



The Metropolitan District
water supply · environmental services · geographic information

**BUREAU OF PUBLIC WORKS
REGULAR MEETING
WEDNESDAY, FEBRUARY 21, 2024
4:00 PM**

Location

Board Room
District Headquarters
555 Main Street, Hartford

Dial in #: (415)-655-0001
Access Code: 2312 672 8562#

[Meeting Video Link](#)

Commissioners

Avedisian	Holloway
Bazzano	Johnson
Bush	Lester
Currey (Ex-Officio)	Magnan
DiBella	Patel
Drake	Salemi
Gale	Steuber
Gentile	Taylor
Healy	Torres
Hoffman	Woulfe

Quorum: 10

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. ELECTION OF CHAIRPERSON
4. ELECTION OF VICE-CHAIRPERSON
5. APPROVAL OF MEETING MINUTES OF NOVEMBER 8, 2023
6. CONSIDERATION AND POTENTIAL ACTION RE: POTENTIAL REAL ESTATE LEASE AT HARTFORD WPCF (POSSIBLE EXECUTIVE SESSION)
7. CONSIDERATION AND POTENTIAL ACTION RE: WILSON PARK 458 WINDSOR AVE, WINDSOR, ENCROACHMENT AGREEMENT
8. REPORT RE: INTEGRATED PLAN CONSENT ORDER ANNUAL REPORT PUBLIC MEETING
9. DISCUSSION RE: RETROACTIVE REIMBURSEMENT FOR CUSTOMER SEWER REPAIRS
10. DISCUSSION RE: WASTEWATER TESTING
11. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
12. COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS
13. ADJOURNMENT

**458 WINDSOR AVE, WILSON PARK
ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on February 21, 2024

In a letter dated June 27, 2023, and revised November 22, 2023, Mr. Francis J. Vacca, P.E., Senior Project Manager at BSC Group, on behalf of the Town of Windsor, owner of the above-referenced property (“Owner”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing 20-foot-wide Deckers Brook Trunk Sewer easement or right-of-way, encompassing an existing 15-inch and 12-inch sanitary trunk sewer and its appurtenant infrastructure (collectively, the “Sewer”), situated on the Property (“ROW”) for the purpose of constructing and installing site improvements for and in connection with the Wilson Park Revitalization Project (the “Project”).

The proposed work for the Project entails (i) removal of topsoil, excavation and filling of up to 2.3 feet of fill, (ii) installation of new concrete and bituminous concrete sidewalk and pavers, (iii) installation of a 4-inch sanitary sewer lateral connection to the Sewer, (iv) installation of four electrical and telecom conduits, and (v) adjusting two sanitary manhole frames and covers to grade as shown on the accompanying map (collectively, the “Improvements”). The Sewer was built in 1947 and 1949, and was rehabilitated in 1998.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result, provided Owner enters into and executes an encroachment agreement with the MDC, whereby Owner complies with the following conditions and other conditions required hereby.

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

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the Sewer. All heavy construction equipment and materials must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner 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 Sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.

4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC or MDC hired-consultant inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District and a preconstruction meeting shall be held prior to commencing any such activities within the ROW, except in the case of an emergency, in which case notice must be provided to the District as soon as practicable. Such inspector shall have the unilateral right to halt performance of any such work in the event the integrity of the Sewer is in any way threatened as determined by such inspector in his or her sole and absolute discretion.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the Sewer in the areas of the construction prior to and upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the pre- and post-activity condition of the 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 insurance shall remain in force and effect during the performance of any work with in the ROW pursuant to the encroachment contemplated herein.

Staff has reviewed this request and considers it feasible, subject to the terms and conditions herein.

Accordingly, a formal written encroachment agreement shall be entered into and executed by the Owner and the District, which agreement shall include the above conditions and any other conditions set forth herein, and filed on the Town of Windsor 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, with the above conditions and subject to approval of form by District Counsel, granting permission to Owner to encroach upon the existing 20-foot sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the Project as shown on the plan submitted by BSC Group entitled "Wilson Gateway Park, 458 Windsor Avenue (CT-159) in Windsor, Connecticut, Restroom Add Alternate Plan (Alternate #1), October 1, 2023, Prepared for Town of Windsor, 275 Broad Street,

Windsor, CT 06095", Sheet L-4.5, and (ii) maintain, repair and replace such Improvements, provided that: (a) the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, (b) Owner shall reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by the District and Owner, and recorded on the Windsor Land Records. In the event that such full execution and recording does not occur within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle
District Clerk

JUNE 27, 2023 (REVISED NOV. 22, 2023)

Mr. Michael Curley
Manager of Technical Services
The Metropolitan District
555 Main Street, P.O. Box 800
Hartford, CT 06142-080

RE: Wilson Park Revitalization
Windsor Ave.
Windsor CT 06095

Dear Mr. Curley,

On Behalf of the Town of Windsor CT (Town), BSC Group (BSC) would like to request an encroachment permit for construction of various site features, amenities, and utilities associated with the development of a new community park at the former location of the "Drake Street Tot Lot" at the intersection Windsor Ave and Deerfield Road (to the southeast). There is an existing 20 ft. wide MDC Sanitary Sewer Easement which bifurcates the site from west to east, along the historic orientation of Drake Street.

Construction activities within the MDC Easement will include:

- Removal of Topsoil
- Earth excavation and filling within the top 2.3 ft. of elevation in various areas
- Installation of new concrete sidewalk and pavers
- Installation of new bituminous concrete sidewalk
- Trenching and installation of a sewer connection to the sewer within the easement from a proposed restroom facility
- Trenching and installation of one (1) new site lighting conduit and conductors across the MDC easement
- Trenching and installation of one (1) new conduit and conductor for electrical service to a stage area across the MDC easement
- Excavation and installation of one (1) new conduit and wiring for telecommunication service to wi-fi repeater hubs at various Light pole Locations across the MDC Easement
- Excavation and installation of one (1) new conduit and conductor for electrical service to a new irrigation well pump and system across MDC Easement
- Installation of temporary erosion controls during construction
- Installation of light pole bases adjacent to but outside the easement
- Loaming and seeding

BSC attempted to place the conduit crossings as close together in one utility corridor as possible, located to the west of the proposed restroom building.

Long term maintenance activities within the easement will include:

- Mowing and other horticultural practices to maintain turf. Currently, fertilizer and other turf chemicals are not proposed for use
- Sidewalk repair in the future
- Access to light poles to replace bulbs; painting; repair conduits/wiring if necessary

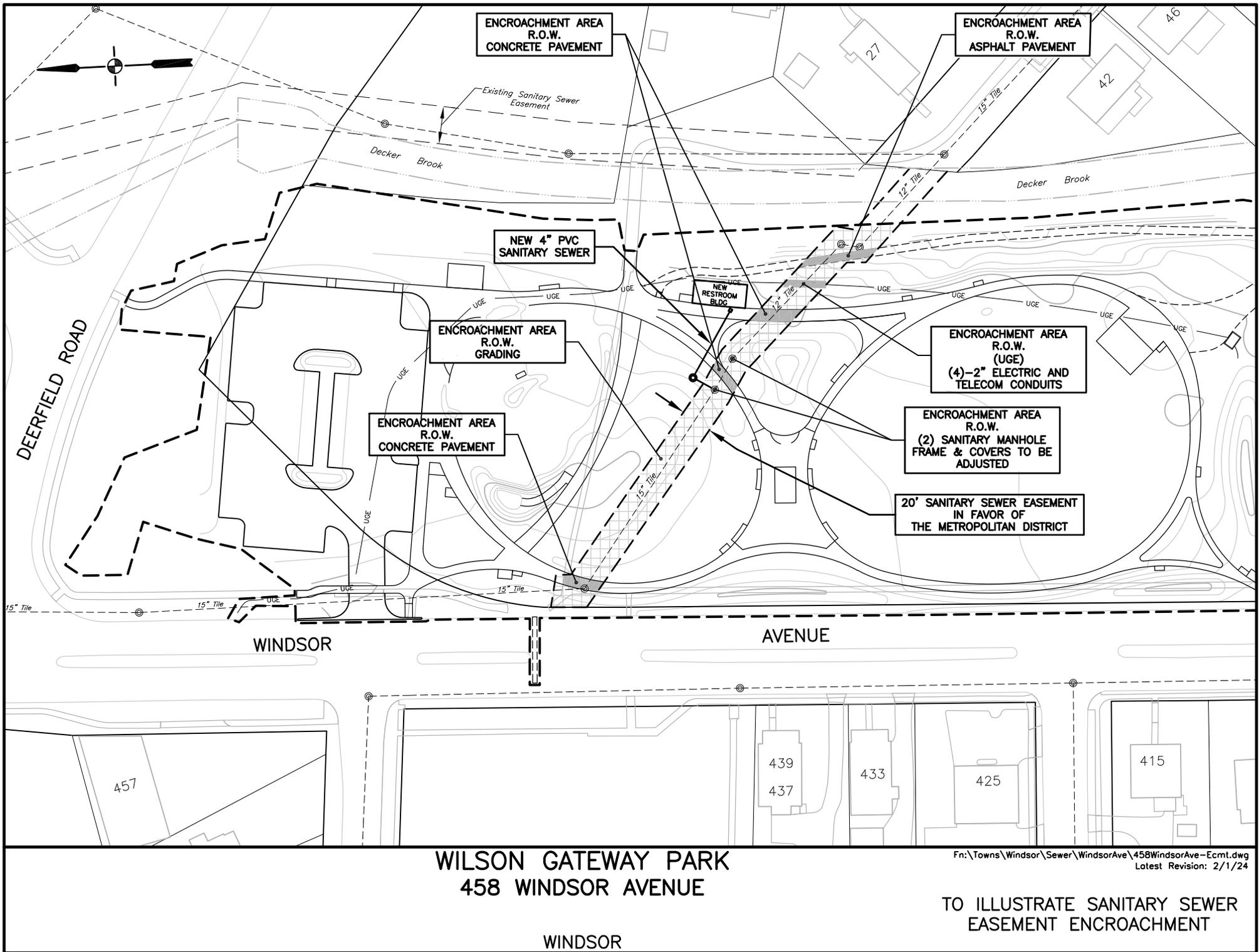
A detailed drawing showing the improvements and the conduit corridor crossing, is included as Attachment 1.

Please consider this a formal request for a permanent encroachment permit to develop and maintain site improvements within the MDC Easement.

Please do not hesitate to contact me with any comments or questions regarding this request.

Best Regards,

Francis J. Vaca, P.E.
Senior Project Manager



**WILSON GATEWAY PARK
458 WINDSOR AVENUE**

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Latest Revision: 2/1/24

**TO ILLUSTRATE SANITARY SEWER
EASEMENT ENCROACHMENT**

WINDSOR

**BUREAU OF PUBLIC WORKS
REGULAR MEETING**

555 Main Street, Hartford
Wednesday, November 8, 2023

Present: Commissioners Andrew Adil, John Avedesian, John Bazzano, Richard Bush, Donald Currey, David Drake, John Gale, Joan Gentile, Allen Hoffman, Gary Johnson, Dominic Pane, Bhupen Patel, Alvin Taylor, Calixto Torres and District Chairman William DiBella (15)

Remote

Attendance: Commissioners Byron Lester, Maureen Magnan, Pasquale J. Salemi and David Steuber (4)

Absent: Commissioners James Healy and James Woulfe (2)

Also

Present: Commissioner Jacqueline Mandyck (Remote Attendance)
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer (Remote Attendance)
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Susan Negrelli, Director of Engineering
Tom Tyler, Director of Facilities
Robert Schwarm, Director of Information Services (Remote Attendance)
Ray Baral, Assistant Manager of Water Treatment
Andrew Hubbard, Natural Resources Administrator
Carrie Blardo, Assistant to the Chief Executive Officer
Julie Price, Executive Assistant
Dylan Pecego, IT Consultant (Remote Attendance)
Joseph Szerejko, Independent Consumer Advocate (Remote Attendance)

CALL TO ORDER

The meeting was called to order by Chairman Hoffman at 4:05 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Gentile and duly seconded, the meeting minutes of August 30, 2023 were approved.

Commissioner Pane entered the meeting at 4:35 PM.

FISCAL YEAR 2024 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES AND OTHER SEWER CHARGES

To: Bureau of Public Works for consideration on November 8, 2023

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 2024 budget in support of sewer operations calls for a sewer user charge rate to remain unchanged at \$5.90 per ccf or 0.0% change effective January 1, 2024.

Additionally, in support of the 2024 budget and in accordance with Section S12l of the District's Ordinances, the monthly sewer customer service charge per connection will remain at \$9.00 or 0.0% change effective January 1, 2024.

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 Industrial User (MIU) Wastewater, Vehicle Maintenance Wastewater), encroachment permits, abandonment of infrastructure, Engineering/Environmental surveys and documentation requests; this fee will be \$670.

The Annual Wastewater Discharge Compliance Fee of \$150 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 will be split into 12 monthly increments at a billing rate of \$12.50. The charge is related to costs associated with annual administration and review of discharge monitoring reports, verification of discharges and inventorying and management of customer data.

Following the cost trend for the sewer user charge rate, it is recommended the BOD and COD rates remain unchanged at \$0.70 per pound or effective January 1, 2024. In addition, the suspended solids strength charge will also remain unchanged at \$0.58 per pound effective January 1, 2024. These unit charges, which apply to high flow users, low flow/high strength users and non-municipal tax-exempt users, are for the following:

Liquid flow charge rate based on sewer flow in hundreds of cubic feet (CCF).

1. 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.

2. 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 2024 budget.

Additionally, Section S12x of the District’s Ordinances provides for the Special Sewer Service Charge (a.k.a. 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 and going forward, the Integrated Plan. The Special Sewer Service Charge is set annually in conjunction with adoption of the District Budget. Effective January 1, 2024, said charge shall be \$4.33 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 Special Sewer Service 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) discharge subject to approval by the District:

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 Bureau of Public Works recommends to the District Board passage of 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

ninety cents (\$5.90) per hundred cubic feet of sewer flow be effective for meter readings on and after January 1, 2024 and that, effective January 1, 2024, a sewer user customer service charge per connection of nine dollars (\$9.00) per month, a BOD strength charge of seventy cents (\$0.70) per pound be billed on sewer flow for that concentration of BOD exceeding 300 milligrams per liter; a COD strength charge of seventy cents (\$0.70) 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 eight cents (\$0.58) 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 Special Sewer Service Charge a.k.a. Clean Water Project Charge shall be \$4.33 per ccf commencing January 1, 2024.

Further

Resolved: That the District Board approve the following schedule of fees effective January 1, 2024.

	<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	\$360	\$360
3/4" meter	\$375	\$375
1" meter	\$445	\$445
1-1/2" meter	\$1,140	\$1,140
2" meter	\$1,250	\$1,250
3" meter	\$2,630	\$2,630
4" meter	\$3,180	\$3,180
6" meter	\$4,960	\$5,090
8" meter	\$14,840	\$14,840
10" meter	\$17,110	\$17,110
12" meter	\$17,800	\$17,800
Meter Box (5/8" to 1")	\$1,750	\$1,750
Meter Pit (1 1/2" and larger)	Actual Cost* + Overhead	Actual Cost* + Overhead
Open Channel Sewer	\$15,300	\$15,300

* 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.

	<u>CURRENT</u>	<u>PROPOSED</u>
Meter Chamber for Open Channel	Actual Cost* + overhead	Actual Cost* + overhead
Radio transmitter unit	\$200	\$212
Liquid Waste Discharge Fee (other than Acceptable Septage)		
Discharge subject to approval by the District:		
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	\$600	\$670
<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 Industrial User (MIU) 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 not limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Industrial User (MIU) 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. The fee will be billed on a monthly basis at \$12.50/month.</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 equipment installed	\$200	\$200
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	\$1,000 or Actual Cost whichever is greater	\$1,000 or Actual Cost whichever is greater
Wastewater Discharge Violation Correction Schedule		
Discharge and/or Equipment not registered	7 days	7 days
No FOG management or pre-treatment equipment installed	30 days	30 days
FOG management equipment in need of repair or cleaning	7 days	7 days
Failure to maintain written records of FOG management equipment cleaning and inspection	7 days	7 days
Disallow an inspection – Inspection must be scheduled within 7 days of initial inspection attempt	7 days	7 days
Failure to clean and maintain FOG management equipment as required	7 days	7 days
Source of sewer blockage	24 Hours	24 Hours
Source of sanitary sewer overflow (minimum)	24 Hours	24 Hours

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

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

MUNICIPAL SEPARATED STORM SEWER SYSTEMS (MS4) IMPACT ANALYSIS AND POTENTIAL REGIONAL STORMWATER AUTHORITY

Commissioner Currey made motion to postpone item #5 “Municipal Separated Storm Sewer Systems (MS4) Impact Analysis and Potential Regional Stormwater Authority” until the next BPW meeting. Commissioner Hoffman postponed the item without objection.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS

Commissioner Gale requested that the Bureau take up the MS4 issue and remember that development in Hartford will have a positive impact on ad valorem.

CEO Scott Jellison requested that the meeting topic requested by Commissioner Gale be held as a special meeting as to allow enough time for the discussion.

ADJOURNMENT

The meeting was adjourned at 5:15 PM

ATTEST:

John S. Mirtle
District Clerk

Date of Approval