the District or its contractor will perform the work at no cost to the Owner. If the Owner elects to participate in the Sewer House Connection Program, the District will make reasonable efforts to clear the blockage in a timely manner and notify the Owner of the anticipated schedule of repair. The Owner shall be the party ultimately responsible for determining whether the anticipated schedule for maintenance/repair under the Sewer House Connection Program will resolve any blockages or other issues in the sewer house connection in a timely manner to avoid potential future damage as a result of the condition of the sewer house connection. Prior to any cleaning or repair being performed under the Sewer House Connection Program, the Owner shall, in writing: (1) authorize the District or its contractor to perform work on and within the sewer house connection including on private property; (2) acknowledge that by performing the work the District does not assume ownership of, or have a continued obligation to maintain, the sewer house connection; and (3) release the District from liability for future potential damages arising from, or related to, the timeliness or scheduling of any planned repair work and damages that may occur as a result of the condition of the sewer house connection prior to performance of the work by the District or its contractor.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

***Commissioner Buell made a motion to amend the resolution as shown below.
The amendment was duly seconded, and adopted by majority vote of those
present. Commissioner Taylor abstained.***

**PROPOSED AMENDMENT
SEWER ORDINANCE REVISIONS**

To: Committee on MDC Government

July 10, 2022

From: District Clerk

On May 30, 2023, the Committee on MDC Government held a public hearing on proposed sewer ordinance revisions. The ordinance revisions posted prior to the public

hearing are shown below in redline. Shown below in blue font are proposed amendments to the ordinance revisions for consideration by the Committee on MDC Government.

SEC. S3c CONNECTIONS TO SEWERS

No person shall make any connection to any public sewer of the District or appurtenance thereof, or to any pipe or appurtenance discharging thereto, or remove or disconnect any existing connection thereto, except as provided in this ordinance; provided, plumbing work and fixtures within buildings and similar structures may be built and connected as provided by local or state plumbing codes, laws and regulations and by permits issued thereunder. For new house connections to the District's sewer, the property owner may, at his or her election, request to participate in the District's Sewer House Connection Program ("SHCP") established by the Bureau of Public Works, as may be modified or amended from time to time. Subject to certain requirements, including the payment of any applicable assessments, the The SHCPewer House Connection Program provides property owners with the option to pay for a new house connection over time as part of their monthly water bill.

The District may, in coordination with or as part of a District or member town's capital improvement project, elect to replace or reline a property's sewer house connection, including the portion on private property, at no cost to the property owner.

SEC. S3s MAINTENANCE OF SEWER CONNECTIONS

All Maintenance and repair of the entire length of sewer house connections on private property shall be maintained by, and at the expense of, shall be the responsibility of the remains the responsibility of the property owner, subject to Section S3i. When a sewer house connection is in need of replacement or lining, or for a new house connection to the District's sewer, When maintenance or repair of an existing sewer house connection is needed, the property owner may at his or her election, request to participate in the District's sewer Sewer installation House Connection program Program as established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the Sewer House Connection Program are met, the District, or its contractor, will repair, replace or line an existing sewer house connection at no cost to the Property Owner. If the requirements of the SHCP are not or, or if the property owner chooses to not participate in the District's program, all maintenance and repair expenses are borne by the property owner. The sewer installation program provides property owners with the ability to pay for house connection replacement, lining or installation over time as part of their monthly water bill.

SEC. S3t SEWER STOPPAGES

In the event of complaint regarding a sewer stoppage, the District will ascertain if the main sewer is clear, and if not, any stoppages blockages therein will be relieved as quickly as possible.

If the main (public) sewer is found by the District to be clear, the Owner will be so informed and the Owner ~~shall may~~ then, at his/her own expense, employ a licensed plumber, ~~reputable~~ cleaner or licensed drain layer to clear any stoppage in the sewer house connection.

~~If the licensed plumber, licensed drain layer or reputable sewer cleaner finds that the stoppage is within the sewer house connection located within the public street, and that the stoppage cannot be cleared by power rodding or snaking, the licensed plumber, licensed drain layer or reputable sewer cleaner shall inform the District.~~

~~If upon investigation by the District forces, the stoppage is found in the portion of the sewer house connection located in the public street and the stoppage is of such nature that it could not have been cleared by power rodding or snaking, the condition will be corrected by the District or the District's contractor without additional charge to the Owner.~~

~~If, however, it is found that the stoppage could have been cleared by power rodding or snaking and is not due to faulty condition (disrepair) of the sewer house connection located within the public street, the Owner will be so informed and shall pay to the District the expense incurred by the District. The bill for such expense shall be paid promptly, and failure to do so shall result in the District taking such action as it deems appropriate.~~

Alternatively, the Owner may request to participate in the District's SHCPower House Connection Program established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the SHCPower House Connection Program are met, the District or its contractor will power rod the house connection to clear a blockage at no cost to the Owner, if applicable. If repair, replacement or relining the sewer house connection is required, the District or its contractor will perform the work at no cost to the Owner. If the Owner elects to participate in the SHCPower House Connection Program, the District will make reasonable efforts to clear the blockage in a timely manner and notify the Owner of the anticipated schedule of repair. The Owner shall be the party ultimately responsible for determining whether the anticipated schedule for maintenance/repair under the SHCPower House Connection Program will resolve any blockages or other issues in the sewer house connection in a timely manner. If the Owner determines that the anticipated schedule for maintenance/repair under the SHCP is not timely, the Owner will not be eligible for the SHCP, to avoid potential future damage as a result of the condition of the sewer house connection.

Prior to any cleaning or repair being performed under the SHCPower House Connection Program, the Owner shall, in writing: (1) authorize the District or its contractor to perform work on and within the sewer house connection, including on private property; (2) acknowledge that by performing the work the District does not assume ownership of, or have a continued obligation to maintain or repair, the sewer house connection; and (3) release the District from liability for future potential damages arising from, or related to, the timeliness or scheduling of any planned maintenance or repair work and damages

that may occur as a result of the condition of the sewer-house connection prior to performance of the work by the District or its contractor.

Where necessary, the District will repair or renew from the main sewer to the street line (property line) any sewer house connection at no cost to the Owner.

It is to be understood that maintenance of the house connection as defined herein is entirely the Owner's responsibility.

SEC. S3u REPAIR OF HOUSE CONNECTIONS CAUSING STREET CAVITIES

Whenever the District is informed or learns that a cavity, depression or other abnormality in the public street is or may be caused by disrepair in the condition of the public sewer or house connection, the District will ascertain if the public sewer or the sewer house connection within the public street right of way is the cause of the street cavity, depression or other abnormality.

If the District determines that such cavity within the public street is caused or contributed to by disrepair the condition of the in the public sewer or by disrepair in the sewer house connection within the said street, the District shall proceed to excavate and make the necessary repairs or have its contractor do so.

If it should be as determined by the District, that: (1)-disrepair of a sewer-house connection in private lands is the cause of any cavity, depression or other abnormality within the public street right of way; or (2) that any disrepair exists in the condition of the sewer-house connection located in private lands, which disrepair allows or may allow the discharge of excluded or non-permissible wastes to the public sewer; or (3) or that any house connection is not being properly maintained, the Owner will be so informed and the Owner may then, at his/her own expense, employ a licensed plumber, cleaner or licensed drain layer to repair the house connection or take such measures as are necessary address the condition of the house connection.

Alternatively, the Owner may request to participate in the District's SHCP established by the Bureau of Public Works, as may be modified or amended from time to time. If the requirements of the SHCP are met, the District or its contractor will power rod the house connection to clear a blockage at no cost to the Owner, if applicable. If repair, replacement or relining the sewer house connection is required, the District or its contractor will perform the work at no cost to the Owner. If the Owner elects to participate in the SHCP, the District will make reasonable efforts to clear the blockage in a timely manner and notify the Owner of the anticipated schedule of repair. The Owner shall be the party ultimately responsible for determining whether the anticipated schedule for maintenance/repair under the SHCP will resolve any blockages or other issues in the sewer house connection in a timely manner. If the Owner determines that the anticipated schedule for maintenance/repair under the SHCP is not timely, the Owner will not be eligible for the SHCP.

Prior to any cleaning or repair being performed under the SHCP, the Owner shall, in writing: (1) authorize the District or its contractor to perform work on and within the house connection, including on private property; (2) acknowledge that by performing the work the District does not assume ownership of, or have a continued obligation to maintain or repair, the house connection; and (3) release the District from liability for future potential damages arising from, or related to, the timeliness or scheduling of any planned maintenance or repair work and damages that may occur as a result of the condition of the house connection prior to performance of the work by the District or its contractor.

Respectfully Submitted,



John S. Mirtle, Esq.
District Clerk

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

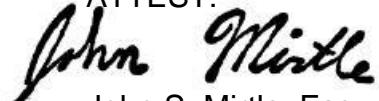
OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Cynthia Jennings asked whether or not MDC has any liability and at what point can MDC be assessed liability by homeowners for failure to act.

ADJOURNMENT

The meeting was adjourned at 6:10 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

December 4, 2023
Date of Approval

COMMITTEE ON MDC GOVERNMENT**SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Monday, December 4, 2023

Present: Commissioners John Avedisian, John Bazzano, Avery Buell, Allen Hoffman, Jean Holloway, Alvin Taylor and District Chairman William DiBella (7)

Remote

Attendance: Maureen Magnan (1)

Absent: Commissioners Kyle Anderson, Dimple Desai, Peter Gardow and James Healy (4)

Also

Present: Commissioner Richard Bush (Remote Attendance)
Commissioner Donald Currey
Commissioner Joan Gentile (Remote Attendance)
Commissioner Bhupen Patel
Citizen Member Awet Tsegai
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Tom Tyler, Director of Facilities
Robert Schwarm, Director of Information Technology
Dave Rutty, Director of Operations
Victoria Escoriza, Executive Assistant
Rita Kelley, Equal Employment Opportunity Officer/Whistleblower Coordinator
Shereese Rodgers, Senior Financial Analyst
Jean-Paul Avenoso, Financial Analyst
Dylan Pecego, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

CALL TO ORDER

Chairman Bazzano called the meeting to order at 4:01PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Hoffman and duly seconded, the meeting minutes of July 10, 2023 were approved.

Commissioner Gardow entered the meeting at 4:04 PM

REVISION TO WATER SUPPLY ORDINANCE § W1f

To: Committee on MDC Government for consideration December 4, 2023

District staff, through the Office of District Counsel, submits the following ordinance revisions to The Metropolitan District Water Supply 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 to The Metropolitan District Water Supply Ordinances be adopted as follows:

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

METER SIZE	Farmington		Glastonbury		South Windsor		Manchester	
	<u>2023</u>	<u>2024</u>	<u>2023</u>	<u>2024</u>	<u>2023</u>	<u>2024</u>	<u>2023</u>	<u>2024</u>
5/8"	\$1.84	\$1.97	\$1.60	\$1.60	\$1.46	\$1.31	\$2.79	\$2.73
3/4"	-	-	\$2.39	\$2.39	\$2.19	\$1.97	-	-
1"	\$3.68	\$3.93	\$3.19	\$3.19	\$2.92	\$2.63	\$5.57	\$5.47
1 1/2"	\$7.36	\$7.87	\$6.39	\$6.38	\$5.85	\$5.25	-	-
2"	\$138.08	\$147.53	\$119.74	\$119.70	\$109.67	\$98.50	-	-
3"	\$322.20	\$344.23	\$279.39	\$279.29	\$255.90	\$229.84	\$487.54	\$478.29
4"	\$552.33	\$590.10	\$478.96	\$478.79	\$438.68	\$394.02	-	-
6"	\$736.45	\$786.80	\$638.61	\$638.39	-	\$525.36	\$1,114.38	\$1,093.24
8"	\$1,841.12	\$1,967.01	-	-	-	-	-	-

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

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

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS

No requests were made.

ADJOURNMENT

The meeting was adjourned at 4:04 PM

ATTEST:



John S. Mirtle, Esq.
District Clerk

January 31, 2024
Date of Approval

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To

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Committee on MDC Government - 2023

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