

**THE WATER BUREAU
SPECIAL MEETING**
555 Main Street
Hartford, Connecticut 06103
Monday, September 11, 2017

Present: Commissioners Clifford Avery Buell, Daniel A. Camilliere, Peter Gardow, David Ionno, Domenic Pane, Raymond Sweezy, Alvin Taylor and District Chairman DiBella (8)

Absent: Commissioners Andrew Adil, Mary Ann Charron, Georgiana Holloway, Kathleen Kowalyshyn, Byron Lester, Pasquale J. Salemi and Special Representative Michael Carrier (7)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Robert Zaik, Director of Human Resources
Marcy Wright-Bolling, Manager of Human Resources
Kelly Shane, Director of Procurement
Tom Tyler, Director of Facilities
Christopher Levesque, Director of Operations
Michael Curley, Manager of Technical Services
Nick Salemi, Special Services Administrator
Kerry E. Martin, Assistant to the Chief Executive Officer
Carrie Blardo, Assistant to the Chief Operating Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Sweezy called the meeting to order at 4:17 P.M.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Camilliere and duly seconded, the meeting minutes of June 19, 2017 and August 7, 2017 were approved.

**187 STONER DRIVE, WEST HARTFORD
ENCROACHMENT AGREEMENT**

To: The Water Bureau for consideration on September 11, 2017

On June 27, 2017, the Metropolitan District received a letter from Timothy Curtin, property owner of 187 Stoner Drive, West Hartford (the "Owner"), requesting permission to permanently encroach upon an existing 25-foot right-of-way containing an existing 24-inch tile water transmission main, located across private lands east of Stoner Drive in West Hartford (the "Right-of-Way") for the purpose of reconstructing an existing attached wood deck within the same footprint.

The water main easement across the parcel was conveyed to the Hartford Board of Water Commissioners in 1859 and assigned to the MDC upon West Hartford becoming a member town.

As stated previously, the purpose of this encroachment is to reconstruct the existing attached wood deck to the same dimensions and configuration as existing (hereinafter referred to as the "Improvements").

The Owner has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing 24-inch tile water transmission main located within the subject Right-of-Way and the District's accessibility along the length of the Right-of-Way:

1. No additional permanent structures, other than the proposed Improvements shall be located within the District's Right-of-Way.
2. The Metropolitan District shall not be held liable for any damage caused to the Improvements listed above located within or adjacent to the Right-of-Way in the event of an emergency water main repair. The Metropolitan District will make every effort feasible to minimize damage to these improvements; however the cost for repairs to such improvements shall be the responsibility of the Owner. The Metropolitan District may require such insurance and/or sureties as it deems, in its sole discretion, to be necessary to protect its right of way and water infrastructure.
3. No vibratory compaction equipment shall be used within 25 feet of the District's water transmission main. All new foundation piers for proposed deck posts within the right-of-way shall be dug by hand.
4. The District reserves the right to remove any improvements within the Right-of-Way at any time, if so required, for maintenance or repair of the water transmission main. The Owner shall bear any additional maintenance or repair costs necessitated by the presence of the improvements upon the Right-of-Way.
5. Care must be taken during construction not to disturb the existing water transmission main. All heavy construction equipment must be located outside the limits of the Right-

of-Way. Any earth moving equipment that will be utilized on the site over and adjacent to the water transmission main shall be reviewed and approved by District staff prior to mobilization to the site.

6. An MDC inspector must be on the job site whenever work is being performed by or on behalf of Owner to construct, maintain or repair any Improvements within the Right-of-Way, at the expense of the Owner. Any construction, maintenance or repair of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to any such construction, maintenance or repair within the Right-of-Way.

Staff has reviewed the proposed construction plans and determined that there will be no negative impact on District property or infrastructure.

Upon approval by the Water Bureau and the District Board, a formal encroachment agreement shall be executed between the owner and the Metropolitan District, consistent with current practice involving similar requests.

It is therefore RECOMMENDED that it be

VOTED: That the Water Bureau 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 as to form and content by District Counsel, granting permission to Timothy Curtin to encroach upon the existing 25-foot Right-of-Way east of Stoner Drive in West Hartford, with a wood deck, as shown on the compilation plan by MDC Survey Department dated 07/07/2017, provided that the District shall not be held liable for any costs or damages of any kind which may result during initial construction or in the following years with respect to any subsequent construction, maintenance or repair as a result of such encroachment.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer

June 27, 2017

Allen King
The Metropolitan District Commission
555 Main Street
Hartford, CT 06103

Dear Mr. King,

Thank you for taking my call yesterday and for the guidance on how best to proceed with our deck project. The following summarizes my understanding of the conversation and request:

My wife (Jane Murphy) and I are the property owners of 187 Stoner Drive, West Hartford. We are in need of replacing the deck in the rear of our house that was built by the previous property owners. We have come to learn that the deck was built without proper approvals by the MDC and the town of West Hartford. We wish to rectify that situation as part of the deck replacement. Attached you will find a copy of a survey we had done on the property and which shows the deck in the rear of the house. It appears that the deck encroaches 5'7" into the MDC easement. The replacement deck would be of similar profile and encroachment.

I believe you indicated that the process would be for MDC personnel to review the request and make a recommendation to the Water Bureau for its consideration. If approved, the request would then be sent to the District Board for ultimate decisioning. Upon approval, we would need to enter into an Encroachment Agreement and our contractor would have to satisfy the MDC's insurance requirements.

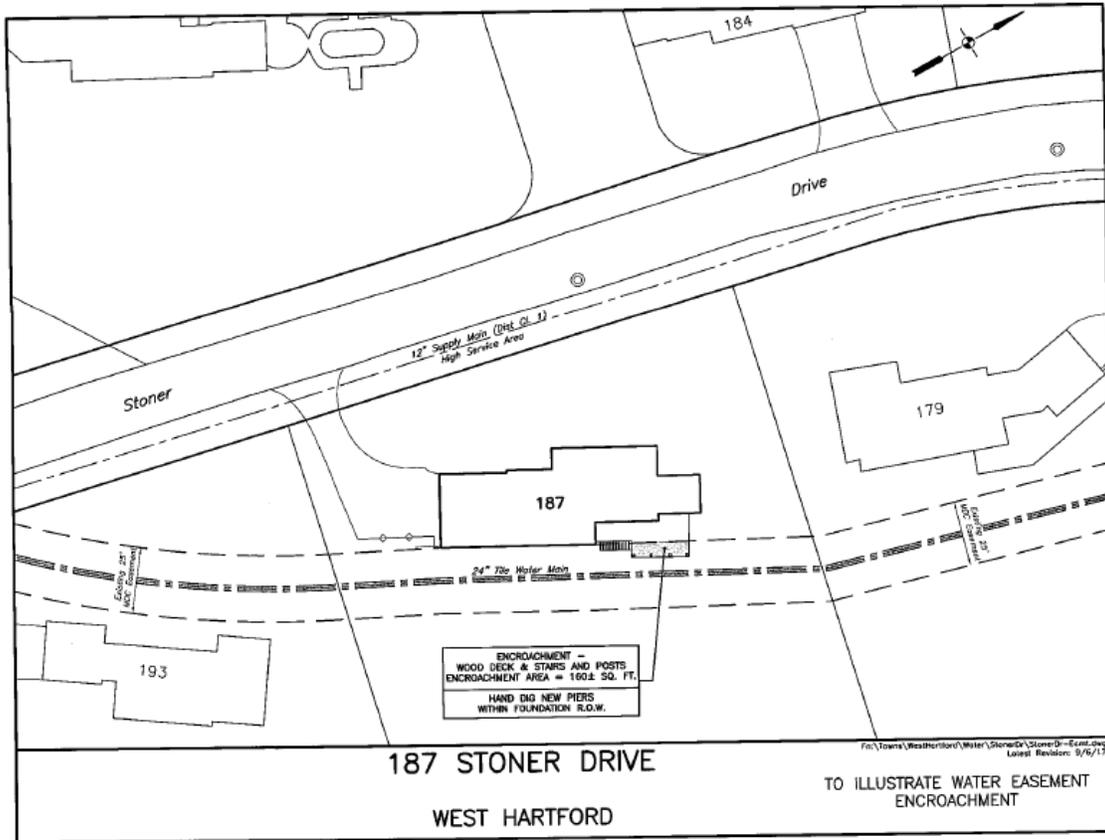
Would you please confirm if my understanding is correct or, if not, provide clarification? Time is of the essence for us, so your guidance on helping us most efficiently navigate the process would be greatly appreciated.

Thank you.

Regards,



Timothy Curtin
187 Stoner Drive
West Hartford, CT 06107
860-670-1520



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

ADJOURNMENT

The meeting was adjourned at 4:20 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval