

**BUREAU OF PUBLIC WORKS
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Monday, October 5, 2015**

Present: Commissioners Luis Caban, Donald Currey, Janice Flemming, Allen Hoffman, Maureen Magnan, Alphonse Marotta, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor, Richard W. Vicino and District Chairman William A. DiBella (11)

Absent: Commissioners Andrew Adil, William Horan, Joseph Klett, Joseph Kronen, J. Lawrence Price and Albert F. Reichin (6)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Gerald J. Lukowski, Director of Operations
Sue Negrelli, Director of Engineering
Erin Ryan, Director of Human Resources
Kelly Shane, Director of Procurement
Kerry E. Martin, Assistant to the Chief Executive Officer
Mike Curley, Project Manager
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Vicino called the meeting to order at 4:17 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of June 1, 2015 were approved.

**THE VILLAGES AT POQUONOCK, WINDSOR
ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on October 5, 2015

Poquonock Commons, LLC, in a letter dated August 17, 2015, from Mark Ferraina, Managing Member, has requested permission from the Metropolitan District to permanently encroach upon an existing 20-foot permanent sanitary sewer easement located across private lands between Stevens Mill Road and Niles Road, parallel to Poquonock Avenue, in Windsor, to construct three storm drainage crossings in conjunction with The Villages at Poquonock proposed development project.

The proposed work entails the construction of storm drainage over the existing 30-inch RCP Rainbow Trunk Sewer #3 at 3 locations, as shown on the accompanying maps as Encroachment Area #1, Encroachment Area #2 and Encroachment Area #3. The proposed storm drainage will be installed above the existing sanitary trunk sewer with sufficient clearance between the pipes. The only crossing that is less than the minimum clearance of 18-inches is Encroachment #1 with a clearance of 11-inches. This has been reviewed and determined will not be an impairment to the existing sanitary sewer. There will be no resulting grade change over the easement. The existing trunk sewer was built in 1985 and upon inspection was found to be in good working order.

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

Poquonock Commons, LLC, has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing 30-inch RCP sanitary trunk sewer located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot permanent easement:

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

4. An MDC inspector must be on the job site whenever work is being performed within the sanitary sewer right-of-way, at the expense of Poquonock Commons, LLC. The construction shall conform to District standards and 48-hours advance notice must be given to the District prior to any construction within the sanitary sewer right-of-way.
5. Poquonock Commons, LLC shall perform a CCTV inspection, witnessed by an MDC inspector, of the sanitary sewer main 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 Poquonock Commons, 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 Poquonock Commons, LLC to encroach upon an existing 20-foot sanitary sewer right-of Way between Stevens Mill Road and Niles Road in private lands, Windsor, in support of the planned construction of The Villages at Poquonock as shown on plans submitted by Ed Lally and Associates, Inc. dated August 13, 2015, 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

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

AUTHORIZATION TO CONDEMN SUBTERRANEAN EASEMENTS

To: Bureau of Public Works for consideration on October 5, 2015

BE IT RESOLVED THAT:

Pursuant to Conn. Gen. Stat. § 48-12, and Sections 1-1, 1-2f and 1-4 of the Metropolitan District Charter, the Board of the Metropolitan District hereby authorizes District staff to proceed with condemnation proceedings on those properties attached hereto and incorporated herein as "Exhibit A", to acquire such property rights pursuant thereto as are necessary for the installation, use, maintenance and repair of the South Hartford Conveyance and Storage Tunnel and appurtenances thereto within or affecting said properties, and to take such further or related action(s) as may be necessary to effectuate the project.

The amount of compensation to be awarded pursuant to said condemnation proceeding shall be the average value of the property rights acquired, as independently determined by two Connecticut licensed appraisers.

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer

EXHIBIT A

October 5, 2015

OUTSTANDING EASEMENTS:

<u>Property</u>	<u>Owner</u>
115 Airport Road	CL&P
52 Ansonia Street	D'Angelo
112 Ansonia Street	Rodriguez/Serrano
32 Brixton Street/WH	Lavery
34 Brixton Street/WH	CT Sand and Stone Corp.
2006 Broad Street	Lall
111 Brown Street	Pizzoferrato
130 Brown Street	Elliott
148 Brown Street	JP Morgan
182 Campfield Avenue	Jones
185 Campfield Avenue	Ortiz
186 Chandler Street	Hebert
23 Clarendon Street	Gibson/Crosby
27 Clarendon Street	Mitchell
28-30 Clarendon Street	Budhram
31 Clarendon Street	Guster
101 Clermont Street	CT Office of Policy & Mgmt.

168 Dart Street	Dart Gardens
58 Dexter Street	Bellestas
117 Douglas Street	Jessmar Apartments, LLC
155 Fairfield Avenue	Martins
156 Fairfield Avenue	Henriques
473 Franklin Avenue	Grados
487-489 Franklin Avenue	480 Franklin Ave., LLC
595 Franklin Avenue	Bosnian Center
75 Giddings Street	Citifinancial Servicing, Inc.
21 Gilman Street	John Oliveri
37 Gilman Street	Zocco
63-65 Gilman Street	Muskic
10 Grassmere Avenue/WH	D&L Realty LLC
14 Grassmere Avenue /WH	D&L Realty LLC
18 Grassmere Avenue/WH	D&L Realty LLC
22 Grassmere Avenue/WH	D&L Realty LLC
50 Grassmere Avenue /WH	Conrad Trust
491 Hillside Avenue	Ortiz
808 Maple Avenue	Mochica Apts.
822 Maple Avenue	DRJ Inc.
831 Maple Avenue	Alam
520 New Britain Avenue	SNET
579 New Park Avenue/WH	Pinnacle
85 Sequin Street	Lee
126 Standish Street	Bhola
69 Talcott Road/WH	Audi-CT LLC
389 West Preston Street	Diaz
401 West Preston Street	Susaya
454 West Preston Street	Wells Fargo Bank
990 Wethersfield Avenue	Margaret Properties, LLC
1000 Wethersfield Avenue	Margaret Properties, LLC
1014 Wethersfield Avenue	Newfield Realty
55 Brinley Avenue	Tax Collector/Hartford
80 Clermont Street	Tax Collector/Hartford
91 Clermont Street	Tax Collector/Hartford
680 Franklin Avenue	Public Works/Hartford
694 Franklin Avenue	Park Department/Hartford
830 Maple Avenue	City of Hartford
31 Margarita Drive	Housing Authority/Hartford
391 New Britain Avenue	Park Department/Hartford
60 Newfield Avenue	State of CT/Dept. of Agriculture
774 Oakwood Avenue/WH	State of CT/Flood Control & Water Mgmt.
1020 Wethersfield Avenue	Public Works /Hartford

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

**PURCHASE OF REAL PROPERTY INTERESTS AT
NEW BRITAIN AVENUE AND HILLCREST AVENUE IN
WEST HARTFORD, CONNECTICUT**

To: Bureau of Public Works for consideration on October 5, 2015:

Be It Resolved that the Bureau of Public Works of The Metropolitan District hereby recommends to the Board of Commissioners of The Metropolitan District, through its Chief Executive Officer, or his designee, the Metropolitan District enter into and complete the purchase and sale agreement with the Town of West Hartford, Connecticut for the acquisition of the following properties (collectively hereafter referred to as “the Parcel”):

1. 957 New Britain Avenue, West Hartford, Connecticut, Assessor’s Map H15, Block 3771, Parcel 957 (0.47 acres);
2. 9 Hillcrest Avenue, West Hartford, Connecticut, Assessor’s Map H15, Block 2701, Parcel 9) (2.03 acres); and
3. 61 Hillcrest Avenue, West Hartford, Connecticut, Assessor’s Map H15, Block 2701, Parcel 61 (0.31 acres),

in furtherance of the Clean Water Project (“CWP”); and

Be It Further Resolved that the purchase price of the Parcel shall be \$150,000.00, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP.

Respectfully submitted,

Scott Jellison
Chief Executive Officer

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

**PURCHASE OF REAL PROPERTY AT
BROOKFIELD STREET IN HARTFORD**

To: Bureau of Public Works for consideration on October 5, 2015:

Be It Resolved that the Bureau of Public Works of The Metropolitan District hereby recommends to the Board of Commissioners of The Metropolitan District, the Metropolitan District, through its Chief Executive Officer or his designee, enter into and complete the purchase and sale agreement with the Housing Authority of the City of Hartford for the purchase of a 1.09 acre parcel located at Brookfield Street, Hartford, Connecticut (“Property”), in furtherance of the Clean Water Project (“CWP”); and

Be It Further Resolved that the purchase price shall be \$105,000, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP.

Respectfully submitted,

Scott Jellison
Chief Executive Officer

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

**PURCHASE OF REAL PROPERTY INTERESTS AT
CHARTER OAK BOULEVARD IN WEST HARTFORD, CONNECTICUT**

To: Bureau of Public Works for consideration on October 5, 2015:

Be It Resolved that the Bureau of Public Works of The Metropolitan District hereby recommends to the Board of Commissioners of The Metropolitan District, the Metropolitan District, through its Chief Executive Officer, or his designee, enter into and complete the purchase and sale agreement with Triumph Engine Control Systems, LLC of West Hartford, Connecticut (“Triumph”) for the acquisition of the following property interests:

1. Fee simple interest in 1.56 acres of unimproved property located in the southwest corner of the Triumph Engine Controls site which is rectangular in shape with approximately 303 feet of frontage along Talcott Road and a depth of approximately 200 feet (the “Permanent Parcel”);
2. A Permanent Easement covering 15,940 square feet of the Triumph property which is located immediately north of the Permanent Parcel described above; and
3. A Temporary Construction Easement with a term of no less than 5 years, which term shall commence at the time the Metropolitan District provides notice to Triumph of its intent to exercise such rights, and no more than 7 years, covering 10,605 square feet of property which is located immediately east of the Permanent Parcel described in above,

all in furtherance of the Clean Water Project (“CWP”); and

Be It Further Resolved that the purchase price of the respective interests shall be as follows:

1. The purchase price of the Permanent Parcel as described above shall be \$513,333.00, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP;
2. The purchase price of the permanent easement described above shall be \$91,266.00, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP;
3. The monetary consideration for the Temporary Construction easement shall be \$37,514.00 for the five-year term and, in the event the term exceeds 5 years, \$625.33 per month thereafter so long as the term does not exceed 7 years, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP; and
4. The consideration paid for the Temporary Construction Easement shall be paid at or around the time the Metropolitan District provides notice to Triumph of its intent to exercise its temporary construction easement rights; and

Be It Further Resolved that the Metropolitan District may credit against the aggregate purchase price of the Permanent Parcel and the Permanent Easement sums owed to the Metropolitan District by Triumph for fees associated with the discharge of groundwater remediation wastewater to the Metropolitan District's sanitary sewer system in the amount of \$416,796.70.

Respectfully submitted,

Scott Jellison
Chief Executive Officer

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

**LEASE OF REAL PROPERTY AND IMPROVEMENTS AT
910 NEW BRITAIN AVENUE, HARTFORD, CONNECTICUT**

To: Bureau of Public Works for consideration on October 5, 2015:

Be It Resolved that the Bureau of Public Works of the Metropolitan District hereby recommends to the Board of Commissioners of the Metropolitan District, the Metropolitan District, through its Chief Executive Officer, or his designee, enter into and complete the lease agreement with Premium Auto, LLC ("Premium") for the lease of real property and

improvements located at 910 New Britain Avenue, Hartford, Connecticut (“Property”), in furtherance of the Clean Water Project (“CWP”); and

Be It Further Resolved that the lease amount shall be \$11,000 per month, for a lease term of no more than nine (9) months, such term to commence at some point within the calendar years 2017 to 2020, said funds being part of the authorized expenditure for the acquisition of those properties necessary in connection with the CWP.

Respectfully submitted,

Scott Jellison
Chief Executive Officer

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

ADJOURNMENT

The meeting was adjourned at 5:05 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval