

**BUREAU OF PUBLIC WORKS
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Monday, June 19, 2017**

Present: Commissioners John Avedisian, Luis Caban, Donald Currey, Allen Hoffman, Alphonse Marotta, Domenic Pane, Bhupen Patel, J. Lawrence Price, Raymond Sweezy, Alvin Taylor, Richard W. Vicino and District Chairman William A. DiBella (12)

Absent: Commissioners Andrew Adil, Janice Flemming-Butler, William Horan, Byron Lester and Maureen Magnan (5)

Also

Present: Scott W. Jellison, Chief Executive Officer
R. Bartley Halloran, District Counsel
John Zinzarella, Chief Financial Officer
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Sue Negrelli, Director of Engineering
Tom Tyler, Director of Facilities
Christopher Levesque, Director of Operations
Michael Curley, Manager of Technical Services
Jennifer Ottalagana, Project Manager
Allen King, Real Estate Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Vicino called the meeting to order at 4:13 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Judy Allen of West Hartford spoke regarding agenda item #7 "Discussion re: Member Town Sewer User Charges"

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of May 17, 2017 were approved.

**RESERVOIR ESTATES, WETHERSFIELD
ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on June 19, 2017

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

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

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

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

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

1. Care must be taken during the construction of the new foundation drains and manhole frame and cover adjustments not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the sanitary trunk sewer easement when not in use. Any earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing trunk sewer caused by any construction within the existing rights-of-way shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed fill and foundation drains shall be located within the District's sanitary trunk sewer right-of-way.
3. The District reserves the right to remove improvements within the sanitary trunk sewer easement at any time if so required for maintenance, repair or replacement of the trunk sewer. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of improvements within the easement.

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

Staff has reviewed this request and considers it feasible.

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

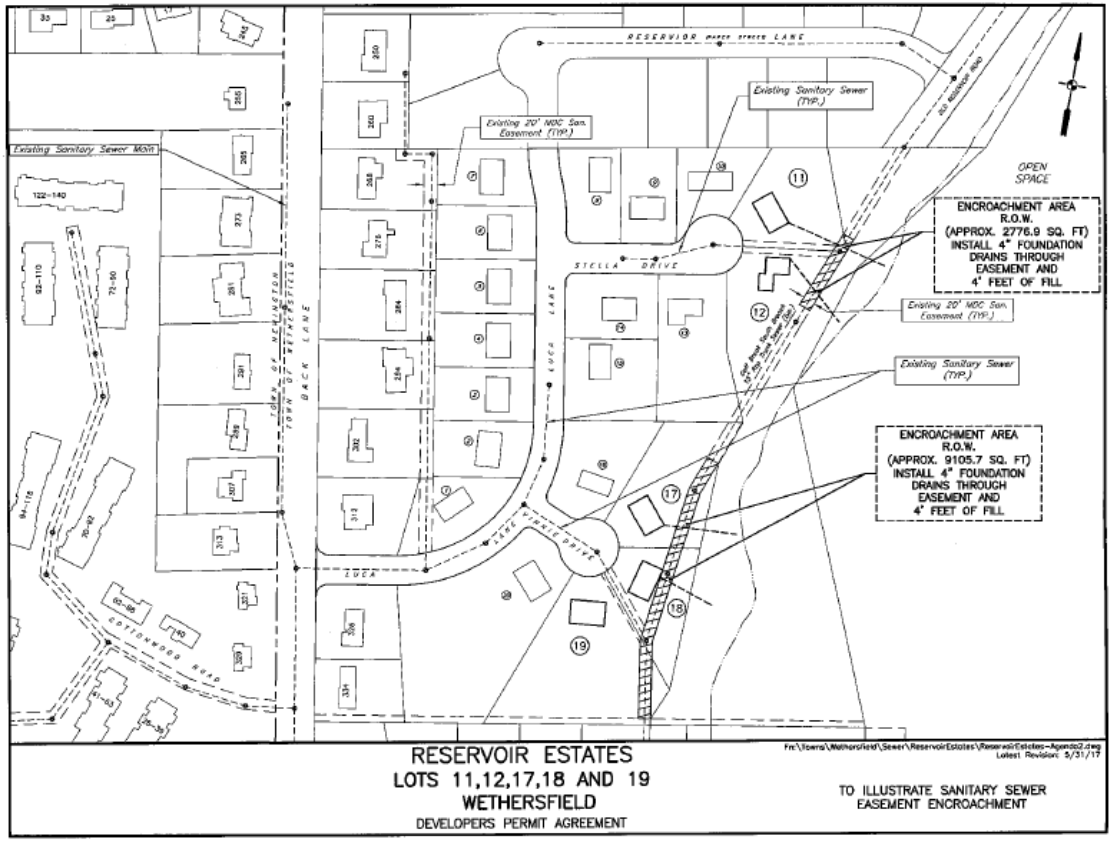
It is RECOMMENDED that it be

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

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

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer



DUTTON ASSOCIATES, LLC

May 24, 2016

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

Re: Encroachment Permit Reservoir Estates, Wethersfield, CT

Dear Mr. Curly:

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

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

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

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

Sincerely,

James W. Dutton, L.S.

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

**150 ENTERPRISE DRIVE, ROCKY HILL
ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on June 19, 2017

In a letter dated May 25, 2017, Matthew Bruton of BL Companies, on behalf of ReadCO, LLC, Developer, and Corpridge Land Company, LLC, Owner, has requested permission from The Metropolitan District to encroach on the existing 20-foot West Dividend Brook Trunk Sewer easement located across private lands between Cromwell Avenue and Henkel Way in Rocky Hill, with grading and drainage crossings in conjunction with the development of a medical office building.

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

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

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

1. Care must be taken during the construction of the new storm drain not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the sanitary trunk sewer easement when not in use. Any earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing trunk sewer caused by any construction within the existing rights-of-way shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed storm drain shall be located within the District's sanitary trunk sewer right-of-way.
3. The District reserves the right to remove improvements within the sanitary trunk sewer easements at any time if so required for maintenance, repair or replacement of the trunk sewer. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of improvements within the easements.

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

Staff has reviewed this request and considers it feasible.

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

It is RECOMMENDED that it be

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

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

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer



May 25, 2017

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

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

Dear Mr. Curley:

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

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

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

Very Truly Yours,
BL COMPANIES

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

Matthew J. Bruton, P.E.

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

SEWER OUTLET CHARGE DISCUSSION

To: Bureau of Public Works for consideration on June 19, 2017

Outlying District Towns have expressed concern about the District's sewer outlet charges and their effect in deterring new commercial and industrial development in their towns. These towns are the ones which still have large open areas of land for development, and argue that the burden of the District's outlet charges are putting them at a disadvantage in competing for industrial and commercial development in the surrounding area.

Outlet charges were established under Section S8f of the Ordinances of the Metropolitan District Relating to Sewers to offset the impact of the new development on operating and maintenance costs of the existing wastewater infrastructure. This is the only sewer charge for these types of development, as the cost of extending the sewer system to accommodate the new development is borne by the Developer under a Developer's Permit Agreement.

In accordance with Sec. 9-13 of the Charter and Sec. S10b of the Ordinances of the Metropolitan District Relating to Sewers, your Bureau has determined and adopted schedules of flat rate assessments for the construction of sewers and house connection service lines since 1968. In establishing such rate schedules, District Ordinances provide that consideration be given to the cost of sewers constructed in recent years and the estimated cost of proposed sewer projects.

The Schedule of Flat Rates of Sewer Assessment, Connection Charges and Outlet Charges, adopted by your Bureau on December 5, 2016 and effective January 1, 2017, as shown attached, was revised for laterals and front footage to offset the rising costs of pending sewer projects while maintaining the self-sufficiency of the Assessable Sewer Fund and preventing the increase in taxes to support the Fund. Outlet charges, or area charges (dwelling units, rooms and acreage) were not raised as part of these revisions in order not to deter development, or redevelopment that has been seen especially in Hartford. These charges have remained the same, at \$8,270 per acre for industrial and commercial properties, since 1993.

In order to try to alleviate the burden on Developer's within the District, considerations could be made to alter the method of applying these outlet charges to properties that are being developed. Section S8f provides the Bureau the option of varying the amount of the outlet charge to be collected from a Developer when in its opinion the use of the established schedule of charges would not be fair and reasonable.

Revisions could be made on how the rates are applied to each property, such as phasing the development to only apply the charges to the area being developed at the current time, taking into consideration all unusable or undevelopable acreage. Other considerations would be to apply additional categories to industrial and commercial properties to further define the use of the development, and allow payment of the outlet charges to be made on a timed payment system, whereas an agreement would be made to pay the charges over some years with interest to be paid to the District, rather than paying up front, which is the current requirement.

Respectively submitted,

Scott W. Jellison
Chief Executive Officer

THE METROPOLITAN DISTRICT SCHEDULE OF FLAT RATES OF SEWER ASSESSMENT, CONNECTION CHARGES AND OUTLET CHARGES ADOPTED DECEMBER 5, 2016 - EFFECTIVE JANUARY 1, 2017					
PROPERTY CATEGORY (For each property the rates for only one category shall be applied)	(A) Rate per Lateral or Inlet	(B) Rate per Front Foot or Adjusted Front Foot	AREA CHARGES		
			(C) Rate Per Acre	OTHER RELEVANT FACTORS	
				(D) Rate per Dwelling Unit or Dwelling Unit Allowed by zoning on a Buildable Lot	(E) Rate per Room or Convalescent Unit
SINGLE RESIDENTIAL DWELLING UNITS, INCLUDING A TRAILER*	4,420.00	111.50		1,655.00	
TWO OR MORE DWELLING UNITS, INCLUDING TRAILER PARKS*	4,420.00	111.50		1,655.00	
MOTELS, HOTELS, ROOMING HOUSES, CONVALESCENT HOMES AND HOSPITALS	4,420.00	111.50			765.00
SCHOOLS, CHURCHES AND THE MUNICIPAL FACILITIES OF DISTRICT TOWNS	4,420.00	111.50	1,655.00 Minimum Acreage Assessment 1,655.00 Developed area including but not limited to areas of parking, open space and streets.		
BUSINESS, COMMERCIAL INDUSTRIAL OR OTHERS*	4,420.00	111.50	8,270.00 Minimum Acreage Assessment 4,135.00 Developed area including but not limited to areas of parking, open space and streets.		
* For these categories of assessments, where the actual use of the property differs from the underlying zone (i.e. residentially-zoned property used commercially), the higher assessment category shall apply.					

OUTLET CHARGES

For Developers of Property, (A) and (B) Actual Cost Paid by Developer. (C), (D) and (E) would continue to be charged in accordance with above schedule.

In assessing benefits, the Bureau of Public Works may give consideration to frontage, area, or other relevant factors to measure the extent to which properties are specially benefited.

MEMBER TOWN SEWER USER CHARGE DISCUSSION

John Zinzarella, Chief Financial Officer, briefed the Bureau on the Member Town Sewer User Charge

GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford spoke recommending that churches not be charged a sewer user charge as a non-municipal tax exempt entity.

ADJOURNMENT

The meeting was adjourned at 5:05 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval