

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, December 5, 2016

Present: Commissioners Daniel Camilliere, Donald M. Currey, Timothy Curtis, William A. DiBella, Janice Flemming-Butler, Allen Hoffman, Jean Holloway, William P. Horan, Kathleen J. Kowalyshyn, Byron Lester, Maureen Magnan, Alphonse Marotta, James S. Needham, Whit Osgood, Bhupen Patel, J. Lawrence Price, Hector Rivera, Pasquale J. Salemi, Helene Shay, Michael Solomonides, Alvin Taylor, Richard W. Vicino and Special Representative Michael Carrier (23)

Absent: Commissioners Andrew Adil, Luis Caban, Mary Anne Charron, Matthew B. Galligan, Sandra Johnson, Joseph Klett, Mark A. Pappa, Kennard Ray and Raymond Sweezy (9)

Also

Present: Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Brendan Fox, Assistant District Counsel
John S. Mirtle, District Clerk
Rob Constable, Director of Finance
Sue Negrelli, Director of Engineering
Kelly Shane, Director of Procurement
Robert Zaik, Interim Director of Human Resources
Mike Curley, Manager of Technical Services
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 7:05 P.M.

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman DiBella that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Kowalyshyn and duly seconded, the meeting minutes of November 22, 2016 were approved.

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott W. Jellison presented the Chief Executive Officer's Report.

REVISIONS TO DISTRICT WATER ORDINANCES § W1A, W1D, W5A

To: District Board December 5, 2016

It is **RECOMMENDED** that it be

Voted: That the District Board, acting under Section 5-4 of the District Charter, establishes revised water rates effective with the meter readings rendered on and after January 1, 2017, as set forth in the following "REVISIONS TO WATER SUPPLY ORDINANCES."

Further

Voted: That following the public hearings held on November 16, 2016 and December 5, 2016, as required by Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, and Section 2-14 of the Charter of The Metropolitan District, the District Board approves the following "REVISIONS TO WATER SUPPLY ORDINANCES" by the enactment of said proposed ordinances. (Additions are indicated by underscoring and deletions are crossed out).

SEC. W1a WATER USED CHARGE (TREATED WATER)

The WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

BILLS RENDERED	RATE
MONTHLY AND QUARTERLY	\$2.66 per 100 Cubic Feet

<u>BILLS RENDERED</u>	<u>RATE</u>
<u>MONTHLY AND QUARTERLY</u>	<u>\$2.77 per 100 Cubic Feet</u>

~~The WATER USED CHARGE for customers subject to § S12x of The Metropolitan District Water Ordinances who purchase more than 668 ccf of water per day, as averaged over a monthly billing period, as follows:~~

<u>BILLS RENDERED</u>	<u>RATE</u>
<u>MONTHLY</u>	<u>\$2.16 per 100 Cubic Feet</u>

SEC. W5a CHARGES FOR SERVICE PIPE

New service pipes shall be installed by or on behalf of, the property owner from the distribution main to the property to be served. The charges for service taps of the several sizes shall be determined by the Water Bureau for each calendar year and, in determining the charges, said Bureau shall give consideration to actual costs of service taps of the several sizes constructed in recent years and to the estimated cost of making such taps in the ensuing calendar year, and such charges shall be reported to the District Board at the next meeting thereof. Old service pipes that break between the main and street line shall be repaired or replaced by the District at no charge to the property owner. Old service pipes that are inadequate due to corrosion and clogging shall be replaced or relined by the District between the main and street line, at no charge to the property owner, provided the property owner has already renewed his service from the street line to the building, and the District determines, through flow tests or other means, that the service is still inadequate.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**COMMITTEE ON MDC GOVERNMENT
PROPOSED REVISIONS TO THE SEWER ORDINANCES § S12X
OF THE METROPOLITAN DISTRICT**

To: District Board

December 5, 2016

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the revisions of Section S12x, "SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM", to The Metropolitan District General Ordinances for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9 (Regular Session 2008).

**SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR CAPITAL
IMPROVEMENTS TO THE SEWERAGE SYSTEM**

- a.) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b) and S12x(c), said rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.
- b.) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.
- ~~c.) Customers subject to the provisions of this Section 12x, other than customers subject to Subsection S12x(b) above, shall be subject to the special sewer service charge as follows: 1) for the first 20,000 hundred cubic feet of water consumed from a single water meter per month, the special sewer service charge shall be assessed at the rate established by The Metropolitan District against each one hundred cubic feet of water consumed; and 2) for all water consumed in excess of 20,000 hundred cubic feet per month from a single water meter, the special sewer service~~

~~charge shall be assessed at such rate against each one hundred cubic feet of sewer flow generated by the water used in excess of 20,000 hundred cubic feet per month metered at a location approved by the Metropolitan District. This excess sewer flow shall be calculated via the proportion of sewage discharged to water consumed for the month, with this proportion applied to the volume of water consumed in excess of 20,000 hundred cubic feet per month and billed pursuant to Section S12f. The special sewer service charge assessed pursuant to this subsection shall be billed monthly.~~

~~d.)~~c.) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut and a certain consent order executed by and between The Metropolitan District and the State of Connecticut relating to the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued December 21, 2005, as such decree and order may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or order, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such decree and order. For this purpose "indebtedness" shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans and "Debt service" shall mean any obligation that would constitute "debt service" if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term "debt service" is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture.

~~e.)~~d.) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

(Adopted December 14, 2015)

(Effective December 24, 2015)

At a meeting of the Committee on MDC Government held on December 5, 2016, it was:

VOTED: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

RESOLVED: That the revisions to The Metropolitan District's Sewer Ordinances be adopted as follows:

SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM

- a.) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b) and S12x(c), said rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.
- b.) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.
- c.) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut and a certain consent order executed by and between The Metropolitan District and the State of Connecticut relating to the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued December 21, 2005, as such decree and order may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or order, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such

decree and order. For this purpose “indebtedness” shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans and “Debt service” shall mean any obligation that would constitute “debt service” if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term “debt service” is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture.

- d.) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

**COMMITTEE ON MDC GOVERNMENT
PROPOSED REVISIONS TO THE SEWER ORDINANCES § S15
OF THE METROPOLITAN DISTRICT**

To: District Board

December 5, 2016

From: Committee on MDC Government

District staff, through the Office of District Counsel, submits the revisions of Section S15, “FATS, OILS AND GREASE (FOG) MANAGEMENT PROGRAM”, to The Metropolitan District General Ordinances for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9 (Regular Session 2008).

S - 15 FATS, OILS AND GREASE (FOG) MANAGEMENT PROGRAM

PART 15, GENERAL SEWER ORDINANCE

Section

Section Title

S15a	Purpose of Ordinance
S15b	Definitions
S15c	Rules and Requirements
S15d	Equipment Requirements
S15e	Variances
S15f	Inspections
S15g	Discharge Limits
S15h	Violations
S15i	Restrictions
S15j	Sewer Stoppages and Maintenance
S15k	Fees
S15l	Billing of FOG Charges
S15m	Paying of FOG Charges
S15n	Non-Compliance
S15o	Time Ordinance Becomes Effective

SEC. S15a PURPOSE

The purpose of the Section of the Sewer Ordinance is to aid in preventing the accumulation of fats, oils and grease into the District's sanitary sewer system thus reducing the potential for sanitary sewer overflows. This Sewer Ordinance outlines the wastewater pretreatment requirements for food service preparation establishments and other commercial facilities that have the potential to discharge fats, oils and grease in their wastewater flow. All new and existing facilities that discharge fats, oils, and grease in their wastewater are applicable to this program. This Section of the Sewer Ordinance shall be an integral part of the District's Ordinance and its Charter in the application, administration and enforcement thereto.

SEC. S15b DEFINITIONS

The following terms shall have the meanings indicated hereafter where used in this Ordinance and are in addition to those defined in Part 1, General Sewer Ordinance, Section S1b, Definitions: ~~In accordance with the provisions of the charter of The Metropolitan District, the following procedure is established for reimbursing Member Town property owners that do not have access to the District's sanitary sewerage system for the approximate cost of pumping of Acceptable Septage from their septic tanks as set forth in Section 14d and 14f.~~

- 1) "FOG – FATS, OILS AND GREASE"
Any fats, oils and grease generated from the food preparation process as identified per the most current EPA method as listed in 40 CFR 136.3., as may be amended from time to time.
- 2) "FOOD ~~PREPARATION SERVICE~~ ESTABLISHMENT (FSE)"
Food ~~preparation service~~ establishment means a Class III or Class IV food service establishment as defined by Section 19-13-B42 of the State of Connecticut Public Health Code or any other facility discharging fats, oil and grease above the effluent limits in Section 5(c)(1) and (2) of the State of Connecticut General Permit for the Discharge of Wastewater Associated with Food ~~Preparation Service~~ Establishments such as, but not limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.
- 3) "GENERAL PERMIT FOR ~~THE~~ DISCHARGE OF WASTEWATER ASSOCIATED WITH ~~FOOD~~ ~~PREPARATION~~ ~~SERVICE~~ ESTABLISHMENTS"
~~The~~ State of Connecticut's Department of ~~Energy and~~ Environmental Protection General Permit for the Discharge of Wastewater Associated with Food ~~Preparation Service~~ Establishments issued ~~September 30, 2005~~ October 5, 2016 and its subsequent updates.
The General Permit was formerly titled General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments.
- 4) "~~AGRU~~ Active Grease Recovery Unit (AGRU)"
~~Automatic Active~~ Grease Recovery Unit means an interior grease interceptor that separates grease from wastewater by active mechanical or electrical means as described in the General Permit for the Discharge of Wastewater Associated with Food ~~Preparation Service~~ Establishments issued ~~September 30, 2005~~ October 5, 2015 and its subsequent updates.
- 5) "Super Capacity Grease Interceptor (SCGI)"
Super Capacity Grease Interceptor means an indoor passive unit, third party certified to retain more than four times the amount of pounds (lbs) of grease than the flow rating in gallons per minute (GPM) and is designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined by Section 5(b)(3) of the General Permit.

6) “Grease Trap/FOG Interceptor”

Grease Trap/FOG Interceptor means a minimum 1,000 gallon outdoor, in-ground passive unit designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined in Section 5(b)(1) of the General Permit and the MDC Sewer Standard Details S-38 Outside Grease Separator for Kitchen Waste Lines.

7) “FOG Management Equipment”

FOG Management Equipment means properly designed, installed and operated equipment including Active Grease Recovery Units (AGRU), Grease Trap/FOG Interceptors and Super Capacity Grease Interceptors (SCGI), as approved by MDC, designed to meet the effluent limits defined by Section 5(b)(1) of the General Permit.

SEC. S15c RULES AND REQUIREMENTS

Food ~~preparation service~~ establishments discharging wastewater to the District’s collection system are subject to the following requirements which shall constitute the District’s Fats, Oils and Grease Management Program (“FOG”):

1. Compliance with the General Permit for the Discharge of Wastewater Associated with Food ~~Preparation Service~~ Establishments.
2. ~~Annual-Every three (3) years FSEs filing of a~~ are required to complete FOG registration ~~on or Variance application~~ forms supplied by the District. All registrations and variances are non-transferable and must be ~~re~~submitted to the District after any change in ownership or significant menu/facility change.
3. ~~Regular inspections~~ Inspections performed by the District to verify compliance with these requirements and those requirements of the General Permit for the Discharge of Wastewater Associated with Food ~~Preparation Service~~ Establishments.
4. Payment of any fees associated with registration, variances, fines or violations, ~~variances~~ and reimbursement for costs associated with any emergency services provided by the District.

SEC. S15d EQUIPMENT REQUIREMENTS

Wastewater generated from food ~~preparation service~~ establishments shall be treated at the point of discharge to remove FOG using ~~an Outdoor In-Ground Grease Trap Interceptor (Grease Trap Interceptor) or AGRU FOG Management Equipment to~~ meeting the requirements of the General Permit for the Discharge of Wastewater Associated with Food ~~Service Preparation~~ Establishments.

The ~~Grease Trap Interceptor or AGRU FOG Management Equipment~~ shall be connected to those fixtures or drains that would allow FOG to be discharged. This shall include but is not limited to; pot sinks, pre-rinse sinks, any sinks into which fats, oils, or grease are likely to be introduced, soup kettles or similar devices, wok

stations, floor drains or sinks into which kettles may be drained, automatic hood wash units, ~~dishwashers without pre-rinse sinks~~, and any other fixtures or drains that are likely to allow fats, oils and grease to be discharged.

SEC. S15e VARIANCES

If a Food ~~Preparation-Service~~ Establishment has limited potential for FOG in the discharge; an establishment may request a variance for required equipment by submitting a Application for Variance on a form provided by the District. If a variance of equipment is approved, the Food ~~Preparation-Service~~ Establishment owner shall pay a variance registration fee. The variance registration is valid for a period of three years. If there is a change of ownership then the establishment's new owner must submit a new Application for Variance and pay the associated fee. Facilities that receive a variance on the FOG Management Equipment requirement are subject to the FOG Annual Fee.

SEC. S15f INSPECTIONS

Food ~~Preparation-Service~~ Establishments shall be subject to inspection by the District on a regular basis to determine whether the requirements set forth in this Ordinance and the General Permit are being met. Inspections may include but are not limited to; inspection of the FOG Management Equipment and food preparation activities, review of records for the quarterly inspections performed by the Food ~~Preparation-Service~~ Establishment, grease storage and review of cleaning and maintenance logs.

SEC. S15g DISCHARGE LIMITS

No Food ~~Preparation-Service~~ Establishment shall discharge or cause to be discharged any wastewater with a FOG concentration in excess of one hundred (100) milligrams per liter, as determined by the currently approved test for recoverable fats and grease listed in 40 CFR 136.3, as may be amended.

SEC. S15h VIOLATIONS

In the event that a Food ~~Preparation-Service~~ Establishment fails to meet the recordkeeping, installation, maintenance and/or operational requirements or discharge limit, the District will issue a written notice of violation for the non-compliant condition(s). The Food ~~Preparation-Service~~ Establishment shall take immediate steps to bring the establishment into compliance.

Any violation of the District's FOG Management Program will be subject to violation fees. Each day that a violation continues shall be considered a separate occurrence.

SEC. S15i RESTRICTIONS

No Food ~~Preparation-Service~~ Establishment shall introduce any additives, including but not limited to, enzymes or surfactants as grease emulsifiers or degradation agents, into the ~~Grease Interceptor or~~ AGRUFOG Management Equipment unless given prior approval by the District.

SEC. S15j SEWER STOPPAGES AND MAINTENANCE

In the event of a sewer stoppage or blockage, caused by an FOG discharge from a Food ~~Preparation-Service~~ Establishment, the District shall notify said establishment in writing, and said establishment shall reimburse the District any expenses incurred by the District as a result of the sewer stoppage or blockage. The expenses may include, but are not limited to, the cost of services of District employees or contractors for any work or inspection necessary to relieve such stoppage or blockage, and damage to any other properties effected.

If any FOG related stoppage requires emergency action on the part of the District, the Food ~~Preparation-Service~~ Establishment shall be charged a minimum penalty fee per event in addition to the cost of services of District employees or contractors. An emergency is defined as any event which requires power rodding, snaking, jetting or any other work required to clear the stoppage, ~~after regular business hours of the District.~~

In the event the collection system needs to be cleaned due to the excess FOG discharged by a Food ~~Preparation-Service~~ Establishment, the establishment shall pay to the District the expense incurred by the District to clean the sewer or appurtenance therefore.

SEC. S15k FEES

The District Board may establish and revise fees for the District's FOG Management Program required by this Ordinance. The fees include, but are not limited to: annual registration, variance, violation and maintenance fees.

SEC. S15I BILLING OF FOG CHARGES

The fees associated with the District's FOG Management Program will be billed to the owner of the Food ~~Preparation-Establishment-Service Establishment~~ as detailed on the FOG registration form.

SEC. S15m PAYING OF FOG CHARGES

The fees associated with the District's FOG Management Program, either as a separate bill or combined with the water and/or sewer bill, shall be due and payable within 30-days of the date of issue, and the District is empowered to permit an extension of time of the due date up to seven days after the end of the billing period. One percent (1%) interest will be applied monthly to the unpaid

balance, including previously applied interest, of all bills outstanding beyond the 30 days.

SEC. S15n NON-COMPLIANCE

The District reserves the right to notify the Connecticut Department of Energy and Environmental Protection of any establishment that ~~is continues to be~~ non-compliant with the District's FOG Management Program.

~~SEC. S15o TIME ORDINANCE BECOMES EFFECTIVE~~

~~This ordinance shall become effective on January 1, 2008.~~

~~(Adopted October 1, 2007) ————— (Effective January 1, 2008)~~

At a meeting of the Committee on MDC Government, held on December 5, 2016, it was:

VOTED: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

RESOLVED: That the revisions to The Metropolitan District's Sewer Ordinances be adopted as follows:

S - 15 FATS, OILS AND GREASE (FOG) MANAGEMENT PROGRAM

PART 15, GENERAL SEWER ORDINANCE

<u>Section</u>	<u>Section Title</u>
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S15i	Restrictions
S15j	Sewer Stoppages and Maintenance
S15k	Fees
S15l	Billing of FOG Charges
S15m	Paying of FOG Charges
S15n	Non-Compliance
S15o	Time Ordinance Becomes Effective

SEC. S15a PURPOSE

The purpose of the Section of the Sewer Ordinance is to aid in preventing the accumulation of fats, oils and grease into the District's sanitary sewer system thus reducing the potential for sanitary sewer overflows. This Sewer Ordinance outlines the wastewater pretreatment requirements for food service establishments and other commercial facilities that have the potential to discharge fats, oils and grease in their wastewater flow. All new and existing facilities that discharge fats, oils, and grease in their wastewater are applicable to this program. This Section of the Sewer Ordinance shall be an integral part of the District's Ordinance and its Charter in the application, administration and enforcement thereto.

SEC. S15b DEFINITIONS

The following terms shall have the meanings indicated hereafter where used in this Ordinance and are in addition to those defined in Part 1, General Sewer Ordinance, Section S1b, Definitions:

- 1) "FOG – FATS, OILS AND GREASE"
Any fats, oils and grease generated from the food preparation process as identified per the most current EPA method as listed in 40 CFR 136.3., as may be amended from time to time.
- 2) "FOOD SERVICE ESTABLISHMENT (FSE)"
Food service establishment means a Class III or Class IV food service establishment as defined by Section 19-13-B42 of the State of Connecticut Public Health Code or any other facility discharging fats, oil and grease above the effluent limits in Section 5(c)(1) and (2) of the State of Connecticut General Permit for the Discharge of Wastewater Associated with Food Service Establishments such as, but not limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.

- 3) “GENERAL PERMIT FOR THE DISCHARGE OF WASTEWATER ASSOCIATED WITH FOOD SERVICE ESTABLISHMENTS”
The State of Connecticut’s Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Service Establishments issued October 5, 2016 and its subsequent updates. The General Permit was formerly titled General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments.
- 4) “Active Grease Recovery Unit (AGRU)”
Active Grease Recovery Unit means an interior grease interceptor that separates grease from wastewater by active mechanical or electrical means as described in the General Permit for the Discharge of Wastewater Associated with Food Service Establishments issued October 5, 2015 and its subsequent updates.
- 5) “Super Capacity Grease Interceptor (SCGI)”
Super Capacity Grease Interceptor means an indoor passive unit, third party certified to retain more than four times the amount of pounds (lbs) of grease than the flow rating in gallons per minute (GPM) and is designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined by Section 5(b)(3) of the General Permit.
- 6) “Grease Trap/FOG Interceptor”
Grease Trap/FOG Interceptor means a minimum 1,000 gallon outdoor, in-ground passive unit designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined in Section 5(b)(1) of the General Permit and the MDC Sewer Standard Details S-38 Outside Grease Separator for Kitchen Waste Lines.
- 7) “FOG Management Equipment”
FOG Management Equipment means properly designed, installed and operated equipment including Active Grease Recovery Units (AGRU), Grease Trap/FOG Interceptors and Super Capacity Grease Interceptors (SCGI), as approved by MDC, designed to meet the effluent limits defined by Section 5(b)(1) of the General Permit.

SEC. S15c RULES AND REQUIREMENTS

Food service establishments discharging wastewater to the District’s collection system are subject to the following requirements which shall constitute the District’s Fats, Oils and Grease Management Program (“FOG”):

1. Compliance with the General Permit for the Discharge of Wastewater Associated with Food Service Establishments.
2. Every three (3) years FSEs are required to complete FOG registration or Variance application forms supplied by the District. All registrations and

variances are non-transferable and must be submitted to the District after any change in ownership or significant menu/facility change.

3. Inspections performed by the District to verify compliance with these requirements and those requirements of the General Permit for the Discharge of Wastewater Associated with Food Service Establishments.
4. Payment of any fees associated with registration, variances, fines or violations, and reimbursement for costs associated with any emergency services provided by the District.

SEC. S15d EQUIPMENT REQUIREMENTS

Wastewater generated from food service establishments shall be treated at the point of discharge to remove FOG using FOG Management Equipment to meet the requirements of the General Permit for the Discharge of Wastewater Associated with Food Service Establishments.

The FOG Management Equipment shall be connected to those fixtures or drains that would allow FOG to be discharged. This shall include but is not limited to; pot sinks, pre-rinse sinks, any sinks into which fats, oils, or grease are likely to be introduced, soup kettles or similar devices, wok stations, floor drains or sinks into which kettles may be drained, automatic hood wash units, and any other fixtures or drains that are likely to allow fats, oils and grease to be discharged.

SEC. S15e VARIANCES

If a Food Service Establishment has limited potential for FOG in the discharge; an establishment may request a variance for required equipment by submitting a Application for Variance on a form provided by the District. If a variance of equipment is approved, the Food Service Establishment owner shall pay a variance registration fee. The variance registration is valid for a period of three years. If there is a change of ownership then the establishment's new owner must submit a new Application for Variance and pay the associated fee. Facilities that receive a variance on the FOG Management Equipment requirement are subject to the FOG Annual Fee.

SEC. S15f INSPECTIONS

Food Service Establishments shall be subject to inspection by the District on a regular basis to determine whether the requirements set forth in this Ordinance and the General Permit are being met. Inspections may include but are not limited to; inspection of the FOG Management Equipment and food preparation activities, review of records for the quarterly inspections performed by the Food Service Establishment, grease storage and review of cleaning and maintenance logs.

SEC. S15g DISCHARGE LIMITS

No Food Service Establishment shall discharge or cause to be discharged any wastewater with a FOG concentration in excess of one hundred (100) milligrams per liter, as determined by the currently approved test for recoverable fats and grease listed in 40 CFR 136.3, as may be amended.

SEC. S15h VIOLATIONS

In the event that a Food Service Establishment fails to meet the recordkeeping, installation, maintenance and/or operational requirements or discharge limit, the District will issue a written notice of violation for the non-compliant condition(s). The Food Service Establishment shall take immediate steps to bring the establishment into compliance.

Any violation of the District's FOG Management Program will be subject to violation fees. Each day that a violation continues shall be considered a separate occurrence.

SEC. S15i RESTRICTIONS

No Food Service Establishment shall introduce any additives, including but not limited to, enzymes or surfactants as grease emulsifiers or degradation agents, into the FOG Management Equipment unless given prior approval by the District.

SEC. S15j SEWER STOPPAGES AND MAINTENANCE

In the event of a sewer stoppage or blockage, caused by an FOG discharge from a Food Service Establishment, the District shall notify said establishment in writing, and said establishment shall reimburse the District any expenses incurred by the District as a result of the sewer stoppage or blockage. The expenses may include, but are not limited to, the cost of services of District employees or contractors for any work or inspection necessary to relieve such stoppage or blockage, and damage to any other properties effected.

If any FOG related stoppage requires emergency action on the part of the District, the Food Service Establishment shall be charged a minimum penalty fee per event in addition to the cost of services of District employees or contractors. An emergency is defined as any event which requires power rodding, snaking, jetting or any other work required to clear the stoppage.

In the event the collection system needs to be cleaned due to the excess FOG discharged by a Food Service Establishment, the establishment shall pay to the District the expense incurred by the District to clean the sewer or appurtenance therefore.

SEC. S15k FEES

The District Board may establish and revise fees for the District's FOG Management Program required by this Ordinance. The fees include, but are not limited to: annual registration, variance, violation and maintenance fees.

SEC. S15I BILLING OF FOG CHARGES

The fees associated with the District's FOG Management Program will be billed to the owner of the Food Service Establishment as detailed on the FOG registration form.

SEC. S15m PAYING OF FOG CHARGES

The fees associated with the District's FOG Management Program, either as a separate bill or combined with the water and/or sewer bill, shall be due and payable within 30-days of the date of issue, and the District is empowered to permit an extension of time of the due date up to seven days after the end of the billing period. One percent (1%) interest will be applied monthly to the unpaid balance, including previously applied interest, of all bills outstanding beyond the 30 days.

SEC. S15n NON-COMPLIANCE

The District reserves the right to notify the Connecticut Department of Energy and Environmental Protection of any establishment that is non-compliant with the District's FOG Management Program.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

BUREAU OF PUBLIC WORKS REVISIONS TO SCHEDULE OF FLAT RATES OF SEWER ASSESSMENT

To: District Board

December 5, 2016

From: Bureau of Public Works

In accordance with Sec. 9-13 of the Charter and Sec. S10b of the Ordinances of the Metropolitan District Relating to Sewers, your Bureau has

determined and adopted schedules of flat rate assessments for the construction of sewers and house connection service lines since 1968. In establishing such rate schedules, District Ordinances provide that consideration be given to the cost of sewers constructed in recent years and the estimated cost of proposed sewer projects. The current schedule of flat rates has not been revised since 1995, and over the last 20 years there has been a steady decline in the percent recovery to the Assessable Sewer Fund for sewer construction projects.

It is at the discretion of your Bureau to raise the rates for sewer assessment on a yearly basis, however, no rates increases have been authorized because several studies of the Assessable Sewer Fund since 1995 have shown that the District's rates have been consistently higher than the surrounding towns. Coupled by the fact that the Assessable Sewer Fund at that time had maintained a healthy balance, rates were maintained unchanged in order not to discourage development in the District.

A current study of the assessment rates in surrounding towns has shown that most have moved to the process of assessing sewer construction projects by dividing the total cost of the project by the number of properties receiving the direct benefit, with each property contributing an equal share to the cost. The District uses a flat rate system; where by assessments are based upon an average unit cost taken from projects throughout the District to account for the varied cost of construction in the eight member towns.

The general premise of the Assessable Sewer Fund has been that it should be self-sustaining and not subsidized by general taxation. In order to maintain adequate funding levels for the purpose of constructing sewers, there now needs to be an increase in assessment rates to offset increases in construction costs.

Engineering New Record (ENR) Construction Cost Index history shows an increase in costs at an average of 3.2% per year for the last 20 years. Using the District's Project Database, current construction unit costs of local sewer mains and laterals have risen significantly to an average of \$223 and \$221 respectively per linear foot of pipe. This is a reflection of escalated contracted prices and requests for sewers in difficult to serve areas. At the current rate of \$106.80 (\$53.40 per front foot per side of the street), we are recouping only about 50% of the current costs per front foot and at a current rate of \$1275 per lateral, we are only recouping 29% of the actual cost of \$4420 per lateral.

The historical cost index from RS Means shows an increase of 92% from 1995 to 2016. Applying this index to the current assessment rates, the current rate of \$53.40 per front foot rises to \$102.83 ($\pm 8\%$ less than ENR) and the current lateral charge of \$1,275 rises to \$2,455 ($\pm 44\%$ less than ENR). However, in order to recoup the costs of installation in the District, local construction cost averages derived from Project Database should be used for a more accurate representation. Therefore, the current rates should be increased to \$111.50 per front foot (or \$223 per foot for both sides of the street) and \$4,420 per lateral (at a current rate of

\$221 per foot of pipe at an average of 20 linear feet of lateral) from the current rate of \$1,275.

Another component of income to Assessable Sewer Fund is from connection charges and outlet charges. These funds are collected as area charges (dwelling units and acreage) that are calculated for proposed development within the District. In order not to deter development, or redevelopment that has been seen especially in Hartford, these charges are not proposed to be raised at this time.

While the increases in assessment rates that are recommended for 2017 are substantial, they are needed to offset the rising costs of pending sewer projects while maintaining the self-sufficiency of the Assessable Sewer Fund and preventing the increase in taxes to support the Fund.

After reviewing the information contained herein,

At a meeting of the Bureau of Public Works held on November 16, 2016, it was:

Voted: That the Bureau of Public Works establishes the following Schedule of Flat Rates of Sewer Assessment, Connection Charges and Outlet Charges effective on and after January 1, 2017.

THE METROPOLITAN DISTRICT SCHEDULE OF FLAT RATES OF SEWER ASSESSMENT, CONNECTION CHARGES AND OUTLET CHARGES ADOPTED DECEMBER 5, 2016 - EFFECTIVE JANUARY 1, 2017					
PROPERTY CATEGORY (For each property the rates for only one category shall be applied)	(A) Rate per Lateral or Inlet	(B) Rate per Front Foot or Adjusted Front Foot	(C) Rate Per Acre	AREA CHARGES	
				OTHER RELEVANT FACTORS	
				(D) Rate per Dwelling Unit or Dwelling Unit Allowed by zoning on a Buildable Lot	(E) Rate per Room or Convalescent Unit
SINGLE RESIDENTIAL DWELLING UNITS, INCLUDING A TRAILER*	4,420.00	111.50		1,655.00	
TWO OR MORE DWELLING UNITS, INCLUDING TRAILER PARKS*	4,420.00	111.50		1,655.00	
MOTELS, HOTELS, ROOMING HOUSES, CONVALESCENT HOMES AND HOSPITALS	4,420.00	111.50			765.00
SCHOOLS, CHURCHES AND THE MUNICIPAL FACILITIES OF DISTRICT TOWNS	4,420.00	111.50	1,655.00 Minimum Acreage Assessment 1,655.00 Developed area including but not limited to areas of parking, open space and streets.		
BUSINESS, COMMERCIAL INDUSTRIAL OR OTHERS*	4,420.00	111.50	8,270.00 Minimum Acreage Assessment 4,135.00 Developed area including but not limited to areas of parking, open space and streets.		
* For these categories of assessments, where the actual use of the property differs from the underlying zone (i.e. residentially-zoned property used commercially), the higher assessment category shall apply.					

OUTLET CHARGES

For Developers of Property, (A) and (B) Actual Cost Paid by Developer. (C), (D) and (E) would continue to be charged in accordance with above schedule.

In assessing benefits, the Bureau of Public Works may give consideration to frontage, area, or other relevant factors to measure the extent to which properties are specially benefited.

Respectively submitted,

John S. Mirtle, Esq.
District Clerk

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

**BUREAU OF PUBLIC WORKS
275 RIDGE ROAD, WETHERSFIELD
ENCROACHMENT AGREEMENT**

To: District Board

December 5, 2016

From: Bureau of Public Works

In a letter dated October 25, 2016, Douglas Ellis of Buck and Buck, LLC Engineers, on behalf of Ridge Road Development, LLC, has requested permission from The Metropolitan District to temporarily and permanently encroach on the existing Jordan Lane Trunk Sewer easement located across private lands between the Hartford Bypass Highway, Berlin Turnpike, and Toll Gate Road in Wethersfield, to demolish existing buildings and construct improvements including a new water service, sanitary sewer laterals and storm drainage in conjunction with the 275 Ridge Road development project.

The proposed work entails the demolition of existing buildings and the construction of improvements requiring the movement of construction equipment (temporary encroachments) and the installation of approximately two feet of fill, permanent storm drainage, water service, sewer laterals, sidewalks and light pole foundation (permanent encroachments) over the existing 18-inch RCP sanitary trunk sewer and within the existing 20-foot sewer easement, as shown on the accompanying map. The proposed water service and storm drainage will be installed above the existing sanitary trunk sewer with sufficient clearance between the pipes. The existing trunk sewer was built in 1961.

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

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

1. Care must be taken during the demolition of existing buildings and the construction of the new water service, sanitary sewer laterals and storm

- drainage not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the trunk sewer easement when not in use. Any heavy construction or earth moving equipment that will be utilized on the site over and adjacent to the existing trunk sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary trunk sewer caused by any such demolition or construction within or adjacent to the existing right-of-way shall be the responsibility of the Owner.
2. No additional permanent structures, other than the proposed fill, water service, sanitary sewer laterals, storm drainage, sidewalks and light pole foundation shall be located within the District's sanitary trunk sewer right-of-way.
 3. The District reserves the right to remove structures within the sanitary trunk sewer easement at any time if so required for maintenance, repair or replacement of the sanitary trunk sewer. The Owner shall bear and pay for any and all additional maintenance, repair or replacement costs necessitated by or resulting from the presence of structures within the easement, including but not limited to any costs incurred by or on behalf of the MDC.
 4. In the event of a sewer emergency caused by the proposed demolition or construction and excavation in connection therewith, the Owner shall provide, at their expense, an appropriately sized bypass pump.
 5. An MDC inspector must be on the job site whenever work is being performed within the sanitary trunk sewer right-of-way. Any demolition of the existing buildings as well as any construction, maintenance, repair or replacement of the new fill, water service, sanitary sewer laterals or storm drainage shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within or adjacent to the sanitary trunk sewer easement.
 6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary trunk sewer in or adjacent to the areas of the demolition and/or construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewers.

Staff has reviewed this request and considers it feasible.

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

At a meeting of the Bureau of Public Works on November 16, 2016, it was:

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to approval of form and content by District Counsel, granting permission to Ridge Road Development, LLC to encroach upon the existing 20-foot Jordan Lane Trunk Sewer easement in private lands between Hartford Bypass Highway, Berlin Turnpike, and Toll Gate Road, Wethersfield, in support of the planned construction of 275 Ridge Road, as shown on plans submitted by Buck and Buck LLC Engineers, dated 6/10/16, revised 10/25/16, providing that the District shall not be held liable for any cost of damage of any kind in the following years as a result of the encroachment.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

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

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

To: District Board

December 5, 2016

From: Bureau of Public Works

The sewers outlined in the following resolution have been constructed under Developer's Permit-Agreement in accordance with the plans, specifications and standards of the District, and the Director of Engineering has certified to all of the foregoing.

At a meeting of the Bureau of Public Works held on November 16, 2016, it was:

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

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

Resolved: That, in accordance with Section S8g of the District Ordinances, the following is incorporated into the sewer system of The Metropolitan District as of the date of passage of this resolution:

<u>Sewers In</u>	<u>Built By</u>	<u>Completion Date</u>
Krol Farm Drive from France Streeth North to Maryanna Way in Rocky Hill BIL.DVSRKH.01	Developer: RJD Development Contractor: Accurate Excavation	March 10, 2010

Respectfully submitted,

John S. Mirtle, Esq.
 District Clerk

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

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 8:08 P.M.

ATTEST:

John S. Mirtle, Esq.
 District Clerk

 Date of Approval