

## CHECK LIST FOR ALDERMANIC SUBMISSIONS

<b>X</b>	Cover Letter
<b>X</b>	Resolutions/ Orders/ Ordinances (NOTE: If you are submitting any item to the State you must write a Resolution)
<b>X</b>	Prior Notification Form
<b>X</b>	Fiscal Impact Statement - Should include comprehensive budget
<b>X</b>	Supporting Documentation (if applicable)
<b>X</b>	E-mailed Cover letter & Order

### IN ADDITION [IF A GRANT]:

<b>N/A</b>	Notice of Intent
<b>N/A</b>	Grant Summary
<b>N/A</b>	Executive Summary (not longer than 5 pages without an explanation)

**Date Submitted:** May 17, 2024

**Meeting Submitted For:** June 3, 2024

**Regular or Suspension Agenda:** Regular

**Submitted By:** Michael Piscitelli, Economic Development  
Adminstrator

**Title of Legislation:**

ORDER OF THE NEW HAVEN BOARD OF ALDERS APPROVING A LICENSE AGREEMENT FOR THE INSTALLATION BY YALE UNIVERSITY OF A FIRE PROTECTION WATER PIPE UNDER HILLHOUSE AVENUE FROM 46 TO 37 HILLHOUSE AVENUE

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**Coordinator's Signature:** \_\_\_\_\_

**Controller's Signature (if grant):** \_\_\_\_\_

**Mayor's Office Signature:** \_\_\_\_\_

Call (203) 946-7670 or email [bmONTALVO@newhavenct.gov](mailto:bmONTALVO@newhavenct.gov) with any questions.

\*\*PLEASE NOTE CLEARLY IF UC (UNANIMOUS CONSENT) IS REQUESTED\*\*



Justin Elicker  
*Mayor*

**City of New Haven**  
**Office of the Economic Development Administrator**  
**165 Church Street**  
**New Haven, Connecticut 06510**



Michael Piscitelli, AICP  
*Economic Development  
Administrator*

May 17, 2024

The Honorable Tyisha Walker-Myers  
President, Board of Alders  
City of New Haven  
165 Church Street  
New Haven, CT 06510

Re: Order of the New Haven Board of Alders Approving a License Agreement for the Installation by Yale University of a Fire Protection Water Pipe Under Hillhouse Avenue from 46 to 37 Hillhouse Avenue

Dear President Walker-Myers:

I am pleased to submit a proposed license agreement with Yale University (the "License Agreement"). The License Agreement will allow the installation by the University of a fire protection water pipe and associated appurtenances under Hillhouse Avenue. The pipe will connect to the existing fire protection system maintained by the University on the west side of Hillhouse Avenue and enable the provision of fire protection service to University buildings on the east side of Hillhouse Avenue.

Very truly yours,

Michael Piscitelli, AICP  
Economic Development Administrator

ORDER OF THE NEW HAVEN BOARD OF ALDERS APPROVING A LICENSE AGREEMENT FOR THE INSTALLATION BY YALE UNIVERSITY OF A FIRE PROTECTION WATER PIPE UNDER HILLHOUSE AVENUE FROM 46 TO 37 HILLHOUSE AVENUE

WHEREAS, Yale University (the “University”) maintains a fire protection system serving buildings on its campus;

WHEREAS, the University wishes to install and maintain a fire protection water pipe and associated appurtenances under Hillhouse Avenue from 46 to 37 Hillhouse Avenue which will connect with the University’s fire protection system and allow the provision of fire protection service to University buildings (the “Fire Protection Installation”);

WHEREAS, the University will bear the cost of the Fire Protection Installation;

NOW, THEREFORE, BE IT ORDERED that the Fire Protection Installation be approved, and that the Mayor of the City of New Haven be and hereby is authorized to execute and deliver a license agreement in substantially the form attached hereto, together with such ancillary documents as may be necessary or desirable so as to implement and effect the intent of this Order.

# **PRIOR NOTIFICATION FORM**

## **NOTICE OF MATTER TO BE SUBMITTED TO THE BOARD OF ALDERS**

TO (list applicable alders of):

**Jeanette L. Morrison**

WARD # **Ward 22**

DATE: **May 17, 2024**

FROM: Department/Office Economic Development  
Person Michael Piscitelli

Telephone 203-946-2867

This is to inform you that the following matter affecting your ward(s) will be submitted to the Board of Alders in the near future:

ORDER OF THE NEW HAVEN BOARD OF ALDERS APPROVING A LICENSE AGREEMENT FOR THE INSTALLATION BY YALE UNIVERSITY OF A FIRE PROTECTION WATER PIPE UNDER HILLHOUSE AVENUE FROM 46 TO 37 HILLHOUSE AVENUE

Check one if this an appointment to a commission

Democrat

Republican

Unaffiliated/Independent/Other \_\_\_\_\_

### **INSTRUCTIONS TO DEPARTMENTS**

1. Departments are responsible for sending this form to the alder(s) affected by the item.
2. This form must be sent (or delivered) directly to the alder(s) **before** it is submitted to the Legislative Services Office for the Board of Alders agenda.
3. The date entry must be completed with the date this form was sent the alder(s).
4. Copies to: alder(s); sponsoring department; attached to submission to Board of Alders.

**FISCAL IMPACT STATEMENT**

**DATE:** May 17, 2024  
**FROM (Dept.):** Economic Development  
**CONTACT:** Michael Piscitelli **PHONE** (203) 946-2867  
mpiscite@newhavenct.gov

**SUBMISSION ITEM (Title of Legislation):**

ORDER OF THE NEW HAVEN BOARD OF ALDERS APPROVING A LICENSE AGREEMENT FOR THE INSTALLATION BY YALE UNIVERSITY OF A FIRE PROTECTION WATER PIPE UNDER HILLHOUSE AVENUE FROM 46 TO 37 HILLHOUSE AVENUE

**List Cost:** Describe in as much detail as possible both personnel and non-personnel costs; general, capital or special funds; and source of funds currently budgeted for this purpose.

	<b>GENERAL</b>	<b>SPECIAL</b>	<b>BOND</b>	<b>CAPITAL/LINE ITEM/DEPT/ACT/OBJ CODE</b>
<b>A. Personnel</b>	\$0	\$0	\$0	
1. Initial start up	\$0	\$0	\$0	
2. One-time	\$0	\$0	\$0	
3. Annual	\$0	\$0	\$0	
<b>B. Non-personnel</b>	\$0	\$0	\$0	
1. Initial start up	\$0	\$0	\$0	
2. One-time	\$0	\$0	\$0	
3. Annual	\$0	\$0	\$0	

**List Revenues:** Will this item result in any revenues for the City? If Yes, please list amount and type.

NO   
YES

- 1. One-time
- 2. Annual

**Other Comments:**

# Yale OFFICE OF NEW HAVEN AFFAIRS

ALEXANDRA DAUM  
*Associate Vice President for New Haven Affairs  
and University Properties*

PO Box 208332  
New Haven CT 06520-8332  
T 203 432-8618  
F 203 432-8314  
alexandra.daum@yale.edu  
onha.yale.edu

*courier*  
433 Temple Street  
New Haven CT 06511

May 17, 2024

Michael Piscitelli  
Economic Development Administrator  
City of New Haven  
165 Church Street  
New Haven, CT 06510

Re: License Agreement for the Installation by Yale University of a Fire Protection  
Water Pipe Under Hillhouse Avenue from 46 to 37 Hillhouse Avenue

Dear Mr. Piscitelli:

Thank you for partnering with Yale University in connection with the proposed license agreement referenced above. The license will permit the University to install a fire protection water pipe under Hillhouse Avenue from 46 to 37 Hillhouse Avenue which will connect to the University's existing fire protection system on the west side of Hillhouse Avenue, enabling the provision of fire protection service to University buildings on the east side of Hillhouse Avenue.

We appreciate the City's consideration of the proposed license.

Very truly yours,



Alexandra Daum  
Associate Vice President for New Haven Affairs and University Properties

**Record and Return to:**

Yale University  
Office of Senior VP and General Counsel  
2 Whitney Avenue, 6<sup>th</sup> Floor  
New Haven, CT 06443  
Attn: Real Estate

**LICENSE AGREEMENT**

The undersigned, CITY OF NEW HAVEN, a municipal corporation organized and existing under the laws of the State of Connecticut (“Grantor”), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to the Grantor by YALE UNIVERSITY, a corporation specially chartered by the General Assembly of the Colony and State of Connecticut (“Yale”), receipt and sufficiency of which is hereby acknowledged by Grantor, does hereby grant and convey to Yale, its successors and assigns forever, the following rights, privileges and license (collectively, the “License”):

The right to install, replace, construct, operate, maintain, inspect, alter, remove and repair a high-pressure fire water pipe and all appurtenances, equipment or facilities useful or convenient in connection therewith or incidental thereto (collectively, “Utility Improvements”) in the following location(s) for service to and/or from its various properties:

46 Hillhouse Avenue Crossing

One (1) high pressure fire water pipe, up to eight inches (8”) in diameter;

The pipe shall be buried in a trench which will be approximately five feet (5’) wide and approximately eight feet (8’) deep, consistent with City standards for such depths associated with the pipe being installed. The pipe shall run from the existing sprinkler main located on 46 Hillhouse Avenue and located to the south of the existing building thereon to provide service to 37 Hillhouse Avenue, as shown on the Drawing (defined below).

All of the foregoing Utility Improvements are shown on a drawing entitled “FIRE MAIN EXTENSION PLAN AND PROFILE”, scale as shown and dated July 27, 2023, as revised on April 8, 2024, prepared for Yale University by Christopher Williams Architects, which drawing is attached hereto and made a part hereof as Exhibit A (the “Drawing”). The foregoing locations are approximations that may vary depending on field conditions encountered in the course of construction. The final location of the Utility Improvements will be shown on AS BUILT plans to be filed as set forth below.

1. The rights granted hereby may be exercised and enjoyed by Yale and its trustees, officers, agents, employees, servants, invitees, contractors and subcontractors, and their successors or assigns, on foot and/or with vehicles, with such supplies, machinery and equipment as

may be necessary, useful or convenient in connection with or incidental thereto, subject to the following conditions:

- a. Yale shall install all of the Utility Improvements below the surface in a manner and at a depth so as not to interfere with existing underground utilities or structures, in accordance with detailed plans which Yale will submit for review and approval to Grantor's City Engineer, Building Inspector, and Director of Public Works, Director of Traffic and Parking and the Fire Marshal, which approval shall not be unreasonably withheld, conditioned or delayed, and in accordance with relevant codes, ordinances and regulations. Yale shall obtain at its sole cost a building permit for all work to be carried out under this License Agreement and shall comply with all reasonable terms and conditions established by the Grantor in connection therewith. The Utility Improvements shall be installed by open trench excavation.
- b. Grantor acknowledges and agrees that Yale may interfere with public access along Hillhouse Avenue in connection with the foregoing excavation and installation, provided that written notice of such interference shall be delivered to the Director of Traffic and Parking not less than fourteen (14) days prior to such interference and shall thereafter be coordinate with the Director of Traffic and Parking, the New Haven Police Department and any other City Department as may reasonably be deemed necessary. Yale shall maintain such traffic, parking and pedestrian access during the installation, any subsequent repair, replacement, alteration or removal of the Utility Improvements as may be required by the terms and conditions of said building permit.
- c. The Utility Improvements installed under the terms of this License Agreement shall be used solely by Yale University or its affiliated organizations or their respective tenants or licensees or occupants for all legally permissible purposes.
- d. After the installation of the Utility Improvements or after subsequent repair, replacement, alteration or removal of the Utility Improvements, Yale shall restore at no cost to the Grantor, any portion of the streets, sidewalks and public rights of way which Yale or its agents may have disturbed to their condition prior to such installation, repair, replacement, alteration or removal work, or to a condition reasonably satisfactory to the Grantor's City Engineer, Building Inspector, Public Works Director, Director of Traffic and Parking and the Fire Marshall, which may include remilling and curb-to-curb repaving in the event that the conventional trench installation method is utilized.
- e. After installation of the Utility Improvement, Yale shall do or cause to be done any subsequent work on the Utility Improvements at such times and in such manner as to minimize the disturbance of the streets, sidewalks, and public rights of way, for the purpose of which the following provisions shall apply:



- i. routine maintenance and other non-emergency work by Yale on the Utility Improvements shall be performed only after ten (10) days prior notice to the Director of Public Work, and
    - ii. notice of emergency repair work on the Utility Improvements shall be given immediately to the Grantor's Director of Public Works.
  - f. Yale shall file a complete set of "As-Built" drawings of the Utility Improvements with the Grantor's City Engineer after completion of the installation, showing both the horizontal and vertical "As Built" locations of the conduits.
2. Yale shall assume the defense of, indemnify and hold Grantor harmless from, any and all loss, costs and damages of any nature whatsoever which may result on account of or arising from the design, construction, installation, maintenance, repair or operation of the Utility Improvements, whether or not in use or abandoned at the time of such loss, costs, and damages are incurred, or from the negligence or willful misconduct of Yale trustees, officers, agents, employees, servants, invitees, contractors and subcontractors, in the construction, installation, operation, maintenance, repair, replacement, alteration or removal of the Utility Improvements.
3. Yale shall provide proof upon request of Grantor that it maintains a satisfactory general liability insurance policy with a per occurrence limit of no less than \$5,000,000.00, which amount Grantor may reasonably increase from time to time to an amount customarily required by other Connecticut municipalities under similar circumstances. Yale may satisfy the insurance required in this Paragraph 3 via a program of self-insurance and the required proof in this Paragraph 3 may be satisfied by an online memorandum of insurance. Yale's insurance policy shall be maintained in full force by Yale as long as said Utility Improvements are operated at said locations.
4. Yale shall retain ownership of and title to the Utility Improvements and shall not abandon any portion of them without the prior review and approval of Grantor's City Engineer, which shall not be unreasonably withheld, conditioned or delayed, and with respect to any such abandonment, upon request of Grantor and receipt of any necessary approvals, remove the pies and execute and record and record an instrument releasing and terminating all rights hereunder with respect thereto. Until such time as any Utility Improvements is abandoned as aforesaid, Yale shall maintain and repair said Utility Improvement to the reasonable satisfaction of the City Engineer, Building Inspector, Director of Traffic and Parking and the Fire Marshall, and according to relevant codes, ordinances and regulations as established from time to time.
5. Except with respect to the rights granted herein, Grantor's rights in and to the streets, sidewalks, and rights of way shall not be affected, provided that Grantor shall provide Yale with timely opportunity to review and consult with respect to the impact of any excavation, installation, facility, structure or other obstruction affecting or potentially affecting the Utility Improvements before constructing, placing or permitting such items to be made, constructed or placed. In the event that the Grantor requires the Utility Improvements to

be relocated, Yale shall be given a license for such relocation to the location specified by Grantor of pipes substantially in the form hereof and Yale shall relocate the Utility Improvements at no expense to the Grantor. Yale hereby releases Grantor from any claim for loss, costs and damages of any nature whatsoever which may result to Yale from relocation of the Utility Improvements at Grantor's request, as aforesaid.

6. This License Agreement may only be amended in writing by mutual agreement of the parties and shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors-in-title, successors and assigns of the respective parties hereto.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantor and Yale have duly executed this instrument as of the \_\_\_ day of \_\_\_\_\_, 2024.

Signed and delivered in the presence of:

**CITY OF NEW HAVEN**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness

Approves as to Form:

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(Acknowledgment on following page)

**YALE UNIVERSITY**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

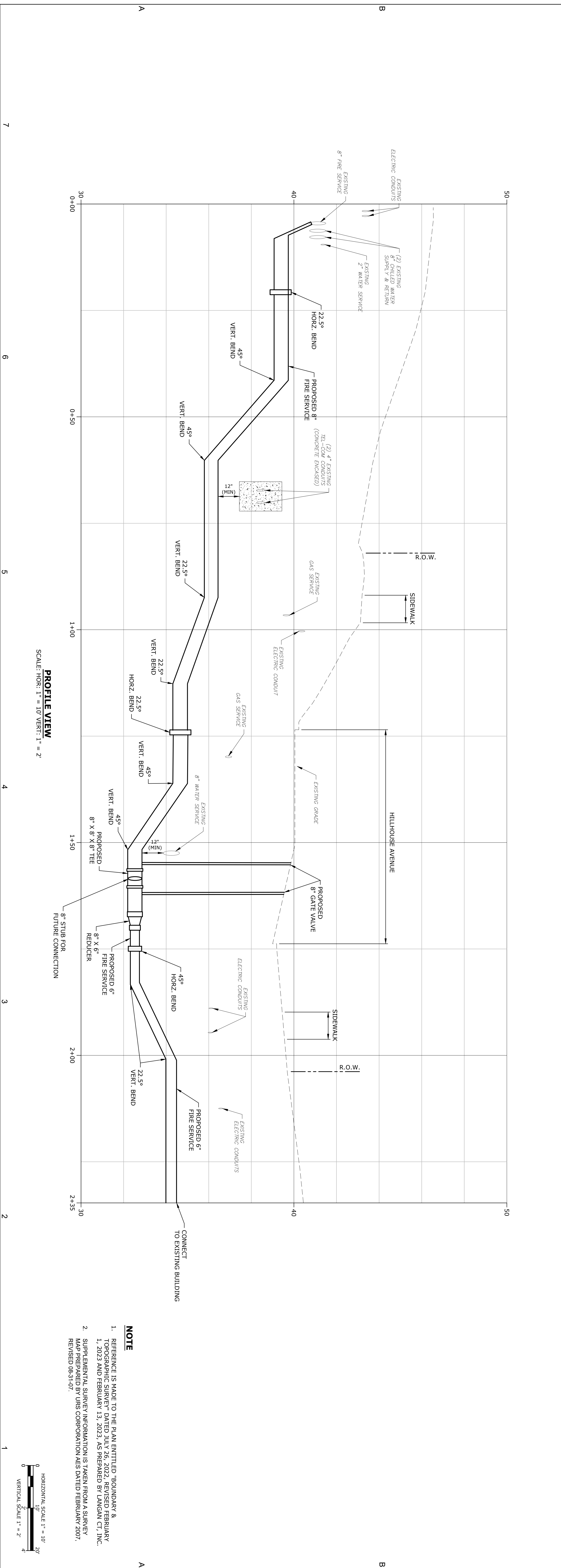
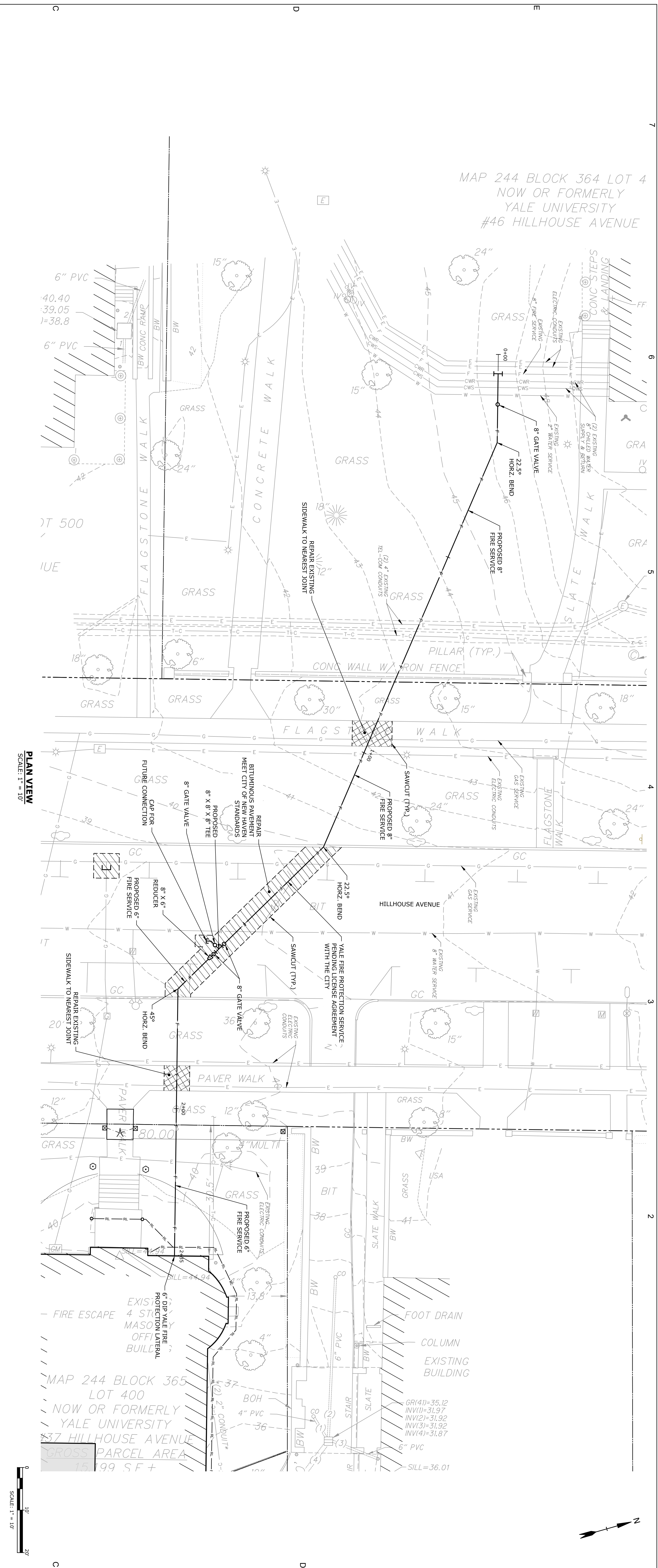
\_\_\_\_\_  
Witness

(Acknowledgment on following page)



# EXHIBIT A

Last Saved: 4/16/2024  
 Plotted On: Apr 16, 2024 3:34pm By: SansoneM  
 Title & Bond: 1:YV5000 Yale University 100 37 Hillhouse Drawings/AutoCAD/Sheet/Y5000-100-C-101-UTLL.DWG



- NOTE**
1. REFERENCE IS MADE TO THE PLAN ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY DATED JULY 26, 2022, REVISED FEBRUARY 1, 2023 AND FEBRUARY 13, 2023, AS PREPARED BY VANSON, C.T., INC.
  2. SUPPLEMENTAL SURVEY INFORMATION IS TAKEN FROM A SURVEY MAP PREPARED BY URS CORPORATION AND DATED FEBRUARY 2007, REVISED 06/23/07.

<p>Yale University                  Prepared for                  Yale University                  Office of Facilities                  P.O. Box 200297                  New Haven, CT 06520</p>	<p>CHRISTOPHER WILLIAMS ARCHITECTS                  85 Willow Street New Haven, CT 06511                  203 776 0188 cwjarchitects.com</p>	<p><b>CIVIL ENGINEER</b>                  TIGHE AND BOND, INC.                  277 South Street, Suite 1100                  Middletown, CT 06451</p> <p><b>STRUCTURAL ENGINEER</b>                  GNCB, P.C.                  1358 Boston Post Road                  Old Saybrook, CT 06475</p> <p><b>MISCELLANEOUS ENGINEER</b>                  ALTEPPI SEBOR WIEBER, LLC                  31 Knight Street                  Norwalk, CT 06851</p> <p><b>SUSTAINABILITY CONSULTANT</b>                  EVOLVE, LLC                  6020 Broad Street                  Pittsburgh, PA 15206</p> <p><b>LIGHTING CONSULTANT</b>                  WEST WOODS DESIGN, LLC                  2700 North 15th Street                  Shrewsbury, CT 06089</p> <p><b>FEE CONSULTANT</b>                  CAMA, INC.                  31 Audubon Street                  New Haven, CT 06511</p> <p><b>VERTICAL TRANSPORTATION CONSULTANT</b>                  STERLING ELEVATOR CONSULTANTS, LLC                  195 West Main Street, Suite 1                  Avon, CT 06001</p> <p><b>LANDSCAPE ARCHITECT</b>                  ELMORE DESIGN                  615 Main Street                  Stratfield, CT 06078</p> <p><b>ENVELOPE CONSULTANT</b>                  LEAVITT ASSOCIATES, INC.                  1514 Beacon Street                  Brookline, MA 02446</p> <p><b>CODE CONSULTANT</b>                  AR CONSULTING, LLC                  55 Main Street                  North Haven, CT 06473</p>	<p><b>BULLETIN 4</b>                  APRIL 8, 2024</p>
			<p><b>PROJECT NAME</b>                  37 HILLHOUSE AVENUE RENOVATIONS &amp; ADDITIONS</p> <p><b>PROJECT NUMBER</b>                  1225</p> <p><b>DATE</b>                  02/07/19-01/2024</p> <p><b>DRAWING NUMBER</b>                  2205</p>

DRAWING NUMBER: C102