

**THE METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING**

555 Main Street
Hartford, Connecticut 06103
Thursday, January 15, 2015

Present: Commissioners Andrew Adil, Mary Anne Charron, Timothy Curtis, William A. DiBella, Janice Flemming, Matthew B. Galligan, Gary M. Haynes, Allen Hoffman, Jean Holloway, Kathleen J. Kowalyshyn, Joseph H. Kronen, Maureen Magnan, Alphonse Marotta, Thea Montanez, Mark A. Pappa, J. Lawrence Price, Albert F. Reichin, Pasquale J. Salemi, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (21)

Absent: Commissioners Luis Caban, Daniel Camilliere, Donald M. Currey, Michael W. Gerhart, William P. Horan, Joseph Klett, James S. Needham, Kennard Ray, Hector Rivera, Helene Shay, Michael A. Toppi, and Special Representative Michael Carrier (12)

Also

Present: Charles P. Sheehan, Chief Executive Officer
Scott W. Jellison, Deputy Chief Executive Officer, Engineering & Operations
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
Erin Ryan, Director of Human Resources
Sue Negrelli, Director of Engineering
Kelly Shane, Director of Procurement
John S. Mirtle, District Clerk
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant
Jim Sandler, Legal Counsel
Jessica Coelho, President of Local 3713 AFSCME
Dean Gazzo, President of Local 184 AFSCME

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 6:00 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman DiBella that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

APPROVAL OF MINUTES

On motion made by Commissioner Reichin and duly seconded, the meeting minutes of December 18, 2014 were approved.

**DISTRICT CLERK
SERVICE OF TAX WARRANTS FOR FISCAL YEAR 2015**

To: District Board

From: District Clerk

January 15, 2015

Pursuant to the Charter of the District, Section 3-13, the District Clerk reports that Tax Warrants for Fiscal Year 2015, drawn by the Chairman of The Metropolitan District, in favor of the Treasurer have been served on the following:

Town Clerk, Marguerite Phillips, Bloomfield
Town Clerk, Robert J. Pasek, East Hartford
Town and City Clerk John V. Bazzano, Hartford
Town Clerk Tanya D. Lane, Newington
Town Clerk C/O Linda A. Giuliano, Rocky Hill
Town Clerk Essie S. Labrot, West Hartford
Town Clerk Dolores G. Sassano, Wethersfield
Town Clerk Anna Posniak, Windsor

Receipts for these tax warrants have been received and are on file in the Office of the District Clerk.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

Without objection, the report was received.

**BUREAU OF PUBLIC WORKS
PRATT & WHITNEY WILLGOOS FACILITY, EAST HARTFORD
ENCROACHMENT AGREEMENT**

To: District Board

From: Bureau of Public Works

January 15, 2015

On November 5, 2014, AECOM, on behalf of Pratt & Whitney, requested permission from the Metropolitan District to temporarily encroach upon an existing 20-foot sewer right-of-way across their property located at 1 Pent Road, East Hartford, for the purpose of excavating polluted soils for off-site disposal. Pratt & Whitney has requested permission to perform existing soil remediation by removing polluted soil within the right-of-way and above the existing 33-inch reinforced concrete Southern Interceptor sewer pipe and replace it in kind with clean soil, as shown on the accompanying map. Soil shall be excavated to a depth to allow for a minimum of 6-feet of cover over the 33-inch sewer main.

The sanitary sewer right-of-way across the parcel was conveyed to the Metropolitan District by the United Aircraft Corporation in March 1950 in conjunction with the construction of the Southern Interceptor Sewer, and is recorded in the Town of East Hartford land records: Volume 169 Page 252.

MDC staff has concluded that the encroachment is temporary and that there will be no detriment to the sewer infrastructure as a result.

Pratt & Whitney has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing 33-inch RCP interceptor located within the subject parcel and accessibility along the length of the Metropolitan District's rights-of-way:

1. Care must be taken during construction not to disturb the existing sanitary sewer main. All heavy construction equipment must be located outside of the limits of the right-of-way when not in use. Any earth moving equipment that will be utilized on the site over and adjacent to the sewer main shall be reviewed and approved by District staff prior to mobilization to the site.
2. An MDC inspector must be on the job site, at the expense of Pratt & Whitney, whenever work is being performed within the right-of-way. The construction shall conform to District standards and 48-hours advance notice must be given to the District prior to any construction within the right-of-way.
3. Pratt & Whitney shall perform a CCTV inspection, witnessed by an MDC inspector, of the sanitary sewer main in the area of the construction prior to any excavation over the sewer pipe, and upon completion of backfilling and restoration of the excavated area. The videos will be delivered to the District for the purposes of assessing the existing and post activity condition of the sanitary sewer.

4. In the event of a sewer emergency caused by the proposed excavation, Pratt & Whitney shall provide, at their expense, an appropriately sized bypass pump.
5. Pratt & Whitney agrees that within the limits of the Districts right-of-way, they will not construct nor cause to be constructed any buildings or other structures or use or carry on any operation on the surface or subsurface or said right-of-way other than the excavation noted herein.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Pratt & Whitney and The Metropolitan District, consistent with current practice involving similar requests.

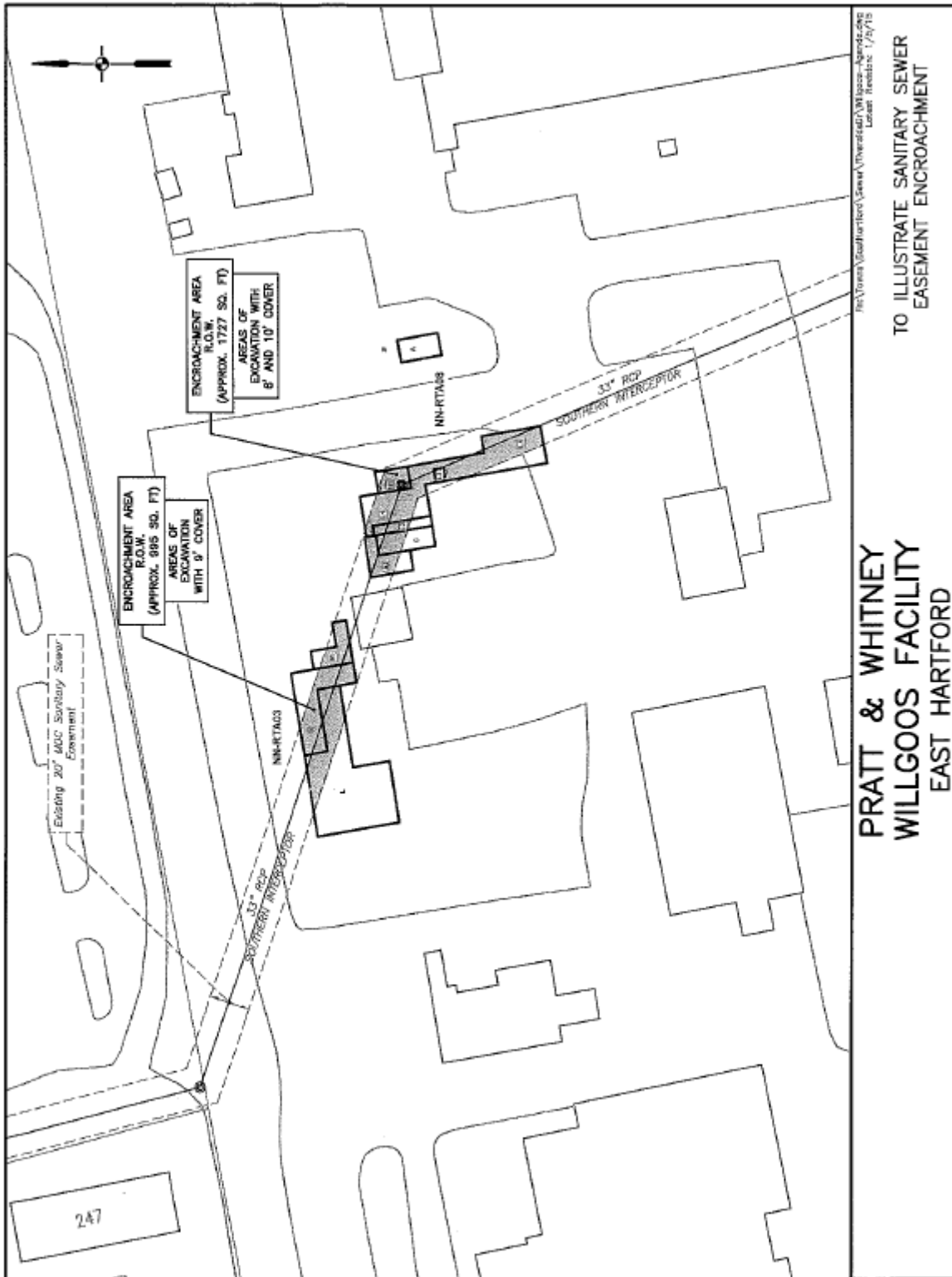
It is RECOMMENDED that it be

VOTED: That the District Board pass 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 Pratt & Whitney to temporarily encroach upon an existing 20-foot wide sanitary sewer right-of-way north of Pent Road, East Hartford, for the purpose of soil remediation, 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,

John S. Mirtle, Esq.
District Clerk



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

Without objection, Agenda Items 8B “Abandonment of storm sewer and release of easement at Hartford Hospital Bone and Joint Institute” and 8C “Encroachment agreement at Hartford Hospital Bone and Joint Institute in Hartford” were consolidated and considered together.

**BUREAU OF PUBLIC WORKS
HARTFORD HOSPITAL BONE & JOINT INSTITUTE, HARTFORD
ABANDONMENT OF STORM SEWER AND RELEASE OF EASEMENT**

To: District Board

From: Bureau of Public Works

January 15, 2015

On November 14, 2014, the District received a letter from Mr. Kevin Markowski of Hartford Hospital requesting that the Metropolitan District abandon the existing storm sewer and easement within the property owned by Hartford Hospital in private lands between Seymour Street and Retreat Avenue, Hartford, as shown on the accompanying map. The purpose of this request is to accommodate a new building known as the Hartford Hospital Bone & Joint Institute, which will be placed over the area currently occupied by the District’s easement and storm sewer in private lands.

Prior to abandoning the existing 24” storm sewer & easement, Hartford Hospital will grant a new 20’ Permanent Easement and install a new 24” PVC storm sewer around the proposed building footprint under a Developer’s Permit Agreement, as shown on the attached map.

From an engineering standpoint, the abandonment of the existing storm sewer and release of the easement will not have a negative impact on the existing storm sewer system, and no hardship or detriment would be imposed on others. An MDC inspector will be on-site whenever work is being performed on the existing storm sewer line, at the expense of the Hartford Hospital.

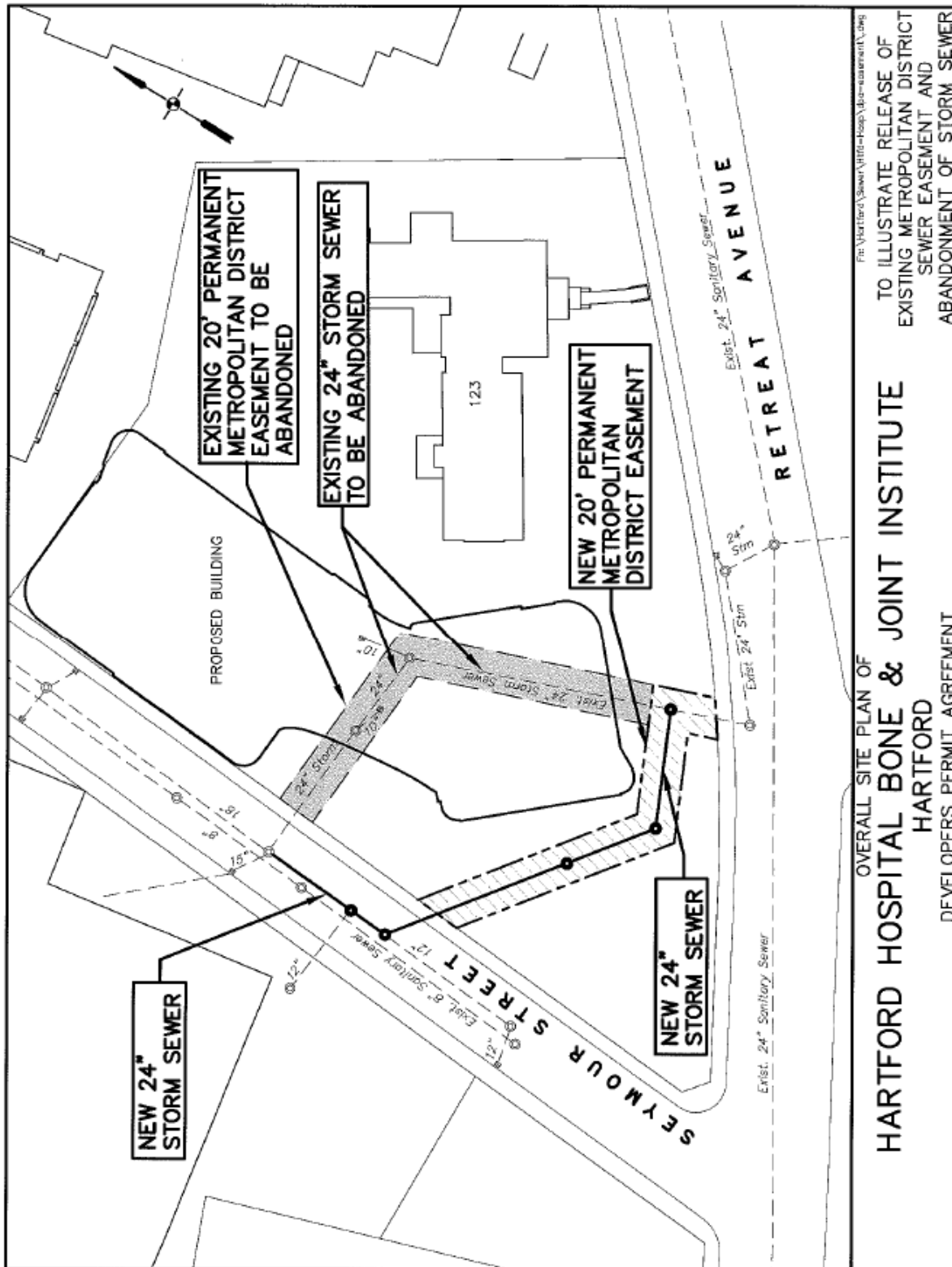
It is RECOMMENDED that it be

VOTED: That the District Board pass the following resolution:

Resolved: That the Chairman or Vice Chairman of the District Board be authorized to execute the abandonment of the existing storm sewer and release of the existing storm sewer easement on the property owned by Hartford Hospital as shown on the accompanying map and as recorded in the City of Hartford land records: Volume 3497 Pages 308-311. The easement release shall be subject to approval by District Counsel as to form and content.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk



**BUREAU OF PUBLIC WORKS
HARTFORD HOSPITAL BONE & JOINT INSTITUTE, HARTFORD
ENCROACHMENT AGREEMENT**

To: District Board

From: Bureau of Public Works

January 15, 2015

Hartford Hospital, in a letter dated November 14, 2014, from Kevin Markowski, has requested permission from the Metropolitan District to permanently encroach upon an existing 20-foot storm sewer easement located across private lands between Retreat Avenue and Seymour Street in Hartford to perform underground utility relocation work in conjunction with the proposed Hartford Hospital Bone & Joint Institute construction project.

The proposed work entails the removal of existing steam, communication and electrical conduits (Temporary Encroachment Areas 1 and 2) and the relocation of steam, communications and telephone conduits (New Encroachment). The temporary & permanent encroachments are part of the initial phase of this work, as it needs to be completed prior to the relocation of the storm sewer. The existing storm sewer is approximately 8 feet deep (to top of pipe) and the proposed utility excavations will not exceed 6 feet. There will be no resulting grade change over the easement.

MDC staff has concluded that the encroachment is minimal and that there will be no detriment to the storm sewer infrastructure as a result.

Hartford Hospital has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing 24-inch PVC storm sewer located within the subject parcel and to maintain our accessibility along the length of the Metropolitan District's storm sewer easement:

1. Care must be taken during the removal and construction of utilities not to disturb the existing storm sewer main. All heavy construction equipment must be located outside of the limits of the storm sewer easement. Any earth moving equipment that will be utilized on the site over and adjacent to the sewer main shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing storm sewer caused by the removal and/or installation of utilities within the existing easement shall be the responsibility of Hartford Hospital.
2. No additional permanent structures, other than the proposed steam line and telephone and communication conduits shall be located within the District's storm sewer easement.

3. The Metropolitan District shall not be held liable for any damage caused to any newly relocated utility listed above located within and adjacent to the storm sewer easement or other permanent structures immediately adjacent to the District's storm sewer easement in the event of an emergency sewer repair. The Metropolitan District will make every effort feasible to minimize damage to the utilities and adjacent permanent structures; however the cost for repairs to the other utilities and permanent structures shall be the responsibility of the Hartford Hospital.
4. The District reserves the right to remove structures within the storm sewer easement at any time if so required for maintenance or repair of the storm sewer main. The Hartford Hospital shall bear any additional maintenance or repair costs necessitated by the presence of structures upon the storm sewer easement.
5. An MDC inspector must be on the job site whenever work is being performed within the storm sewer easement, at the expense of the Hartford Hospital. The construction shall conform to District standards and 48-hours advance notice must be given to the District prior to any construction within the storm sewer easement.

Staff has reviewed this request and considers it feasible.

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

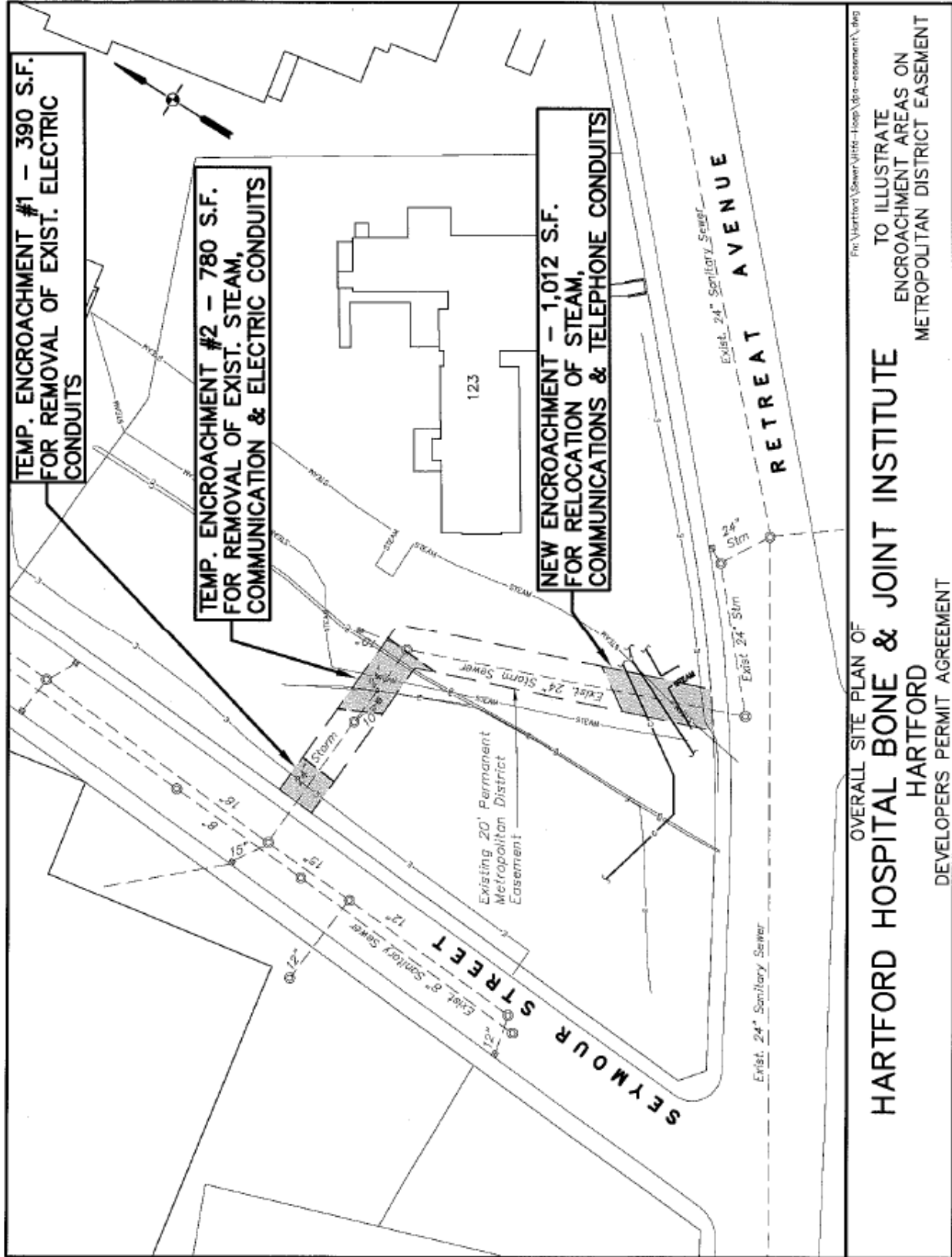
It is RECOMMENDED that it be

VOTED: That the District Board pass 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 Hartford Hospital to encroach upon an existing 20-foot storm sewer easement between Retreat Avenue and Seymour Street in private lands, Hartford, in support of the planned construction of the Hartford Hospital Bone & Joint Institute as shown on plans submitted by Close, Jensen & Miller, P. C., dated November 17, 2014, 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,

John S. Mirtle, Esq.
District Clerk



File: \\hartford\sewer\11116 - Hosp\116a-easement.dwg

OVERALL SITE PLAN OF

HARTFORD HOSPITAL BONE & JOINT INSTITUTE

HARTFORD

DEVELOPERS PERMIT AGREEMENT

TO ILLUSTRATE
ENCROACHMENT AREAS ON
METROPOLITAN DISTRICT EASEMENT

DATE: 01/15/2015 10:00 AM

On motion made by Commissioner Reichin and duly seconded, the reports for resolution 8B “Abandonment of storm sewer and release of easement at Hartford Hospital Bone and Joint Institute” and resolution 8C “Encroachment agreement at Hartford Hospital Bone and Joint Institute in Hartford” were received and the resolutions adopted by unanimous vote of those present.

Commissioners Adil and Montanez abstained.

Commissioner Galligan entered the meeting at 6:07 PM

**BUREAU OF PUBLIC WORKS
LAND PURCHASE IN FURTHERANCE OF THE CLEAN WATER PROJECT**

To: District Board

From: Bureau of Public Works

January 15, 2015

Be It Resolved that the Board of Commissioners of The Metropolitan District hereby affirms its resolution of April 2, 2012 regarding the purchase of the referenced property in furtherance of the Clean Water Project.

Be It Resolved that the Board of Commissioners of the Metropolitan District hereby authorizes its Chief Executive Officer, or his designee, to enter into a purchase and sale agreement with the Newfield Realty Corporation (“Newfield”) for the purchase of the following properties, collectively hereafter referred to as “the Parcel”:

1. 1014 Wethersfield Avenue, Hartford, CT, City Parcel No. 301-816-003 (3.770 acres)
2. 952 Wethersfield Avenue, Hartford, CT, City Parcel No. 278-816-194 (2.150 acres)
3. Land partly in Wethersfield and partly in Hartford comprising approximately .5 acres (24,059.67 square feet) and identified on a certain A-2 Survey by Theodore F. Jackowiak, Surveyor, entitled “Land in Hartford & Wethersfield, Boston and Maine Corporation to Newfield Realty Corporation Scale 1”=50’, March 17, 1988”.

Be It Further Resolved that the purchase price, subject credits as set forth below, shall be \$950,000, exclusive of costs for surveys, title insurance, and other customary costs of closing, said funds being part of the \$800 million appropriated by referendum of November, 2006 for the acquisition of those properties necessary in connection with the Clean Water Project; and

Be It Further Resolved that, in addition to the otherwise standard provisions, the purchase and sale agreement shall contain the following contingencies:

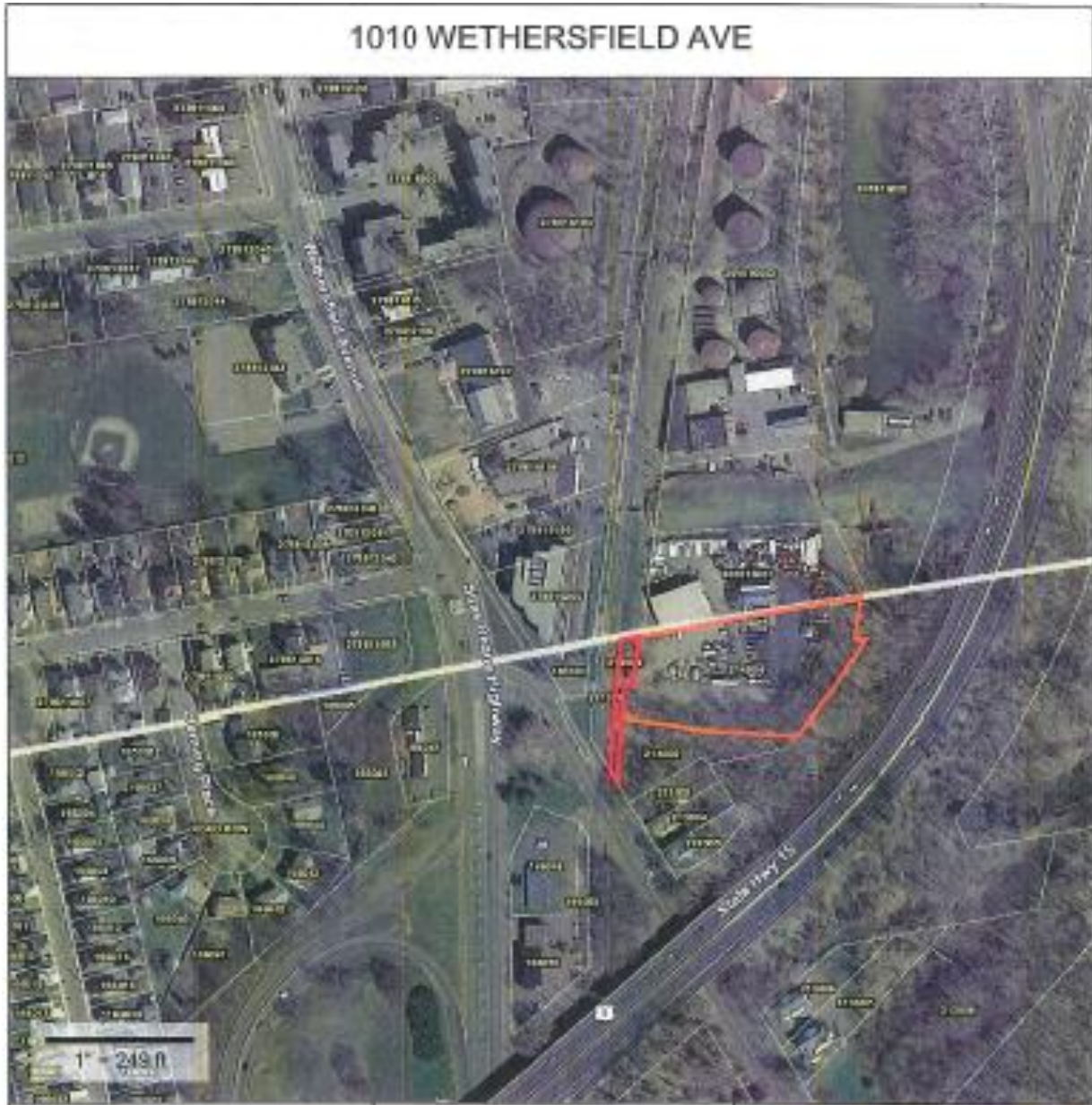
1. The MDC obtaining, at its sole cost and expense, any and all permits required for its intended use of the Parcel;
2. Newfield permitting access to the Parcel by the MDC's licensed environmental professional for purposes of performing an environmental assessment of the Parcel.
3. Acceptance by Newfield of the environmental remediation costs, by way of credit to the MDC at time of sale or satisfactorily performing the remediation, at its option, with the specific reservation by Newfield to terminate the agreement if it determines that the environmental remediation costs are prohibitive;
4. Independent verification by the MDC of the ownership of that portion of the Parcel identified in subparagraph 3 of the first paragraph of this resolution; and
5. Removal of each of the storage tanks located on the Parcel, at Newfield's sole cost and expense.

Be It Further Resolved that the Chief Executive Officer, or his designee, is authorized to execute any and all documents reasonably and customarily necessary to effect the purchase of the Parcel by the MDC.

Respectfully submitted,

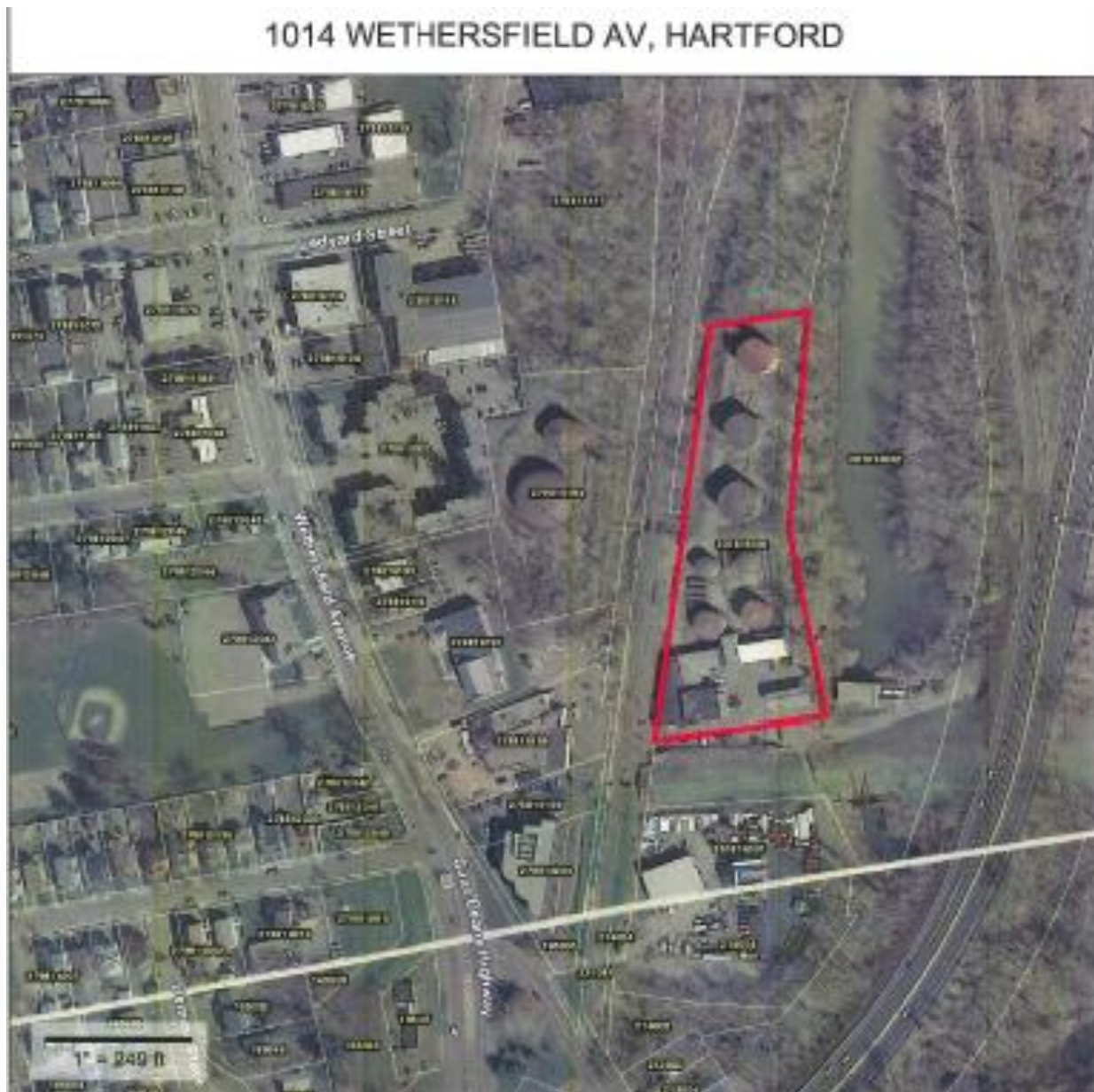
John S. Mirtle, Esq.
District Clerk





1012 WETHERSFIELD AV, HARTFORD





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

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

Agenda Item # 9 "Appointment of Legislative Consultants" was postponed to a later date.

COMMISSIONER QUESTIONS AND COMMENTS

Chairman DiBella and the Commissioners praised and thanked Charles P. Sheehan for his time and service at the MDC.

ADJOURNMENT

The meeting was adjourned at 6:59

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval