

THE WATER BUREAU
555 Main Street
Hartford, Connecticut 06103
Wednesday, May 13, 2015

Present: Commissioners Timothy Curtis, Joseph Klett, Kathleen Kowalyshyn, James Needham, Mark A. Pappa, Pasquale J. Salemi and Raymond Sweezy (7)

Absent: Commissioner Daniel A. Camilliere, May Ann Charron, Albert F. Reichin, Helene Shay and Special Representative Michael Carrier (5)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Jim Randazzo, Manager of Water Supply
Michael Curley, Manager of Technical Services
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

Chairman Curtis called the meeting to order at 5:03 P.M.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Howard Lantner of West Hartford and Bill Butler of Farmington appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of February 25, 2015 were approved.

Commissioner Kowalyshyn abstained.

**LOT 6A LAKEVIEW AVENUE / HIDDEN VALLEY DRIVE, ROCKY HILL
ENCROACHMENT AGREEMENT**

TO: Water Bureau for consideration on May 13, 2015

On September 4, 2014, the Metropolitan District initially received a letter from Guy Rocamora, property owner of Lot #6A Lakeview Avenue/Hidden Valley Drive, Rocky Hill (the "Owner"), requesting permission to permanently encroach upon the 20-foot portion of the District's 30-foot right-of-way, containing an existing 8-inch water main, located across private lands south of Hidden Valley Drive in Rocky Hill (the "Right of Way") for the purpose of installing electric, telephone and cable lines and a new paved driveway to serve a proposed house on the lot.

Both the Water Bureau and the Board of Commissioners approved this request for an encroachment on September 8, 2014. Subsequently, while in the process of executing the agreement, the Owner requested permission to also place the gas service for the property within the District's Right-of-Way.

The purpose of this added encroachment is to allow the gas service to cross the existing Right-of-Way, along with the previously approved electric, telephone and cable lines and a new paved driveway (such gas service, lines and driveway hereinafter collectively referred to as the "Improvements"), to serve the proposed house. As can be seen on the attached sketch, the only possibility the Owner has to develop this property is to cross the MDC Right-of-Way with utilities and a driveway.

The Owner has agreed to the following conditions, which are the same as the previously approved conditions, in order to satisfy the District's concerns for protection of the existing 8-inch water main located within the subject Right-of-Way and the District's accessibility along the length of the Right-of-Way:

1. Any foundations associated with the construction of the proposed house must be located outside of the limits of the existing Right-of-Way. No additional permanent structures, other than the proposed Improvements shall be located within the District's Right-of-Way.
2. Pipes crossing over or under the District's pipelines shall maintain an eighteen (18") inch vertical clearance. Any new pipes located on the parcel shall also maintain a minimum ten (10) foot horizontal clearance.
3. The Metropolitan District shall not be held liable for any damage caused to any utility 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 utilities; however the cost for repairs to such utilities shall be the responsibility of the Owner.

4. The District reserves the right to remove pavement or structures within the Right-of-Way at any time if so required for maintenance or repair of the water main. The Owner shall bear any additional maintenance or repair costs necessitated by the presence of pavement and/or structures upon the Right-of-Way.
5. Care must be taken during construction not to disturb the existing water 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 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.

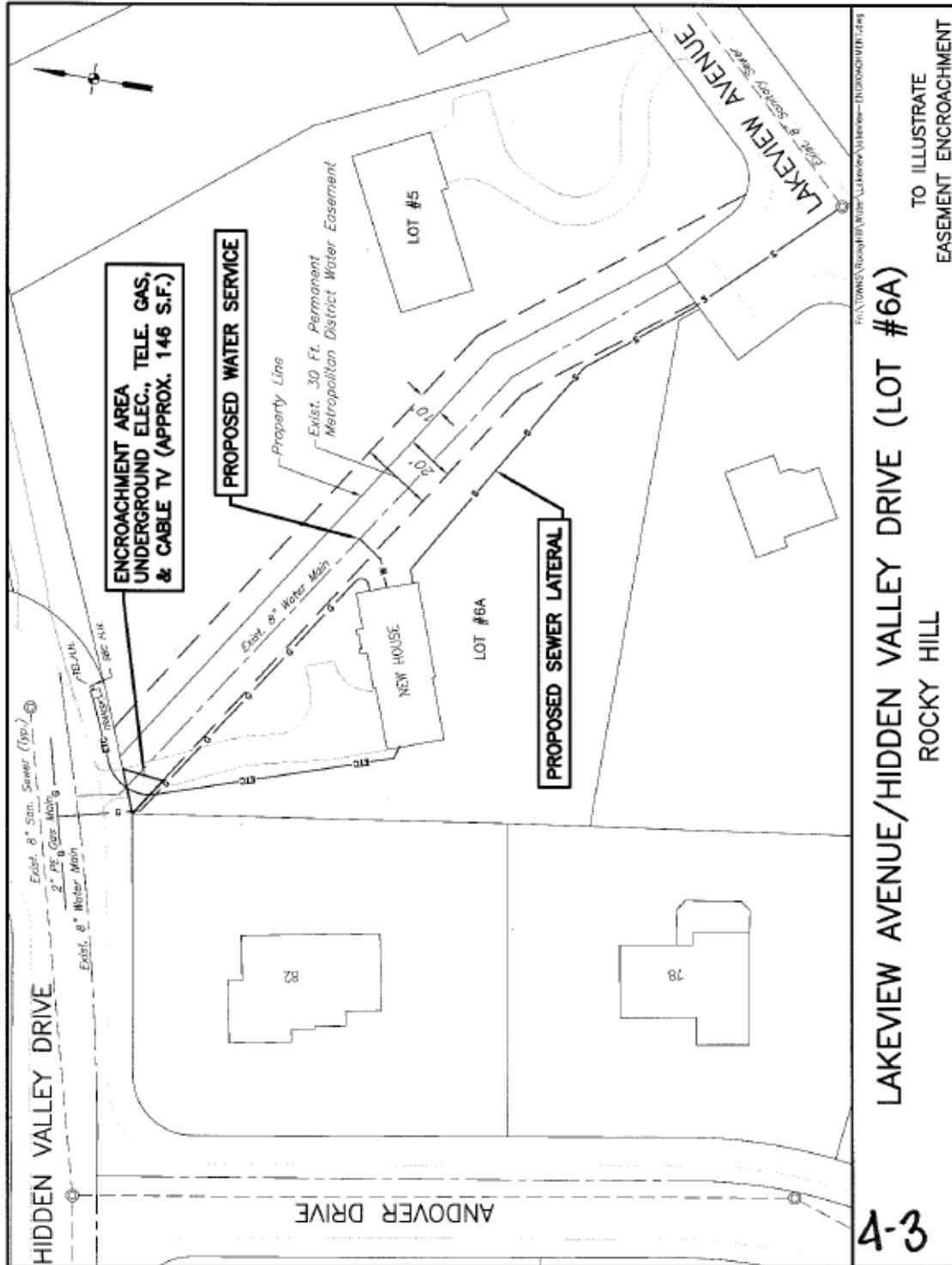
It is therefore RECOMMENDED that it be

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 Guy Rocamora to encroach upon the 20-foot portion of the District's existing 30-foot water right-of-way south of Hidden Valley Drive, Rocky Hill, with gas service, and the previously approved electrical, telephone and cable lines and a paved driveway, as shown on the plan submitted by Hallisey, Pearson & Cassidy, Civil Engineers and Land Surveyors, dated June, 2014, 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



On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution recommended to the District Board by an unanimous vote of those present.

**RESOLUTION ALLOWING HORSEBACK RIDING OR
WALKING WITHIN CERTAIN OF THE MDC PROPERTIES**

To: Water Bureau for consideration on Wednesday, May 13, 2015

As the steward of thousands of acres of watershed property, the District recognizes that the health and sustainability of the District's watershed lands is of paramount importance to the District and the people it serves. These properties are wonderful natural resources and access to these watershed properties has been allowed for recreational purposes so that this land may be enjoyed by District residents and by others. It is important to establish a balance between the need to protect these watershed properties and the benefits of allowing recreational use.

Following a detailed briefing by the staff to the Water Bureau regarding the issue of horseback riding on District reservoir properties;

It is RECOMMENDED that it be

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

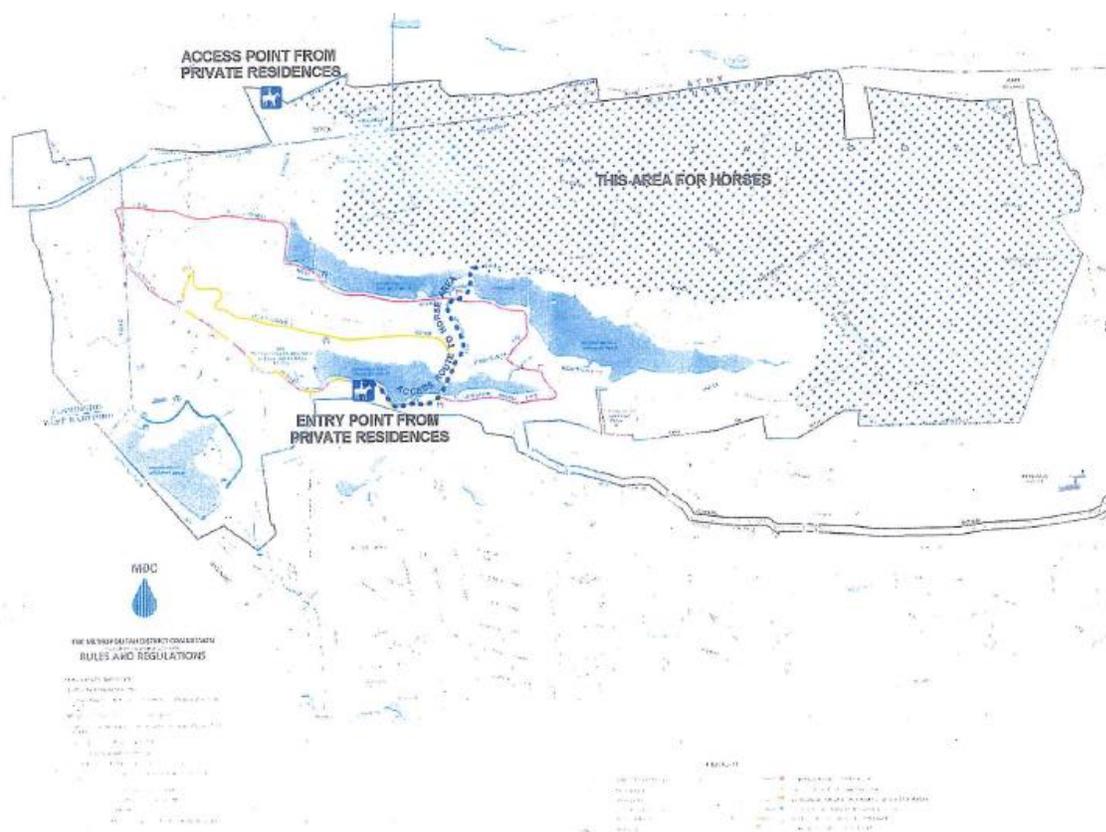
Resolved: That District staff shall apply to the State of Connecticut Department of Public Health to amend existing recreational activity permits to allow for horseback riding or horse walking under limited conditions as described below:

- 1) District staff shall develop a procedure and mechanism for the issuance of non-transferable permits to individuals pursuant to which that individual will be allowed to ride or walk their horses;
- 2) The District shall issue no more than two (2) permits to individuals to allow for horseback riding or walking within designated areas of District watershed property, such area to be limited to that which is detailed on Exhibit A attached hereto;
- 3) Such permits shall be issued only to those owners of horses who presently own real property which is contiguous to existing District reservoir property;
- 4) Permits shall be issued only to those riders who have evidenced that their respective experience level is at the intermediate level or above;
- 5) Horseback riders under the age of sixteen (16) shall possess a permit and shall be accompanied by an adult when riding on District property;
- 6) No trailering of horses into the District properties shall be allowed;
- 7) Permittees shall remove from the District property all horse droppings on the day of use;

- 8) Permittees shall not operate a commercial horse operation on property contiguous to the District properties and be allowed to utilize the District property for horseback riding;
- 9) Failure to strictly adhere to these conditions, as well as others conditions that may be imposed by District staff, may result in the immediate forfeiture of any permit granted by the District.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer



Commissioner Pappa moved to amend the resolution to read:

Resolved: That District staff shall apply to the State of Connecticut Department of Public Health to amend existing recreational activity permits to allow for horseback riding or horse walking under limited conditions as described below:

- 1) District staff shall develop a procedure and mechanism for the issuance of non-transferable permits to individuals pursuant to which that individual will be allowed to ride or walk their horses;

- 2) The District shall issue no more than four (4) permits to individuals to allow for horseback riding or walking within designated areas of District watershed property, such area to be limited to that which is detailed on Exhibit A attached hereto. **Notwithstanding anything to the contrary contained herein, the District shall issue no more than ten (10) permits in total.**
- 3) Such permits shall be issued only to those owners of horses who presently own real property which is contiguous to existing District reservoir property;
- 4) Permits shall be issued only to those riders who have evidenced that their respective experience level is at the intermediate level or above;
- 5) Horseback riders under the age of sixteen (16) shall possess a permit and shall be accompanied by an adult when riding on District property;
- 6) No trailering of horses into the District properties shall be allowed;
- 7) Permittees shall remove from the District property all horse droppings on the day of use;
- 8) Permittees shall not operate a commercial horse operation on property contiguous to the District properties and be allowed to utilize the District property for horseback riding;
- 9) Failure to strictly adhere to these conditions, as well as others conditions that may be imposed by District staff, may result in the immediate forfeiture of any permit granted by the District.
- 10) **Prior to the District issuing any permit, the Permittee must execute a waiver of liability and an indemnification and hold harmless agreement drafted by District Counsel or his designee.**

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution as amended recommended to the District Board by an unanimous vote of those present.

**PROPOSED EXPANSION OF CT
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION (DEEP) WILDLIFE
MANAGEMENT PROGRAM ON DISTRICT WATERSHED LANDS**

To: Water Bureau for consideration on Wednesday, May 13, 2015

The health and sustainability of the District's watershed lands continue to be affected by high populations of resident white-tailed deer. Heavy deer browsing is reducing, and in some cases eliminating, the forest's understory vegetation. Native shrubs and tree seedling are being eaten back before having a chance to grow, which impedes our ability to regenerate the forests for the future. Heavy browsing, along with a reduction in forest stocking, increases the potential for soil erosion, runoff, nutrient leaching and an overall decline in drinking water quality. It is essential that the deer populations be managed in order to safeguard the District's water supplies for the future.

District staff has been working along with CT DEEP wildlife biologists on this critical issue and beginning in 2009 the DEEP was authorized to implement and administer a wildlife management program on District property at the Nepaug Reservoir in cooperation with the District, following the State’s rules and regulations for hunting in Connecticut. This initial program, which focused on a portion of District owned lands in the Nepaug watershed, has been successfully implemented for 6 years and is resulting in a reduction in deer browse pressure and an increase in forest regeneration. However, there is a need to expand the program to other District watershed lands where impacts from high deer populations are evident.

Following a detailed briefing by the staff to the Water Bureau regarding the need to expand the CT DEEP’s wildlife management program on District lands;

It is RECOMMENDED that it be

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

Resolved: That the State of CT Department of Energy & Environmental Protection (DEEP) be authorized to administer a wildlife management program in cooperation with District staff and in concurrence with all State and MDC rules and regulations, and evaluated on an annual basis, on the District’s watershed forest lands where District staff has identified a need to reduce deer populations, as part the District’s ongoing watershed forest management program to protect water quality.

Respectfully Submitted,

Scott W. Jellison
Chief Executive Officer

On motion made by Commissioner Sweezy and duly seconded, the report was received and resolution recommended to the District Board by an unanimous vote of those present.

Commissioner Klett left the meeting at 5:49 P.M.

ADJOURNMENT

The meeting was adjourned at 6:10 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval