

**THE METROPOLITAN DISTRICT COMMISSION**

555 Main Street

Hartford, Connecticut 06103

Wednesday, November 1, 2017

**Present:** Commissioners Andrew Adil, John Avedisian, Clifford Avery Buell, Luis Caban, Donald M. Currey, William A. DiBella, Timothy J. Fitzgerald, Peter Gardow, James Healy, Allen Hoffman, Jean Holloway, David Ionno, Kathleen J. Kowalshyn, Maureen Magnan, Alphonse Marotta, Whit Osgood, Dominic M. Pane, Bhupen Patel, Pasquale J. Salemi, Michael Solomonides and Alvin Taylor (21)

**Absent:** Commissioners Daniel Camilliere, Mary Anne Charron, Matthew B. Galligan, Sandra Johnson, Byron Lester, Raymond Sweezy, Richard W. Vicino and Special Representative Michael Carrier (8)

**Also**

**Present:** Scott W. Jellison, Chief Executive Officer  
John M. Zinzarella, Deputy Chief Executive Officer, Business Services  
Christopher Stone, Assistant District Counsel  
Brendan Fox, Assistant District Counsel  
John S. Mirtle, District Clerk  
Robert Constable, Director of Finance  
Susan Negrelli, Director of Engineering  
Christopher Levesque, Director of Operations  
Robert Schwarm, Director of Information Technology  
Tom Tyler, Director of Facilities  
Nick Salemi, Special Services Administrator  
Michael Curley, Manager of Technical Services  
Kerry E. Martin, Assistant to the Chief Executive Officer  
Cynthia A. Nadolny, Executive Assistant

**CALL TO ORDER**

The meeting was called to order by Chairman DiBella at 5:33 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.

**SWEARING IN NEW COMMISSIONER**

The District Clerk swore in Commissioner James Healy.

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**APPROVAL OF MINUTES**

*On motion made by Commissioner Caban and duly seconded, the meeting minutes of October 2, 2017 were approved.*

*Commissioners Adil, Fitzgerald, Kowalyshyn and Magnan abstained.*

**REPORT FROM DISTRICT CHAIRMAN**

No report delivered by the District Chairman

**REPORT FROM CHIEF EXECUTIVE OFFICER**

Scott W. Jellison presented the Chief Executive Officer's Report.

**REPORT FROM DISTRICT COUNSEL**

No report delivered by District Counsel

**FISCAL YEAR 2018 BUDGET ESTIMATES - REFERRAL TO BOARD OF FINANCE**

*On motion made by Commissioner Kowalyshyn and duly seconded, the budget estimates for Fiscal Year 2018 were received and referred to the Board of Finance in accordance with Section 3-2 of the District Charter.*

**COMMITTEE ON ORGANIZATION  
APPOINTMENT OF COMMISSIONER  
TO COMMITTEES**

To: District Board November 1, 2017  
From: Committee on Organization

At a meeting of the Committee on Organization held on November 1, 2017, it was:

**Voted:** That the Committee on Organization recommend to the District Board the appointment of Commissioner Fitzgerald the following Committees:

- Water Bureau
- Committee on Organization
- Personnel, Pension and Insurance Committee
- Strategic Planning Committee

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

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

**BUREAU OF PUBLIC WORKS  
100 PHOENIX CROSSING, BLOOMFIELD  
ENCROACHMENT AGREEMENT**

To: District Board

November 1, 2017

From: Bureau of Public Works

In a letter dated September 18, 2017, Doug Houser of ARCO Murray National Construction Company, Inc., on behalf of the Owner, Aramark Cleanroom Services, LLC, has requested permission from The Metropolitan District to permanently encroach on the existing sanitary sewer easement located across private lands between Phoenix Crossing and Blue Hills Avenue in Bloomfield, to regrade and install improvements in conjunction with the Aramark Facility development project.

The proposed work entails the regrading of the easement area (approximately 18-inches deep), the installation of storm drainage and a sanitary lateral, paving, and resetting of sanitary manhole covers over the existing 8-inch PVC sanitary sewer and within the existing 20-foot sewer easement, as shown on the accompanying map. The existing sanitary sewer was built in 2015 as part of the Phoenix Crossing Developer's Permit Agreement.

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

Aramark has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary 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 regrading and construction activities not to disturb the existing sanitary sewer. All heavy construction equipment must be located outside of the limits of the sewer easement when not in use. Any heavy construction or earth moving equipment that will be utilized on the site 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 such grading or construction within or adjacent to the existing right-of-way shall be the responsibility of the Owner.
2. No additional permanent structures 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 easement at any time if so required for maintenance, repair or replacement of the sanitary sewer. The Owner shall bear and pay for any and all additional maintenance, repair or replacement costs necessitated by or resulting from the presence of structures within the easement, including but not limited to any costs incurred by or on behalf of the MDC.
4. In the event of a sewer emergency caused by the proposed construction and excavation in connection therewith, the Owner shall provide, at their expense, an appropriately sized bypass pump.
5. An MDC inspector must be on the job site whenever work is being performed within the sanitary sewer right-of-way. Any construction, maintenance, repair or replacement of the grading, paving or drainage must conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within or adjacent to the sanitary sewer easement.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in or adjacent to the areas of 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 sewers.

Staff has reviewed this request and considers it feasible.

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

At a meeting of the Bureau of Public Works held on November 1, 2017, it was:

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 Aramark Cleanroom Services, LLC to encroach upon the existing 20-foot sanitary sewer easement in private lands between Phoenix Crossing and Blue Hills Avenue, Bloomfield, in support of the planned construction of the Aramark Facility, as shown on plans submitted by ARCO Murray National Construction Company, Inc., dated 9/13/2017, 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.

FURTHER RESOLVED: That the above authorized and approved encroachment shall not be effective until the formal encroachment agreement as approved by District Counsel is fully executed by the District and the Owner, and recorded on the Bloomfield Land Records.

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

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

**BUREAU OF PUBLIC WORKS  
ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S  
PERMIT AGREEMENT**

To: District Board

November 1, 2017

From: Bureau of Public Works

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.

At a meeting of the Bureau of Public Works held on November 1, 2017, it was:

**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>
360 – 390 Woodland Avenue, Bloomfield  DVS0000961	FS Realty, LLC	March 30, 2017
Fraser Place Storm Drain Improvements, Hartford  BIL.DVSHAR.10	HLA, LLC	April 5, 2017

Respectfully submitted,

John S. Mirtle, Esq.  
District Clerk

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

### **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Judy Allen of West Hartford spoke regarding the state water plan and DPH Primary fee.

### **ADJOURNMENT**

The meeting was adjourned at 6:25 PM

ATTEST:

John S. Mirtle, Esq.  
District Clerk

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