

**THE METROPOLITAN DISTRICT BOARD
BOARD ROOM, DISTRICT HEADQUARTERS
555 MAIN STREET, HARTFORD
MONDAY, APRIL 1, 2019, 5:30 PM**

ITEM NO.	TITLE
1.	MEETING CALLED TO ORDER:
2.	ROLL CALL
3.	PLEDGE OF ALLEGIANCE
4.	APPROVAL OF MINUTES - MEETING OF MARCH 4, 2019
5.	PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
6.	REPORT FROM DISTRICT CHAIRMAN
7.	REPORT FROM CHIEF EXECUTIVE OFFICER
8.	REPORT FROM DISTRICT COUNSEL
9.	COMMITTEE ON ORGANIZATION - CONSIDERATION OF AND POSSIBLE ACTION RE: A. APPOINTMENT OF DISTRICT TREASURER (APRIL 1, 2019) B. APPOINTMENT OF CHIEF OPERATING OFFICER (APRIL 1, 2019) C. APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER (APRIL 1, 2019)
10.	BUREAU OF PUBLIC WORKS - CONSIDERATION OF AND POSSIBLE ACTION RE: A. ACCEPTANCE OF SEWERS BUILT BY DEVELOPER PERMIT AGREEMENTS (MARCH 13, 2019) B. SHEPARD DRIVE ENCROACHMENT AGREEMENT (MARCH 13, 2019)
11.	WATER BUREAU - CONSIDERATION OF AND POSSIBLE ACTION RE: A. CHERRY BROOK TRANSMISSION MAIN (MARCH 13, 2019) B. APPOINTMENT OF COMMISSIONER BUELL TO HOGBACK COMMISSION (MARCH 13, 2019)
12.	REFERRAL OF PROCUREMENT RATIFICATION ORDINANCES TO THE COMMITTEE ON MDC GOVERNMENT

- | | |
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| 13. | PERSONNEL, PENSION & INSURANCE - CONSIDERATION OF AND
POSSIBLE ACTION RE: WORKERS COMPENSATION SETTLEMENT
(POSSIBLE EXECUTIVE SESSION) |
| 14. | OPPORTUNITY FOR GENERAL PUBLIC COMMENTS |
| 15. | COMMISSIONER QUESTIONS & COMMENTS |
| 16. | OTHER BUSINESS |
| 17. | ADJOURNMENT |

**COMMITTEE ON ORGANIZATION
APPOINTMENT OF INTERIM CHIEF FINANCIAL OFFICER AS
DISTRICT TREASURER**

To: District Board April 1, 2019

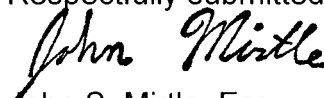
From: Committee on Organization

At the special meeting of the Committee on Organization held on April 1, 2019, it was:

Voted: That the Committee on Organization recommends to the District Board, passage of the following resolution:

Resolved: That the District Board, in accordance with Section 2-8 of the District Charter, hereby designates Christopher P. Martin as the District Treasurer of The Metropolitan District effective April 1, 2019, to serve until a successor shall have been named and qualified.

Respectfully submitted,

A handwritten signature in black ink, reading "John Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle, Esq.
District Clerk

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

To: District Board

April 1, 2019

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 March 13, 2019, it was:

RECOMMENDED that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Developer's Sewers," it be

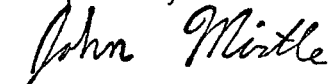
Voted: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

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>
801 Matianuck Avenue- Windsor DVS0000907	Developer: T. Edwards Construction Inc. Contractor: Nunes Excavation	January 1, 2017
Griffin Road North- Bloomfield DVS0000840	Developer: River Bend Assoc. Contractor: Meadow Park Assoc.	July 2, 2007
Villages at Poquonock Phase I- Windsor DVS.WND.04	Developer: Poquonock Commons LLC Contractor: CK Construction	October 21, 2015
Villages at Poquonock Phase II- Windsor DVS.WND.09	Developer: Poquonock Commons LLC Contractor: CK Construction	May 20, 2017

Victory Gardens- Newington DVS.NWT.04	Developer: VA CT Healthcare & Victory Gardens Housing Contractor: Butler Construction	October 20, 2017
Harvest Ridge- Newington DVS.NWT.07	Developer: Allen Home Builders Contractor: Earth Construction	September 19, 2017

Respectfully submitted,



John S. Mirtle, Esq.
District Clerk

SHEPARD DRIVE, NEWINGTON ENCROACHMENT AGREEMENT

To: District Board

April 1, 2019

From: Bureau of Public Works

In a letter dated November 20, 2018, J. Patrick Holmes of Burns & McDonnell, on behalf of Eversource, has requested permission from The Metropolitan District to encroach on the existing 20-foot sanitary sewer easement located across private lands east of Willard Avenue and on Shepard Drive, with an underground electric duct bank as part of their Greater Hartford – Central Connecticut Reliability Project to improve the electric transmission system.

The proposed work entails the installation of the duct bank under the existing 10-inch plastic styrene sanitary sewer within the 20-foot easement, as shown on the accompanying map. The proposed piping will be installed below the existing sanitary sewer while being temporarily supported and with sufficient clearance between the pipes. The existing trunk sewer was built in 1966.

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

Eversource has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewers located within the subject parcel and to maintain accessibility along the length of the Metropolitan District's 20-foot easement:

1. Care must be taken during the construction of the new duct bank 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 earth moving equipment that will be utilized on the site over and adjacent to the existing sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sewer caused by any construction within the existing rights-of-way shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed duct bank shall be located within the District's sanitary sewer right-of-way.
3. The District reserves the right to remove improvements within the sanitary sewer easements at any time if so required for maintenance, repair or replacement of the sewer. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of improvements within the easements.

4. In the event of a sewer emergency caused by the proposed excavation, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. 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 the Owner. Any construction, maintenance, repair or replacement of the new duct bank shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the sanitary sewer easement.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer 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.

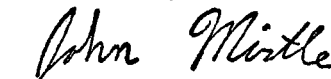
A formal encroachment agreement shall be executed between Eversource and the Metropolitan District, consistent with current practice involving similar requests.

At a meeting of the Bureau of Public Works held on March 13, 2019, 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 Eversource to encroach upon the existing 20-foot sanitary sewer easement east of Willard Avenue, on Shepard Drive and in private lands, Newington, in support of the planned construction of an electric duct bank as shown on plans submitted by Eversource entitled "Improvement Location Survey – Proposed Showing Proposed Encroachment Over Existing MDC Easement #53-55 Shepard Drive, Newington, CT", dated 09/10/2018, 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



Burns & McDonnell
108 Leigus Road, Bldg A, Suite 100
Wallingford, CT 06492

J. Patrick Holmes
Project Manager
Tel: (860) 209-5900

November 20, 2018

Michael Curley
Manager of Technical Services
Engineering & Planning, MDC
555 Main Street, P.O. Box 800
Hartford, CT 06142-0800

METROPOLITAN DISTRICT
ENGINEERING & PLANNING

NOV 21 2018
RECEIVED

RE: Eversource Newington Substation to Southwest Hartford Substation Electric Transmission Line
Project in Connecticut

Dear Mr. Curley:

The Connecticut Light and Power Company doing business as Eversource Energy ("Eversource") is submitting a request for an encroachment permit at the end of Shepard Drive from The Metropolitan District in support of the Greater Hartford – Central Connecticut Reliability Project (GHCCRP).

This submittal includes:

- Detailed plans for proposed construction
- A \$125.00 check for administrative fees
- An encroachment map detailing the exact location of the encroachment
- Temporary and permanent construction plans

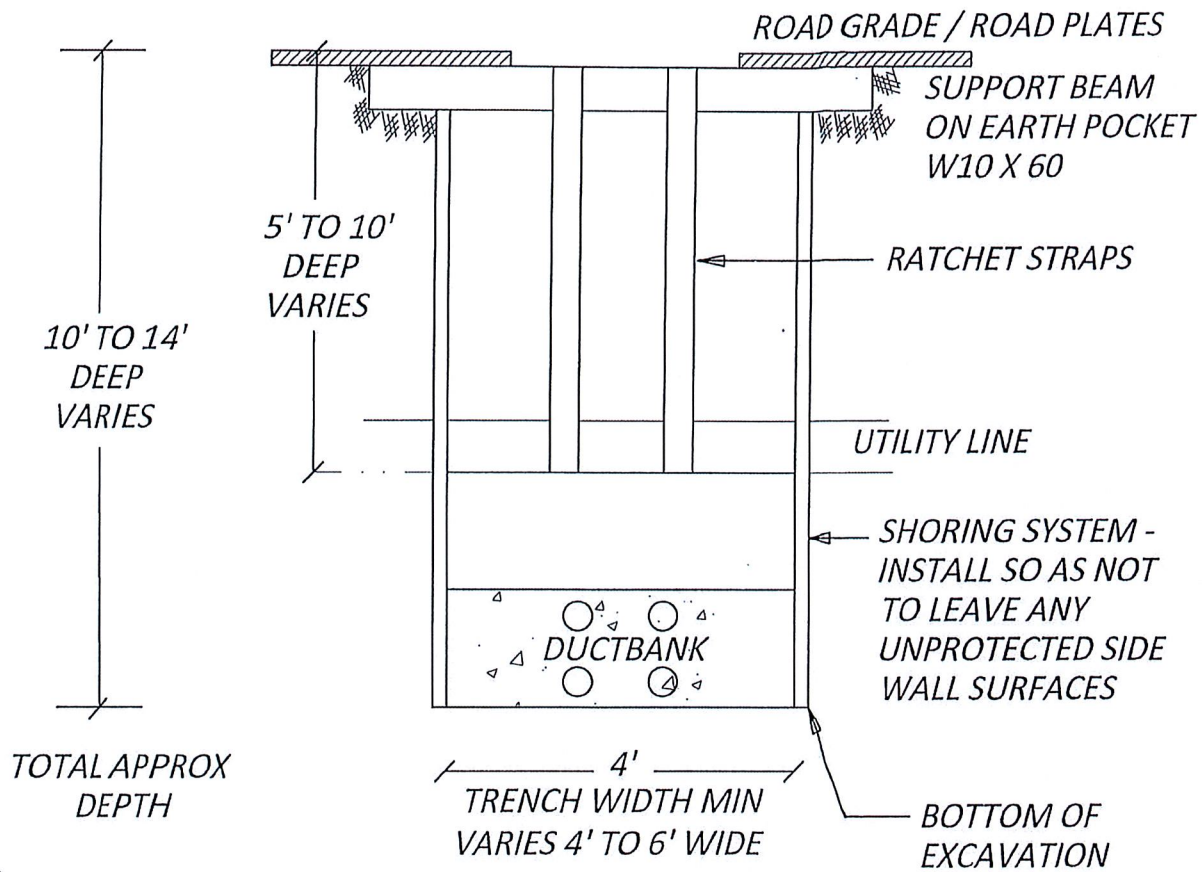
GHCCRP was approved by the Connecticut Siting Council (CSC) on February 1, 2018. To improve the reliability of the electric transmission system in the Greater Hartford and central Connecticut area, Eversource will construct, operate and maintain a new 115-kV transmission line and make related improvements to the two existing substations and an existing 115-kV line tap into one of the substations. Underground duct bank installation associated with the project will take place in the Town of Newington and the City of Hartford.


Eversource has been in direct coordination regarding this easement with Richard Norris, The Metropolitan District Project Manager, throughout final design of the underground duct bank alignment. Eversource offers to schedule a conference call with The Metropolitan District representatives, or to meet at a location convenient for The Metropolitan District to answer questions and provide any additional information that would assist in reviewing the construction contained in this submittal. Please let me know if, or if not, a conference call or meeting would be beneficial. I can be contacted by telephone at 860-209-5900, or by email at jholmes@burnsmcd.com.

Sincerely,

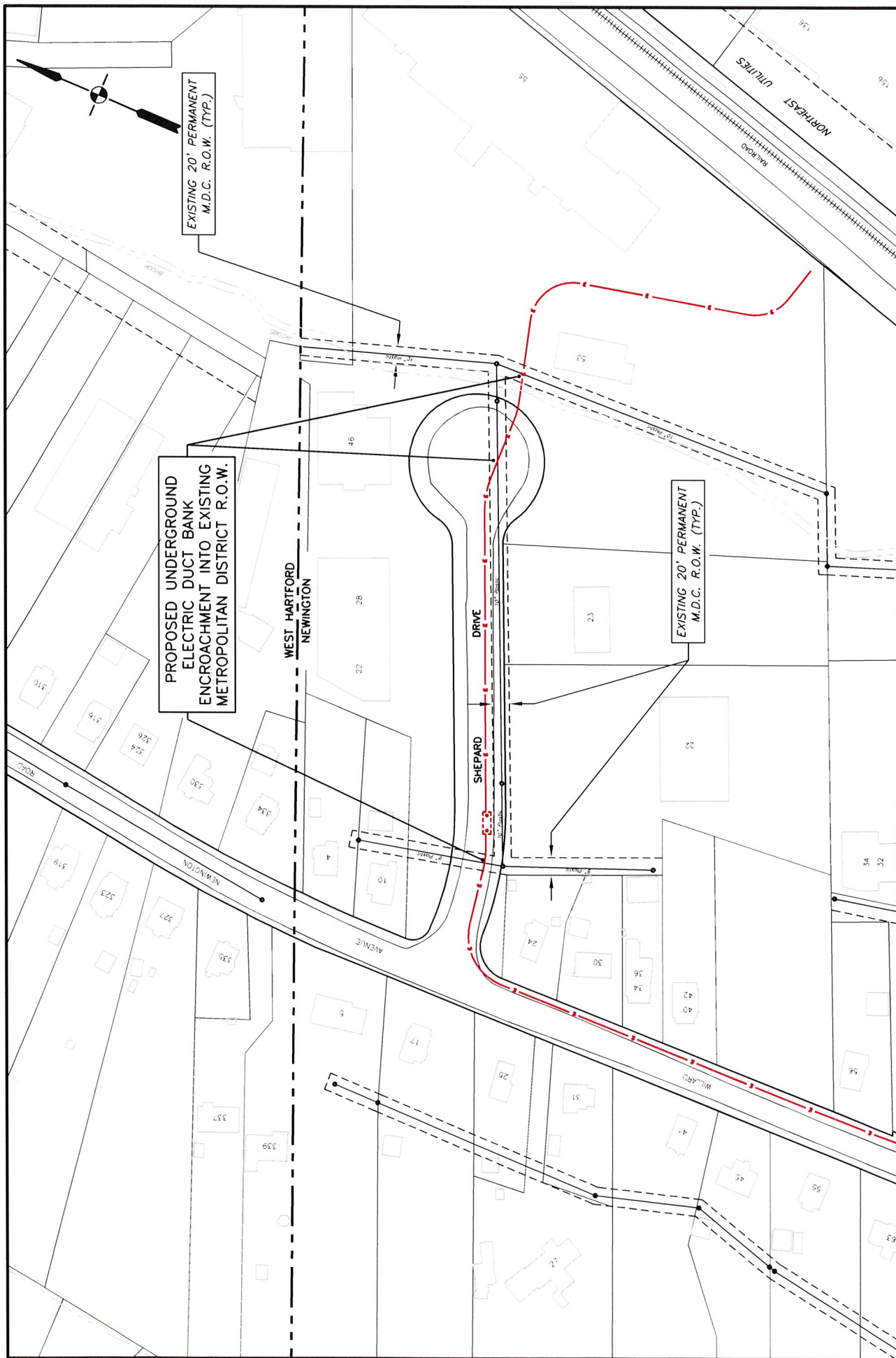
J. Patrick Holmes
Project Manager

10B-3



 Manafort Brothers Inc. 414 NEW BRITAIN AVENUE PLAINVILLE, CT 06062			
TEMPORARY SUPPORT OF UTILITY TRENCH CROSS SECTION		DRAWN BY: BP	CHECKED BY: BP
		DRAWING:	
		DATE: 10/25/18	SCALE: NTS
		JOB NUMBER	SHEET
DESCRIPTION: DETAIL		NA	1 OF 1 △

10B-4



F:\Towns\Newington\Sewer\ShepardDr-Ecm1.dwg
 Latest Revision: 3/7/19

SHEPARD DRIVE PROPOSED UNDERGROUND ELECTRIC DUCT BANK ENCROACHMENT OF THE METROPOLITAN DISTRICT R.O.W.

NEWINGTON

**TO ILLUSTRATE SANITARY SEWER
 EASEMENT ENCROACHMENT**

**WATER BUREAU
CHERRY BROOK - RESERVOIR 6 SECTION II PIPELINE RIGHT-OF-WAY
REALIGNMENT OF FISHER DRIVE AND BICKFORD DRIVE, AVON
ENCROACHMENT AGREEMENT**

To: District Board

April 1, 2019

From: Water Bureau

On December 10, 2018, the Bureau recommended the passage of a resolution to the District Board, which subsequently authorized the execution of an agreement granting permission to Avon Town Center LLC to encroach upon the Cherry Brook – Reservoir 6 Section II Pipeline 100-foot raw water right-of-way to provide access for the realignment of the intersection of Fisher Drive and Bickford Drive and the construction and/or installation of other associated improvements for Phase 1 of the Avon Village Center mixed use development project, as shown on the accompanying map (collectively, the “Resolution and Authorization”).

The purpose of this encroachment is to allow for the realignment of the intersection of Fisher Drive and Bickford Drive, to include placement of water mains, storm drains, gas mains, sanitary sewer pipe, concrete sidewalks, granite curbing, light poles, rip rap, a concrete culvert end, a bituminous concrete path and grading within the right-of-way (hereinafter collectively referred to as the “Improvements”).

The work associated with these Improvements will affect two (2) parcels of land known as 65 Simsbury Road and 70 Ensign Drive. These two (2) parcels are owned by Avon Town Center LLC and Avon Town Center III LLC, respectively. The Resolution and Authorization, therefore, need to be amended to include both of these property owners.

At a meeting of the Water Bureau held on March 13, 2019, it was:

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

RESOLVED: The term Owner as set forth in the Resolution and Authorization shall mean Avon Town Center LLC and Avon Town Center III LLC, collectively.

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 Avon Town Center LLC and Avon Town Center III LLC, (collectively, “Owner”) to encroach upon the Cherry Brook – Reservoir 6 Section II Pipeline 100-foot raw water right-of-way located across Fisher Drive, Bickford Drive and private lands, west of Route 10 in Avon, for the purpose of installing water mains, storm drains, gas mains, sanitary sewer pipe, concrete sidewalks, granite curbing, light poles, rip rap, a concrete culvert end, a bituminous concrete

path and grading for the intersection realignment of Fisher Drive and Bickford Drive, Avon, 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. Once the aforementioned agreement is fully executed by the District and Owner, the District shall record the same on the Avon Land Records, and Owner hereby consents to and approves of such recording.

Respectfully submitted,

A handwritten signature in black ink, reading "John Mirtle". The signature is written in a cursive style with a large, stylized "M".

John S. Mirtle, Esq.
District Clerk

**WATER BUREAU
APPOINTMENT OF WATER BUREAU COMMISSIONER REPRESENTATIVE TO THE
HOGBACK WATERSHED RECREATION COMMISSION**

To: District Board

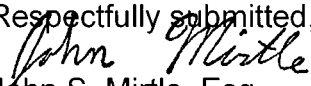
April 1, 2019

From: Water Bureau

At a meeting of the Water Bureau held on April 1, 2019, it was:

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

RESOLVED: That the Water Bureau appoint Commissioner Avery Buell to serve on the Hogback Watershed Recreation Commission.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**PROPOSED ADDITION TO THE GENERAL ORDINANCES
OF THE METROPOLITAN DISTRICT**

To: District Board

April 1, 2019

From: MDC Staff

District staff, through the Office of District Counsel, submits the addition of Section G8h, "Ratification of Unauthorized Commitments," to The Metropolitan District General Ordinances for referral to and consideration by the Committee on MDC Government.

**G-8h RATIFICATION OF UNAUTHORIZED COMMITMENTS
PART 8, PROCUREMENT POLICIES**

Section

Section Title

G8h

Ratification of Unauthorized Commitments

SEC. G8h RATIFICATION OF UNAUTHORIZED COMMITMENTS

Pursuant to the authority granted to the District under Section 2-13 of the Compiled Charter of The Metropolitan District, and upon determination by the Chief Executive Officer or his or her designee that certain circumstances warrant, the District shall be allowed to ratify an Unauthorized Commitment ("UC") (as hereinafter defined).

A UC is an "agreement that is not binding solely because the District employee or representative who made it lacked the authority to enter into that agreement on behalf of the District." "Ratification" is defined as the "process by which a UC is formalized, approved and paid." The "ratifying official" as used herein shall mean the Director of Procurement, or another District employee at the same or higher level thereof as designated by the District CEO to be the ratifying official with the authority as delegated by such CEO to ratify a UC.


Ratification of a UC shall only occur when utilizing the following procedure and meeting all of the conditions thereunder:

1. Supplies or services have been provided to and accepted by the District, or the District otherwise obtained or will obtain a benefit resulting from performance of the UC;
2. The ratifying official has the authority to enter into a contractual commitment;
3. The resulting contract would otherwise have been proper if made by authorized District personnel consistent with District ordinances, by-laws, procedures and signing authorizations;

4. The ratifying official reviewing the UC determines the price to be fair and reasonable;
5. The ratifying official recommends ratification and legal counsel concurs with that recommendation;
6. Funds are available and were available at the time the UC was made; and
7. The ratification is in accordance with any other limitations prescribed under District ordinances, by-laws, procedures and signing authorizations.

Failure to meet any of the above requirements will result in a non-ratifiable UC. The appropriate disciplinary action, if any, will be taken against the District personnel who entered into such UC irrespective of whether a UC is ratified or not. A decision not to ratify an UC may not result in unjust enrichment to the District.

The Director of Procurement shall establish specific implementation protocols in order to implement the above Ratification of Unauthorized Commitments procedure, subject to any applicable federal or state law or regulation.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk