

BY-LAWS
OF THE
DISTRICT BOARD
OF
THE METROPOLITAN DISTRICT

MDC



This Compilation has been Published
by the Office of the District Clerk of
THE METROPOLITAN DISTRICT
and Contains all Revisions Through January 1, 2026

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OF THE
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Where dates are not noted, by-law approval is January 7, 1985; otherwise, adoption dates are indicated.

Any and all previous By-Laws or resolutions inconsistent with any of the terms of this adopted compilation have been repealed.

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CHAPTER 1

DISTRICT BOARD

MEETINGS AND PROCEDURES

<u>Section</u>	<u>Title</u>
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B1a REGULAR MEETINGS

Regular meetings of the District Board shall be held at such time as the Chairman or, in his or her absence, the vice-chairman shall direct.

The District Board shall meet at least six times each year to act upon all matters placed before them.

(Adopted January 16, 1996)

B1b SPECIAL MEETINGS

Special meetings of the District Board may be called at any time upon due notice and at such time as the Chairman, or in his or her absence the Vice Chairman, shall determine, such notice to be given by the Clerk, and the Clerk shall call special meetings upon written request of not less than five members of the District Board.

(Adopted January 16, 1996)

B1c NOTICE OF MEETINGS

Written notice of regular and special meetings of the District Board shall be given by the Clerk upon order of the Chairman, at least two days before such meeting. In the absence of the Chairman and Vice Chairman, or if for any reason said Chairman or Vice Chairman fails to order the call of a regular meeting, the Clerk may call such meeting.

B1d ADJOURNED MEETINGS

At any meeting of the District Board the members present, though less than a quorum, may adjourn said meeting and fix the day on which such adjourned meeting shall be held and the notice, if any, which shall be given to the members of the District Board.

B1e PROCEDURE

At any regular, or adjourned meeting of the District Board any matter proper to come before said Board may be taken up without notice of such matter having been inserted in the call for such meeting, but at any special meeting of said Board no matter shall be taken up unless notice thereof was inserted in the call for such meeting. The Chairman or presiding officer may participate in the discussion of, or debate concerning, any matter proper to come before said Board as provided herein, without

being required to relinquish the chair during the discussion, debate and disposition of such matter, and may vote on such matter.

(Adopted April 7, 2004)

B1f ORGANIZATION

At the regular meeting of the District Board held in January of each year, an election shall be held for Chairman and Vice Chairman of the District Board for the ensuing year.

At said meeting, after a Chairman of the District Board has been elected, he or she shall appoint ten members of the District Board as a Committee on Organization to bring in later at said meeting a plan of organization for the ensuing year with nominations for membership of Bureaus, Board of Finance, Commission on Regional Planning, and standing committees.

At said meeting, after said nominations have been made, the District Board shall proceed in such Manner as it shall deem proper to complete its organization for the ensuing year.

(Adopted May 4, 2009)

B1g VACANCIES

Whenever a vacancy, which by law may be filled by vote of the District Board, shall exist in said board and/or in any office, bureau, board, committee or commission of the District, by reason of resignation or otherwise, the matter of appointment of a successor by the District Board shall be referred immediately, without discussion, to the Committee on Organization, which shall report its nomination to the District Board. Such nomination with any other nominations that may be made shall be considered by the District Board at a regular or special meeting at which the District Board may elect a successor to fill the vacancy.

B1h TENURE OF OFFICE

The tenure of office of all officers, bureaus and boards, committees and commissions of The Metropolitan District, appointed by the District Board, shall, unless otherwise provided by law or in the appointment, continue until a successor or successors shall have been named and qualified.

B1i AUXILIARY OFFICERS, ATTENDANCE AT MEETINGS

The department heads and other staff members when so directed by the Chief Executive Officer shall, so far as possible, and citizen members of the Board of Finance and Commission on Regional Planning may, attend the meetings of the District Board and may report on matters within their jurisdiction and may be heard on matters before the Board, but shall not be entitled to vote at such meetings.

(Adopted September 11, 2000)

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.

(Adopted October 8, 2014)

(Revised January 10, 2022)

CHAPTER 2

DISTRICT OFFICERS - POWERS AND DUTIES

<u>Section</u>	<u>Title</u>
B2a	Chairman of the District Board
B2b	Vice Chairman of the District Board
B2c	Bureau Chairmen
B2d	Chief Executive Officer
B2e	Department Heads and Other Officers
B2f	District Counsel
B2g	District Treasurer
B2h	District Clerk
B2i	Fiscal Officer/Treasurer
B2j	Consultants
B2k	Commissioner Interactions with District Staff, Consultants and Contractors

B2a CHAIRMAN OF THE DISTRICT BOARD

The Chairman of the District Board shall call and preside over meetings thereof; shall issue tax warrants; shall sign, when duly authorized, agreements on behalf of the District; shall sign bonds in facsimile, notes and other certificates of debt; shall call District elections; and perform all other duties set forth in the Charter of the District.

The Chairman of the District Board shall be an ex officio member, with vote, of the bureaus, or committees of the District Board, except on the election of a chairman of the said bureaus, or committees, and except where the charter of said District shall provide otherwise.

The Chairman is empowered to call the first meeting for the ensuing year of each of the several bureaus and committees of the District.

The Chairman, or Vice Chairman, is authorized to sign on behalf of The Metropolitan District, agreements with the State of Connecticut, Department of Transportation for reimbursement by the State for the relocation or removal and reconstruction of water pipes and sewers in connection with construction of state highways, as set forth in the general statutes, subject to approval of the form of agreement by the District Counsel.

B2b VICE CHAIRMAN OF THE DISTRICT BOARD

There shall be in The Metropolitan District a Vice Chairman of the District Board, to be elected annually by said Board, who shall be Acting Chairman of the District Board as provided for in Section 2-8 of the Charter, to serve without compensation, who, in case of the absence or disability of the Chairman, shall have the same powers as the Chairman and shall act in his or her place and stead in all matters within the authority of said Chairman, including the power to sign warrants for all District elections and to sign all bonds, notes or other certificates of debt of the District.

(Adopted January 16, 1996)

B2c BUREAU CHAIRMEN

The Chairmen of the Water Bureau and of the Bureau of Public Works shall be elected at the first regular meeting of each of said bureaus, respectively, shall call and preside over meetings of their respective bureaus, and shall be ex officio members of all committees thereof with vote. The chairman of each bureau may designate any member thereof to preside over any hearing to be conducted by such bureau. In the manner provided above each bureau shall elect a vice chairman to act in the absence or disability of the chairman.

B2d CHIEF EXECUTIVE OFFICER

There shall be a Chief Executive Officer, to be appointed by the District Board. The Chief Executive Officer shall hold office at the pleasure of said board, but shall not be dismissed except for cause. The Chief Executive Officer shall carry out the policies and orders of said board and of the committees, commissions, bureaus and boards of the District. The Chief Executive Officer shall furnish such information and technical advice as may be requested and perform such other duties as may from time to time be assigned by said board.

The Chief Executive Officer shall be manager of the Water Bureau and of the Bureau of Public Works. The Chief Executive Officer shall coordinate the operations of the several committees, commissions, bureaus and agencies of the District and administer any uniform personnel and classification plan that may be adopted; and shall exercise general supervision over the operating staff of each of such committees, commissions, bureaus or agencies.

The Chief Executive Officer shall attend, or be represented at, all meetings except those designated as executive meetings of the District Board, the Water Bureau, Bureau of Public Works, Board of Finance, Regional Planning Commission, and any other committee, board or commission of the District, except the Committee on Organization.

The Chief Executive Officer shall be authorized to sign, on behalf of the District, all contracts to which the District is a party, and such authorization with respect to any such contract involving the expenditure of more than \$25,000.00 shall be upon award of such contract by the District and upon satisfaction by the successful proposer or bidder of all legal requirements of the District pertaining to such award. The Chief Executive Officer is further authorized to delegate such signing authority to any other District officer(s) or employee(s), provided such delegation shall be in writing and a copy thereof shall be filed with the District Clerk.

Any reference in the District Charter or in the District Ordinances to the District Manager, to the Manager, to the Manager of the Water Bureau, or to the Manager of the Bureau of Public Works shall be construed as referring to the Chief Executive Officer, and such duties attendant on these positions shall be the responsibility of the Chief Executive Officer.

(Adopted September 11, 2000)

(Revised October 8, 2014)

B2e DEPARTMENT HEADS AND OTHER OFFICERS

The District Board may appoint department heads and other officers to the various departments of the District when in its judgment said appointments are necessary for the convenient operation of the same.

(Adopted September 11, 2000)

B2f DISTRICT COUNSEL

In any matter affecting the interests of The Metropolitan District involving legal proceedings or otherwise, the District Counsel is authorized and empowered to enter, prosecute, defend and/or intervene in any court in any action at law or suit in equity with full power and authority to cause any writ and complaint to be served; appearance to be made, answers and/or other pleadings, motions and appeal prepared and/or filed and to do any other act necessary and/or convenient for the protection of the interests of The Metropolitan District in connection with any such matter, including the right to retain additional counsel and assistance, expert or otherwise, that he or she may deem necessary, with power to compound or compromise, and/or settle or delegate the settlement of, any action, suit or claim involving not more than \$5,000.00.

The District Counsel is authorized to execute and deliver, or have executed and delivered, releases on behalf and in the name of The Metropolitan District, whenever it shall be necessary to do so in connection with the settlement of any claim, action or suit which he or she is authorized to compound or compromise.

The District Counsel will, upon request, render opinions on legal questions at the request of any bureau, commission and committee of the District or of the Chief Executive Officer, Fiscal Officer/Treasurer, Clerk, or one of their respective deputies.

Pursuant to Sec. 2-15 of the Charter, the District Counsel is empowered to appoint an Assistant District Counsel whose duties shall be as described by said District Counsel and the District Counsel is authorized to appoint such assistance as he or she requires in order to accommodate the needs of the District in the field of labor relations.

(Adopted September 11, 2000)

B2g DISTRICT TREASURER

This section has been eliminated by vote of the District Board on June 3, 1985.

B2h DISTRICT CLERK

The District Clerk shall keep and distribute minutes of the meetings of the District Board, compile and arrange for the publication of the minutes and yearly journal and its appendices, attest all necessary copies of resolutions, loan authorizations, and other actions of the District Board, accept services of writs, and other processes as provided by law, receive election returns and perform all other duties as may be by charter or other law provided or as may be prescribed by the District Board or the Chief Executive Officer. The District Clerk shall be Clerk of the Board of Finance, as by charter provided, Clerk of the Commission on Regional Planning; Clerk of the Water Bureau; Clerk of the Bureau of Public Works; and of all special and standing committees of the District Board; the Bureau of Public Works and the Water Bureau. He or she shall arrange for the

publication of such legal advertising as the law requires; and shall be custodian of deeds and of agreements authorized by the District. Any reference in the District Charter or in the District Ordinances, to the Clerk of the Bureau of Public Works, or to the Registrar shall be construed as referring to the District Clerk and such duties attendant on these positions shall be the responsibility of the District Clerk.

The District Clerk shall designate a person who, in the absence of the District Clerk, has the authority to accept service of writs and other processes as provided by law.

(Adopted September 11, 2000)

B2i FISCAL OFFICER/TREASURER

The Fiscal Officer/Treasurer shall administer and exercise general supervision over the operating staff of the Fiscal Affairs function of the District. All bonds and notes for loans made by the District shall be signed by the Fiscal Officer/Treasurer, or Deputy Treasurer, upon proper authorization by the District Board.

B2j CONSULTANTS

The District Board may appoint retired staff members as consultants, define their duties and, after recommendation by the Personnel, Pension and Insurance Committee, fix their salaries. Such appointments shall not affect any pension rights already earned, and service as a consultant shall not increase the amount of any pension already awarded.

B2k COMMISSIONER INTERACTIONS WITH DISTRICT STAFF, CONSULTANTS AND CONTRACTORS

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

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

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

Nothing in this section shall preclude a Commissioner or Citizen Member from making 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)

CHAPTER 3

BUREAUS, COMMISSIONS, COMMITTEES

<u>Section</u>	<u>Title</u>
B3a	General
B3b	Appointments
B3c	Organization of Bureaus, Committees, etc.
B3d	Water Bureau
B3e	Bureau of Public Works
B3f	Commission on Regional Planning
B3g	Board of Finance
B3h	Personnel, Pension and Insurance Committee
B3i	Committee on MDC Government
B3j	Community Affairs Committee
B3k	Special Committees
B3l	Committee on Organization
B3m	General Policy and Planning Committee
B3n	Internal Audit Committee

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
 - 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.

(Adopted January 10, 2005)

(Revised October 3, 2022)

B3b APPOINTMENTS

Appointments to bureaus, Board of Finance, Commission on Regional Planning and standing committees shall be made at the January meeting of the District Board upon recommendation of the Committee on Organization, except that the Committee on Organization shall be appointed at the same meeting by the Chairman, all as provided in Section B1f hereof.

Appointments of staff and officers shall be made by the District Board at the discretion of said board after recommendation of the Chief Executive Officer to the Committee on Organization and recommendation by that committee to the District Board.

The number to be appointed to each bureau and committee, except for the memberships which are fixed by Charter, ordinance or elsewhere herein, shall be determined by the District Board at the time of appointment and upon recommendation of the Committee on Organization.

The term of appointment to all bureaus, boards, commissions and committees shall be two years as provided by Charter, but each Commissioner still a member of the District Board, and other person appointed, shall serve until his or her successor has been appointed and qualified.

Vacancies on bureaus, boards, commissions and committees or among officers shall be filled by the District Board at any meeting thereof and in the manner provided in Section B1g, hereof.

(Adopted September 11, 2000)

B3c ORGANIZATION OF BUREAUS, COMMITTEES, ETC.

Each bureau, board, commission and committee of the District Board shall, except as otherwise provided herein, at its first meeting in each calendar year, organize by the appointment of a chairman and a vice chairman and report such organization to the District Board at its next regular meeting. Such bureaus, boards, commission and committees may appoint, by such methods as they choose, such standing and special committees within their own membership as they deem necessary. The chairman of each bureau, board, commission, or committee shall be ex officio member of each such body.

B3d WATER BUREAU

(See Chapter 5 of Charter and Ordinances W1 through W9).

B3e BUREAU OF PUBLIC WORKS

(See Chapter 8 of the Charter and Ordinances S1 through S11).

B3f COMMISSION ON REGIONAL PLANNING

(See Chapter 13 of the Charter).

B3g BOARD OF FINANCE

(See Chapters 3 and 4 of the Charter).

B3h PERSONNEL, PENSION AND INSURANCE COMMITTEE

The Personnel, Pension and Insurance Committee shall consist of twelve Commissioners of the District, with at least one Commissioner from each member town, all as prescribed more fully in G-1 of the General Ordinances.

The Personnel, Pension and Insurance Committee shall make recommendations to the District Board on all matters having to do with salaries and wages of classified and unclassified employees, and the alteration and administration of the classification plan for District employees, which plan is referred to in another section elsewhere herein, and said committee shall make recommendations on working conditions and fringe benefits.

The Personnel, Pension and Insurance Committee shall receive recommendations from the Chief Executive Officer, and from any sub-committee appointed for such purposes by said Committee, concerning negotiations with any bargaining unit recognized by the District Board, under the terms of the general statutes concerning collective bargaining with municipal employees. Said committee shall, in turn, make its recommendations on contracts with such bargaining units to the District Board.

The management of the retirement system for employees of The Metropolitan District shall be vested in the Personnel, Pension and Insurance Committee, as provided in G-1 of the General Ordinances.

The Personnel, Pension and Insurance Committee shall have full charge of all insurance, inclusive of employee fringe benefit insurance, contributory in total or in part by the District, and shall determine insurance coverage on all business and property of the District, and covering liability which the District may incur, including worker's compensation insurance. Each officer, committee, bureau and commission of the said District having transactions involving insurance shall refer the same to the Personnel, Pension and Insurance Committee as to the form and amount of insurance.

The Personnel, Pension and Insurance Committee is authorized, within the limits of the budget as approved by the District Board, to place all insurance, contributory in total or in part by the District, prescribe the form and amount thereof and to name brokers, agents and advisors to handle all District Insurance.

(Adopted January 10, 2005)

B3i COMMITTEE ON MDC GOVERNMENT

The Committee on MDC Government shall consist of twelve Commissioners of the District.

The Committee on MDC Government shall, upon authorization of the District Board, arrange for the introduction into the General Assembly in the manner provided in the General Statutes of changes in the Charter of the District, and shall arrange for appearances on behalf of the District for or against any legislation at hearings as the interests of the District may appear.

The Committee on MDC Government shall advise the District Board on prospective new ordinances and by-laws and on revisions of the ordinances or by-laws.

(Adopted May 7, 2018)

B3j COMMUNITY AFFAIRS COMMITTEE

The Community Affairs Committee shall consist of ten (10) Commissioners of the District. Said Committee shall advise the District Board and management on questions of publications, publicity and other aspects of community affairs. The Community Affairs Committee shall also be charged with reporting to and advising the Board on issues relating to the following: 1) policies, procedures and regulatory compliance in the area of affirmative action within the District; 2) workforce diversity within the District and development of a work environment within the District that is sensitive and responsive to the goal of encouraging diversity within the workforce; 3) programs and initiatives to promote diversity within the District's contracting community, including monitoring the progress and success of the Small Local Business Enterprise Program and other programs or policies developed to promote diversity both within and outside the District; and 4) any other matters specifically referred to the Committee by the Board relating to affirmative action or diversity.

(Adopted January 16, 1996)

(Updated October 8, 2014)

B3k SPECIAL COMMITTEES

The District Board may raise any special committees it deems necessary and refer to such special committees for investigation and report, any matter or matters which it deems advisable. On raising such committees the District Board may appoint the members thereof or authorize its chairmen to make the appointments as it sees fit. Said Board, or its chairmen, may designate a chairman of such a committee.

B3l COMMITTEE ON ORGANIZATION

(See Sections B1f and B1g)

B3m GENERAL POLICY AND PLANNING COMMITTEE

There shall be a General Policy and Planning Committee consisting of nine (9) Commissioners who shall be appointed by the Chairman of the District Board and who shall include a representative of the Bureau of Public Works, the Water Bureau, the Personnel, Pension and Insurance Committee and the Board of Finance.

The duties of the General Policy and Planning Committee shall be to investigate, review, coordinate and make recommendations to the District Board, bureaus and committees regarding current and future policy matters, including but not limited to the following: consideration of non-member towns for District membership; current and future policy of the District for providing services authorized under its charter to non-member towns by special agreement; the potential for the District to provide additional services to either member or non-member towns; review of the District charter and consideration of possible charter changes; and other policy matters referred to it by the District Board, its bureaus or committees.

The Chairman of the District Board shall call and preside over meetings of the General Policy and Planning Committee. The General Policy and Planning Committee shall meet at the call of the Chairman to discuss and review matters before it, to establish general goals and objectives regarding such matters, to coordinate the referral of same to the District Board, bureaus or committees, and when deemed advisable, to prepare general policy and advisory recommendations to the Board or its bureaus and committees.

(Adopted September 8, 2003)

B3n INTERNAL AUDIT COMMITTEE

There shall be an Internal Audit Committee consisting of nine (9) Commissioners (the "committee") to provide independent examinations and evaluations of District activities as a service to the Board and the administration.

The Committee may conduct independent examinations and evaluations of District activities to assure the integrity, efficiency, and efficacy of the government of the District. The Committee may, through the District Counsel, retain the services of such independent third party consultants and experts as may be necessary or convenient to carry out its examinations provided that the Board shall authorize any annual expenditure over \$5,000. The Committee and its consultants shall have full access to all administration records, property and personnel in the performance of their duties. The Committee shall give due consideration to requests from the Board or any member thereof and from the administration, as well as employees, in determining what, if any, audits shall be performed by the Committee. In carrying out its duties, the Committee may perform activities such as, but not limited to, the following:

- (1) Ascertaining the extent of compliance with established policies, plans, procedures and legal requirements;

- (2) Reviewing and appraising the soundness, adequacy and application of accounting, financial, operating and systems controls;
- (3) Ascertaining the extent to which District assets are accounted for and safeguarded from losses of all kinds; and
- (4) Ascertaining the reliability of management data developed within the District departments and offices.

(Adopted April 9, 2007)

CHAPTER 4

SALARIES AND EMPLOYEE BENEFITS

<u>Section</u>	<u>Title</u>
B4a	Unclassified Employees, Salaries
B4b	Classified Employees, Salaries and Wages
B4c	Social Security
B4d	Hospitalization Insurance
B4e	Group Life Insurance

B4a UNCLASSIFIED EMPLOYEES, SALARIES

The salaries of those officers, so designated in Chapter II hereof, counsel and retired employees retained as consultants, shall be fixed by the District Board, or otherwise, after recommendation of the Personnel, Pension and Insurance Committee.

B4b CLASSIFIED EMPLOYEES, SALARIES AND WAGES

The salaries of all other employees shall be within the ranges of the classification and remuneration plan for District employees adopted by the District Board, and as amended from time to time by said board, after recommendation of the Personnel, Pension and Insurance Committee.

B4c SOCIAL SECURITY

Employees of The Metropolitan District shall be included in the Old-Age and Survivors Insurance System, under Title II of the Social Security Act, effective with respect to services performed for the District on and after January 1, 1958, and in accordance with agreement between The Metropolitan District and the State Retirement Commission dated July 11, 1958, and subsequent amendments thereto.

B4d HOSPITALIZATION INSURANCE

The Metropolitan District shall provide to its employees basic and major medical health insurance plans through Blue Cross and Blue Shield of Connecticut with such coverage and limits as the District Board shall from time to time prescribe after recommendation of the Personnel, Pension and Insurance Committee. The District reserves the right to substitute alternative coverage for the Blue Cross/Blue Shield plans.

(Adopted January 16, 1996)

B4e GROUP LIFE INSURANCE

Employees of The Metropolitan District shall be covered by a group life insurance policy, the amounts, limits and relative contributions by employees and the District to be as the District Board from time to time shall prescribe, after recommendations of the Personnel, Pension and Insurance Committee.

CHAPTER 5

FINANCES

<u>Section</u>	<u>Title</u>
B5a	Fiscal Year
B5b	Authorization of Signatures, District Checks
B5c	Authorization of Facsimile Signatures

B5a FISCAL YEAR

The fiscal year of The Metropolitan District shall be the calendar year, beginning on the first of January in each year and ending with the thirty-first of December.

B5b AUTHORIZATION OF SIGNATURES, DISTRICT CHECKS

Checks issued on all funds of The Metropolitan District to be valid, shall be executed by the signature of the Fiscal Officer/Treasurer or Deputy Treasurer. In the event of the absence or inability of the Fiscal Officer/Treasurer or Deputy Treasurer, the Chief Executive Officer or in his or her absence the Chief Administrative Officer shall designate a representative within the Treasury Department to provide signature being without responsibility of inquiry on the part of the paying bank as to such absence or inability.

(Adopted September 11, 2000)

B5c AUTHORIZATION OF FACSIMILE SIGNATURES

The Metropolitan District assumes, and hereby does assume the responsibility for all payments made in good faith by any of the District's bank depositories wherever located, of any and all checks issued by this District on which appear a facsimile signature mechanically executed, as per specimen filed with such bank depository. Said responsibility shall be the same as it does now assume for manually signed checks; such assumption of responsibility by the District to continue until written notice of revocation thereof is received by the bank depository concerned.

CHAPTER 6

CODE OF ETHICS

<u>Section</u>	<u>Title</u>
	Preamble
B6a	Use of District Property
B6b	Disclosure of Confidential Information
B6c	Representing Private or Public Interest in District Matters
B6d	Disclosure of Interest
B6e	Gifts and Favors
B6f	Employment by District
B6g	Personnel Matters
B6h	Ethics Advisory Board
B6i	Investigation of Complaints
B6j	Training

PREAMBLE

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

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

B6a USE OF DISTRICT PROPERTY

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6b DISCLOSURE OF CONFIDENTIAL INFORMATION

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

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6c REPRESENTING PRIVATE OR PUBLIC INTEREST IN DISTRICT MATTERS

No officer, Commissioner, Citizen Member or employee shall appear for, or represent, any personal interest, or any public interest except that of The Metropolitan District, in any matter pending before or procurement being considered by the District staff,

District Board, or any of its Bureaus, Commissioners, or Committees. No former officer, Commissioner, Citizen Member or employee shall represent anyone other than the District concerning any particular matter in which he/she participated personally and substantially while in District service. Nothing in this section shall prohibit or restrict an officer, Commissioner, Citizen Member or employee from appearing before the District Board or any of its Bureaus or Committees, on his/her own behalf, or from being a party in any action, proceeding or litigation brought by or against the officer, Commissioner, Citizen Member or employee to which the District is a party.

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6d DISCLOSURE OF INTEREST

No officer, Commissioner, Citizen Member or employee shall 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.

- (a) 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 (a), such officer, Commissioner, Citizen Member or employee 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.

(Adopted January 16, 1996)

(Revised November 2, 2022)

B6e GIFTS AND FAVORS

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

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

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

- (1) a political contribution otherwise reported as required by law or a donation or payment as described in subdivision (9) or (10) of subsection (b) of section 9-601a;

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

are customarily and ordinarily provided to others in similar circumstances;

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

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6f EMPLOYMENT BY DISTRICT

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

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6g PERSONNEL MATTERS

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6h ETHICS ADVISORY BOARD

There shall be a standing Ethics Advisory Board of the District Board, consisting of three Commissioners together with two Commissioner alternates appointed by the Chairman,

which shall render advisory opinions whenever there exists any doubts as to the applicability of the provisions and restrictions of this code. The finding or recommendation of the Ethics Advisory Board shall be reported to the District Board for final action. In the event a matter referred to the Ethics Advisory Board in any way relates to or concerns a member of the Ethics Advisory Board, or if a member is unable to serve for any other reason, such member shall be replaced by an alternate member, on a rotating basis, for purposes of the board's consideration of such matter.

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6i INVESTIGATION OF COMPLAINTS

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

(Adopted January 16, 1996)

(Revised January 10, 2022)

B6j TRAINING

Commissioners and Citizen Members shall be required to complete annual training (virtual, in-person, or a combination thereof) which, subject to modification or expansion by the District Chairman, will include selected sessions from the following topics: Ethics/Conflicts of Interest; Workplace Violence Awareness and Prevention; Cybersecurity; and the District Whistleblower Complaint Policy. To the extent feasible, Commissioners and Citizen Members will receive the same training provided to District employees as administered by District staff.

(Adopted October 7, 2024)

CHAPTER 7

MISCELLANEOUS

<u>Section</u>	<u>Title</u>
B7a	Seal
B7b	Settlement of Actions, Suits and Claims
B7c	Amendment or Repeal of By-Laws
B7d	Repeal of Non-Conforming Action

B7a SEAL

The corporate seal of The Metropolitan District shall be circular in shape and shall contain the words "The Metropolitan District, Hartford County, Connecticut, Incorporated 1929. Seal". The seal shall be in the custody of the District Clerk and shall be applied by him or her or, in his or her absence, at his or her discretion, by a person to be designated by him or her.

(Adopted January 16, 1996)

B7b SETTLEMENT OF ACTIONS, SUITS AND CLAIMS

The District Counsel is authorized to compound or compromise, and/or settle or delegate the settlement of, any action, suit or claim involving not more than \$5,000.00.

Bureaus or committees having cognizance over particular matters are authorized to recommend the compounding, compromise, and/or settlement of any action, suit or claim relative to such matters involving more than \$5,000.00 any such recommendation shall be reported to the District Board at the next meeting of said board for action thereon.

(Adopted July 12, 2004)

B7c AMENDMENT OR REPEAL OF BY-LAWS

By-laws of the District Board may be passed, amended or repealed by a majority vote of the members present at a legal meeting of said board.

(Adopted July 12, 2004)

B7d REPEAL OF NON-CONFORMING ACTION

That part or all of any by-law or resolution of the District Board not conforming to the by-laws in this compilation passed January 7, 1985 is hereby repealed.

(Adopted July 12, 2004)