

**JOURNAL  
OF  
THE BUREAU OF PUBLIC WORKS  
OF  
THE METROPOLITAN DISTRICT  
COMMISSION**

FOR THE YEAR  
2010

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Membership of the District is made up of the City of Hartford and  
The Towns of Bloomfield, Newington, Wethersfield, Windsor,  
East Hartford, Rocky Hill and West Hartford

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**MEMBERSHIP**  
**OF**  
**THE BUREAU OF PUBLIC WORKS**  
**2010**

**RICHARD W. VICINO**      Chairman, Bureau of Public Works

**ADAM M. CLOUD**      Vice Chairman, Bureau of Public Works

RONALD ARMSTRONG

MAUREEN MAGNAN

ADAM CLOUD

ALPHONSE MAROTTA

JAMAL R. GATLING

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WILLIAM HORAN

RAYMOND SWEEZY

JOSEPH KLETT

ALVIN E. TAYLOR

JOSEPH H. KRONEN

RICHARD W. VICINO

MICHAEL J. LUPO

JEFFREY A. WRIGHT

# **MINUTES**

**OF**

**MEETINGS OF THE BUREAU OF PUBLIC WORKS**

**HELD IN 2010**

**Meeting  
of  
BUREAU OF PUBLIC WORKS  
The Metropolitan District**

555 Main Street, Hartford  
Tuesday, January 12, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Donna Hemmann, Allen Hoffman, Joseph H. Kronen, Michael J. Lupo, Maureen Magnan, Alphonse Marotta, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (11)

**Absent:** Commissioners, Jamal R. Gatling, William P. Horan, Joseph Klett, J. Lawrence Price, Albert F. Reichin, and Hector M. Rivera (6)

**Also**

**Present:** Charles P. Sheehan, Chief Executive Officer  
Scott W. Jellison, Chief Operating Officer  
Robert E. Moore, Chief Administrative Officer  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Kerry E. Martin, Assistant to Chief Executive Officer  
Cynthia Nadolny, Executive Assistant  
Frank Dellaripa, Manager of Construction  
Richard Goldstein, Attorney, Pepe & Hazard LLP

**CALL TO ORDER**

The meeting was called to order by Attorney Christopher R. Stone at 6:05 P.M.

**ELECTION OF CHAIRMAN**

Attorney Stone called for nominations for Chairman.

Commissioner Taylor nominated Commissioner Richard W. Vicino for Chairman of the Bureau of Public Works. There were no other nominations.

***On motion made by Commissioner Taylor and duly seconded,  
Commissioner Vicino was elected Chairman of the Bureau of  
Public Works by unanimous vote of those present.***

Commissioner Vicino assumed the Chair and thanked members of the Bureau of Public Works.

### **ELECTION OF VICE CHAIRMAN**

Commissioner Vicino called for nominations for Vice Chairman.

Commissioner Magnan nominated Commissioner Adam M. Cloud for Vice Chairman of the Bureau of Public Works. There were no other nominations.

***On motion made by Commissioner Magnan and duly seconded, Commissioner Cloud was elected Vice Chairman of the Bureau of Public Works by unanimous vote of those present.***

### **PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

### **APPROVAL OF MINUTES**

***On motion made by Commissioner Marotta and duly seconded the meeting minutes of November 10, 2009 were approved.***

***Commissioners Armstrong, Cloud, Hemmann, Lupo and Taylor abstained from voting on this matter.***

### **ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT-AGREEMENT - Report 6.**

To: Bureau of Public Works for consideration on Tuesday, January 12, 2010.

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 Chief Administrative Officer has certified to all of the foregoing.

It is therefore **RECOMMENDED** that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Sewers by Developers," 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 are incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

<b><u>Sewers In</u></b>	<b><u>Built By</u></b>	<b><u>Completion Date</u></b>
<b>River Town Village</b> , Private lands, Tributary Lane, Tributary Court, West and East Bank, Brook Lane, River Town Road, Stillwater and Inlet Lane, Windsor	River Town Village Association	11/16/09
<b>Sunrise Estates</b> , Private lands, west of Waverly Drive and Waverly Drive north of Griswoldville Ave., Newington	Pat Snow, Griswoldville Association	12/18/09
<b>33 Mechanic Street</b> , Private lands at 33 Mechanic Street, Windsor	CIL Development of Windsor	10/19/09
<b>911 Rainbow Road</b> , Rainbow Road west of Merriman Road to Tradeport Drive and south on Tradeport Drive to end, Windsor	Riverbend Associates	12/19/09
<b>401, 405 &amp; 409 Dudley Town Road</b> , Dudley Town Road from Krystal Lane west to Jubrey Drive & Jubrey Drive south to cul-de-sac, Windsor	Jubrey Enterprises, LLC	12/17/09
<b>40 International Drive</b> , Stone Road from International Drive west, Windsor	River Bend Associates	12/17/09

Respectfully submitted,

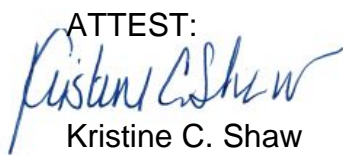
Charles P. Sheehan  
Chief Executive Officer

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

### **ADJOURNMENT**

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

ATTEST:



Kristine C. Shaw  
District Clerk

February 9, 2010

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

**Meeting  
of  
BUREAU OF PUBLIC WORKS  
The Metropolitan District**

555 Main Street, Hartford  
Tuesday, February 9, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Donna Hemmann, Allen Hoffman, Joseph H. Kronen, Michael J. Lupo, Maureen Magnan, Alphonse Marotta, J. Lawrence Price, Albert F. Reichin, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (14)

**Absent:** Commissioners Jamal R. Gatling, William P. Horan, and Joseph Klett (3)

**Also**

**Present:** Robert E. Moore, Chief Administrative Officer  
Scott W. Jellison, Chief Operating Officer  
Carl Bard, Deputy Chief, Program Management Unit  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Louise Guarnaccia, Program Controls Manager  
Michael Mancini, Manager of Design  
James Eschert, Manager of Construction  
Alan Pelletier, Principle Engineer  
William Hogan, Durational Project Engineer  
Kerry E. Martin, Assistant to the Chief Executive Officer  
Linda R. Foster, Executive Assistant  
Andrew Crumbie, Crumbie Law Group  
Justin Pawluck, Crumbie Law Group  
Timothy Dupuis, Camp Dresser & McKee  
Richard Goldstein, Attorney, Pepe & Hazard LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 5:02 p.m.

**CHANGE IN ORDER OF AGENDA**

Attorney Stone said that there were two related reports that in terms of process maybe easier, because of demonstrating materials, if the Bureau could consider them together. He asked with the Bureau's approval, that Agenda Item #6, Discussion and Possible Action on Acquisition of One or More Properties in the Hartford South Meadows in the



Furtherance of the Clean Water Project, immediately follow Agenda #4, Report, Clean Water Project, as the two items are related.

Chairman Vicino announced that not hearing any objection the agenda would be amended to reflect this change.

#### **PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

#### **APPROVAL OF MINUTES**

*On motion made by Commissioner Armstrong and duly seconded the meeting minutes of January 12, 2010 were approved.*

*Commissioners Price and Reichin abstained from voting on this matter.*

#### **CLEAN WATER PROJECT-Report 4.**

Robert Moore provided the Bureau members a detailed report regarding completed, current and future construction projects.

The ability to capture the entire presentation while maintaining the integrity of its graphics was difficult within the written minutes, however, a legible copy is maintained in the Office of the District Clerk for viewing.



## The Metropolitan District Clean Water Project Update

February 9, 2010

### Four Problems to Address

- ◆ Sanitary Sewer Overflows (SSOs)
- ◆ Combined Sewer Overflows (CSOs)
- ◆ Basement Backups
- ◆ Nitrogen Removal

## SSO Problem

- ◆ 8 Structural SSOs in District
- ◆ 5 tributary to Hartford combined sewer system
- ◆ West Hartford, Newington, Windsor
- ◆ Solutions include combination of I/I reduction, sewer relief, storage & treatment at the HWPCF

## SSO Locations



### SSO Elimination Alternatives Analysis

- ◆ I/I Reduction
  - ◆ Remove Extraneous Sources of Inflow and Infiltration
- ◆ Relief Pipe & Conveyance Improvements
  - ◆ Address capacity constraints & sewer surcharging resulting in basement backups and flooding
- ◆ Storage
  - ◆ Tunnel or near surface storage
- ◆ Treatment Improvements at WPCFs
- ◆ Local Relief to Solve Surge Problems Upstream of Modeled Pipes
- ◆ Green Solutions

### Recommended Plan West Hartford - Newington

- ◆ Combination of I/I reduction, relief pipe, tunnel storage, consolidation piping, and green solutions where appropriate
- ◆ Eliminate structural SSOs for all events in 50-year model simulation (approximately 25-yr level of control)
- ◆ Provide level of service that limits basement backups to greater than 5-year event
- ◆ Provide level of service that limits flooding from sewer surcharge to greater than 10-year event
- ◆ Cost = \$250M (2009 \$)
- ◆ Cost = \$290M escalated to mid-point of construction

### **SSO Plan Components West Hartford – Newington**

- ◆ I/I Reduction - \$33M
  - ◆ 10% I/I Reduction Target
  - ◆ Lining of pipes and manholes in public right of way and manhole cover replacement
  - ◆ Can reduce relief pipe and storage if pursue I/I reduction on private property
- ◆ Relief Pipe - \$128M
  - ◆ 45,000 ft of 12 to 48-inch pipe
- ◆ South Tunnel - \$70M for WH-N SSOs (\$224M Total)
  - ◆ 26-ft diameter, 13,400 ft long tunnel
  - ◆ Capture WH-N SSO, Hartford CSO, Folly Brook Wet Weather Flow, Potential Rocky Hill Flows

### **SSO Plan Components West Hartford – Newington**

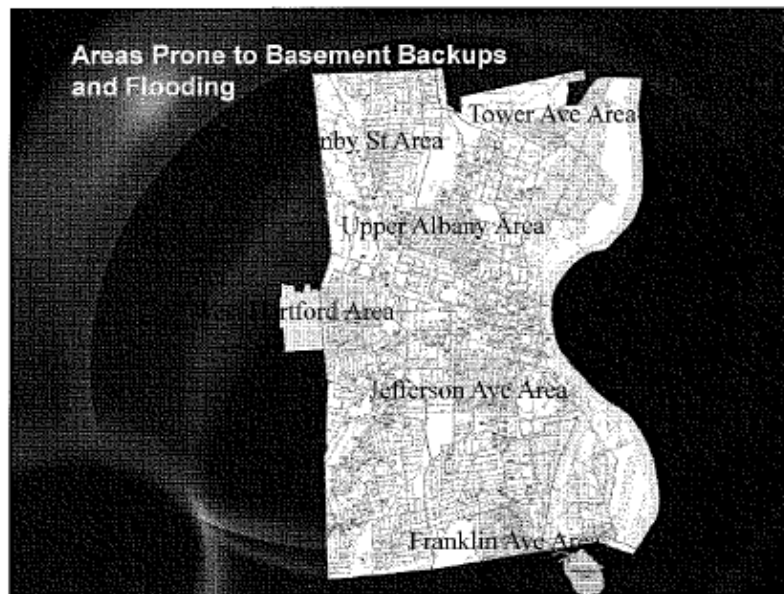
- ◆ Consolidation Piping - \$30M (SSO Portion)
  - ◆ 13,000 ft of 24 to 60-inch pipe
  - ◆ Convey flows from overflow points to Tunnel
- ◆ Local Upstream Solutions - \$20M
  - ◆ Allowance to address unknown surcharge problems upstream of modeled pipes
- ◆ Green Solutions – TBD
  - ◆ Attenuate inflows that can't be disconnected
  - ◆ Minimize potential for stormwater flows to migrate from drainage system to sewer system
  - ◆ Mitigate flooding
  - ◆ Gain public support for projects

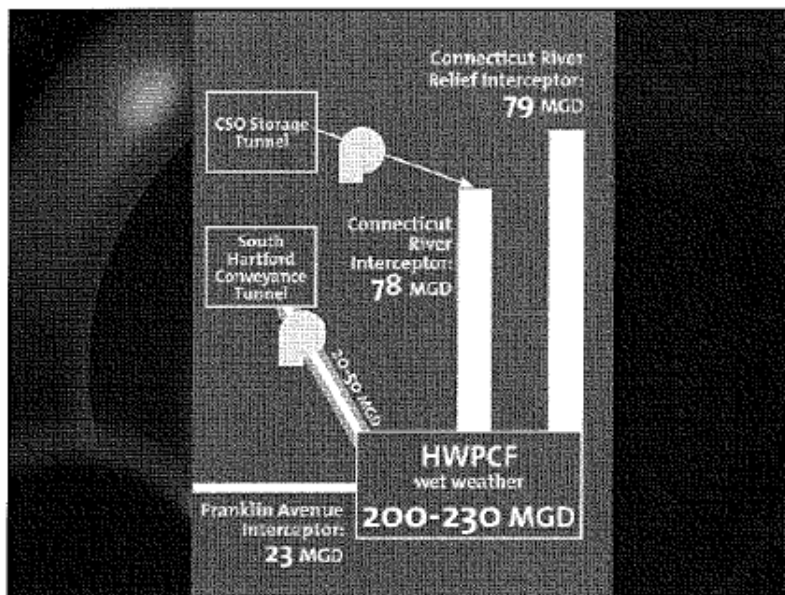
## CSO Problem

Based on model results, approximately:

- ◆ 1 billion gallons of annual CSO
- ◆ 38 CSO outfalls & 83 CSO regulators
- ◆ 50 rainfall events per year result in CSOs
- ◆ Bacteria levels > water quality standards  
15 - 30 miles downstream of CSOs
- ◆ Target control level:
  - ◆ 1-year storm (93MG of CSO)
  - ◆ Elimination of overflows to Wethersfield Cove

## Areas Prone to Basement Backups and Flooding

















**DISCUSSION AND POSSIBLE ACTION ON ACQUISITION OF ONE OR MORE PROPERTIES IN THE HARTFORD SOUTH MEADOWS IN THE FURTHERANCE OF THE CLEAN WATER PROJECT-Report 5.**

**EXECUTIVE SESSION**

At 6:02 p.m., Chairman Vicino requested an executive session for the purpose of discussing the potential property acquisitions.

***On motion made by Commissioner Reichin and duly seconded, the Bureau of Public Works entered into executive session for the purpose of discussing the potential property acquisitions.***

Those in attendance during the executive session were as follows: Commissioners Armstrong, Cloud, Hemmann, Hoffman, Kronen, Lupo, Magnan, Marotta, Price, Reichin, Rivera, Sweezy, Taylor and Vicino, Attorney Christopher R. Stone, Messrs. Moore and Jellison, and Louise Guarnaccia.

**RECONVENE**

At 6:39 p.m., Commissioner Vicino requested to come out of executive session and on motion made by Commissioner Armstrong and duly seconded, the Bureau of Public Works came out of executive session and reconvened. No formal action was taken.

**FARS UPDATE-Report 6.**

Attorney Andrew Crumbie and Attorney Justin Pawluck of Crumbie Law Group provided a FARs update to Bureau members.

Attorney Crumbie made the following comments:

“Thank you. Good afternoon, Mr. Chairman. Good afternoon, Commissioners. Again, my name is Andrew Crumbie. I’m one of the attorneys working for District Counsel Bart Halloran. With me is Attorney Justin Pawluk from my office. And if you’ll indulge me for just a few minutes, I’ll give you a brief update on FARs, the process that was utilized to get to where we are today.”

Commissioner Vicino asked Attorney Crumbie to define the term “FARs.”

Attorney Crumbie continued his report:

“FARs stands for just that. It’s the Federal Acquisition Regulation. And by way of background, the FARs is a list of guidelines, essentially, a compiled list of guidelines that the federal government uses to procure goods and services. The FARs, the Federal Acquisition Regulation, is 51 sections or parts, and those 51 parts comprise about 2000 pages. What our challenge was was to review and essentially dissect each of those 51 parts to determine what parts were applicable to the MDC and the MDC’s operation, procurement operation. In doing so, we met originally with Scott Jellison from operations and also Bob Moore from the administrative side to determine just what the MDC operation was and the details of those operations with respect to procurement both on the MDC side and Clean Water side and what regulations were going to be needed to necessitate those two functions. And so in that review we’ve determined or pulled out, essentially, 21 sections of the FARs, or 21 parts, that we have suggested that the MDC adopt for their procurement needs. Those 21 sections comprise roughly 700 pages or so. The FARs is a very technical document and somewhat cumbersome to work with, so our process has taken, thus far, kind of a dual track where we’re creating and developing the policies within those 700 pages and also creating a user’s guide which will suggest recommended uses for particular sections and will also make digesting the FARs just a bit easier. You’ve asked some specific questions, Mr. Chairman, and what I’m going to do is answer a couple of those, and then Attorney Pawluk, who in his previous life in another firm has worked with the FARs and has suffered a similar fate at our firm. And he’s been working at great length in the past several months with details surrounding the adoption. So I’ll have Attorney Pawluk address a couple questions. One of the questions you had was who in particular is overseeing the project. And that would be District Counsel Bart Halloran. We meet several times a week to discuss not only the adoption of FARs and the particular sections but also how those sections interact or correlate with our DEP regulations, state law, state statute, and other policies that the MDC is bound by both just in general terms and specifically with respect to their funding sources. And so that function is a function of the District Counsel’s office. We’re in the process currently of meeting with Bob Moore and some other policy makers to identify specific needs that they have with respect to how the FARs will be implemented and how some of the more policy-related issues will be dealt with as the FARs is brought into implementation. With that, I’ll turn it over to Attorney Pawluk to answer just a couple more of your points that you had with respect to policy issues.”

Attorney Pawluk continued the report:

“Just too briefly address how the process has been working so far, under the authorization statute, we are allowed to get away from the hard bidding issue by adopting these FAR-based regulations. So one of the main issues that we’ve been dealing with is how to stay true to the FARs and how to identify those core policies which are necessary to stay within the bounds of the authorization statute. One of the main ways that we have dealt with that is by dealing with the FARs code itself. The FARs is in code form similar to the State Statutes and so by starting with that code, we are starting with the raw material of the FARs, and we’ve been sort of boiling that down to deal with the differences in administrative resources between the MDC and the federal government. Obviously, the MDC is not the federal government and doesn’t have the same personnel resources that the federal government does. We’ve also been looking at programs and policies which are clearly inconsistent with MDC mission goals. For example, the FARs has many parts and sub-parts that deal specifically with the acquisition of large defense-type systems, and to the extent that we’ve been able to identify those, we’ve been removing them. For example, there’s an entire

part within the FARs on major systems acquisition, which is just totally incompatible with what we're doing here. So we've been eliminating those types of programs and policies. Also programs and policies that are specific to the federal government that we don't have legal authorization to do. For example, the MDC obviously does not have access to the federal acquisition schedules, so those sections have been removed as well. But by and large, the end product that we've come up with is consistent with the basic structure of the FARs, which identifies different acquisition processes, in particular it creates, in addition to the sealed bidding process, a negotiated acquisition process that will allow the District to negotiate with contractors and evaluate bid proposals on more than just price-related factors and also go into quality factors and look at evaluation criteria that are specific to the technical merits of proposals. And it also creates a QBS or a qualifications-based selection system specifically for architect and engineering contracts in which the MDC can look exclusively at architects' and engineers' qualifications in making that selection. Also we've been using central features of the FAR, such as the centralization of authority and a centralized procurement agency, which has primary responsibility for creating solicitations and for drafting contracts. And perhaps the most significant feature of the FAR is that it relies on a system of forms and contract form clauses that can be used to construct any given contract. And one of our major goals so far in creating the draft that we have right now, which is in reasonably complete form as I said, is to identify legally all of the form contract clauses that would be necessary to create all of the various types of contracts that would be pertinent to MDC mission goals. So we've come a long way and we've got a draft that's in reasonably complete form that we've been working very closely with District Counsel and other members of the MDC staff and the Chief Executive Officer in creating a finished product."

Attorney Pawluck continued:

"Well the primary goal that was identified to us in making this change was principally to get away from some of the issues surrounding the sealed bidding method and to be able to look at aspects of individual proposals and to look at what will be the best value for the District during acquisition instead of just the lowest bid. So that was one of the principal goals that were identified to us. Also there are policies within; one of the basic things about the FARs is that it is very comprehensive. It creates policies and programs for all aspects of procurement. And that should tie into initiatives that are currently ongoing in terms of creating more diversity within district acquisitions by allowing the creation of a small business program and to create specific policies. For example, for bonding requirements and also for structuring acquisitions to create those types of opportunities for smaller businesses. So by creating a unified set of policies and procedures for the District in writing, it will give us the opportunity to create specific policies and proposals within that structure to foster our goals for creating more diversity in District acquisitions."

Commissioner Cloud stated:

"I've begun to learn a lot about FARs and the conversion work that these two lawyers are working on. One of the provisions that I want to be clear and I make some comment about on the record is my desire to see a prompt payment provision relative to the relationship of payment of dollars to contractors. FARs has it. I want to make sure that that provision stays inside of it because that's a major challenge historically for small minority

women and veteran-owned firms. Their ability to get paid in a prompt manner. And if you'd like to talk with me off-line about that, I'd be glad to do that. The other thing that I want to make sure that we understand and if this provision sticks around is that under our version of the FARs, historically there's an interpreter of FARs at every agency that is the person that not only interprets the FAR but also is in charge potentially of execution of said contracts. So have we given any thought in our legal version of the FARs and our guidelines about who that person is going to be. Will it be Chuck? Will it be the head of the PMU? Will it be the chief administrative officer? I want us to give some thought to who is going to actually be in charge of interpretation and execution of the matters inside of the FARs."

Attorney Crumbie answered Commissioner Cloud:

"Commissioner, both those issues I'll address just very briefly. In the FARs, the contracting officer is the person with the power to make decisions with respect to contracting on the federal side. The MDC is a much smaller agency. It's a much smaller operation, obviously, than the federal government. And so those policy decisions are currently being reviewed, and I would expect very shortly it would be communicated to us whether or not it's going to be the chief executive officer or whether he's going to delegate that authority down to some other person. But that's a very good point and is much more of a policy decision that will be made by the CEO. With respect to prompt payment provisions, FAR does have a very comprehensive section on prompt payment and issues surrounding prompt payment. And it was not one of the sections originally slated for adoption, but in talking to yourself and talking to the District Counsel and contractors who will actually be subject to the provisions of the FARs, we have determined that the prompt payment section is one that should be included and that we'll be in the process of editing and recommending that section for adoption as well."

Commissioner Cloud asked if Attorney Crumbie could explain to the Board that there are some ongoing conversations about getting advice and counsel about the implementation of FARs from a consultant firm.

Attorney Crumbie responded:

"Sure. We've identified an individual out of the D.C. area who has worked with the FAR extensively over the course of the last 25 years or so. And he currently has a consulting business in the D.C. area and consults with the federal government and private entities in their contracting with the government on the FARs. And we had this gentleman up two weeks ago and met with the CEO and also District Counsel, myself, and Attorney Pawluk, and he seems to have a vast amount of experience in the FAR. He is certified as a Level 3 procurement person under the FAR. Level 3 is the highest certification you can get under the federal guidelines, and so he seems to be not only conversant but very knowledgeable in that whole process. And the expectation is that this person or someone like him will assist us and the District in the implementation process of the FAR. Because as the Commissioner here said, the FAR will change, whole scale, the way the MDC does business currently."

Chairman Vicino stated:

"That's a very good question. It's probably the reason why I put it on the agenda. My concern is the process and review of the process and review of the process because it is a

huge policy change. And we don't want to get into a position where we've made an error in putting the product together because we're taking the product from a big document and massaging it down to fit MDC. I would like to make sure it gets vetted properly, that we have the right consultants review it. I'm sure you do an excellent job in your draft form. But there's got to be a process followed, and that's what I'm kind of looking for."

Commissioner Taylor stated:

"Mr. Chairman, through you, I agree whole heartedly with your concerns, and I guess since this is such a major policy change, I'm going to suggest that I think this is a matter, quite frankly, that we should refer to our Audit Committee. And that we should have the involvement of the Audit Committee in this process working with our people and the consultant so that essentially we get a very, very careful view in so far as the Commission is concerned and the Commissioners as to the change that we are making. I'm not objecting to this process. I think that we need to do this, but I view this basically as a significant change, and I think we need to make sure that we get it right and that we nail it. That we get all of the things, for example, that Mr. Cloud is concerned about and other Commissioners. So that essentially when we hit the ground with this thing we hit it running. We're staffed up. We know what we're doing, and we make sure that we've run all the crooks and hooks and everything else out because this is a very sophisticated piece of work, and I have to applaud the work that's been done."

Commissioner Cloud stated:

"If I may support the comment by Commissioner Taylor but illuminate for the benefit of the rest of the Bureau that the Diversity Committee, in its meeting last night, at my recommendation, was not able to act on this, but it's on our agenda and it will be effectuated in March. I have asked for the creation of a FAR Subcommittee at Diversity Committee level. And the reason why is exactly that. I am looking for my Commissioners, fellow Commissioners on Diversity to be part of the process and to be as policy leaders on this board of decision makers to be engaged fully in the discussion and creation of this document so that our handwriting is on the process as well, because we're going to end up owning it at the end of the day. And while I appreciate the use of consultants and the legal documentation that's going to be created from it, it is a new policy. And it is a paradigm shift in a manner in which this organization has operated itself and how it acquires goods and services historically. Therefore, from a policy perspective and as leadership of this organization, it's important, I think, that Commissioners be engaged in that process. So to that point, I think that the Audit Committee could be appropriate, but I wonder, Mr. Chairman, whether or not a Subcommittee of the Public Works would also be advantageous to be engaged because it is this Bureau that is charged with the responsibility and oversight of the Clean Water Project."

Commissioner Vicino stated:

"I agree with that, but the Audit Committee is made up of a smaller group. I would like the Audit Committee to take handle and report back to the full Board. And I think any Commissioner can sit on any of the audits."



After discussion regarding the review of a draft document, Commissioner Vicino stated:

"Well the other point I'm trying to get across is I know the content is extremely important, but to me also the process. Whether or not we're putting together a document that's comprehensive. I was talking about, as Alvin said, the Audit Committee to look at process, not the contents. In other words, when you take product from a document and massage it or modify it for your own purposes, has it been done correctly, is it subject to litigation down the road because you made those changes. I wanted a committee to look at that separate from the content, which is very important to us to make sure we have the diversity. Make sure we have the small businesses covered. But there's also a concern that I have is how this document is compiled and whether or not this document will take the test of any litigation because we took a piece of this document and then we took a piece of what we needed for MDC purposes, melted it together, and then we put it out on the open market. I have a strong concern. I know staff is doing an excellent job. But I again, I'm not one who likes to hire consultants often, but I would like a level, you called it a Level 3 from Washington, D.C., to look at it. If there was a 1 to 10 and we had a Level 10, I'd like a 10 to look at it and spend the money up front to make sure that the document has been put together right. I call it the binding of the document. Not the content. That's the reason I brought this to the agenda. I know that all these committees will eventually pull everything together to take care of the eight member towns and the concerns of all the needs of our Commissioners. That will come through all the committees. But before we get to that and before we bind the document, whether it is in draft form, I want a committee to look at it. And the reason, I think Al brought up Audit, I think Audit's important, and we don't use it very often. But that Committee can call out to a third-party consultant, whoever it may be, and engage that consultant to make sure the binding is correct. Through the rest of the process, we can have other subcommittees; we can have all committees to work on it. But I am really concerned about how it gets bound."

Commissioner Cloud stated

"And what's gone on historically is that everything gets executed at a staff level. Let me just explain my point, and I want to make sure that I get this point across – \$157 million worth of contracts has been let out. Not one contract have I never seen. Okay? And what I'm saying is not that I don't trust our staff to get it done. And I'm not talking to staff and I'm not looking for a response to this comment. I'm speaking to the members of this Commission. What I am somewhat concerned about is that when you talk about process is that as the body that is charged with the responsibility of public works of the MDC. And for \$157 million worth of contracts to go out and none of us have ever seen one. I have never seen a contract. And let me just extrapolate that point. It's counterintuitive to me that we've got contracts going out at Granby Street, Tower Avenue. We've got a major contractor out there, and we don't have that contractor using a minority contractor in the heart of North Hartford. To me that's outrageous. And let me just finish my point please. What I want to be assured of is that the policies and procedures that come out of this FAR allow us to engage in those kinds of decision-making actions at a policy board level so that when it gets implemented through this system there's no question about what the intent was, and there's no question about what the result will be."

Commissioner Vicino stated that he agreed but wanted to make sure it's not challenged.

Commissioner Cloud continued:

"In other words, I want to make sure the way you put it together and that Level 3 FARs person says to us we can do this. We can give jobs to those people. That's what I'm concerned about. That's why we have a disparity study, and that's why we have a race neutral, small local business initiative so that we do not succumb ourselves to legal challenge. That was the heart of the results of the disparity study. And when that document comes together, I want to make sure that we don't have those challenges. I want to be able to do what we intend to do, what we all said we intended to do, without challenge from a third party. And I guess the best way to get to that is to vet this product to make sure it comes together correctly."

Commissioner Armstrong added:

"Yes. I think that one of the other things is, and I have to agree with Commissioner Cloud, is the fact that part of our jobs as Commissioners is that we've got to do some of the work. And I don't know how many of us have had the opportunity to look at the disparity that was given to us and begin to note some of the things that were outstanding. And in doing so would have a greater say and impact as to how our consultants are doing or what have you. There's a lot of hard work that's going into – excuse me. There's a lot of hard work that has gone in by staff, as well as the consultants. And I don't agree with all of it, but I do believe that it's part of our responsibility to take note of what is going on. And I've spent all day today in just trying to go through some of the actions that were taken in order to get to, getting to the disparity study, and I probably have another day or two to go through it. But we need to look at that document to identify where the disparities are already in house and how we can fix it. And this is one of the ways that we can. I don't agree that we have the ultimate answer right now because I don't think that all the parts are put together. But I think that we're on the right track. And it's necessary for us to take the responsibility to do the necessary reading. Thank you."

Commissioner Marotta stated:

"What I wanted to say was as soon as this draft gets completed, why can't we have a meeting and be given the draft so we could review it and make some recommendations. Because I had agreed that a large part of these contracts are going out on the Clean Water Project are things to do with Public Works. Yet I understand that there's other contracts that go out for Water and also for other purchases of products, but I think that, say in the next – he said it would be done in the next 10 days, 2 weeks – that we should all be given a copy of the draft and then we should review it and then make recommendations whether we want to send it to a further study committee and wherever. But I think we should do that instead of just arguing back and forth this evening."

Commissioner Taylor stated:

“Mr. Chairman, I guess, let me tell you what my concern is because I agree with the Chairman. There are two levels to this. There is what I would characterize as the actual content of the FARs in terms of a process of procedures which we will engage in the process of acquiring goods and services. But then there is the overall arching concern that I have, and that is that the FARs as it is currently in place essentially has a history, and that history also includes administrative and legal decisions that have been made that surround that. I just want to make sure that in the process of putting together, as it fits the MDC, that we have had a careful reading and determination. That what we have not done in pulling the process together, and I’m not questioning the competence of the people who are working on it, but I just want someone who lives it and works it, sleeps it has looked at it and said look the way you folks have put it together it hangs together. That it is going, it would survive an attack. That you haven’t basically put in place something that creates a substantial gap or hole and that gap or hole basically, if you look at the FARs as it stands at the federal level, those issues have been litigated or they have been resolved. But the way you folks have done it, you create the following set of problems. That’s what I’m concerned about.”

Commissioner Cloud said that we did hire someone.

Attorney Crumbie responded that he has not been hired, be we are in the process of reviewing his proposal.

Commissioner Cloud said that between him and Franklin Lee, we should have the assurance Commissioner Taylor is seeking.

Commissioner Taylor continued his comments:

“The other factor which I think is critical to report here is that I think it behooves the Commissioners to have more than just a passing knowledge of the FARs. I mean it shouldn’t be something that we just look at and in two hours vote on and we go on about our business. Because we’re contracting, we’re putting money out, we’re engaging people, and I think that we have a responsibility here at the Board level to see to it that we have put in place and that we’re operating in a manner, essentially, that answers a number of questions and concerns that we have in the general community. And more importantly, I don’t want us to get hung up on the basis of hindsight because if something goes wrong then we’re going to be scrambling like hell to explain what the hell happened. And that can be a real problem. So I just want to make sure that we’ve taken a careful look. That’s all I’m saying at this point.”

Commissioner Armstrong stated:

“I don’t want to belabor this, but I think that one of the things that we try to create is an environment that answers certain questions. And I think that maybe we need to pose the questions if they haven’t been posed. Let each commissioner pose the question of what they hope what’s to be accomplished by FARs and this disparity study. Maybe that hasn’t been settled in most of the minds, but each of them should have an opportunity to look at it and pose those questions so that in the review that can be answered. Number 2, I think that no matter what structure of business that you have, you’re always in contrast to what could go wrong and what can go right. There is always a question that you can be sued no matter what diagram that you used to put your business. If you do something wrong, you cross the line, don’t dot an

"I", that you can be sued. Example: MDC has been doing business for as long as it has, and it has suits that have been brought against it. Okay? The hope here is to mitigate the problem of damage control, which the lawyers are trying to do in creating this. My hope is that not only does it mitigate those problems but it also addresses the issues with responsibility because most of our contracts that we put out we say the lowest and most responsible bidder. But it usually winds up just being the lowest bidder. MDC touches upon eight different other communities and then we supplement some of the others because we commission water out to them. But we have a commitment to these eight communities far greater than anyone else because water – everyone uses. Everyone uses whether to wash their feet, wash their dog, wash the car, drink it, or what have you, everyone in this community uses water. There is no other product that I know of that exists in this community that everyone uses. But I think there's a greater responsibility because of that. And that is that we need to supplement the economics within this community as well. We need to make sure that there is diversity within what we do because there's a diverse nature by which we service the people in this community. But the greater responsibility is upon us up front not to build the complete mousetrap because if it never goes off you never know whether or not it's good or not. Okay? Our hope here is to try to do the best. The best that we can under the circumstances. We will not eliminate the possibilities that someone could sue us in the future, but we will mitigate that by doing the best that we can. And hopefully this is an evolving kind of thing and it won't become stagnated. Because if it becomes stagnated, we'll have greater opportunity to be sued."

***Commissioner Taylor stated that he would like to make a motion that the issue of FARs implementation process be referred to the Audit Committee. His motion was seconded.***

There was some question as to why the referral was being made.

Attorney Stone clarified for Bureau members:

"I don't think it was to review the substance of the document. I believe the motion was related to the process that they're following or that we're following, that the MDC would follow to adopt, to review and adopt the FARs. So, Commissioner, the Chairman asked me to draft the motion along those lines. It really has to do with the process. And I think, quite frankly, based upon the discussion here and the discussion elsewhere that I've been either party to or aware of, there is an unknown, for lack of a better term, as to how the Commission as a legal body of the whole or its sub-parts, its bureaus, is going to embrace a review and perhaps revise and hopefully adopt the FARs. And so, if nothing else, perhaps the Audit Committee, in their review of the implementation process, will make a recommendation to the full Board as to how this FARs document works its way through each of our committees and bureaus and ultimately to the District Board. And maybe they'll come up with a recommendation that will answer some of the questions that Commissioner Cloud raised, that Commissioner Armstrong raised, and others, as to how this is going to be done. If at all. But how it's going to be done if we decide to do it. So that's the motion. I think it's certainly germane for this Committee to make that referral. The Audit Committee can decide to take it up or not to take it up. I think that's you, Commissioner Hoffman as the Chair."

Commissioner Hoffman stated:

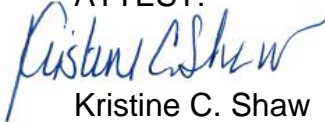
"Since I seconded the motion, I better say something. I appreciated that discussion because too often we sort of pass things over and move it quickly. We've spent, and I've been here quite a number of years. We've spent a lot of time on this issue and have discussed it perhaps not to the nth degree but certainly thoroughly. And I have no problem with the discussions that took place and discussions that could take place. So I'm not trying to cut off the debate. But I thought one point that was made was quite good except it leaves other holes. And that was the point that Commissioner Marotta made to actually distribute whatever the draft is or the report is to all members. But again, I've been here long enough to know that when we do that too often that simply delays any action. So to get back to the point of the motion to enter this debate, this discussion into a process that we know has a beginning, middle, and an end and a place for it to go at the end. I have no problem with moving it to the Audit Committee, and again, for full disclosure. To answer the Chairman, yes I was Chair of that committee at one point, and we did make a report out on a particular issue a couple of three years back, whatever it was. I've forgotten now. But at any rate, there is a process. And anybody can petition the Chairman, and I mean by the Board Chairman, to be part of that Committee. So there's no, no one's trying to keep anybody out from providing input. And the more input, the better. So I just wanted to make sure that everybody understood why I just seconded that quickly, and I think that's where we need to move it."

***The motion passed unanimously and the issue regarding the FARs implementation process was referred to the Audit Committee.***

### **ADJOURNMENT**

The meeting was adjourned at 7:23 P.M.

ATTEST:



Kristine C. Shaw  
District Clerk

April 13, 2010

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

**Meeting  
of  
BUREAU OF PUBLIC WORKS  
The Metropolitan District  
555 Main Street, Hartford  
Tuesday, April 13, 2010**

**Present:** Commissioners Ronald Armstrong, Donna Hemmann, Allen Hoffman, Joseph H. Kronen, Maureen Magnan, Alphonse Marotta, J. Lawrence Price, Albert F. Reichin, Hector M. Rivera, Alvin E. Taylor, Richard W. Vicino and District Chairman William A. DiBella (12)

**Absent:** Commissioners Adam M. Cloud, Jamal R. Gatling, William P. Horan, Joseph Klett, Michael Lupo and Raymond Sweezy (6)

**Also**

**Present:** Charles P. Sheehan, Chief Executive Officer  
Robert E. Moore, Chief Administrative Officer  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Louise Guarnaccia, Program Controls Manager  
Michael Mancini, Manager of Design & Construction  
Kerry E. Martin, Assistant to the Chief Executive Officer  
Linda R. Foster, Executive Assistant  
Timothy Dupuis, Camp Dresser & McKee  
Richard Goldstein, Attorney, Pepe & Hazard LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 5:10 p.m.

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

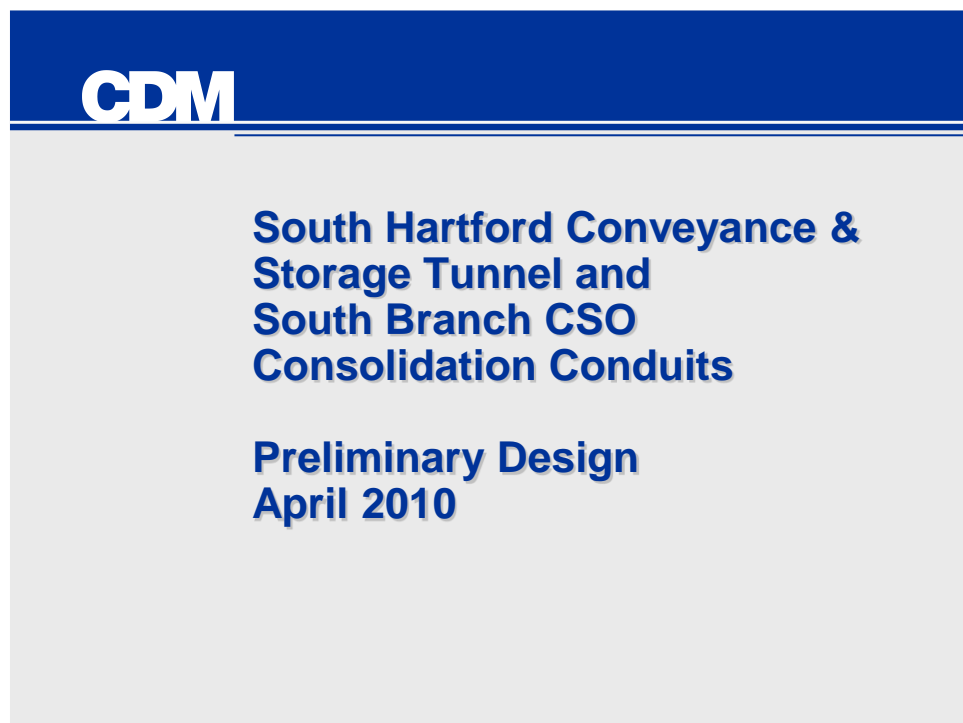
**APPROVAL OF MINUTES**

***On motion made by Commissioner Armstrong and duly seconded, the meeting minutes of February 9, 2010 were approved.***

**CLEAN WATER PROJECT-Report 4.**

Robert Moore, Michael Mancini, Tim Dupuis and Louise Guarnaccia provided the Bureau members a detailed report regarding current and future construction projects along with the Rain Garden initiative the District is currently involved in.

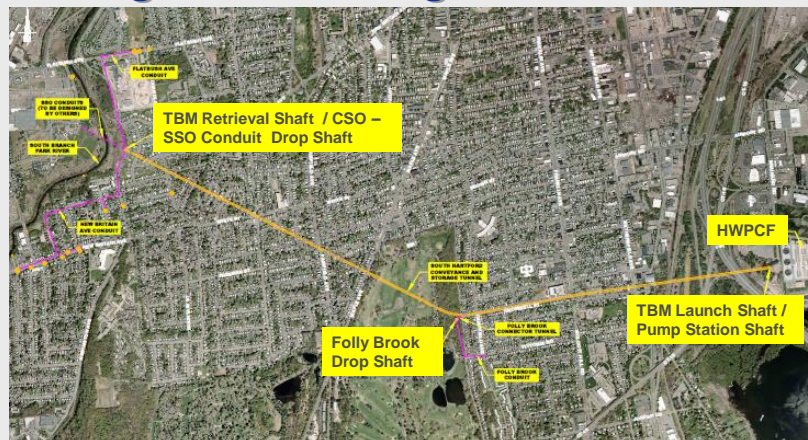
Tim Dupuis provided the following report:



## South Hartford Conveyance and Storage Tunnel - Benefits

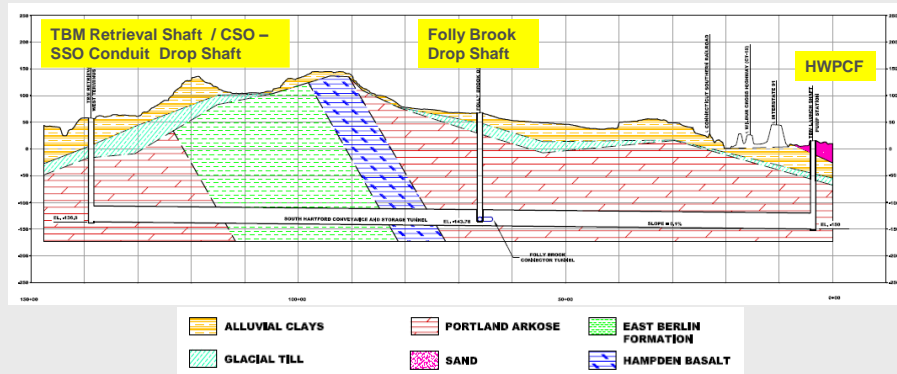
- **Capture wet-weather flows to reduce CSOs in the South Branch Park River drainage area**
- **Contribute to the elimination of SSOs in the sanitary sewers of Newington and West Hartford**
- **Capture wet weather flows from the Folly Brook Trunk Sewer, relieving Franklin Avenue Interceptor and overflows to Wethersfield Cove**

## South Hartford Conveyance and Storage Tunnel - Alignment





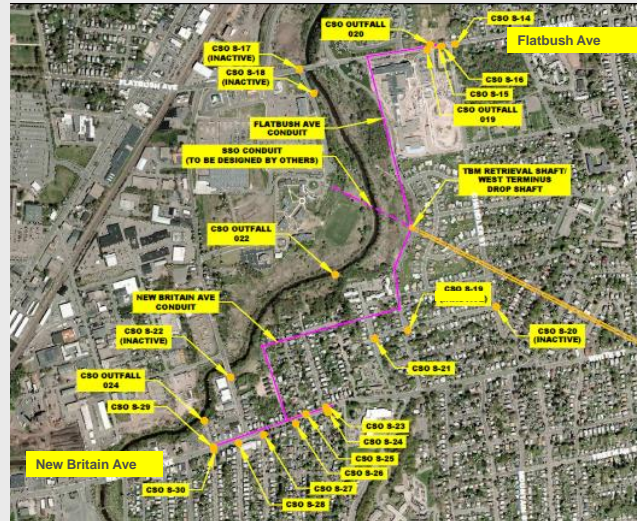
## South Hartford Conveyance and Storage Tunnel - Profile



## South Hartford Conveyance and Storage Tunnel - Folly Brook Conduit



## South Branch Park River Drainage Area Consolidation Conduits



Michael Mancini provided an update on the completed pipe lining and an update on which projects are presently under construction or design.

The ability to capture the entire presentation while maintaining the integrity of its graphics was difficult within the written minutes; however, a legible copy is maintained in the Office of the District Clerk for viewing.

Louise Guarnaccia provided information to the Bureau regarding the "Clean Capitol Project" that the District is engaged in with the Department of Environmental Protection (DEP). She said the intent of the project is to demonstrate different "green solutions" to the storm water problem and other ways to handle it, other than installing new pipes. She said this is a joint project between the MDC and DEP at the encouraging of the Environmental Protection Agency (EPA).

Mr. Sheehan mentioned that the District is developing a public relations program around this initiative so that the public is aware of it.

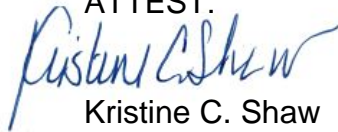
Commissioner Reichin asked who is funding this "green project".

Ms. Guarnaccia said that the DEP is funding half a million dollars and their financing the balance for us at 2%.

**ADJOURNMENT**

The meeting was adjourned at 5:55 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Kristine C. Shaw".

Kristine C. Shaw  
District Clerk

May 3, 2010

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

**Special Meeting  
of  
BUREAU OF PUBLIC WORKS  
The Metropolitan District  
555 Main Street, Hartford  
Monday, May 3, 2010**

**Present:** Commissioners Ronald Armstrong, Allen Hoffman, Joseph H. Kronen, Michael Lupo, Alphonse Marotta, J. Lawrence Price, Albert F. Reichin, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (11)

**Absent:** Commissioners Adam M. Cloud, Jamal R. Gatling, Donna Hemmann, William P. Horan, Joseph Klett and Maureen Magnan (6)

**Also**

**Present:** Charles P. Sheehan, Chief Executive Officer  
Robert E. Moore, Chief Administrative Officer  
Scott W. Jellison, Chief Operating Officer  
R. Bartley Halloran, District Counsel  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Thomas Raffa Sr., President, Local 1026  
Linda R. Foster, Executive Assistant  
Richard Goldstein, Attorney, Pepe & Hazard LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 4:30 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 Reichin and duly seconded, the meeting minutes of April 13, 2010 were approved.*

**CONSIDERATION OF AND POTENTIAL ACTION RELATING TO THE ACQUISITION OF PROPERTY (IES) WITHIN THE CITY OF HARTFORD IN FURTHERANCE OF THE CLEAN WATER PROJECT-Report 4.**

At 4:32 p.m., Chairman Vicino requested an executive session for the purpose of discussing a potential property (ies) acquisition.

***On motion made by Commissioner Reichin and duly seconded, the Bureau of Public Works entered into executive session for the purpose of discussion of a potential property (ies) acquisition in the City of Hartford for the furtherance of the Clean Water Project.***

Those in attendance during the executive session were as follows:

Commissioners Ronald Armstrong, Allen Hoffman, Joseph Kronen, Michael Lupo, Alphonse Marotta, J. Lawrence Price, Albert F. Reichin, Hector Rivera, Raymond Sweezy, Alvin E. Taylor, Richard Vicino, Attorneys Halloran and Stone, Messrs. Sheehan, Moore, and Jellison

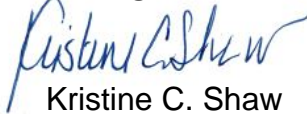
### **RECONVENE**

At 5:20 p.m., Chairman Vicino requested to come out of executive session and on motion made by Commissioner Armstrong and duly seconded, the Bureau of Public Works came out of executive session and reconvened. No formal action was taken.

### **ADJOURNMENT**

The meeting was adjourned at 5:21 P.M.

ATTEST:



Kristine C. Shaw  
District Clerk

June 9, 2010

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

**Special Meeting**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**  
555 Main Street, Hartford  
Wednesday June 9, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Allen Hoffman, Jamal R. Gatling, Donna Hemmann, William Horan, Joseph H. Kronen, Michael Lupo, J. Lawrence Price, Albert F. Reichin, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (14)

**Absent:** Commissioners Joseph Klett and Alphonse Marotta (2)

**Also**

**Present:** Commissioner Daniel Ferraina  
Commissioner Joseph Kronen  
Commissioner Joseph Verrengia  
Charles P. Sheehan, Chief Executive Officer  
Robert E. Moore, Chief Administrative Officer  
Scott W. Jellison, Chief Operating Officer  
R. Bartley Halloran, District Counsel  
Christopher R. Stone, Assistant District Counsel  
Brendan M Fox Jr., Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Louise Guarnaccia, Program Controls Manager  
Frank Dellaripa, Manager of Construction  
Kerry E. Martin, Assistant to the Chief Executive Officer  
Jennifer Ottalagana, Manager of Development Services  
Lebert Thomas, Manager of Engineering and Planning  
Ellsworth Cross, Principal Engineer  
Isabel Doupis, Project Engineer  
Jessica Coelho, Project Engineer  
Gilbert Bironi, President, Local 184  
Robert Facey Jr., President, Local 3713  
Cynthia A. Nadolny, Executive Assistant  
Richard Goldstein, Attorney, Pepe & Hazard LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 5:49 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 Reichin and duly seconded, the meeting minutes of May 3, 2010 were approved.***

#### **ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT AGREEMENT-Report 4.**

To: Bureau of Public Works for consideration on June 9, 2010

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 Chief Administrative Officer has certified to all of the foregoing.

It is therefore **RECOMMENDED** that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Sewers by Developers," 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 are incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

<b><u>Sewers In</u></b>	<b><u>Built By</u></b>	<b><u>Date</u></b>
<b>Amolia Farms</b> , Private lands, S/O Pigeon Hill Rd N. to Pigeon Hill & N. on Amolia Farms to cul-de-sac, Windsor	Amolia Farms LLC	5/4/10
<b>Footprint Hill</b> , West Street from Dinosaur State Park W. to Pearl Lane and Pearl Lane and Pear Land to cul-de-sac, Rocky Hill	JBT Development Corp.	3/1/10
<b>Newington Power Center</b> , Private lands W/O Berlin Tpke. between Maselli Rd & Rowley Street, Newington	Newington-Berlin Retail	4/23/10
<b>Newington Ridge</b> , Prospect Street from Berlin Tpk. to Harlow Drive, Monroe Way, Bogart Lane and Chaplin Street, Newington	Toll Land XVIII Limited Part.	4/23/10
<b>Tunxis Heights II</b> , Meadow Brook La. W. across Rt. 187 & 189 to Claire Lane & Beaudry Lane, Bloomfield	Tunxis Height II LLC	3/15/10

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Reichin and duly seconded, the report was received and the resolution recommended to the District Board by unanimous vote.***

**REPORT OF HEARING AND LAYOUT & ASSESSMENT RE: LOWER MOUNTAIN FARMS ROAD AREA, WEST HARTFORD-Report 5.**

To: Bureau of Public Works for consideration on June 9, 2010

The District has received petitions from the property owners of 8 & 9 The Crossways, 30, 42, 45 & 57 Mountain Farms Road, 45 & 55 Old Oak Road, and 3 Cypress Road in West Hartford, requesting public sanitary sewer service. The petitions were received in February 1990. The District did not proceed at this time mainly because of budgetary constraints and other areas demanded more urgent attention because of deteriorating septic conditions, especially in West Hartford. Petitions for public sewer were also received from 62 High Ridge Road and 15 The Crossways in May of 2000.

In June of 2005, Beta Group Inc. was hired to perform a preliminary engineering study and layout of the entire Mountain Farms Area project. The study and report were completed in February of 2006.

On June 9, 2008, a preliminary schedule of assessments was mailed to all property owners involved in the entire proposed sewer layout.

A public hearing was held on Wednesday, June 25, 2008. Of the eighty-two property owners involved in this project, eighteen registered a favorable opinion while twenty-one others registered an opinion against the project at the hearing. Four owners were neither in favor nor opposed to the project. Thirty-nine property owners did not reply.

The property owners who spoke or wrote in favor of the project cited the need for public sanitary sewers due to aging or failing septic systems, and the enhanced ability they would have to expand on existing homes. Also, some of the owners who reside on the eastern-most portion of the Mountain Farms Road Area are experiencing negative effects from the septic tanks and their leaching fields due to the elevation difference. Those who live farther west, and therefore at higher elevations, didn't mention the same problems. The property owners who are in opposition to the project cited the following: high assessment and connection costs, and that the existing septic system works fine.

The West Hartford-Bloomfield Health District has endorsed this project in a June 17, 2008 letter from Robert W. Proctor, Environmental Sanitarian. The Health District favors the



extension of the sanitary sewer system to service this area at the earliest possible date due to the age of most existing septic systems, and that these systems are undersized by today's requirements.

District staff and Commissioner Price, who presided at the public hearing, recommend that this project be approved due to the serious health hazards that exist in this area, and the favorable opinions expressed at the hearings.

During the period of time since the public hearing, District staff has been performing an aggressive and extensive geotechnical investigation of the area to verify the feasibility of the proposed sewer layout. This investigation included soil borings and characterizations, seismic refraction testing, and rock coring to characterize the geology of the subsurface. Some of this work was within private property, and therefore required signed permission providing the MDC and its contractors to enter property for investigational purposes. Investigations also took into account the presence of several subsurface features such as swimming pools that exist in the area. All of this work was imperative to determine the optimal sewer main layout and trench depth that would be both feasible and efficient for the MDC to build, as well as for the homeowner's to connect.

District staff has also had to evaluate the wetlands within the area. GEI, the firm that performed the geotechnical investigations, mapped the wetlands and assisted in handling the beginning of the permitting process. The District and GEI deliberated between the Town and the Conservation and Environmental Commission regarding excavation issues through wetlands that are on private property.

On January 25, 2009, District staff and GEI presented the Conservation and Environmental Commission with two options for a new sewer layout. One option was based on the original design by Beta Inc. This option was presented at the public hearing and included work within wetlands and a watercourse. The other option had minimal wetland disruption. District staff also presented a cost-benefit analysis for the District and homeowners. The Commission was unable to provide a recommendation at the time, and another meeting must be scheduled for further discussion.

The entire Mountains Farms Road sewer project area would take in excess of one year to complete, due especially to the presence of extensive rock in certain locations. It is prudent to do this project in stages. The area can easily be separated into two distinct sewage areas: Lower Mountain Farms and Upper Mountain Farms. The Lower portion involves the initial connection to an existing sanitary sewer system on Flagg Road, and though requiring encroachment on private property, would not involve any wetlands issues. It would include Mountain Farms Road, Old Oak Road East, #54 and #55 Old Oak Road, #545 - #605 Mountain Road, and Flagg Road. In all, 31 properties would be included within the Lower project.

District staff therefore recommends separating the Mountain Farms Road Area project into two sections, "Upper" and "Lower", beginning with the Lower portion. District staff further recommends moving forward with the proposal to the Board for approval of the Lower portion of Mountain Farms Road Area first. The design of this Lower portion has not changed

from the original layout that was proposed at the public hearing. Anticipated design completion date of the Lower portion is Summer 2011.

After the District staff's research and investigation, the Upper portion layout will differ from the originally proposed layout and therefore will require an additional public hearing. Construction of the Upper portion would commence upon completion of the Lower portion, and would require Board action at such time the design is completed.

The estimated cost and benefit summary for the Lower portion of this project is as follows:

**ESTIMATED CONSTRUCTION COST:**

4,790 feet of 8-inch sanitary sewer @ \$470.00/ft.	\$ 2,251,300	
Contingencies (10%)	<u>\$ 225,130</u>	
Total Estimated Construction Cost		\$ 2,476,430

**ESTIMATED OTHER COST:**

Damage Awards	\$ 11,200	
Legal, advertising	\$ 1,500	
Blueprints, maps, charts	\$ 500	
Soil borings, investigations, tests	<u>\$ 150,000</u>	
Total Estimated Other Costs		<u>\$ 163,200</u>

**TOTAL ESTIMATED PROJECT COST: \$ 2,639,630**

The source of funding summary is as follows:

Estimated Direct Assessments to be Accrued to the Assessable Sewer Fund	\$ 369,092
Deficit to be charged to the Assessable Sewer Fund	<u>\$ 2,270,538</u>

**TOTAL ESTIMATED PROJECT COST: \$ 2,639,630**

The deficit on this project is mainly due to the higher costs taken into account the geology and topography of the area, relative to the stable, flat assessment rate. The estimated construction cost is based on average unit prices from recent bids of similar projects. Sufficient funding in the Assessable Sewer Fund has been identified.

After consideration of the above and any other comments by the Commissioners present at the public hearings, it is RECOMMENDED that it be

**VOTED:** That a layout and schedule of assessments and damage awards for construction of sanitary sewers in the Lower portion of the Mountain Farms Road Area, West Hartford, be published using the schedule of flat rates adopted and effective June 21, 1995, at \$53.40 per front foot or adjusted front foot; \$1,275.00 per inlet or lateral; and, in addition, for property used or zoned for single residential dwelling units at \$1,655.00 per dwelling unit allowed by zoning on a buildable lot, with notice to any property owner aggrieved by these proceedings that he or she may appeal from the actions of the Metropolitan District and its Bureau of Public Works to the Superior Court.

**FURTHER**

**VOTED:** That the Controller be requested to make tentative allocations for this project pending passage of the layout by the District Board, and pending determination of actual costs, including damages, in accordance with the following schedule, which schedule is based on the Engineer's estimated cost and on the estimated assessment, as follows:

Direct Assessment to be Accrued to the Assessable Sewer Fund	\$ 369,092
Deficit to be charged to the Assessable Sewer Fund	\$ <u>2,270,538</u>
Total Estimated Project Cost:	\$ <b>2,639,630</b>

**FURTHER**

**VOTED:** To transmit to the District Board a resolution to lay out, acquire rights of way, and other rights for, and authorize construction of public sanitary sewers in the Lower portion of the Mountain Farms Road Area, West Hartford, as set forth in the layout and schedule of assessments and damage awards by the Bureau of Public Works, and payment for the same is authorized from the Assessable Sewer fund.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Lupo and duly seconded, the report was received and the resolution recommended to the District Board by unanimous vote.***

**ADJOURNMENT**

The meeting was adjourned at 5:21 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Kristine C. Shaw", is written over the printed name.

Kristine C. Shaw  
District Clerk

July 13, 2010

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

**Special Meeting**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**  
555 Main Street, Hartford  
Tuesday, July 13, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Allen Hoffman, Joseph H. Kronen, Michael Lupo, Maureen Magnan, Alphonse Marotta, Alvin E. Taylor, Richard W. Vicino and District Chairman William DiBella (10)

**Absent:** Commissioners Jamal R. Gatling, Donna Hemmann, William Horan, Joseph Klett, J. Lawrence Price, Albert F. Reichin, Hector M. Rivera and Raymond Sweezy (8)

**Also**

**Present:** Charles P. Sheehan, Chief Executive Officer  
Scott W. Jellison, Chief Operating Officer  
Kristine C. Shaw, District Clerk  
Frank Dellaripa, Manager of Construction  
Jennifer Ottalagana, Manager of Development Services  
Lebert Thomas, Manager of Engineering and Planning  
Kerry E. Martin, Assistant to the CEO  
Cynthia A. Nadolny, Executive Assistant  
Richard Goldstein, Attorney, McElroy, Deutsch, Mulvaney & Carpenter/PH, LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 5:04 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 Cloud and duly seconded,  
the meeting minutes of June 9, 2010 were approved.***

***Commissioner Lupo abstained.***

**CLIFFMORE ROAD, WEST HARTFORD – FINAL ASSESSMENT – Report 4.**

To: Bureau of Public Works for consideration on July 13, 2010

Construction of sanitary sewers and appurtenances in Cliffmore Road from #29 to #50 and #98 to #66, part of Berwyn Road and Private Lands on Gallaudet Drive, West Hartford, have been completed and house connections authorized. In accordance with Bureau of Public Works policy, the assessments will be billed on July 15, 2010.

It is therefore RECOMMENDED that it be

**Voted:** That the assessments for the construction of sanitary sewers and appurtenances in Cliffmore Road from #29 to #50 and #98 to #66, part of Berwyn Road and Private Lands on Gallaudet Drive, West Hartford, are declared due and payable to the Assessable Sewer Fund; to direct the District Clerk to publish same on a date to be fixed in a conference with the Treasurer; and to Direct the District Clerk to file liens to secure any and all assessments or parts thereof which remain unpaid within the time limit set by law.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

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

#### **CEDAR STREET SEWER AND SEPARATION PROJECT, HARTFORD, DAMAGE AWARDS FOR RIGHTS-OF WAY- Report 5.**

To: Bureau of Public Works for consideration on July 13, 2010

The sewers in portions of Cedar Street, Hartford, and adjoining private lands have been in a state of disrepair, and staff has made the decision to replace them. The existing lines are 18-inch PVC within private lands and 24-inch tile sewers in Cedar Street. The 24-inch sewer is of elliptical shape and is not easily relined. Staff has not been able to establish any formal easement documents for the sewers on private lands.

The proposed work to be done includes: replacing the existing 18-inch PVC pipe with a separate 18-inch pipe for storm and an 8-inch pipe for sanitary sewers and replacing the existing 24-inch combined tile sewer with a separate 24-inch storm pipe and an 8-inch PVC sanitary sewer pipe. About 2,000 feet of 8-inch water main within Cedar Street is also proposed to be replaced.

It is the opinion of staff that in order to execute the work, the appropriate easements should be acquired. Consistent with the District Charter, a public hearing was held

on November 19, 2008 for the acquisition of the easements. None of the affected property owners attended the meeting, and to date, there have been no remonstrances regarding the taking of the easement.

The total estimated costs are as follows: \$1,760,695.00 for the sanitary and storm sewers including damages, and \$578,875.00 for the water main replacement. Funding has already been encumbered for these costs.

After consideration of the above and any comments by the Commissioner present at the Public Hearing, it is RECOMMENDED that it be

**VOTED:** That a layout for the acquisition of easements and schedule of damage awards for the construction of sanitary and storm sewers and appurtenances in private lands, between portions of Cedar Street and Wadsworth Street, Hartford, as shown, be published, with notice to any property owner aggrieved by the actions of the Metropolitan District and its Bureau of Public Works to the Superior Court,

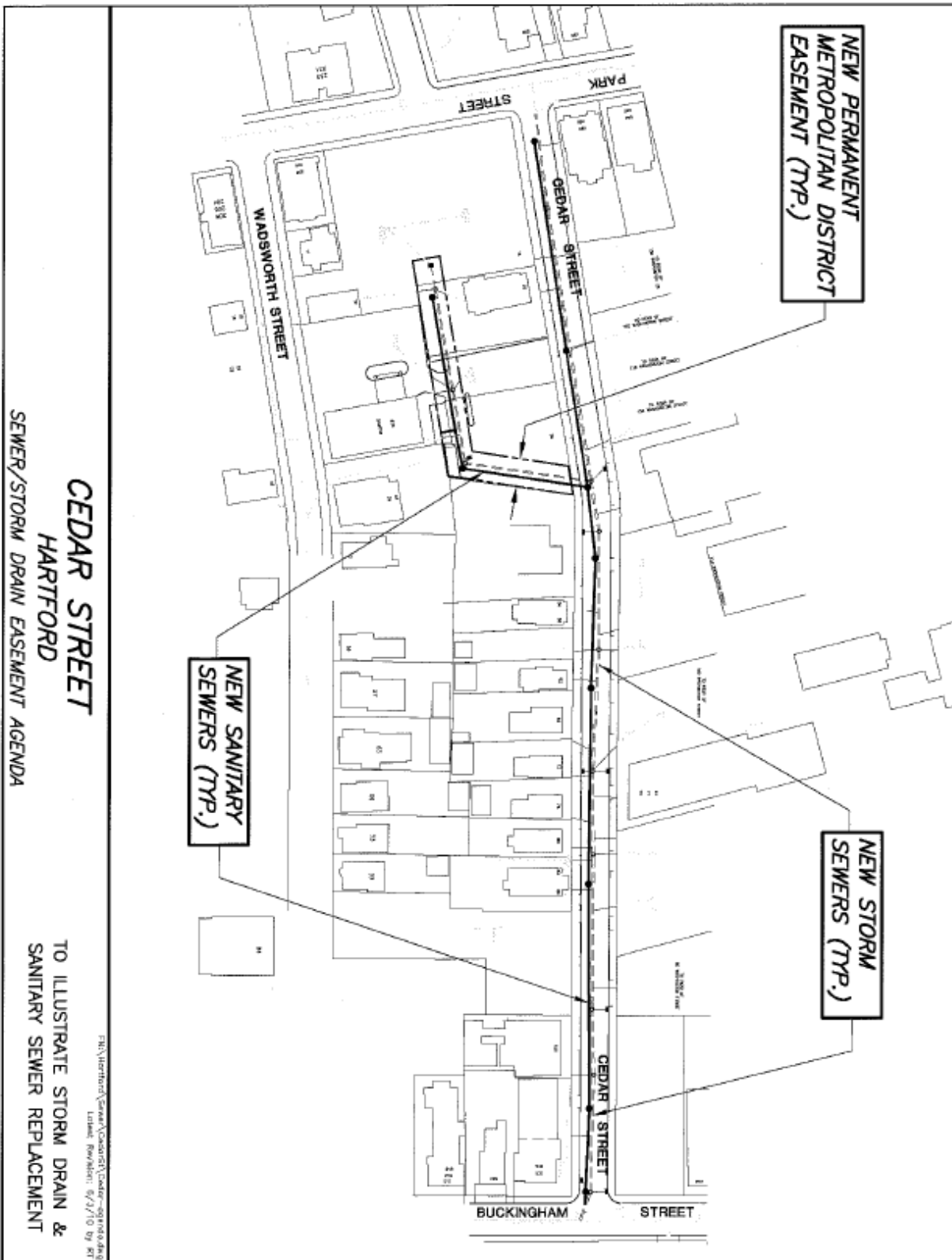
**AND**

**VOTED:** To transmit to the District Board a resolution to acquire rights of way (easement), and other rights, for the construction and subsequent operation, maintenance and repair, of sanitary and storm sewers as set forth in the layout and damage awards by the Bureau of Public Works.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Lupo and duly seconded,  
the report was received and the resolution recommended to  
the District Board by unanimous vote.***






**ADJOURNMENT**

The meeting was adjourned at 5:08 P.M.

ATTEST:

  
Kristine C. Shaw  
District Clerk

September 8, 2010

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

**Hearing**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**

555 Main Street, Hartford  
Thursday, July 15, 2010

**Present:** Commissioner Albert F. Reichin  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Jennifer M. Ottalagana, Manager of Development Services  
Bill Krukowski, Project Engineer 1  
Cheryl A. Eubanks, Assessment Technician I  
Cynthia A. Nadolny, Executive Assistant

**PUBLIC HEARING ON LAYOUT AND ASSESSMENT FOR SANITARY SEWERS IN**  
**PORTIONS OF 1037 WINDSOR AVENUE, WINDSOR**

Commissioner Reichin, acting as Hearing Officer, called the public hearing to order at 5:31 P.M.

Commissioner Reichin read the following general statement concerning the public hearing:

This is a public hearing to consider the proposal to construct sanitary sewers in portions of 1037 WINDSOR AVENUE, WINDSOR. This Public Hearing is part of the legal procedure that The Metropolitan District is required to follow regarding the installation of sewers, as mandated by Special Act 511 of the Connecticut General Assembly of 1929."

"The plan for this project has been undertaken in response to a petition for sanitary sewers received from one property owner."

"A final decision on this project has yet to be made. That decision will take into account what is said at this hearing, along with other information, including any information that the Town provides regarding the need for this project from the standpoint of public health."

Commissioner Reichin asked the staff to introduce themselves and then explained the guidelines to be adhered to during the hearing.

- a. All questions and statements should be directed to the Chair. The Chair will direct questions to the appropriate staff member for reply, as follows:

Engineering: provides support for all questions dealing with technical aspects of the project.

Real Estate: answers questions related to assessment and damage award computations.

Clerk: answers questions related to the District's policies, procedures and legal matters.

- b. Only one person will be allowed to speak at any given time.
- c. Property owners, when speaking, are requested to state for the record their names and the address of their property.
- d. Property owners are requested to speak directly into the microphone, due to the fact that these proceedings are being recorded.
- e. All property owners are requested to register an opinion with the Clerk, either in favor of or opposed to the proposed project, prior to leaving the hearing.

Commissioner Reichin explained that the hearing will consist of the following:

- f. A technical overview of the project by Metropolitan District staff.
- g. An opportunity for property owners to ask technical questions concerning the project.
- h. An opportunity for those property owners favoring the project to ask questions and express their points of view.
- i. An opportunity for those property owners opposed to the project to ask questions and express their points of view.

Commissioner Reichin asked Ms. Ottalagana to discuss the proposed project.

Ms. Ottalagana presented an overview of the proposed project, explaining that the project had been the result of a petition received by one property owner. She said the area was not canvassed due to the small number of home affected and an option was created to serve only the petitioner if the other two home owners were not in favor.

She commented for the record that the District received a letter of support for this project by Mr. Charles Petrillo, Director of Health for the Windsor Health Department. She noted that in the letter, Mr. Petrillo states that the Health Department supports the extension of

sanitary sewer service to the area due to poor soil characteristics as well as poor percolation rates. He concluded that the placement of septic systems is in an area of special concern and extending sanitary service to this area would cause these limitations to no longer be an issue.

Ms. Ottalagana explained the estimated costs for the project:

Damage Awards:	\$100,000 per acre
Estimated Project Costs:	Option A: \$198,000.00 Option B: \$100,000.00
Estimated Assessment:	Option A: \$26,900.00 Option B: \$8,350.00
Estimated Deficit:	Option A: \$171,100.00 Option B: \$91,650.00

Ms. Ottalagana explained that if the project passes, the construction will start in Spring 2011 and end in Fall 2011.

Commissioner Reichin opened the hearing to comments, questions and opinions from the public.

The following property owners spoke in favor of Option B of the proposed project:

<b><u>Name</u></b>	<b><u>Address</u></b>
Kristin Triff	1021 Windsor Avenue
Ruth Urso (Petitioner)	1037 Windsor Avenue

Ms. Triff had both financial and constructional concerns with Option A and was opposed to it.

The following property owner spoke as “ambivalent” to Option A and Option B:

<b><u>Name</u></b>	<b><u>Address</u></b>
William Herzfeld	1031 Windsor Avenue

Mr. Herzfeld said he had reservations regarding Option A since it could impact the majestic trees on his property.

At the conclusion of the public hearing, Commissioner Reichin announced the statements made by property owners this evening would be considered when the staff prepares their recommendation for the Bureau of Public Works.

**ADJOURNMENT**

The public hearing was adjourned at 5:50 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Kristine C. Shaw", is written over the printed name.

Kristine C. Shaw  
District Clerk

September 8, 2010

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

**Hearing**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**

555 Main Street, Hartford  
Thursday, July 15, 2010

**Present:** Commissioner Albert F. Reichin  
Christopher R. Stone, Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Jennifer M. Ottalagana, Manager of Development Services  
Bill Krukowski, Project Engineer 1  
Cheryl A. Eubanks, Assessment Technician I  
Cynthia A. Nadolny, Executive Assistant

**PUBLIC HEARING ON LAYOUT AND ASSESSMENT FOR SANITARY SEWERS IN  
PORTIONS OF WINDSOR AVENUE, ORCHARD ROAD AND PRIVATE LANDS, WINDSOR**

Commissioner Reichin, acting as Hearing Officer, called the public hearing to order at 5:51 P.M.

Commissioner Reichin said that if there was no objection, that he would forgo the reading of the general statement since all property owners present for the 1200 Windsor Avenue project were in attendance at the preceding hearing and heard the statement read for the record.

Commissioner Reichin asked Ms. Ottalagana to discuss the proposed project.

Ms. Ottalagana presented an overview of the proposed project, explaining that the project had been the result of a petition received by one property owner. She noted that after the petition was received the District conducted a canvass of the area to determine further feasibility of the project. She read for the record the following results of that canvass:

In Favor:	3 property owners
Opposed:	1 property owners
Neither Opposed nor in Favor:	0 property owners
No reply:	2 property owners
Total:	6 property owners

She commented for the record that the District received a letter of support for this project by Mr. Charles C. Wall, Sanitarian for the Windsor Health Department dated August 21, 2009 and July 15, 2010. She noted that in both letters, Mr. Wall states that the Health Department supports the extension of sanitary sewer service to the area due to very limited soils for septic system leaching fields. He concluded that several homes have already had to

repair or replace their leaching systems and extending sanitary service to this area would provide a permanent solution for any future problems.

Ms. Ottalagana explained the estimated costs for the project:

Damage Awards:	\$100,000 per acre
Estimated Project Costs:	\$275,000.00
Estimated Assessment:	\$61,650.00
Estimated Deficit:	\$213,350.00

Ms. Ottalagana discussed, in detail, the proposed project. She explained that re-grading of backyards in easement area will occur for construction and maintenance to be completed safely.

Ms. Ottalagana explained that if the project passes, the construction will start in Spring 2011 and end in Fall 2011, and then explained the history of how the project started.

She stated "We were petitioned by the property owners of 1200 Windsor Avenue, Windsor, and this is a restart of the hearing held on August 26, 2009 in an effort to impact the least amount of residents who were opposed to the project."

Commissioner Reichin opened the hearing to comments, questions and opinions from the public.

The following property owners spoke in favor of the proposed project:

<b><u>Name</u></b>	<b><u>Address</u></b>
Robert Monk (Petitioner)	1200 Windsor Avenue
Aubrey K. Loomis	27 Orchard Road
Ellen Peck	23 Orchard Road

The following property owner spoke in opposition of the project:


<b><u>Name</u></b>	<b><u>Address</u></b>
David Newell	21 Orchard Road
Jeffery Morrow	17 Orchard Road
Todd Habersang	1186 Windsor Avenue

At the conclusion of the public hearing, Commissioner Reichin announced that Staff will report back to the Bureau of Public Works at their next meeting, and statements made by property owners at this hearing would be considered when the staff prepares their recommendation.

**ADJOURNMENT**

The public hearing was adjourned at 6:10 P.M.

ATTEST:

  
Kristine C. Shaw  
District Clerk

September 8, 2010

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



**Special Meeting**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**  
555 Main Street, Hartford  
Wednesday, September 8, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Allen Hoffman, Joseph H. Kronen, Alphonse Marotta, J. Lawrence Price, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor, Richard W. Vicino and District Chairman William DiBella (11)

**Absent:** Commissioners Jamal R. Gatling, Donna Hemmann, William Horan, Joseph Klett, Michael Lupo, Maureen Magnan and Albert F. Reichin (7)

**Also**

**Present:** Charles P. Sheehan, Chief Executive Officer  
Robert E. Moore, Chief Administrative Officer  
John M. Zinzarella, Chief Financial Officer  
Kristine C. Shaw, District Clerk  
Frank Dellaripa, Manager of Construction Services  
Jennifer Ottalagana, Manager of Development Services  
Linda R. Foster, Executive Assistant

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 5:06 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 Marotta and duly seconded, the meeting minutes of July 13, 2010 and public hearing minutes of July 15, 2010 were approved.***

**ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT AGREEMENT – Report 4.**

To: Bureau of Public Works for consideration on September 8, 2010

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 Chief Administrative Officer has certified to all of the foregoing.

It is therefore **RECOMMENDED** that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Sewers by Developers," 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 are 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>Date</u>
<b>285, 274, &amp; 270 Long Hill Road, Long Hill Road From #291 South to 268 Long Hill Road, East Hartford</b>	Guy Rocamora	7/27/10

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Armstrong and duly seconded, the report was received and the resolution recommended to the District Board by unanimous vote.***

#### **FINAL ASSESSMENT- 408 BLOOMFIELD AVENUE, WEST HARTFORD – Report 5**

To: Bureau of Public Works for consideration on September 8, 2010

Construction of sanitary sewers and appurtenances in portions of Bloomfield Avenue, West Hartford, has been satisfactorily completed and house connections authorized. In accordance with Bureau of Public Works policy, the assessments will be billed on September 15, 2010.

It is therefore **RECOMMENDED** that it be

**Voted:** That the assessments for the construction of sanitary sewers and appurtenances in portions of Bloomfield Avenue, West Hartford, are declared due and payable to the Assessable Sewer Fund; to direct the District Clerk to publish same on a date to be fixed in a conference with the Treasurer; and to Direct the District Clerk to

file liens to secure any and all assessments or parts thereof which remain unpaid within the time limit set by law.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

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

**ABANDONMENT OF SANITARY SEWERS AND RELEASE OF RIGHTS-OF-WAY- NEW MEADOW ELDERLY HOUSING, NEWINGTON – Report 6a**

To: Bureau of Public Works for consideration on September 8, 2010

On June 23, 2010, the District received a letter from Mr. Mark W. Fisher of TO Design, LLC., on behalf of New Samaritan Corporation, requesting that the Metropolitan District abandon a portion of existing sanitary sewers in private lands north of Mill Street Extension and east of Welles Drive North, Newington, and to release a portion of the existing sanitary sewer easements within the property owned by The Town of Newington, known as parcel H0047220 and parcel H0047250, as shown on the accompanying map. The purpose of this request is to allow construction of a new Assisted Living residential building and supporting infrastructure.

The Metropolitan District, The Town of Newington and New Samaritan Corporation agreed that the abandonment and creation of the sewer easements should be effected concurrently to reduce any potential confusion in the action. The existing sanitary sewer easements were acquired by The Metropolitan District through a Developer Permit-Agreement project in 1986.

From an engineering standpoint, the abandonment of the existing portions of sanitary sewer and release of portions of the rights-of-way will not have a negative impact on the wastewater collection system, and no hardship or detriment would be imposed on others. New sanitary sewers will be constructed, with accompanying easements granted in favor of the Metropolitan District, under a new Developer's Permit-Agreement with New Samaritan Corporation.

It is therefore 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 the abandonment of a portion of the existing sanitary sewers and release of a portion of the existing sanitary sewer easements on property owned by the Town of Newington, as shown on the accompanying map and as recorded in the Town of Newington land records: Volume 583 Pages 116 & 118. The easement release shall be subject to approval by District Counsel as to form and content.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Armstrong and duly seconded, reports for both item 6a and item 6b were received and resolutions recommended to District Board by unanimous vote of those present.***



Site Design  
Landscape  
Architecture  
Civil  
Engineering

June 22, 2010

Jennifer Ottalagana, P.E., Principal Engineer  
Engineering and Planning  
555 Main Street  
P.O. Box 800  
Hartford, CT 06142-0800

Re: New Meadow Housing  
Mill Street Extension  
Newington, CT



Ms. Ottalagana:

We are requesting abandonment of the sanitary sewer easement at the New Meadow Housing Project on Mill Street Extension in Newington, CT. We have proposed a new sanitary and water main easements.

For your review, we are submitting two signed and sealed 24" x 36" copies of:  
Easement Map – Sanitary Sewer Easement Re-Alignment across land of Town of Newington and Newington Housing Authority  
Easement Map – Proposed Water Main Easement Across Land of Newington Housing Authority

We are also submitting:

Agenda Map  
Schedule A – Sewer Easement (Proposed)  
Schedule A – Water Easement (Proposed)  
Photocopies of the original Easements –  
Vol. 126, P. 69-70  
Vol. 583, P. 116-117  
Vol. 583, P. 118-120

8.5" x 11" Map showing proposed Sanitary Sewer ROW dated 3/17/86  
8.5" x 11" Easement Map – Sanitary Sewer Easement Re-Alignment across land of Town of Newington and Newington Housing Authority  
8.5" x 11" Easement Map – Proposed Water Main Easement across Land of Newington Housing Authority

We urgently request that we be added to the June agenda, if possible. Any assistance you can provide is greatly appreciated. Please let us know if you require any additional information.

sophisticated  
site design

Old Post Office Plaza  
114 West Main Street  
Suite 201  
New Britain, CT  
06051  
P: 860-612-1700  
F: 860-612-1757  
todesignllc.com

Sincerely,

Mark W. Fisher  
Senior Project Manager



John Salomone  
Town Manager

## TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

### OFFICE OF THE TOWN MANAGER

July 06, 2010

Jennifer Ottalanga, P.E., Principal Engineer  
Engineering and Planning  
555 Main Street  
P.O. Box 800  
Hartford, CT 06142-0800

**Re: New Meadow Housing  
Mill Street Extension  
Newington, CT**

Dear Ms. Ottalanga:

The Town of Newington is requesting an abandonment of the sanitary sewer easement at the New Meadow Housing Project on Mill Street Extension in Newington, CT. We have proposed new sanitary and water main easements.

On June 22, 2010 TO Design, project engineer submitted two signed and sealed 24" x 36" copies of:


- Easement Map – Sanitary Sewer Easement Re-Alignment across land of Town of Newington and Newington Housing Authority
- Easement Map – Proposed Water Main Easement Across Land of Newington Housing Authority

Also submitted by TO Design were:

- Agenda Map
- Schedule A – Sewer Easement (Proposed)
- Schedule A – Water Easement (Proposed)
- Photocopies of the original Easements –
  - Vol. 126, P. 69-70
  - Vol. 583, P. 116-117
  - Vol. 583, P. 118-1200
- 8.5" x 11" Map showing proposed Sanitary Sewer ROW dated 3/17/86
- 8.5" x 11" Easement Map – Sanitary Sewer Easement Re-Alignment across land of Town of Newington and Newington Housing Authority.
- 8.5" x 11" Easement Map – Proposed Water Main Easement across Land of Newington Housing Authority.

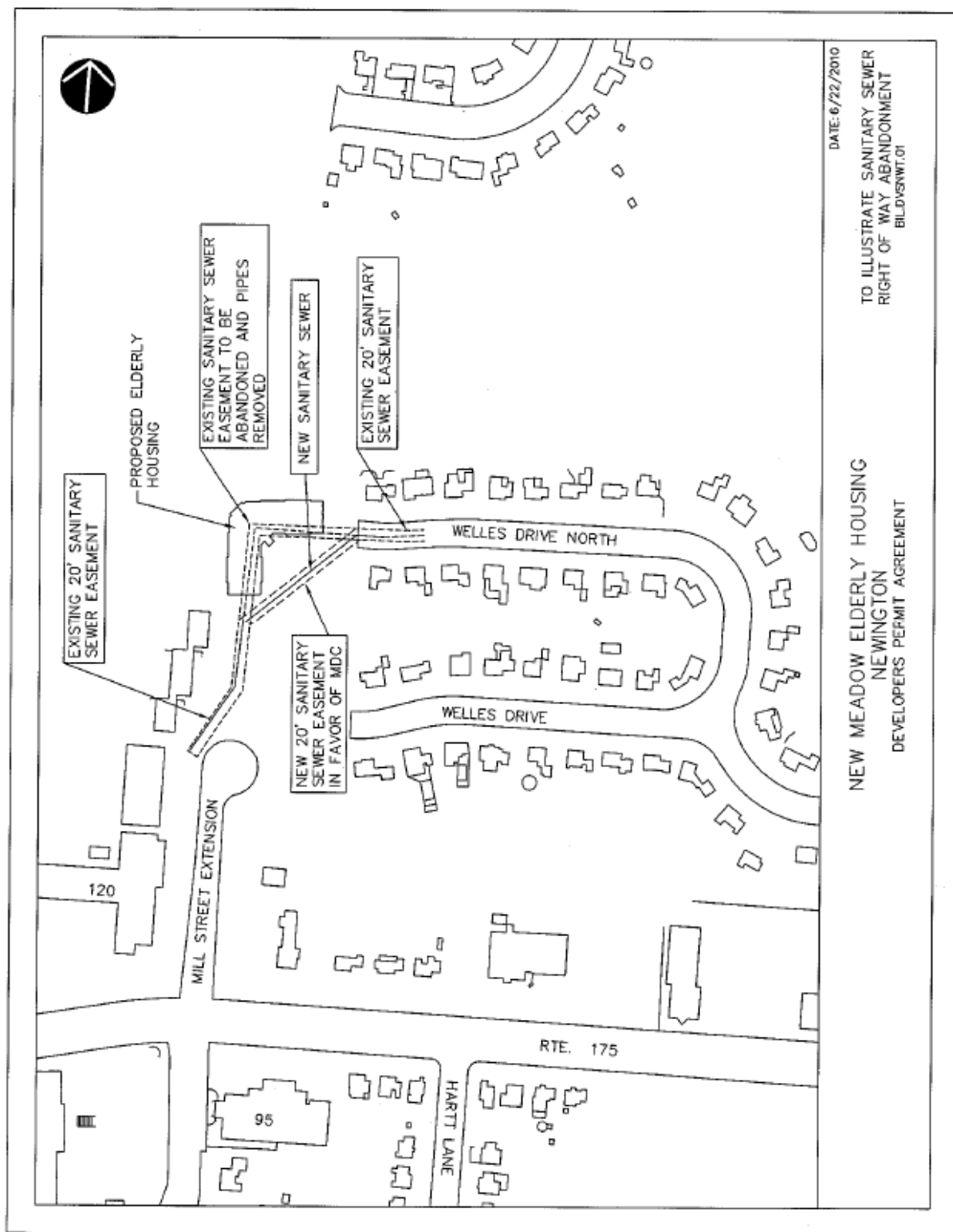
We request that we be added to the July agenda, if possible. Any assistance you can provide is greatly appreciated. These easements have been scheduled for the Newington Town Council's July 13, 2010 meeting for action.

Sincerely,

  
John L. Salomone  
Town Manager

Phone: (860) 665-8510 Fax: (860) 665-8507  
townmanager@newingtonct.gov  
www.newingtonct.gov





**ABANDONMENT OF SANITARY SEWERS & RELEASE OF RIGHTS-OF-WAY NELTON COURT, HARTFORD – Report 6b**

To: Bureau of Public Works for consideration on September 8, 2010

On June 1, 2010, the District received a letter from Mark W. Fisher of TO Design, LLC., on behalf of the Hartford Housing Authority, requesting that the Metropolitan District abandon a portion of existing 10-inch sanitary sewers in private lands formerly known as Hillyer Street, south of Westland Street and north of Nelson Street, Hartford, and to release the existing utility rights-of-way within the property owned by The Hartford Housing Authority, as shown on the accompanying map. The purpose of this request is to allow for construction of a new Nelton Court Housing Development and supporting infrastructure.

The existing utility right-of-way was created when the former Hillyer Street was abandoned in 1940 by the City of Hartford and the former street retained rights-of-way over Lot 9 and 10, as stated in Volume 741, Pages 245 and 246, of the City of Hartford land records.

From an engineering standpoint, the abandonment of the existing portions of sanitary sewer and release of portions of the rights-of-way will not have a negative impact on the wastewater collection system, and no hardship or detriment would be imposed on others. New sanitary sewers will be constructed, with accompanying easements granted in favor of the Metropolitan District, under a new Developer's Permit-Agreement with the Hartford Housing Authority.

It is therefore 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 the abandonment of a portion of the existing sanitary sewers and release of the existing utility easements on property owned by The Hartford Housing Authority, as shown on the accompanying map and as recorded in the City of Hartford land records: Volume 741 Pages 245 & 246. The easement release shall be subject to approval by District Counsel as to form and content.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer





Site Design  
Landscape  
Architecture  
Civil  
Engineering

27 May 2010

Jennifer Ottalagana, P.E.  
Manager of Development Services  
Engineering and Planning  
555 Main Street  
P.O. Box 800  
Hartford, CT 06142-0800

**RE: Nelton Court – Abandonment of Utility Easement**

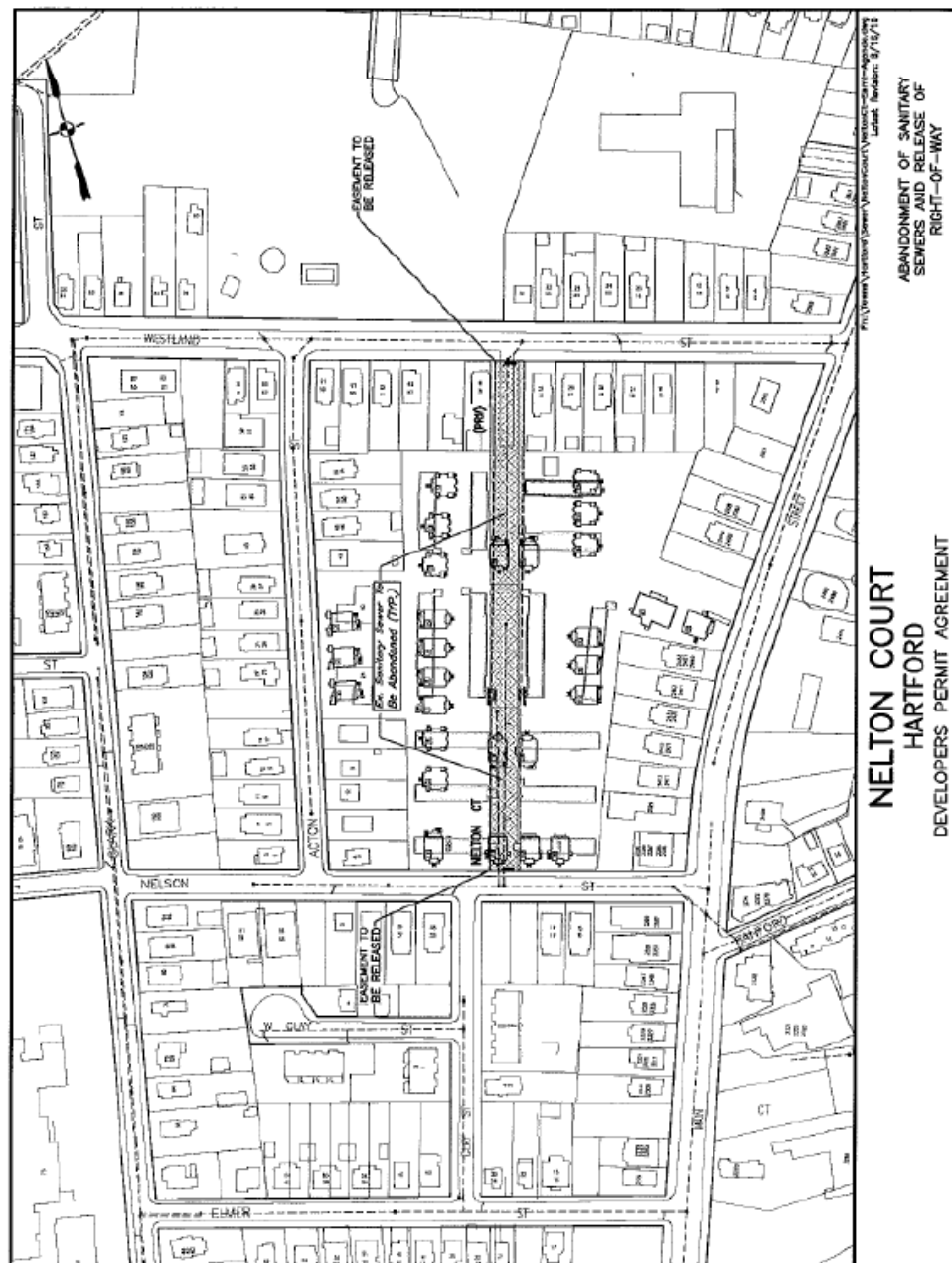
Ms. Ottalagana,

We are requesting abandonment of the utility easement, formerly known as Hillyer Street, within the Nelton Court Housing Development.

The site is being razed and redeveloped by the Hartford Housing Authority. The new development will conflict with the current easement. The existing utilities will be relocated and/or replaced. Upon completion of the final site design, a new map with proposed easements will be submitted for review and approval.

The surveyor indicated that there is no original easement document on file. The original easement was Hillyer Street before it was abandoned. It is my understanding that utility companies would have automatically had easement rights because it was a public street. Hillyer Street was abandoned in 1940. The former street retained rights for existing utilities.


For your review, we are submitting two copies of the map of the easement to be abandoned, the meets and bounds (in text form), documents referencing the right of way, documents referencing the discontinuance of Hillyer Street and a check for \$125 made payable to The Metropolitan District.



### ADJOURNMENT

The meeting was adjourned at 5:10 P.M.

ATTEST:

  
Kristine C. Shaw  
District Clerk

October 19, 2010

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Date of Approval

**Special Meeting**  
**BUREAU OF PUBLIC WORKS**  
**The Metropolitan District**  
555 Main Street, Hartford  
Tuesday, October 19, 2010

**Present:** Commissioners Ronald Armstrong, Adam M. Cloud, Donna Hemmann, Allen Hoffman, Joseph H. Kronen, Michael Lupo, Alphonse Marotta, Maureen Magnan, J. Lawrence Price, Hector M. Rivera, Raymond Sweezy, Alvin E. Taylor, Richard W. Vicino and District Chairman William DiBella (14)

**Absent:** Commissioners Jamal R. Gatling, William Horan, Joseph Klett, and Albert F. Reichin (4)

**Also**

**Present:** Commissioner Joseph Verrengia  
Charles P. Sheehan, Chief Executive Officer  
Robert E. Moore, Chief Administrative Officer  
Scott W. Jellison, Chief Operating Officer  
Brendan M. Fox, Jr. Assistant District Counsel  
Kristine C. Shaw, District Clerk  
Jennifer Ottalagana, Manager of Development Services  
Kerry E. Martin, Assistant to the Chief Executive Officer  
Cynthia A. Nadolny, Executive Assistant  
Richard H. Goldstein, Attorney, McElroy, Deutsch, Mulvaney & Carpenter/PH, LLP

**CALL TO ORDER**

Chairman Vicino called the meeting to order at 6:10 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 Armstrong and duly seconded, the meeting minutes of September 8, 2010 were approved.***

**ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT AGREEMENT – Report 4.**

To: Bureau of Public Works for consideration on October 19, 2010

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 Chief Administrative Officer has certified to all of the foregoing.

It is therefore **RECOMMENDED** that, pursuant to Section S8g of the Sewer Ordinances re: "Acceptance of Sewers by Developers," 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 are incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

<b><u>Sewers In</u></b>	<b><u>Built By</u></b>	<b><u>Date</u></b>
Benjamin Commons	Sasportas Realty Co.	9/29/10
Blue Hills Avenue	Liberty Business Park, LLC	10/07/10

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Armstrong and duly seconded the report was received and the resolution recommended to the District Board by unanimous vote.***

**REPORT OF HEARING AND LAYOUT & ASSESSMENT, 1037 WINDSOR AVENUE, WINDSOR – Report 5a.**

To: Bureau of Public Works for consideration on October 19, 2010

The District received a petition from the property owner of 1037 Windsor Avenue, Windsor, on January 5, 2010, requesting public sanitary sewer service.

On June 29, 2010, a preliminary schedule of assessments for the above captioned project was mailed to all property owners who would be involved in a proposed sewer layout serving a portion of Windsor Avenue. A public hearing was held on Thursday, July 15, 2010, chaired by Commissioner Reichin.

There were three (3) property owners involved in this project at the canvass stage. Due to two opposed informal canvass responses, two different layout options were presented at the hearing; Option "A" with new sewers extended to serve 1021, 1031 and 1037 Windsor Avenue, and Option "B" with sewers extended to serve only 1037 Windsor Avenue.

The current overall opinions regarding the need and desirability of public sanitary sewers, including those received at the public hearing, are as follows: two (2) in favor of Option "B", one (1) opposed to Option "A", and one (1) neither in favor or opposed to Option "A" and Option "B".

Charles Petrillo, Director of Health from the Windsor Health Department, in a July 9, 2010 letter stated that the Health Department supports the petition for the extension of sanitary sewers to 1037 Windsor Avenue due to poor soil characteristics as well as poor percolation rates. Due to these and other factors, the placement of septic systems for these homes is in "areas of special concern". Extending sanitary service to this area would cause these limitations to no longer be an issue.

District staff and the Commissioner present at the public hearing recommend that Option "B" for this project be approved due to the fact that this property does not have a suitable area for septic system repairs, and the other two property owners are opposed to the sewer installation.

The estimated cost and benefit summary for this project is as follows:

**ESTIMATED CONSTRUCTION COST:**

80 feet of 8-inch sanitary sewer	\$ 87,900.00	
Contingencies (~10%)	<u>\$ 8,800.00</u>	
Total Estimated Construction Cost	\$ 96,700.00	\$ 96,700.00

**ESTIMATED OTHER COST:**

Legal advertising	\$ 10,000.00	
Blueprints, maps, charts	\$ 500.00	
Soil borings, investigations, tests	<u>\$ 5,000.00</u>	
Total Estimated Other Costs	\$ 15,500.00	<u>\$ 15,500.00</u>

**TOTAL ESTIMATED PROJECT COST: \$112,200.00**

The source of funding summary is as follows:

Estimated Direct Assessments to be Accrued to the Assessable Sewer Fund	\$ 8,366.12
Deficit to be charged to the Assessable Sewer Fund	<u>\$103,833.88</u>

**TOTAL ESTIMATED CONSTRUCTION COST:****\$112,200.00**

The deficit on this project is high due to the fact that only one property on Windsor Avenue is being assessed. Construction costs are high because Windsor Avenue is a state highway with a concrete road base.

After consideration of the above and any other comments by the Commissioner present at the public hearing, it is RECOMMENDED that it be

VOTED: That a layout and schedule of assessments for construction of sanitary sewers in a portion of Windsor Avenue, Windsor, be published using the schedule of flat rates adopted and effective June 21, 1995, at \$53.40 per front foot or adjusted front foot; \$1,275.00 per inlet or lateral; and, in addition, for property used or zoned for single residential dwelling units at \$1,655.00 per dwelling unit allowed by zoning on a buildable lot, with notice to any property owner aggrieved by these proceedings that he or she may appeal from the actions of the Metropolitan District and its Bureau of Public Works to the Superior Court.

AND

VOTED: That the Controller be requested to make tentative allocations for this project pending passage of the layout by the District Board, and pending determination of actual costs, in accordance with the following schedule, which schedule is based on the Engineer's estimated cost and on the estimated assessment, as follows:

Direct Assessment to be Accrued to the Assessable Sewer Fund	\$ 8,366.12
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Deficit to be charged to the Assessable Sewer Fund	<u>\$103,833.88</u>
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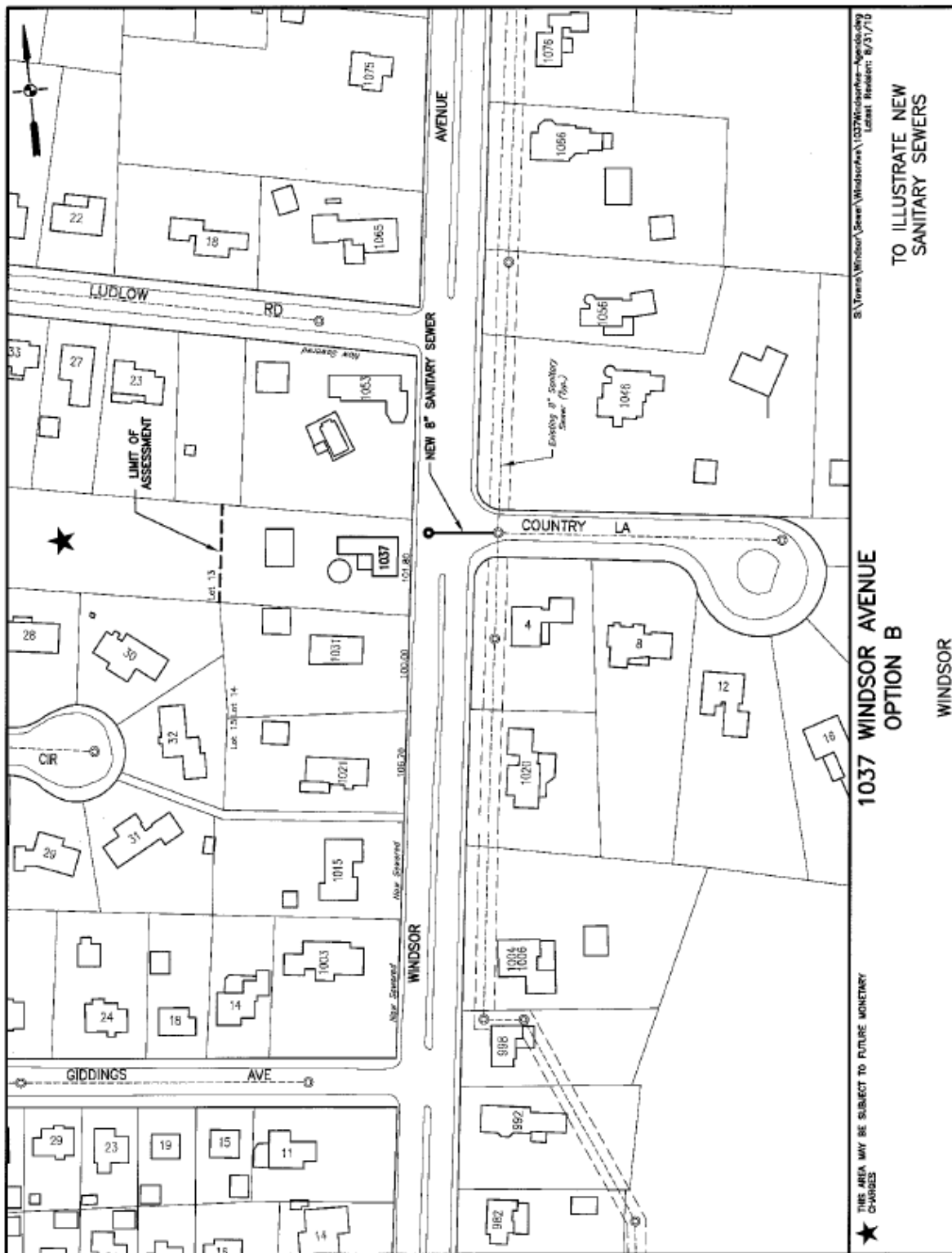
Total Estimated Project Cost:	\$112,200.00
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AND

VOTED: To transmit to the District Board a resolution to layout and authorize construction of public sanitary sewers in a portion of Windsor Avenue, Windsor, as set forth in the layout and schedule of assessments by the Bureau of Public Works, and payment for the same is authorized from the Assessable Sewer fund.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer



**Chairman Vicino requested, if there was no objection, that Agenda Items # 5a & 5b would be considered together. There was no objection to his request.**



***On motion made and duly seconded, the reports were received and the resolutions for Item # 5a & 5b were recommended to the District Board by unanimous vote.***

**REPORT OF HEARING AND LAYOUT & ASSESSMENT 1200 WINDSOR AVENUE, WINDSOR – Report 5b.**

To: Bureau of Public Works for consideration on October 19, 2010

The District received a petition on behalf of the property owner of 1200 Windsor Avenue, Windsor, on July 22, 2005, requesting public sanitary sewer service.

On August 10, 2009, a preliminary schedule of assessments for the above captioned project was mailed to all property owners who would be involved in a proposed sewer layout serving a portion of Windsor Avenue, Orchard Road and Orchard Lane in Windsor.

A public hearing was held on August 26, 2009, chaired by Commissioner Price. Two different options were presented at the hearing; Option 1 provided sanitary sewers to serve twenty-three (23) properties from the rear and Option 2 provided sewers within the public roadways. In Option 1, the rear yards of the properties on the east side of Windsor Avenue and Orchard Road would have to be regraded and have restricted usage above the main line sewer. In Option 2, a section of the sewer would be shallow and therefore some homes would require grinder pumps.

The overall opinions to both Options 1 and 2 received either at the public hearing or by canvass are as follows: three (3) in favor of Option 1, seven (7) opposed to both Options and thirteen (13) did not respond. An alternate Option 1a was proposed by the property owners which would consist of serving only those properties on the east side of Orchard Road. An informal survey of the owners to this newly proposed option resulted in eight (8) in favor. At the conclusion of the hearing, it was recognized that there was clearly no consensus and that District staff would go back and examine other options.

On June 29, 2010, a preliminary schedule of assessments for the above captioned project was mailed to all property owners who would be involved in a new proposed sewer layout serving the easterly portion of Windsor Avenue and Orchard Road.

A public hearing was held on Thursday, July 15, 2010, chaired by Commissioner Reichin. There were three (6) property owners involved in this new layout, which was redesigned in an effort to impact the least amount of residents who were opposed to the project. The current overall opinions regarding the need and desirability of public sanitary sewers, including the public hearing and informal canvass, are as follows: three (3) in favor and three (3) opposed.

In letters dated August 21, 2009 and July 15, 2010, Charles C. Wall, Sanitarian for the Windsor Health Department, stated that the Health Department supports the extension

of sanitary sewer service to the area due to very limited soils for septic system leaching fields. Furthermore, several homes have already had to repair or replace their leaching systems. Extending sanitary service to this area would provide a permanent solution for any future problems.

District staff and the Commissioner present at the latest public hearing recommend that this current layout be modified to serve only the petitioner at 1200 Windsor Avenue (as shown on the attached map) and approved due to the unfavorable opinions received at the hearing, the poor soil conditions and lack of suitable area for septic system repairs.

The estimated cost and benefit summary for this project is as follows:

**ESTIMATED CONSTRUCTION COST:**

500 feet of 8-inch sanitary sewer	\$ 109,000.00	
Contingencies (~10%)	<u>\$ 11,000.00</u>	
Total Estimated Construction Cost	\$ 120,000.00	\$ 120,000.00

**ESTIMATED OTHER COST:**

Damage Awards	\$ 7,900.00	
Legal advertising	\$ 10,000.00	
Blueprints, maps, charts	\$ 500.00	
Soil borings, investigations, tests	<u>\$ 5,000.00</u>	
Total Estimated Other Costs	\$ 23,400.00	<u>\$ 23,400.00</u>

**TOTAL ESTIMATED PROJECT COST: \$143,400.00**

The source of funding summary is as follows:

Estimated Direct Assessments to be Accrued to the Assessable Sewer Fund	\$ 9,071.00
Deficit to be charged to the Assessable Sewer Fund	<u>\$134,329.00</u>

**TOTAL ESTIMATED CONSTRUCTION COST: \$143,400.00**

The deficit on this project is high due to the fact that only one property, 1200 Windsor Avenue, is being assessed.

After consideration of the above and any other comments by the Commissioner present at the public hearing, it is RECOMMENDED that it be

VOTED: That a layout and schedule of assessments for construction of sanitary sewers in private lands of 1200 and 1228 Windsor Avenue, Windsor, be published using the schedule of flat rates adopted and effective June 21, 1995, at \$53.40 per front foot or adjusted front foot; \$1,275.00 per inlet or lateral; and, in addition, for property used or zoned for single residential dwelling units at \$1,655.00 per dwelling unit allowed by zoning on a buildable lot, with notice to any property owner aggrieved by these proceedings that he or she may appeal from the actions of the Metropolitan District and its Bureau of Public Works to the Superior Court.

AND

VOTED: That the Controller be requested to make tentative allocations for this project pending passage of the layout by the District Board, and pending determination of actual costs, in accordance with the following schedule, which schedule is based on the Engineer's estimated cost and on the estimated assessment, as follows:

Direct Assessment to be Accrued to the Assessable Sewer Fund	\$ 9,071.00
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Deficit to be charged to the Assessable Sewer Fund	<u>\$134,329.00</u>
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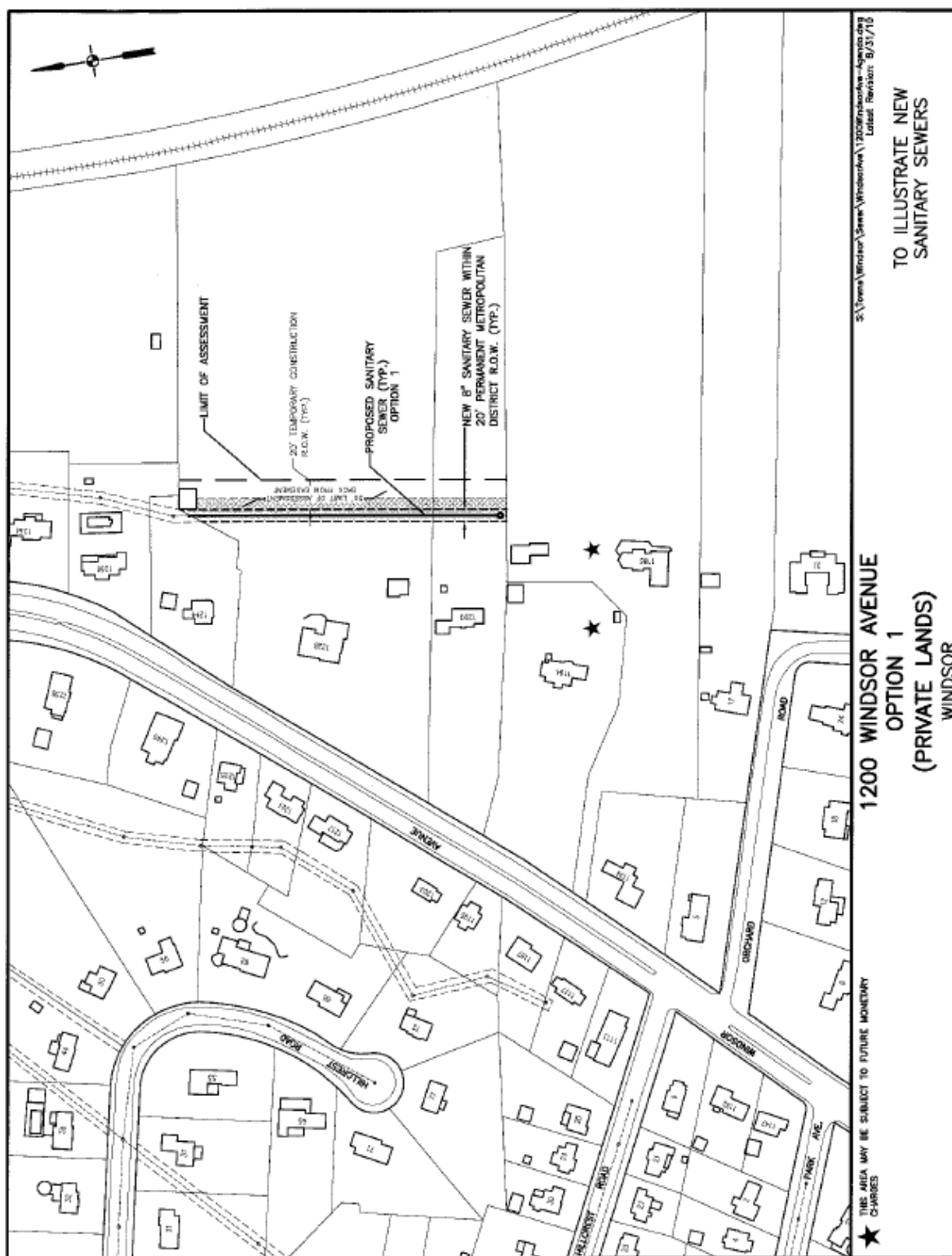
Total Estimated Project Cost:	\$143,400.00
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AND

VOTED: To transmit to the District Board a resolution to layout and authorize construction of public sanitary sewers in an easement through 1200 & 1228 Windsor Avenue, Windsor, as set forth in the layout and schedule of assessments by the Bureau of Public Works, and payment for the same is authorized from the Assessable Sewer fund.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer



**NEW MEADOW ELDERLY HOUSING, NEWINGTON ABANDONMENT OF SANITARY SEWERS AND RELEASE OF RIGHTS-OF-WAY – Report 6.**

To: Bureau of Public Works for consideration on October 19, 2010

On June 23, 2010, the District received a letter from Mr. Mark W. Fisher of TO Design, LLC., on behalf of New Samaritan Corporation, requesting that the Metropolitan District abandon a portion of existing sanitary sewers in private lands north of Mill Street Extension and east of Welles Drive North, Newington, and to release a portion of the existing sanitary sewer easements within the property owned by The Town of Newington, known as parcel H0047250, as shown on the accompanying map. The purpose of this request is to allow construction of a new Assisted Living residential building and supporting infrastructure.

The Metropolitan District, The Town of Newington and New Samaritan Corporation agreed that the abandonment and creation of the sewer easements should be effected concurrently to reduce any potential confusion in the action. The existing sanitary sewer easements were acquired by The Metropolitan District through a Developer Permit-Agreement project in 1960.

From an engineering standpoint, the abandonment of the existing portions of sanitary sewer and release of portions of the rights-of-way will not have a negative impact on the wastewater collection system, and no hardship or detriment would be imposed on others. New sanitary sewers will be constructed, with accompanying easements granted in favor of the Metropolitan District, under a new Developer's Permit-Agreement with New Samaritan Corporation.

It is therefore recommended that it be

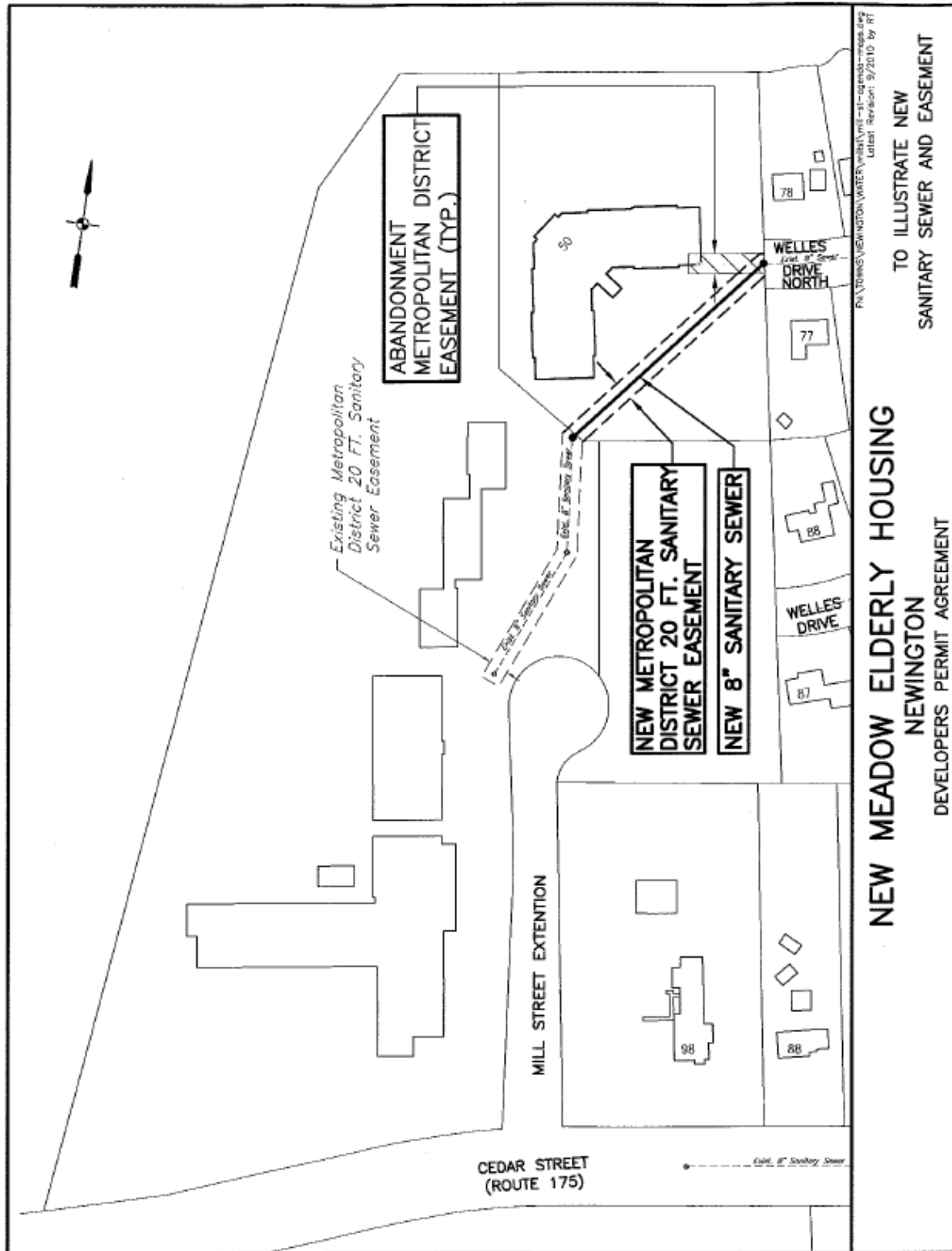
Voted: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

Resolved: That the Chairman or Vice Chairman of the District Board be authorized to execute the abandonment of a portion of the existing sanitary sewers and release of a portion of the existing sanitary sewer easements on property owned by the Town of Newington, as shown on the accompanying map and as recorded in the Town of Newington land records: Volume 126 Pages 69. The easement release shall be subject to approval by District Counsel as to form and content.

Respectfully submitted,

Charles P. Sheehan  
Chief Executive Officer

***On motion made by Commissioner Armstrong and duly seconded, the report was received and the resolution recommended to the District Board by unanimous vote.***



**ADJOURNMENT**

The meeting was adjourned at 6:16 p.m.

ATTEST:



Kristine C. Shaw  
District Clerk

May 2, 2011

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Date of Approval

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**To**

**MINUTES OF THE BUREAU OF PUBLIC WORKS**



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