

**BUREAU OF PUBLIC WORKS
REGULAR MEETING**

555 Main Street, Hartford

April 28, 2025

Present: Commissioners John Avedisian, William DiBella, David Drake, James Healy, Allen Hoffman, Gary Johnson, Byron Lester, Alvin Taylor, Calixto Torres and James Woulfe (10)

Remote

Attendance: Commissioners Joan Gentile, Jean Holloway, Maureen Magnan, Bhupen Patel and David Steuber (5)

Absent: Commissioners John Bazzano, Richard Bush, John Gale, Pasquale J. Salemi and District Chairman Donald Currey (5)

Also

Present: Commissioner Diane Lewis
Commissioner Jackie Mandyck
Commissioner Dominic Pane
Commissioner Chris Tierinni (Remote Attendance)
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel (Remote Attendance)
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Jamie Harlow, Director of Human Resources
Sue Negrelli, Director of Engineering
Dave Ruddy, Director of Operations
Tom Tyler, Director of Facilities
Michael Curley, Manager of Technical Services
Jessica Coelho, Senior Project Manager
Julie Price, Executive Assistant
Amanda Litvak, Professional Level Associate (Remote Attendance)
Matthew McAuliffe, IT Consultant (Remote Attendance)
Elizabeth Tavelli, Independent Consumer Advocate

CALL TO ORDER

The meeting was called to order by Chairperson Hoffman at 5:47 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO
AGENDA ITEMS**

The Independent Consumer Advocate did not have any comments or questions.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Gentile and duly seconded, the meeting minutes of March 3, 2025 were approved.

LICENSE AGREEMENT RE: 45 GRANBY STREET, HARTFORD

To: Bureau of Public Works on April 28, 2025

In 2014, the District entered into a license agreement with New Hope Christian Ministry (“Licensee”) to use 45 Granby Street for the purpose of parking. The license agreement was thereafter extended for five (5) additional years, until September 30, 2023, and amended to expand the permitted parking area. The Licensee has requested to extend the term of the agreement for another five (5) years, up to and including May 15, 2030. The District purchased the property known as 45 Granby Street, Hartford in 2010 for the Clean Water Project (“CWP”) but the property is not yet needed for construction activities and, according to the most recent CWP construction schedule, will not be needed during the term of the requested license renewal. If that changes, the license agreement can be promptly terminated upon notice to the Licensee.

It is RECOMMENDED that it be

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

RESOLVED: New Hope Christian Ministry is hereby authorized to use a portion of 45 Granby Street for parking purposes, subject to proper execution of a renewed license agreement with such terms and conditions as required by District Counsel; and

**FURTHER
RESOLVED:** That Scott Jellison, as Chief Executive Officer of The Metropolitan District, is authorized to execute and deliver the License Agreement on behalf of the Metropolitan District and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of the License Agreement.

Respectfully submitted,


John S. Mirtle, Esq.
District Clerk

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

**ENCROACHMENT AGREEMENT – CONCOURSE PARK 309 REDEVELOPMENT
285 & 291 FORBES STREET; 936, 942, 944 & 960 SILVER LANE**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated April 9, 2025, Paul Rodrigues of Solli Engineering, LLC., on behalf of Jasko Zelman 1 LLC, and JZ Otto LLC (collectively “Jasko”) and the Town of East Hartford, (“Town”) the future and current owners respectively of 285 & 291 Forbes Street, 936, 942, 944 & 960 Silver Lane in East Hartford (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty-foot-wide (20’) easement or right-of way, containing an existing 10-inch sanitary sewer, situated on the Property (the “ROW”) for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the “Map”).

The Town has entered into a Purchase and Sale Agreement for the Property with Jasko and anticipates that a closing will occur in the near future. The Town has given Jasko permission to submit this encroachment permit application for the following described work for such construction and installation of these site improvements that Jasko will undertake on the Property after such closing.

The proposed scope of work entails: (i) installing a temporary 14’ wide x 45’ long modular steel bridge on timber matting including all appurtenances in up to two (2) locations along the ROW ahead of proposed site demolition and subsequent permanent site improvements, including removing existing pavement and curbing; existing gas lines, drainage piping and structures (ii) regrading up to 12,200 sf of easement area, earth excavation up to 2.4 feet in depth, (iii) installing new utilities across the ROW including a new 8-inch water main, new sanitary laterals (1) 4” force main and (1) 8” PVC lateral, (1) 4-inch gas line, (8)-2” service conduits, (2) 4” electric and telecommunication conduits in up to four (4) locations, and new stormwater lines, (3) 8” C900, and (iv) installing surface restoration consisting of new bituminous pavement, concrete walkways, curbing, traffic islands, and landscaping including shrubs and grass as well as incidental activities such as resetting existing manhole frame and covers, within the ROW as shown on the Map (collectively, the “Improvements”).

With the exception of the new 8-inch water main that will cross under the Sewer, the proposed lines will be installed above the MDC’s existing ten-inch (10”) sewer and its appurtenances situated within the ROW (collectively, the “Sewer”) with a minimum of one foot (1’) of vertical clearance between the Sewer and such lines, and proposed grades will not impede access to the Sewer. Eversource will require a twenty-foot wide (20’) and forty-foot wide (±40’) easement which will overlap perpendicular with the ROW (collectively these “Eversource Easements”). Connecticut Natural Gas (“CNG”) will also require a ten-foot wide (10’) easement which will overlap perpendicular with the ROW (the “CNG Easement” and Eversource

Easements are collectively the “Utility Easements”). The Sewer was built in 1972 under DPA by National Amusements Company and the ROW was acquired by the MDC and filed on the East Hartford land records in Volume 496, at Page 262U-262V.

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

Jasko has agreed to the following conditions in order to satisfy the District’s concerns for protection of the Sewer and to maintain accessibility along the length of the ROW:

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 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 Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner for or in connection with the Improvements within this ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within this ROW.
3. The District shall not be held liable for any damage caused to any structure listed above, located within or adjacent to the ROW in the event of an emergency Sewer repair. The District will make every effort feasible to minimize damage to these structures; however, the cost of repairs to such structures shall be the responsibility of the Owner.
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.
5. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the Sewer or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within this ROW, including any such costs incurred by the District.
6. 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within the ROW.
7. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the 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 Sewer.

8. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, and the State of Connecticut and shall maintain the District's standard form of requisite 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 with in the ROW.
9. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Jasko and MDC, following the completion of the sale of the Property to Jasko, whereby Jasko becomes the fee owner of the Property, and consistent with current practice involving similar requests, and 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 after sale of the property by the Town of East Hartford to Jasko Zelman1 LLC, 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 Jasko Zelman 1 LLC to encroach upon the MDC existing twenty-foot-wide (20') Main ROW 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 Solli Engineering, LLC, entitled, "Existing 10" Sewer Main Profile, Sheet 1 of 2 and Sheet 2 of 2, Concourse Park 309 Silver Lane East Hartford, Connecticut, 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) Jasko shall obtain all required approvals and 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 District and Jasko, and recorded on the East Hartford land records. In the event that such full execution and recording does not occur within four (4) 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,



John S. Mirtle
District Clerk

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

**ENCROACHMENT AGREEMENT – THE SPARK ON CEDAR STREET
1 MYRA COHEN WAY, NEWINGTON**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated December 13, 2024 Ronald E. Bomengen of Fuss & O'Neill, Inc., on behalf of APR Newington LLC, ("APR" or "Owner") current owner of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's two (2) existing twenty-foot-wide (20') sewer easements situated on the Property along Cedar Street (CT Route 175) and along the right-of-way property of CT Busway (these "Easements") for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the "Map").

The proposed work within these Easements entails: miscellaneous site demolition including, removing existing concrete block wall, chain link fence, and trees; clearing and grubbing up to 12,300 sf; earth excavation and filling up to 3-feet in depth (along the southwest corner of the property). Proposed utility work includes installing an 8-inch water service, 2-inch gas service, an 18-inch stormwater line and new catch basins top(s) on existing drainage structures. This work also includes excavation and minor grading associated with a new (3'-high) concrete block retaining wall, 12-inch (thick) bituminous pavement sections, concrete walkways and curbs, installing one light pole, three (3) collapsible bollards, installing 6' (high) ornamental fence, and landscaping including the bushes and grass within these Easements as shown on the Map (collectively, the "Improvements"). The proposed utility lines will be installed perpendicular to the MDC's existing eight-inch (8") PVC and fifteen-inch (15") sanitary sewers and its appurtenances situated within these Easements (collectively, these "Sewers") with a minimum of one foot (1') of vertical clearance between these Sewers and such lines, and proposed grades will not impede access to these Sewers. The 8-inch PVC sewer was built in 1994 and the easement was acquired by the MDC through the MDC Project known as "724 Cedar Street, Newington, Contract 94-85" and filed on the Newington land records in Volume 986, at Page 71. The 15-inch PVC sewer was built in 1980 and the easement was acquired through the MDC Project known as "Northwest Trunk Sewer Extension, Contract 80-29" and filed on the Newington land records in Volume 394, at Page 243.

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

APR has agreed to the following conditions in order to satisfy the District's concerns for protection of these Sewers and to maintain accessibility along the length of these Easements:

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 these Sewers. All heavy construction equipment must be located outside of the limits of these Easements and their respective right-of-way's ("ROWs") when not in use. Any earth moving equipment that will be utilized on these ROWs over and adjacent to these Sewers shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to these Sewers caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner for or in connection with the Improvements within these ROWs shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within these ROWs.
3. The District reserves the right to remove Improvements within these ROWs at any time if so required for maintenance, repair or replacement of these Sewers or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within these ROWs, 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.
5. An MDC inspector must be on the job site whenever work is being performed within these ROWs, 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within these ROWs.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of these Sewers 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 these Sewers.
7. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, the State of Connecticut and shall maintain the District's standard form of requisite 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 with in these ROWs.
8. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between APR and MDC, consistent with current practice involving similar requests, and filed on the Town of Newington 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, subject to approval of form and content by District Counsel, granting permission to APR Newington, LLC to encroach upon both MDC existing twenty-foot-wide (20') sanitary sewer easements 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 Fuss & O'Neill Inc., "APR Newington LLC MDC Encroachment Permit Plan Garden Apartments 690 Cedar Street, Newington, Connecticut", (Plan Sheet) MDC-01 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) APR Newington, LLC shall obtain all required approvals and 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 District and APR Newington, LLC, and recorded on the Newington land records. In the event that such full execution and recording does not occur 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,



John S. Mirtle
District Clerk

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

Commissioner Woulfe exited the meeting in person at 5:55 PM and joined remotely.

DRAFT ORDINANCE REVISIONS RE: AVAILABILITY & CAPACITY GUIDELINES

Chief Executive Officer Scott Jellison explained the proposed draft revisions to the sewer ordinances related to availability and capacity. The Bureau discussed meeting with the City of Hartford to discuss the potential draft ordinance revisions. No formal action was taken.

APPROVAL OF AVAILABILITY & CAPACITY GUIDELINES

Throughout the discussion of the previous agenda item, “Draft Ordinance Revisions Re: Availability & Capacity Guidelines,” the Committee also discussed this agenda item. No formal action was taken.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 6:26 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval

**Video of the full April 28, 2025 Bureau of Public Works meeting is available at <https://www.youtube.com/@MetropolitanDistrictCommission> **