

**BUREAU OF PUBLIC WORKS
REGULAR MEETING
The Metropolitan District
Remote Meeting
Tuesday, November 17, 2020**

Present: Commissioners Andrew Adil, John Avedisian, Richard Bush, James Healy, Allen Hoffman, Byron Lester, Maureen Magnan, Dominic Pane, Bhupen Patel, Raymond Sweezy, Alvin Taylor, Calixto Torres, Richard W. Vicino, James Woulfe and District Chairman William DiBella (15)

Absent: Commissioners Donald Currey and Alphonse Marotta (2)

Also

Present: Scott W. Jellison, Chief Executive Officer
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Kelly Shane, Chief Administrative Officer
Christopher Martin, Chief Financial Officer
Susan Negrelli, Director of Engineering
Robert Schwarm, Director of Information Technology
Tom Tyler, Director of Facilities
Nick Salemi, Communications Administrator
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria S. Escoriza, Executive Assistant
Julie Price, Professional Level Trainee
David Silverstone, Consumer Advocate

CALL TO ORDER

The meeting was called to order by Vice Chairman Hoffman at 5:35 PM.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

Independent Consumer Advocate David Silverstone spoke regarding agenda item #7, and asked how the Clean Water Project Charge is calculated. He asked how funding of projects will be determined once the Integrated Plan is approved.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of September 30, 2020 were approved.

**ENCROACHMENT AGREEMENT
5 – 9 TUNXIS AVENUE BLOOMFIELD**

To: Bureau of Public Works for consideration on November 16, 2020

In a letter dated October 8, 2020, Timothy A. Coon of J. R. Russo & Associates, LLC, on behalf of the Naro Family Limited Partnership and RBS Realty Enterprise LLC, owners of the above-referenced properties (collectively, the “Owners”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the existing 20-foot Bloomfield Trunk Sewer easement located across private lands between Mountain Avenue and Tunxis Avenue in Bloomfield, with grading, paving and a drainage crossing in conjunction with the commercial redevelopment (i.e. restaurant, medical office or retail) of such property.

The proposed work entails the excavation and removal of up to five feet of fill, removal of trees, demolition and replacement of paving, new pavement and curbing, replacement of the 6-inch sanitary sewer lateral and chimney, and the replacement of an existing storm sewer with a 12 inch drainage pipe over the existing 24-inch RCP sanitary trunk sewer within the 20-foot easement as shown on the accompanying maps (collectively, the “Improvements”). The proposed piping will be installed above the existing sanitary trunk sewer with 3.5 feet of clearance between the pipes. The existing trunk sewer was built in 1961.

The properties, located at 5-9 Tunxis Avenue, are former locations of an Exxon Mobil gas station and the Bloomfield Hardware store. Exxon Mobil is currently completing an environmental cleanup of the site, removing contaminated soil in and around the area of the sanitary sewer easement. Our current understanding is that Exxon Mobil and the Owners will be requesting an additional encroachment for similar remediation work in the near future. MDC staff has concluded that the above described encroachments are minor and that there will be no detriment to the trunk sewer infrastructure as a result.

The Naro Family Limited Partnership and RBS Realty Enterprise LLC have agreed to the following conditions in order to satisfy the District’s concerns for protection of the existing sanitary sewers located within the subject parcel and to maintain accessibility along the length of the MDC’s 20-foot easement:

1. Care must be taken during the construction of or work for the Improvements not to disturb the existing trunk sewer. All heavy construction equipment must be located outside of the limits of the sanitary trunk sewer easement right-of-way (“ROW”) when not in use. Any earth moving equipment that will be utilized on the ROW 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 trunk sewer caused by any construction or associated activities within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the trunk sewer, and will backfill

the excavation, restore to grade, compact and patch pavement as necessary. The Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW.

4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.

5. An MDC inspector must be on the job site whenever work is being performed within the ROW, at the expense of the Owner. Any construction of the Improvements as well as any construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the ROW.

6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary trunk sewer in the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewer.

7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which shall remain in force and effect during the performance of any work within the ROW.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between the Naro Family Limited Partnership, RBS Realty Enterprise LLC and The Metropolitan District, consistent with current practice involving similar requests, and filed on the Town of Bloomfield Land Records.

It is RECOMMENDED that it be

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

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to approval of form and content by District Counsel, granting permission to the Naro Family Limited Partnership and RBS Realty Enterprise LLC to encroach upon the existing 20-foot sanitary trunk sewer easement off of Tunxis Avenue in private lands, Bloomfield, in support of the planned redevelopment of the property as shown on plans submitted by J. R. Russo & Associates, LLC, entitled "Site Plan Modification 5-9 Tunxis Avenue Bloomfield, Connecticut Map 177 Blk 3 Lots 4, 5 & 5A Zone BCD", dated 8-25-20, Sheet 1 of 1, provided 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, and further provided that such agreement shall not be effective until fully executed by The Metropolitan District, the Naro Family Partnership and RBS Realty Enterprise LLC, and recorded on the Bloomfield Land Records. In the event that such full execution and recording does not occur within two (2) months of the date of this resolution, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer



Revised October 8, 2020

Michael Curley, P.E.
Manager of Technical Services
Engineering & Planning
555 Main Street
P.O. Box 800
Hartford, CT 06142-0800

Re: Encroachment Request
5-9 Tunxis Avenue, Bloomfield, CT

Dear Mr. Curley,

On behalf of the Naro Family Limited Partnership and RBS Realty Enterprise LLC, I am writing to request an encroachment permit for site improvements associated with the redevelopment of his properties at 5-9 Tunxis Avenue in Bloomfield. The project site is located on the west side of Tunxis Avenue approximately 300 feet north of Mountain Avenue (Rte. 187). Wash Brook runs along the western site boundary. An existing MDC sewer main within a 20' wide easement through the rear of the site adjacent to Wash Brook.

The subject properties are the former locations of a gasoline service station and the Bloomfield Hardware Store. The gasoline station has been razed, and the former hardware store has been gutted and abandoned after a fire. Exxon/Mobil is currently completing an environmental clean-up at the site which is being managed by Kleinfelder. The environmental clean-up project is being completed in two phases. Phase 1, which involved the removal of contaminated soil in the areas east of the existing sanitary sewer easement, has recently been completed. Phase 2 will involve the removal of contaminated soil to the west, including within the sewer easement. The characterization and delineation of contamination in the Phase 2 area is ongoing, and the timeframe for the contaminated soil removal has not been determined.

In the meantime, the owner has received local approvals for the redevelopment of the site, and he intends to proceed with the development at this time, independent of the Phase 2 clean-up. The proposed redevelopment project includes the renovation of the existing building and construction of a new parking lot south of the building. The existing paved driveway at the rear of the building will be extended in order to connect the new parking lot to the existing parking lot on the north side of the building. The driveway is proposed to be 24 feet wide in order to provide the required two way access between the northern and southern parking lots. Detailed plans for the construction are attached. As shown on the plans, the following construction activities are proposed within the MDC easement:

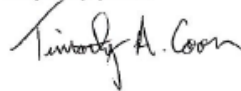
- Minor clearing and grubbing.
- Demolition and replacement of existing pavement at the existing elevation.
- Earth removal (excavation and fill).

- Construction of new paved driveway and curbing.
- Replacement of an existing 6" storm sewer with a new 12" storm sewer at the same elevation.
- Placement of topsoil and establishment of lawn.

All of the proposed work will occur well above the elevation of the existing sewer, and no impacts to the sewer are expected. An additional plan showing cross sections of the proposed work in relation to the existing sewer main has been prepared and is attached. In the event that contaminated soils are encountered during the redevelopment project, there will be an agreement in place between the owner and Exxon/Mobil to allow for its proper characterization, removal and disposal.

Please consider this a formal request for an encroachment to re-develop the portion of the subject site within the MDC easement. If you have any questions or require further information, please feel free to call me at (860) 623-0569.

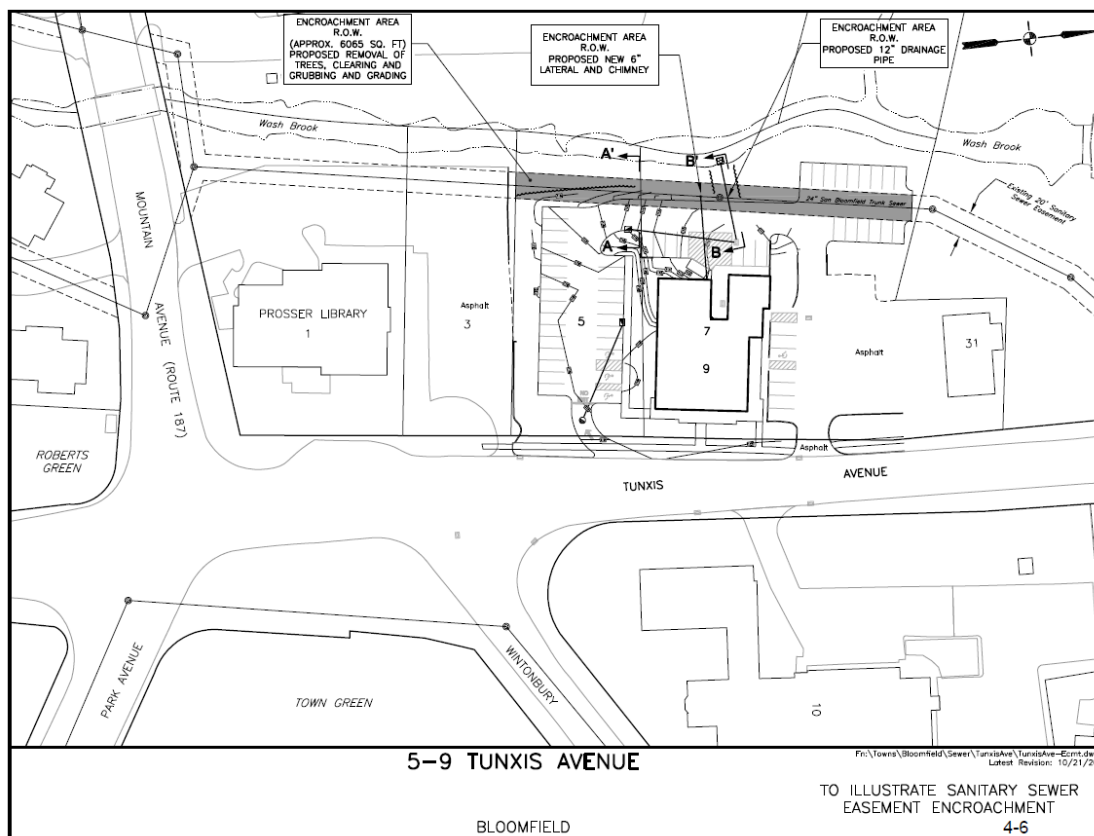
Very truly yours,

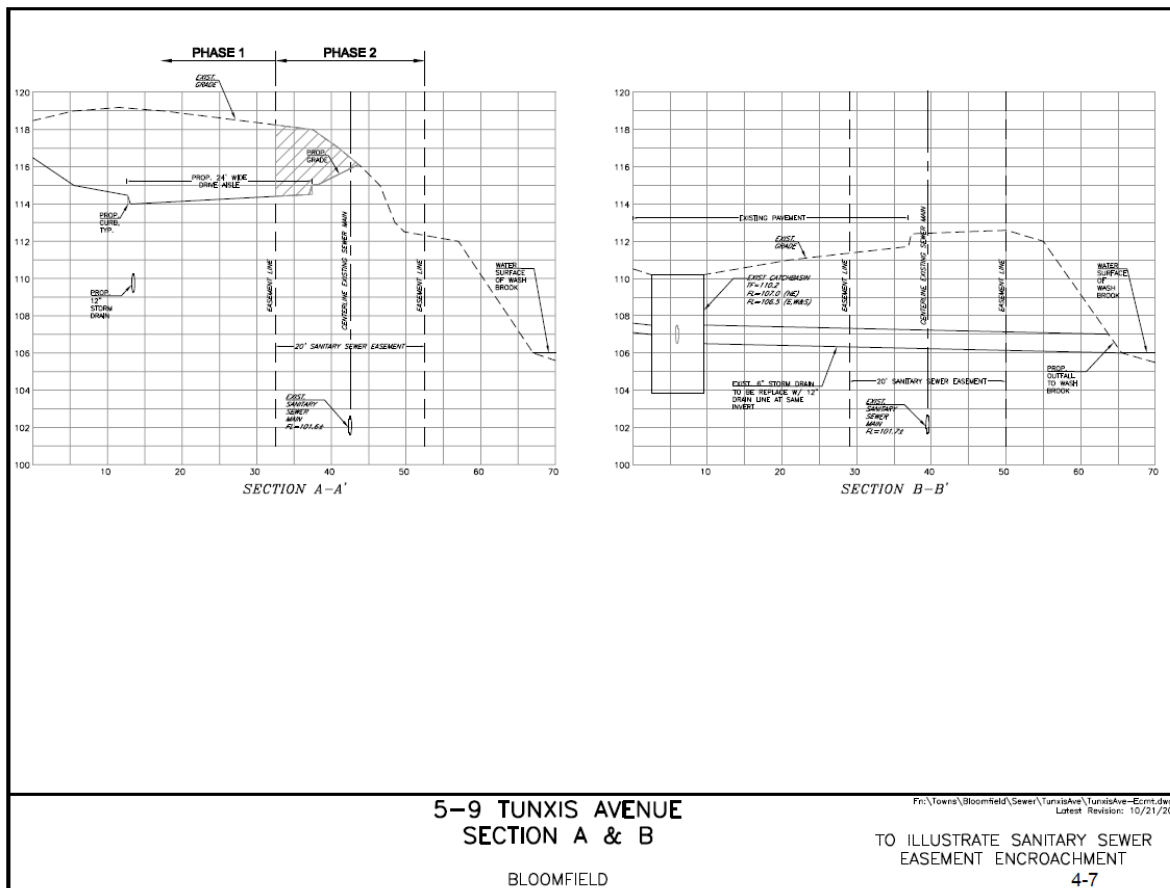


Timothy A. Coon, P.E.
J.R. Russo & Associates, LLC

cc: Robert Schwartz

Attachments





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

SEWER SERVICE TO 1130 NEW BRITAIN AVENUE, ROCKY HILL

To: Bureau of Public Works for consideration on November 16, 2020

In a letter dated November 3, 2020, Mr. Raymond Kuliasius requested sewer service for his property at 1130 New Britain Avenue in Rocky Hill ("Property") from the Berlin Water Control Commission ("BWCC"). The District currently does not have sanitary sewer in the vicinity of the Property to allow for connection to a District sewer. The BWCC forwarded the request for sewer service and is requesting the District and BWCC enter into a Memorandum of Agreement for the Property to connect to a BWCC sewer. Mr. Kuliasius intends to connect the Property to the sewer lateral serving 976 Deming Road in Berlin which is also owned by Mr. Kuliasius. In order to allow said connection Mr. Kuliasius has obtained any necessary easements.

It is **RECOMMENDED** that it be

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

RESOLVED: That the Chairman or Vice Chairperson of the District Board be authorized to execute an agreement, subject to approval of form and content by District Counsel, granting permission to the property owner of 1130 New Britain Avenue in Rocky Hill to connect to the sewer system of the Berlin Water Control Commission.

Respectfully submitted,

Scott W. Jellison
Chief Executive Officer



**TOWN OF BERLIN
WATER CONTROL COMMISSION**

240 Kensington Road • Berlin, CT 06037
Office (860) 828-7065 • Fax (860) 828-7180

November 3, 2020

The Metropolitan District
Attn: Mr. Allen King
555 Main Street
PO Box 800
Hartford, CT 06142-0800

Dear Allen;

Please find attached, the letter from Mr. Raymond Kulasius requesting sewer service from the Berlin Water Control Commission. We would be happy to provide sewer service to 1130 New Britain Avenue, Rocky Hill. Since Rocky Hill falls within your jurisdiction, I believe we would require a Memorandum of Agreement between us to allow us to serve that property. Hope you agree. If you have any questions, please contact me.

Sincerely,

Ray Jarema, P.E.
Manager, Berlin Water Control Commission

Attachment

Mr. Ray Jarema, Manager
Berlin Water Control Commission
240 Kensington Road
Berlin, CT 06037

November 3, 2020

RE: Sewer Service to 1130 New Britain Avenue, Rocky Hill, CT

Dear Mr. Jarema;

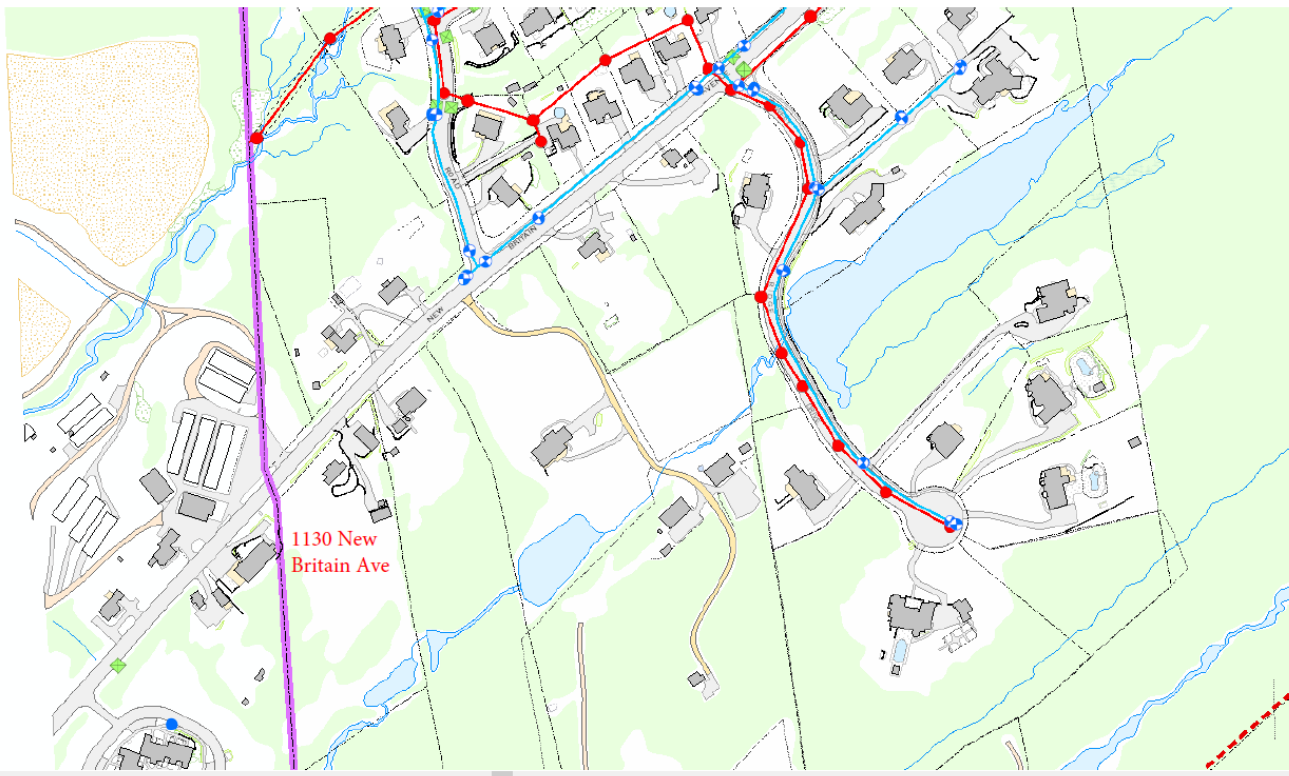
I am requesting sewer service from the Berlin Water Control Commission for my property at 1130 New Britain Avenue, Rocky Hill, CT which also abuts my property at 976 Deming Road in Berlin, CT. I have established an easement to allow me to get service to my property at my Rocky Hill property.

I respectfully request approval for sewer service from the Berlin Water Control Commission. Thank you.

Sincerely,

Raymond Kulasius

Raymond Kulasius



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

**BUREAU OF PUBLIC WORKS
FISCAL YEAR 2021 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES AND
OTHER SEWER CHARGES**

To: Bureau of Public Works for Consideration on November 17, 2020

In accordance with Section S12j of the District's Ordinances, sewer use unit charge rates shall be determined annually in conjunction with adoption of the District Budget. The 2021 budget in support of sewer operations calls for a sewer user charge rate of \$5.31, which is 3.1% higher than the prior year.

Additionally, in support of the 2021 budget and in accordance with Section S12l of the District's Ordinances, the monthly sewer customer service charge per connection will remain the same at \$7.00, effective January 1, 2021.

There will be an Administrative Review Fee for work performed by the Utility Services department, Engineering, Real Estate, Environment, Health & Safety, and others related to customer requests. The Administrative Review Fee includes, but is not limited to, the following individual services: availability and capacity analysis, assessment calculation, permit applications for non-domestic sewage wastewater discharges (including, but not limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater), encroachment permits, abandonment of infrastructure, Engineering/Environmental surveys and documentation requests.

There will be an Annual Wastewater Discharge Compliance Fee for all permitted wastewater discharges categorized as non-domestic sewage discharges, including but limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater. The charge is related costs associated with annual administration and review of discharge monitoring reports, verification of discharges and inventorying and management of customer data.

Following the cost trends for the sewer user charge rate, it is recommended the BOD and COD rate be increased to \$0.63 and \$0.63 per pound respectively. In addition, the suspended solids strength charge will increase to \$0.52 per pound. These unit charges, which apply to high flow users, low flow/high strength users and non-municipal tax-exempt users, are for the following:

1. Liquid flow charge rate based on sewer flow in hundreds of cubic feet (CCF).
2. BOD (biochemical oxygen demand) strength charge rate based on pounds of BOD for the concentration of BOD exceeding 300 milligrams per liter (mg/l); AND/OR

COD (chemical oxygen demand) strength charge rate based on pounds of COD for that concentration of COD exceeding 700 mg/l.

3. Suspended solids strength charge rate based on pounds of suspended solids for that concentration exceeding 300 mg/l.

In accordance with Section S12p of the District's Ordinances, sewer user charge Late Filing/Sewage Evaluation Fees will remain at \$250.00 for the 2021 budget.

Additionally, Section S12x of the District's Ordinances provides for the Clean Water Project Charge, primarily for payment of principal and interest on certain bonds and loans which proceeds are used to finance the costs associated with the Clean Water Project. The clean water project charge is set annually in conjunction with adoption of the District Budget. Effective January 1, 2021, said charge shall be \$4.10 per hundred cubic feet (ccf) to be uniformly applied and to be proportional to the quantity of water used by District customers who utilize the District sewer system and are furnished water directly by the Metropolitan District. The clean water project charge shall appear separately on the water bills of the District.

Liquid Waste Discharge Fee (other than Acceptable Septage): A fee is required as part of the approval from MDC for its acceptance, by whatever means, of the discharge of liquid waste other than Acceptable Septage, as provided by §S13b of the District's Sewer Ordinances. For example, but without limiting the forms of liquid waste subject to this fee, this fee shall apply to the following without limitation: groundwater; remediated groundwater; contaminated stormwater; contaminated groundwater permitted through a CT DEEP Groundwater Remediation General Permit or other CT DEEP Miscellaneous General or Individual Permit; landfill leachate; process equipment condensate; groundwater used for process water including cooling water; discharges granted temporary authorization to discharge by CT DEEP; and stormwater discharged into a separated sanitary sewer system.

Liquid Waste Discharge Fee (other than Acceptable Septage)

Tier 1--	0-500,000 avg. gallons per month	\$0.13/gal
Tier 2--	500,001 to 700,000 avg. gallons per month	\$0.07/gal
Tier 3--	700,000+ avg. gallons per month	\$0.05/gal

FOG Charges: Fees are charged to Class III and IV and FDA class 2, 3, and 4 Food Service Establishments FSE or any other facility that is likely to discharge fats, oils and grease above the effluent limit of 100 mg/l to offset the costs of managing the Fats, Oils and Grease (FOG) program. This program is required by the CT Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Service Establishments.

It is **RECOMMENDED** that it be

Voted: That the District Board approve the following resolution:

Resolved: That, in accordance with Section S12j of the District Ordinances, Unit Charges For Computing The Sewer User Charge, a sewer user charge rate of five dollars

and thirty-one cents (\$5.31) per hundred cubic feet of sewer flow be effective for meter readings on and after January 1, 2021 and that, effective January 1, 2021, a sewer user customer service charge per connection of seven dollars (\$7.00) per month, a BOD strength charge of sixty-three cents (\$0.63) per pound be billed on sewer flow for that concentration of BOD exceeding 300 milligrams per liter; a COD strength charge of sixty-three cents (\$0.63) per pound be billed on sewer flow for that concentration of COD exceeding 700 milligrams per liter; and a suspended solids strength charge of fifty-two cents (\$0.52) per pound be billed on sewer flow for that concentration of suspended solids exceeding 300 milligrams per liter.

Further

Resolved: In accordance with Section S12x of the District's Ordinances, the rate for the Clean Water Project Charge (f/k/a Special Sewer Service Charge) shall be \$4.10 per ccf commencing January 1, 2021.

Also Voted: That the District Board approve the following schedule of fees effective January 1, 2021.

	<u>CURRENT</u>	<u>PROPOSED</u>
Installation, Repair or Replacement of Sewer Meters		
<i>Fees are charged to wastewater dischargers that require metering of discharges for billing purposes. The charge is for the initial District meter installation and required repair or replacement of District meter as needed during the permitted discharge period.</i>		
5/8" meter	\$250	\$360
3/4" meter	\$260	\$375
1" meter	\$300	\$445
1-1/2" meter	\$1,000	\$1,140
2" meter	\$1,300	\$1,250

Installation, Repair or Replacement of Sewer Meters (cont'd)	<u>CURRENT</u>	<u>PROPOSED</u>
3" meter	\$1,430	\$2,630
4" meter	\$1,700	\$3,180
6" meter	\$2,700	\$4,960
8" meter	\$4,100	\$14,840
10" meter	-	\$17,110
12" meter	-	\$17,800
Meter Box (5/8" to 1")	-	\$1,750
Meter Pit (1 1/2" and larger)	-	Actual Cost* + Overhead

* The charge will be the District's cost of material, labor and equipment used, plus overhead at prevailing rates. In circumstances where this procedure for charging a customer would significantly delay the final billing, the District will use an appropriate estimate of its cost.

Open Channel Sewer	\$9,500	\$15,300
Meter Chamber for Open Channel	-	Actual Cost*
		+ overhead
Radio transmitter unit	\$200	\$200
Liquid Waste Discharge Fee (other than Acceptable Septage)		
Tier 1-- 0-500,000 avg. gallons per month	\$0.13/gal	\$0.13/gal
Tier 2-- 500,001 to 700,000 avg gallons per month	\$0.07	\$0.07
Tier 3-- 700,000+ avg gallons per month	\$0.05	\$0.05
Sewer User Charge Late Filing/Sewage Evaluation Fees	\$250	\$250
Administrative Review for Sewer Services Fee	\$540	\$540
<i>Includes, but is not limited to, the following individual services: availability and capacity analysis, assessment calculation, permit applications for non-domestic sewage wastewater discharges (individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater), encroachment permits, abandonment of infrastructure, Engineering/Environmental surveys and documentation requests</i>		
Annual Wastewater Discharge Compliance Fee	\$150	\$150
<i>For all permitted wastewater discharges categorized as non-domestic sewage discharges, including but limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater. The charge is related costs associated with annual administration and review of discharge monitoring reports, verification of discharges and inventorying and management of customer data.</i>		
	<u>CURRENT</u>	<u>PROPOSED</u>
Wastewater Discharge Compliance Fees		
Failure to submit Registration or Variance Applications	\$500	\$500
Disallow Inspection	\$225	\$225
Failure to maintain discharge records including analytical results and discharge volumes	\$200	\$200
No FOG management or pre-treatment equipment installed	\$200	\$200
Non-compliant FOG management or pre-treatment	\$200	\$200

equipment installed		
Failure to properly maintain/service FOG and pre-treatment equipment to maintain proper working order and provide inspection and maintenance records as required.	\$100	\$100
Failure to maintain FOG management equipment in proper working order	\$200	\$200
Failure to clean FOG management equipment quarterly or when 25% of the depth of the trap is filled with food solids and FOG, whichever comes first.	\$200	\$200
Failure to properly dispose of brown and/or yellow grease	\$200	\$200
Source of sewer blockage	\$1,000	\$1,000
Source of sanitary sewer overflow - Actual costs will be billed to the facility for time and materials related to the overflow	minimum \$1,000 or Actual Cost whichever is greater	minimum \$1,000 or Actual Cost whichever is greater

Wastewater Discharge Violation Correction Schedule

Discharge and/or Equipment not registered	7 days
No FOG management or pre-treatment equipment installed	30 days
FOG management equipment in need of repair or cleaning	7 days
Failure to maintain written records of FOG management equipment cleaning and inspection	7 days
Disallow an inspection – Inspection must be scheduled within 7 days of initial inspection attempt	7 days
Failure to clean and maintain FOG management equipment as required	7 days
Source of sewer blockage	24 Hours
Source of sanitary sewer overflow (minimum)	24 Hours

\$75 re-inspection fee for not complying with the Notice of Violation within the schedule listed above.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

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

DISCUSSION RE: CLEAN WATER PROJECT SPEND AND BUDGET

Susan Negrelli, Director of Engineering, gave a presentation on the Clean Water Project spending and budget

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Ray Jarema of the Berlin Water Control Commissioner (BWCC) spoke regarding a payment dispute. He requested payment from 1987 through present.

ADJOURNMENT

The meeting was adjourned at 6:26 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval