

**BUREAU OF PUBLIC WORKS  
SPECIAL MEETING**

555 Main Street, Hartford  
Thursday, March 17, 2022

**Present:** Commissioners Andrew Adil, Richard Bush, David Drake, Allen Hoffman, Bhupen Patel, Raymond Sweezy, Alvin Taylor, Calixto Torres, Richard W. Vicino and District Chairman William DiBella (10)

**Remote**

**Attendance:** Commissioners Donald Currey and James Healy (2)

**Absent:** Commissioners John Avedisian, Byron Lester, Maureen Magnan, Alphonse Marotta, Dominic Pane and James Woulfe (6)

**Also**

**Present:** Commissioner Jackie Gorsky Mandyck  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Steve Bonafonte, Assistant District Counsel  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Robert Barron, Chief Financial Officer / Director of Finance  
Sue Negrelli, Director of Engineering  
Tom Tyler, Director of Facilities  
David Ruty, Director of Operations  
Robert Schwarm, Director of Information Technology (Remote Attendance)  
Lisa Remsen, Manager of Budget and Analysis (Remote Attendance)  
Nefertere Whittingham, Financial Analyst (Remote Attendance)  
Michael Curley, Manager of Technical Services  
Jason Waterbury, Senior Project Manager  
Peter Krzyk, Financial Analyst (Remote Attendance)  
Carrie Blardo, Assistant to the Chief Operating Officer  
Victoria Escoriza, Executive Assistant  
Julie Price, Executive Assistant  
Joseph Szerejko, Independent Consumer Advocate  
Al Barbarotta, REA Total FOG Solutions  
Dr. Richard Parnas, UConn & REA Total FOG Solutions  
Chris Harrington, CTEC

**CALL TO ORDER**

The meeting was called to order by District Counsel Christopher Stone at 10:31 AM

### **ELECTION OF CHAIRPERSON**

District Counsel Christopher Stone called for the election of the Chairperson. Commissioner Sweezy placed Commissioner Richard Vicino's name in nomination, the nomination was duly seconded.

There being no further nominations, the nominations were closed. Commissioner Vicino was elected Chairperson of the Bureau of Public Works for 2022 and 2023. Chairperson Vicino assumed the Chair and thanked the Bureau of Public Works.

### **ELECTION OF VICE CHAIRMAN**

Chairman Vicino called for the election of the Vice Chairperson. Commissioner Sweezy placed Commissioner Allen Hoffman's name in nomination and the nomination was duly seconded.

There being no further nominations, the nominations were closed. Commissioner Allen Hoffman was elected Vice Chairperson of the Bureau of Public Works for 2022 and 2023.

### **PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

### **APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner Adil and duly seconded, the meeting minutes of November 22, 2021 were approved.***

***Commissioner Currey joined the meeting virtually at 10:32 AM***

### **SUPPLEMENTAL SEWER ASSESSMENTS**

District Counsel Christopher Stone discussed upcoming supplemental sewer assessments for properties in the District.

#### **249-257 SILVER LANE, EAST HARTFORD ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on March 9, 2022

In a letter dated February 9, 2022, James W. Dutton, L.S., of Dutton Associates, LLC, on behalf of Quality Petroleum 3 LLC, the owner of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's existing 20-foot sanitary sewer easement, encompassing an existing

8-inch sanitary sewer, situated on the Property ("ROW") for the purpose of constructing and installing site improvements for and in connection with a proposed convenience store and retail gasoline outlet redevelopment project.

The proposed work entails: (i) earth moving (excavation and fill within the easement at a maximum grade change of 12-inches), (ii) excavation of light pole bases for relocation, (iii) installing new bituminous concrete pavement, concrete curbing, concrete slab and landscaping, and (iv) installing electrical conduits and stormwater system infrastructure (12-inch High Density Polyethylene Pipe), all within such 20-foot easement as shown on the accompanying map (collectively, the "Improvements"). The proposed piping and utilities will be installed above the existing sanitary sewer with a minimum of six feet of vertical clearance between this sewer and such piping and utilities. The existing sanitary sewer was built in 2005 and the easement across the Property was conveyed to the MDC through a Developer's Permit Agreement entitled "Meadow Lane Farms" and acquired by the MDC through an easement filed on the Town of East Hartford land records, Vol. 1891, pg. 288.

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

Quality Petroleum 3 LLC ("Owner") has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewer located within the Property and to maintain accessibility along the length of the MDC's 20-foot easement:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the existing sanitary sewer. All heavy construction equipment must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the existing sanitary sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary sewer caused by any construction, maintenance, repair, replacement or associated activities within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the sanitary sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.
4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances. Taking into account that Owner constructed or caused the construction of the building in close proximity to the sewer, the Owner shall also bear all responsibility and restoration costs for any damage to the building and appurtenances and/or building foundation

caused by such proposed excavation and any subsequent excavation performed by or on behalf of Owner, the MDC or any other party, except to the extent of any negligence by MDC or any party acting on its behalf in performing any such subsequent excavation.

5. An MDC inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the ROW, except in the case of an emergency, in which case notice must be provided to the District as soon as practicable. Such inspector shall have the unilateral right to halt performance of any such work in the event the integrity of the sewer is in any way threatened as determined by such inspector in his or her sole and absolute discretion.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in the areas of the construction prior to and upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the pre- and post-activity condition of the sanitary sewer.
7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which insurance shall remain in force and effect during the performance of any work within the ROW pursuant to the encroachment contemplated herein.

Staff has reviewed this request and considers it feasible.

A formal, written encroachment agreement shall be executed between Quality Petroleum 3 LLC and MDC, which agreement shall include the above conditions and be filed on the Town of East Hartford Land Records.

It is RECOMMENDED that it be

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

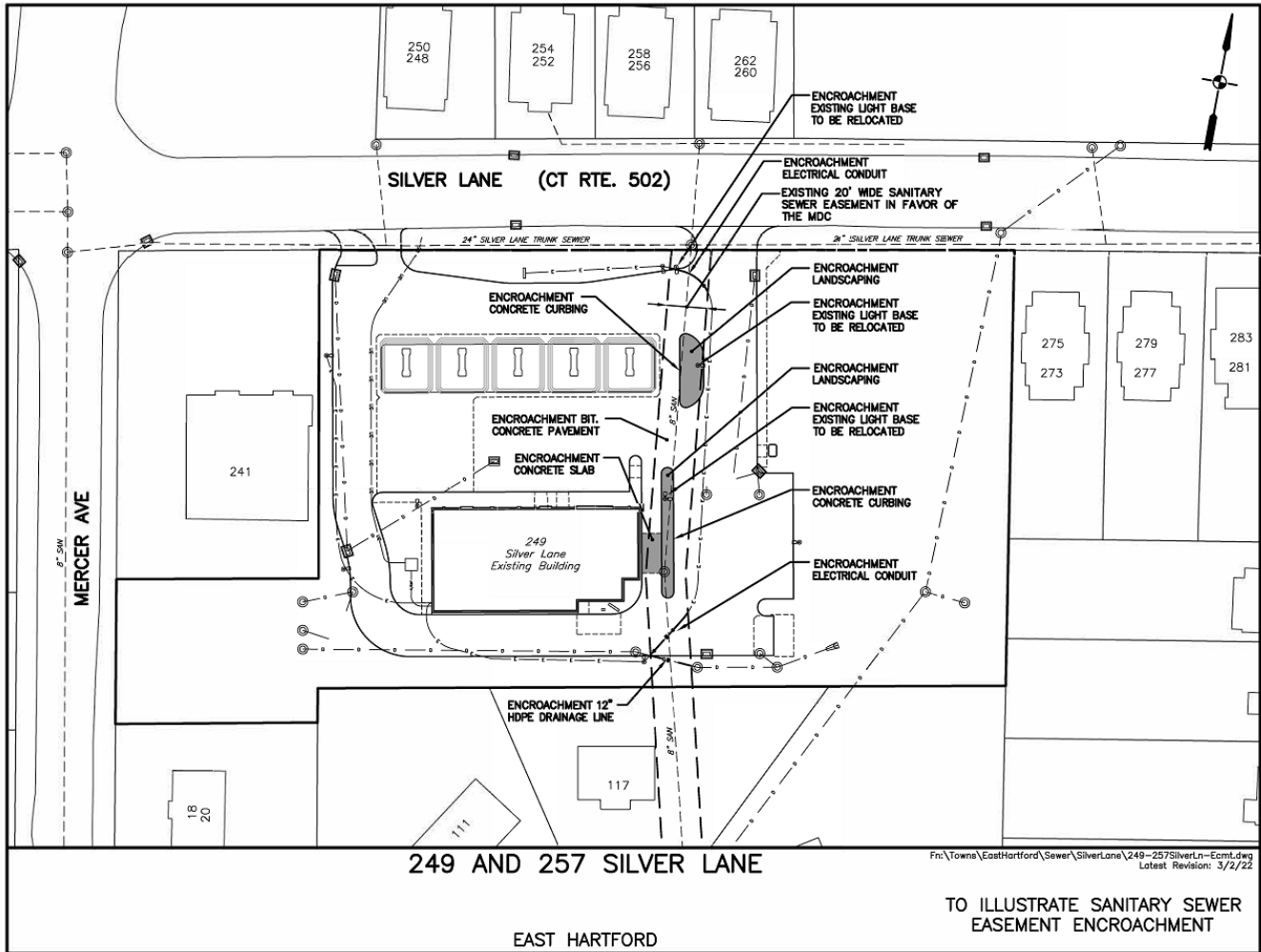
RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, with the above conditions and subject to approval of form by District Counsel, granting permission to Quality Petroleum 3 LLC to encroach upon the existing 20-foot sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by Dutton Associates, LLC, "Plan of Proposed Encroachments over the Sanitary Sewer Easement Proposed Convenience Store and Retail Gasoline Outlet 249 & 257 Silver Lane

Prepared for Quality Petroleum, LLC East Hartford, Connecticut”, Sheet A-19-050-E and (ii) maintain, repair and replace such Improvements, provided that: (a) the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, (b) Quality Petroleum 3 LLC shall reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by The Metropolitan District and Quality Petroleum 3 LLC, and recorded on the East Hartford land records. In the event that such agreement is not executed by Quality Petroleum 3 LLC within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer



**DUTTON ASSOCIATES, LLC**

February 9, 2022

Mr. Michael Curley  
 Manager of Technical Services  
 The Metropolitan District  
 Engineering and Planning  
 555 Main Street  
 P.O. Box 800  
 Hartford, CT 06142-0800

Re: 249/257 Silver Lane Encroachment Permit Request

Dear Mr. Curley:

On behalf of Quality Petroleum LLC, I would like to request an encroachment permit 249/257 Silver Lane, a proposed convenience store and retail gasoline outlet. The current project is located on Silver Lane, approximately 100 feet east of the intersection of Silver Lane and Mercer Avenue in East Hartford. The portion of the project that requires an encroachment permit within a 20' wide MDC sanitary sewer easement (vol. 1891, pg. 288) of the Town of East Hartford land records. The sanitary sewer easement starts approximately 176' easterly of the corner of the project site.

The project is currently under construction and the building, underground fuel storage tanks and the canopy for the pumps are currently constructed. The light bases are constructed as well. The enclosed plans show the new locations for the light bases that are currently in the sanitary sewer easement. Construction activities within the MDC easement will include:

- Earth moving (excavation and fill)
- Excavation of light pole bases for relocation
- Installation of electrical conduits and stormwater system infrastructure
- Installation of bituminous concrete roadways, concrete curbs, concrete slab, and landscaping

Detailed plans for all proposed construction within the MDC easement are enclosed with this letter.

Please consider this a formal request for a permanent encroachment permit to develop this project within the MDC easement.

If you have any questions, please don't hesitate to call at (860)633-9401

Sincerely,

James W. Dutton, LS  
Principal

67 Eastern Boulevard, Glastonbury, CT 06033 Tel: (860)-633-9401 Fax: (860)-633-8851  
Email: JIMD@DUTTONASSOCIATESLLC.COM

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

**ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S  
PERMIT-AGREEMENT**

To: Bureau of Public Works for consideration on March 9, 2022

The sewers outlined in the following resolution have been constructed under Developer’s Permit-Agreement in accordance with the plans, specifications and standards of the District, and the Director of Engineering has certified to all of the foregoing.

It is therefore **RECOMMENDED** that, pursuant to Section S8g of the Sewer Ordinances re: “Acceptance of Developer’s Sewers,” it be

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

**Resolved:** That, in accordance with Section S8g of the District Ordinances, the following is incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

	<u>Sewers In</u>	<u>Built By</u>	<u>Completion Date</u>
1	Ollari Farm Estates Rocky Hill DVSRKH03	Developer: RJD Development Contractor: Accurate Excavating	October 15, 2020

Respectfully submitted,



Scott W. Jellison  
Chief Executive Officer

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

**MS4 COMPLIANCE – CORRESPONDENCE TO CT DEEP**

Chief Operating Officer Christopher Levesque presented on MS4 compliance issues and MDC’s correspondence of said issues to CT DEEP.

**CLAIM RELATING TO CATCH BASIN CLEANING WITHIN THE CITY OF HARTFORD**

Chief Operating Officer Christopher Levesque presented on catch basin cleaning within the City of Hartford.

**PROPOSED SEWER ORDINANCE RE: ACCESS TO COMBINED SEWERS AND STORM SEWERS**

Chief Operating Officer Christopher Levesque presented on a proposed change to sewer ordinances.



**TUNNEL UPDATE**

Director of Engineering Susan Negrelli gave an update on the South Hartford Conveyance and Storage Tunnel project.

*At 12:00PM, Chairman Vicino made a motion to recess the meeting until 12:30 PM.*

*At 12:33 PM, Commissioner Bush made a motion to reconvene the meeting.*

*Commissioner Taylor entered the meeting at 12:33 PM.*

**LONG TERM CONTROL PLAN/INTEGRATED PLAN APPROVAL UPDATE**

Chief Executive Officer Scott Jellison gave an update on the Long Term Control/Integrated Plan approval.

**ELECTRIC VEHICLE CHARGERS**

Chief Operating Officer Christopher Levesque gave a presentation on the potential to add electric vehicle chargers on MDC recreational properties.

**FUTURE TECHNOLOGICAL AND FINANCIAL OPPORTUNITIES**

Dr. Richard Parnas of REA Total FOG Solutions and UConn discussed FOG to biodiesel.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Judy Allen, of West Hartford, thanks the Bureau for considering electric vehicle chargers and discussed the potential for such chargers.

Independent Consumer Advocate Joseph Szerejko spoke regarding MS4 and the City of Hartford, stating that a city ordinance prohibits accumulated rubbish at a property with a potential \$100 fine per day and could result in blight enforcement. He also stated that one of the BMPs for MS4 is community outreach and that it could benefit the MDC to reach out to Hartford residents regarding cleaning and preventing trash from entering the sewers.

**COMMISSIONER COMMENTS & QUESTIONS**

District Chairman DiBella spoke on electric rates.

Commissioner Hoffman spoke on REA Total FOG Solutions' reference to returning to the Bureau of Public Works in September for an update on the implementation of their project in Danbury and the potential for a site visit.

Commissioner Mandyck asked about solar panels on MDC plants and the tax implications or credit savings.

**ADJOURNMENT**

The meeting was adjourned at 2:25 PM

ATTEST:

John S. Mirtle  
District Clerk

\_\_\_\_\_  
Date of Approval