

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

FOR THE YEAR
2020

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

CONTENTS

	Page
Membership.....	A

MINUTES OF THE BUREAU OF PUBLIC WORKS

February 3.....	1
February 26 (Public Hearing).....	13
April 28.....	15
September 30.....	22
November 17	25

INDEX

Minutes of the Bureau of Public Works	I-1
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MEMBERSHIP
OF
THE BUREAU OF PUBLIC WORKS
2020

RICHARD W. VICINO Chairman, Bureau of Public Works

ALLEN HOFFMAN Vice Chairman, Bureau of Public Works

ANDREW ADIL

ALPHONSE MAROTTA

JOHN AVEDISIAN

DOMINIC PANE

DONALD CURREY

BHUPEN PATEL

JAMES HEALY

RAYMOND SWEEZY

ALLEN HOFFMAN

ALVIN E. TAYLOR

BYRON LESTER

RICHARD W. VICINO

MAUREEN MAGNAN

MINUTES

OF

MEETINGS OF THE BUREAU OF PUBLIC WORKS

HELD IN 2020

BUREAU OF PUBLIC WORKS**The Metropolitan District**

555 Main Street, Hartford

Monday, February 3, 2020

Present: Commissioners Andrew Adil, Donald Currey, Allen Hoffman, Maureen Magnan, Alphonse Marotta, Dominic Pane, Bhupen Patel, Raymond Sweezy, Alvin Taylor, Richard W. Vicino and District Chairman William DiBella (11)

Absent: Commissioners John Avedisian, James Healy and Byron Lester (3)

Also

Present: Commissioner Avery Buell
Commissioner David Ionno
Commissioner Gary LeBeau
Commissioner Jacqueline Mandyck
Commissioner Scott W. Jellison, Chief Executive Officer
Christopher Martin, Chief Financial Officer
Christopher Stone, Assistant District Counsel
Steve Bonafonte, Assistant District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Robert Schwarm, Director of Information Technology
Robert Zaik, Director of Human Resources
Nick Salemi, Communications Administrator
Julie McLaughlin, Communications Administrator
Phil Schenck, CDM
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria S. Escoriza, Executive Assistant

CALL TO ORDER

Assistant District Counsel Christopher R. Stone called the meeting to order at 3:01 PM.

ELECTION OF CHAIRPERSON

Assistant District Counsel Christopher R. Stone called for the election of the Chairperson. Commissioner Adil placed Commissioner Richard Vicino's name in nomination, Commissioner Hoffman seconded the nomination.

There being no further nominations, the nominations were closed. Commissioner Vicino was elected Chairperson of the Bureau of Public Works for 2020 and 2021. Chairman Vicino assumed the Chair and thanked the Bureau of Public Works.

ELECTION OF VICE CHAIRPERSON

Chairman Vicino called for the election of the Vice Chairperson. Commissioner Magnan placed Commissioner Allen Hoffman's name in nomination, and the nomination was duly seconded.

There being no further nominations, the nominations were closed. Commissioner Allen Hoffman was elected Vice Chairperson of the Bureau of Public Works for 2020 and 2021.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

David Silverstone, Independent Consumer advocate, submitted the following written comments:

COMMENTS REGARDING AGENDA ITEM 6: ECONOMIC DEVELOPMENT RATE FOR THE CLEAN WATER

PROJECT CHARGE

The special Revenue Committee has proposed what it terms an economic development rate which it believes will encourage additional water use. It is restricted to the very largest customers-those using more than 20,050 ccf per month. It appears that there is currently only one customer who approaches this threshold. The rate is in two parts. Water consumed above this threshold in any given month will be charged 80% of the water rate or \$3.18/ccf instead of the rate paid by everyone else of \$3.97. This part of the rate has been approved by the water bureau.

The second part of the rate, which is before you tonight, affects the clean water project charge(cwpc) of the customer bill. For water consumption above the threshold, there will only be a cwpc imposed on that portion of the water consumption which is in fact discharged to the sewer as measured by a sewer meter. For example if a customer used 21,050 ccf of water and only discharged 25% of the water into the sewer, the customer would only pay the cwpc on 25% of 1000ccf (the portion of the water consumption above the threshold) or 250ccf. The result would be a 75% discount from the cwpc paid by every other customer. (Of course the customer would be paying the full cwpc rate on the first 20,050 ccf of consumption).

The Independent Consumer Advocate favors true economic development rates. He also favors the decoupling of the cwpc from water consumption in those instances where the water is demonstrably not being discharged into the sewer system. It is indeed the coupling of these rates which has caused the 'death spiral' referenced in comments on the budget. However, this proposal meets neither of these worthy objectives.

First, it appears, at least in the short run, that this proposal will only be available to one customer. For any other customer, existing or new, to take advantage of this rate, substantial building by that customer would need to occur. There is nothing to suggest that there are very large customers waiting to start construction until this rate is approved. Second, new customers who are contemplating a move to one of the member towns (or for that matter a customer contemplating a significant expansion) want some certainty that a rate that exists today will exist tomorrow. For example, when a municipality grants a tax deferral or tax abatement to attract a new taxpayer, it grants it for a fixed number of years and based on clear requirements: meet the requirements and for the fixed number of years get the tax savings. An economic development rate needs the same certainty if it is to be effective.

The decoupling being proposed is only for the one customer. There are numerous other identifiable customers whose consumption is not being discharged into the sewer system. Customers with irrigation systems, who can be readily identified due to the requirement of registering and paying the cross connection inspection fee, is one such class. (It should be noted that to the extent the MDC has had difficulty insuring that irrigation systems are properly registered and the cross connection fee is paid, any decoupling will provided a powerful incentive.) For example, a year ago, the Advocate was

contacted by a condominium association who separately metered its irrigation water. It sought relief from the cwpc for such consumption. It was denied on the grounds that all water consumption needed to pay the cwpc. The association was planning to cut back its irrigation as a result.

This restriction of the decoupling raises the issue of who will 'make up' the revenue loss if the decoupling is approved in its current form and the hoped for additional consumption does not occur. Based on MDC reports, if this rate had been in effect in 2019, the customer would have had a reduced bill of approximately \$214,000 for the 11 months through November. December would have added to the bill reduction since it has been reported that consumption for December was above the threshold. Most of this reduction would be due to the reduction in the cwpc. If the rate is implemented during 2020, and the 2020 consumption is the same as 2019, how will this deficit be made up? Will every other customer have its bill increased to make up the difference or will the MDC run a deficit?

It is likely that, at least in the short run, the revenue loss of \$214,000 will not be made up by increased consumption. Assuming the same consumption pattern in 2020 as occurred in 2019 and further assuming that 25% of the water is discharged into the sewer (as has been reported by MDC staff at the revenue committee meeting), this customer will have to increase its overall water consumption by 20% for the MDC to break even. That is, if the customer averaged 700ccf a day, this amount would need to increase to 840ccf a day for MDC to reach break even.

This rate, in its current form, must be rejected. It is not going to have the intended result of increasing water revenue and it is unfair to all other customers.

The Advocate does believe that there are good designs for economic development rates that will serve to increase water revenue without risking a burden on other customers. Fixed terms for rate incentives, use of the rate stabilization fund in a creative way, and other approaches should be considered to bring about the worthy objective.

Respectfully Submitted

David Silverstone

Independent Consumer Advocate

January 31, 2020

Judy Allen of West Hartford submitted the following written comments:

Bureau of Public Works
Public Comments
2/3/2020

I believe we are in a partnership, the MDC and its customers. We rely on you for a crucial service and you in turn rely on your customers to pay for it so you can provide this service. Therefore I'm going to use the word "we" whenever possible to emphasize that we are in this together.

The CWP charge is so high that we believe, and rightly so, that it keeps large volume water users from using more water or relocating into member towns. Tying that charge to water consumption is probably not the best. How many times has it been said in this room that it's not the water rates causing the problem it's the CWP charge. Would anyone need a discount on water if you could fairly find a way to decouple the CWP charge from water consumption?

But what is proposed is not fair to all. Why can't a golf course be able to make use of a discount for the CWP charge when water consumption never makes it to the sewers at all? Why would we create relief just for Niagara and not others? That's not fair.

If there is any question that this rate is designed only for the benefit of Niagara, this is our CEO, Scott Jellison at the last Water Bureau meeting.

"We know large water users, and we have one and we all know it's Niagara has built out infrastructure to do X, which is 1.8 million gallons of water a day. They are not there, they are using much less. The answer to why, we don't know, is it market, is it, whatever it might be, the question is, if it's associated with the water rate and/or the CW surcharge, which is a major component to expenses, then obviously this would benefit and we would see them use more water."

The creation of an Integrated Plan as part of the submission for an updated Long Term Control Plan is part of the overall problem as well. Integrated Planning is a good concept and would/will help in controlling costs. But the one that has been submitted has major flaws.

The response from DEEP to the submission was that the plan needed to include further information and changes and that it did not meet the requirement for a separate LTCP update. Rather than rewrite the whole thing, DEEP allowed submission of an executive summary. An executive summary was submitted but still did not meet all the requirements asked for by DEEP. The plan continues to be unapproved and we must continue with the current approved plan until it does.

From the beginning MDC failed to include some of the major stakeholders in the planning for and creation of the Integrated Plan. Input from the public only occurred after the plan was created and no changes were made as a result of those comments, the majority of which pointed out the same issues DEEP has with the IP. 30 years for completion of the project is too long, and assuming that full funding at the level you currently receive is not realistic. The availability of funds by the state even 10 years ahead cannot be guaranteed, in fact the funds could dry up completely. So how much are we paying the consultant to continually rework this plan? The consultants to the State Water Plan were paid \$1 million for 2 years worth of work. The longer this takes, the more the costs of having to follow the currently approved plan.

Not listening to public input is also part of the problem.

Full funding at the level received in the past is the bedrock of the Integrated Plan. Without this funding the plan falls apart. Relying on pressuring everyone to make the state guarantee these funds is not realistic. The reality is, the funding asked for is not going to happen. Is there even any planning happening right now in case funds are not available? Is there work happening for a plan B?

Due to the nature of the changes you are proposing, the consent order will most likely need to be renegotiated (taking more time in which you have to keep sticking to the current plan) and therefore have to go through another round of public hearings.

When the very first LTCP was designed, environmental groups participated. As a result they were invested in the plan and advocated on your behalf for significant state funding. It only makes sense to involve them now in making the changes DEEP requires. By working together you can again have their support in advocating for your plan, not their opposition.

Some see the environmental community as an enemy. There may be disagreements, but environmental groups understand the problems of funding as many of them rely on donations and grants themselves (without any ability to do any bonding). They are supportive of the concept of an integrated plan. They can be our ally, not our enemy.

Wouldn't we rather see letters of whole hearted support?

This would require that we actually let them have input, that we listen to what they say. If we expect them to listen to us, they should be able to expect the same in return.

The longer it takes for approval of a new plan, the more it costs. The Clean Water Charge is going to go up greater than your integrated plan had assumed. And your customers will have to pay for your lack of planning. Why then would you consider discounts on the CWP charge for anyone? Especially Niagara. One could argue that because they contribute to the world's plastic pollution problem, they should especially be charged the full freight. The next time you see a picture of a bird or fish with plastic in its stomach, remember you almost gave discounts to Niagara.

You may luck out when you have to go to the next referendum. People's memory of what was promised at the last may have faded. They were told that indeed the CWP charge would increase, even dramatically over the next few years, but you anticipated a cap of about \$5. Then that would then decrease over time until there would be no CWP charge at all.

We are certainly far off from that promise. The CWP charge has become a permanent reality. Can you really tell customers that this is a surcharge while trying to fold in the regular maintenance they would be paying for anyway?

As you plead poverty to the state, member towns and customers, can you also plan to give a break on the CWP to Niagara that no one else can have, the rest of us taking up the slack.

Our Independent Consumer Advocate suggested there are ways to decouple the CWP charge from water consumption that is fair and doesn't send the ad valorem skyrocketing. I can already hear what the response will be "That's not possible. It would require a charter change".

Then let's do a Charter change.

If the MDC can't do realistic long term planning, then oversight is needed. If the MDC can't effectively and fairly address the concerns of its customers, then oversight is needed.

In a nut shell commissioners have been told, "we have to incentivize people to use more water while convincing people we are for conservation". That's not possible. You can't give me an apple and try to convince me it's an orange. It's far from transparent. It's not the solution. It makes people angry. We know an apple when we see one. We know you can't put a label of economic development rates on discounts for one customer only and fool everybody. A discount is a discount whatever label is put on it.

Judy Allen
West Hartford

Paula Jones of Bloomfield submitted the following written comments:

Comment on “Economic Development Rate” for MDC Bureau of Public Works Meeting, February 3, 2020, 3PM

Commissioners,

You are considering today an “economic development rate” for the Clean Water Project Charge (CWPC). As proposed, it would be available to only one customer, Niagara Bottling.

I know that the MDC Independent Consumer Advocate has submitted comments for your consideration today regarding the discount. I urge you to read them if you haven’t already done so. I don’t always agree with Mr. Silverstone, but I do think he’s expressed a number of ideas worth pursuing. In particular, linkage of the CWPC to water consumption is one factor contributing to the “death spiral” referenced in his comments regarding the 2020 budget. The MDC needs to think about doing something different.

My view is that if the MDC were to offer an “economic development rate” it would need to meet several criteria:

- Any discount should be time-limited and available to a variety of users.
- It must have buy-in from MDC Member towns, including citizens.
- Financial analysis must demonstrate that it will indeed raise revenue and not just shift costs to other ratepayers.
- It has to be clearly allowable under the charter. The ordinance you’re considering states that the CWPC rate is uniform, EXCEPT if water usage is over 20,050 ccf for the month. Then the rate varies by user since it is calculated based on discharge to the sewers. A rate that discriminates based on use is contrary to the charter and unfair to other customers.

I could talk about lots of additional reasons why you shouldn’t endorse this, but time is limited. This discount was a bad idea initiated by Niagara in 2015 when the company threatened not to locate in an MDC town unless they were given rate relief first on the CWPC and then on the water rate. It was a bad idea again in 2018, and it’s still a bad idea. I’ve provided a copy of the Bloomfield Town Council’s resolution of November 13, 2018 opposing these discounts. I urge you not to endorse this as it’s completely contrary to a conservation ethic as well as unfair to other customers.

Paula Jones
Bloomfield, CT

Valerie Rossetti of Bloomfield spoke in opposition of the economic development rate and submitted the following written comments:

Board members and Commissioners:

I am speaking in opposition to the proposed discounts for MDC's CWP charge for water use over 500,000 gallons/day through a single meter. CWP charges have always been implemented in a uniform way in order to fund the Clean Water Project and remediate MDC's sewage overflows into the CT River. They have always been billed based upon water utilization for customers without their own septic systems. There has been no discount based upon whether that water goes to irrigate farmland or gardens or lawns or golf courses and never enters MDC sewers. In these cases, water at least flows back into our watersheds. This proposal affords discounts to ONE high volume water user transporting water in bottles out of our watersheds by trucks. Not only do MDC customers without septic systems pay into the fund in order to protect our major river and Long Island Sound, the citizens of CT- through Clean Water bonds- have paid millions upon millions of dollars into the project, perhaps close to 50% of the project's cost to date. They use no MDC water or sewers, but support the environmental goal of a clean CT River and a viable Long Island Sound. On November 23, 2015, MDC provided a water capacity analysis to Niagara in which it plainly stated the policy of the MDC to bill "a special sewer service charge based on the ccf of METERED WATER CONSUMPTION".....just like every other MDC customer using sewers. It also added that "since Niagara will be paying for sewer discharge via the high sewer flow charge, the MDC will provide a refund for the portion of the annual property taxes paid to the town for sewer charges". Could you provide for us the rebate Niagara is already receiving for its sewer use - unlike any of the town residents paying through their property taxes for MDC's ad valorem.? This proposal does NOT meet the standard of rate equity, which is espoused by your own American Water Works Association. It is designed to directly elicit increased water consumption by one high-volume water user which already profits off the water infrastructure which CT residents and MDC rate payers have paid for over decades. That one user-Niagara- has already received generous tax abatements from local property owners. In addition, our state will be paying millions of dollars to repave roads burdened by water heavy tanker trucks, each of which is equivalent to 5500 cars as well as paying to remediate millions of single use plastic bottles polluting landfills and rivers or languishing in recycling streams that China no longer wants. We have heard in the past that you are MDC Commissioners- that it's not your job to police plastics in the environment or make decisions about what consumers want or don't. Neither is it your job to vote to unfairly subsidize a select industry's use of CT's Class A water resources.

Valerie Rossetti
88 Kenmore Rd
Bloomfield, CT 06002

Beth Kerrigan of West Hartford spoke in opposition of the economic development rate.

APPROVAL OF MEETING MINUTES

On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of November 25, 2019 were approved. Commissioners Patel and Magnan abstained.

**ECONOMIC DEVELOPMENT RATE FOR THE CLEAN WATER PROJECT CHARGE
f/k/a SPECIAL SEWER SERVICE CHARGE**

To: Bureau of Public Works for Consideration on February 3, 2020

At a meeting of the Committee on Revenues on January 8, 2020, the Committee recommended to the District Board the passage of an economic development rate for the water used charge (§ W1a) and special sewer service charge (§ S12x).

It is RECOMMENDED that it be:

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

Resolved: That the District Board approve the following economic development rate for the special sewer service charge (§ S12x)

**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), S12x(c) and S12(d) 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 ~~20,050~~ 24,060 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 ~~20,050~~ 24,060 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 ~~20,050~~ 24,060 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 ~~20,050~~ 24,060 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.) 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.) 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,



Scott W. Jellison
Chief Executive Officer

Commissioner Pane moved to amend the resolution, as shown above in blue text. The amendment was adopted by majority vote. Commissioner Magnan opposed the amendment.

On motion made by Commissioner Sweezy and duly seconded, the report was received and the resolution, as amended, adopted by majority vote of those present. Commissioners Currey, Magnan and Vicino opposed.

**REQUEST OF CONNECTICUT LIGHT & POWER d/b/a EVERSOURCE FOR AN
EASEMENT OVER DISTRICT PROPERTY LOCATED AT 231-255 BRAINARD RD,
HARTFORD**

To: Bureau of Public Works for Consideration on February 3, 2020

As you know, the Clean Water Project (CWP) includes extensive improvements at the Hartford Water Pollution Control Facility (HWPCF) on Brainard Road and a deep rock tunnel running from West Hartford to the HWPCF. At the tunnel terminus point, the District is also installing a large pump station designed to pump tunnel flows up from approximately 200 feet below ground to the surface for conveyance to the expanded treatment facility at the HWPCF. As you can expect, the District's electric power needs for the pump station and ancillary facilities are significant.

Staff has been working with The Connecticut Light & Power Co., doing business as Eversource ("Eversource"), to provide the necessary easements to Eversource for the following purposes:

1. Allow Eversource to distribute power to the billboards on MDC property;
2. Memorialize the relocation of their high voltage ductbank across the property; and
3. Provide for the location of their switchgear which feeds the new tunnel pump station.

The affected District properties include those properties commonly referred to as 231-255 Brainard Road, Hartford. The easements in question are for the benefit of the District, and have been located so as to compliment and enable, rather than interfere with, District infrastructure.

The easements are set forth in the attached and incorporated exhibit.

It is RECOMMENDED that it be:

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

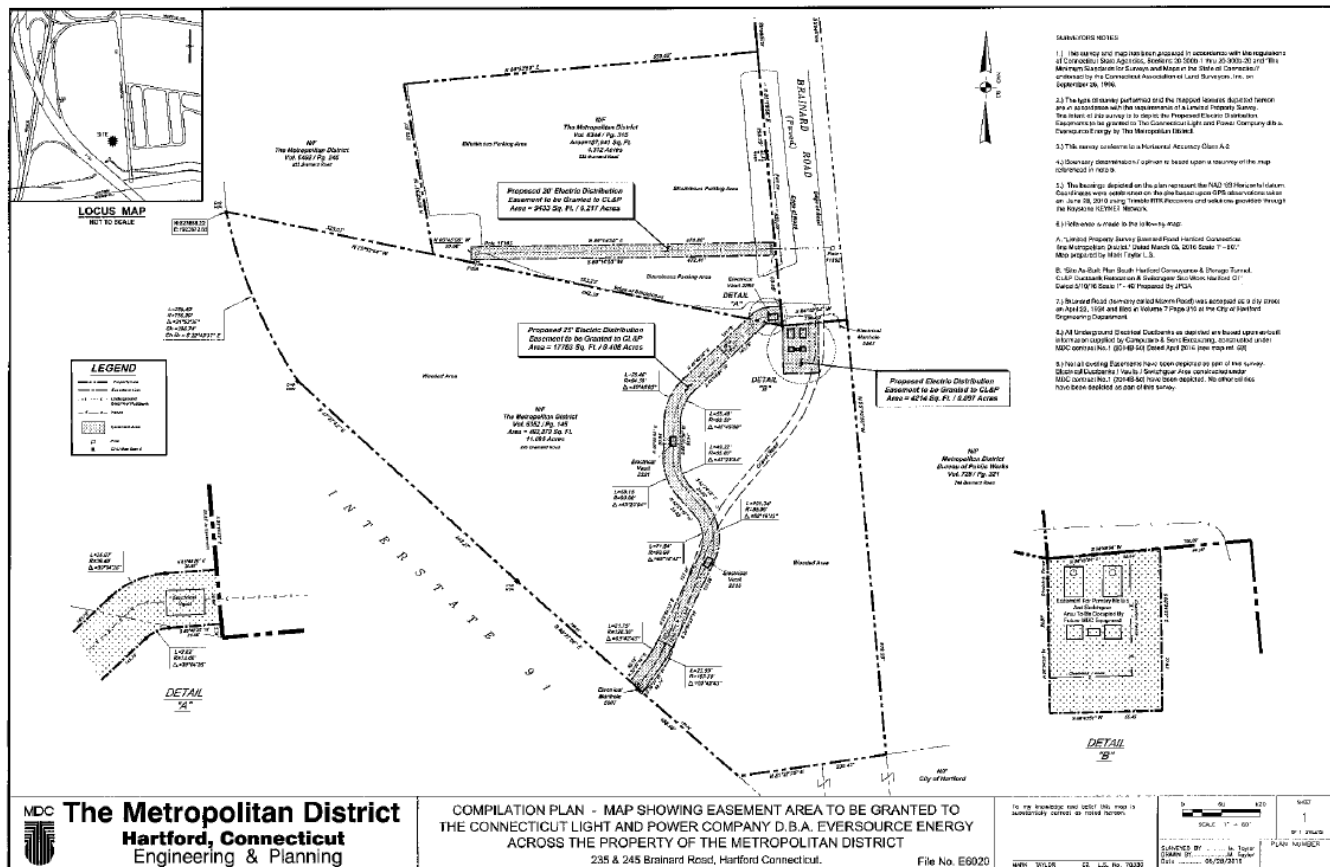
Resolved: That the Metropolitan Bureau of Public Works recommends to the District Board that the Board, in furtherance of the Clean Water Project, authorize the Chairman, or his designee, to execute any and all documents, in form and substance approved by District Counsel, reasonably necessary to convey the described easements as set forth in the attached exhibit, to Eversource.

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.

UPDATED ON HARTFORD LANDFILL DECLARATORY JUDGMENT ACTION

Assistant District Counsel Christopher R. Stone gave an update on the Hartford Landfill Declaratory Judgment

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen of West Hartford voiced concerns about the economic development rate and suggested a Charter change.

Valerie Rossetti of Bloomfield spoke regarding drought mandated limitations and the MDC's water supply plan.

Paula Jones of Bloomfield spoke about the eligibility of the economic development rate and the Bloomfield Council's endorsement of Integrated Planning.

Beth Kerrigan of West Hartford suggested giving incentive to small users and discussed ineligibility of the economic development rate for customers with multiple meters.

Alex Rodriguez of West Hartford spoke regarding water supply, public trust and green infrastructure plans.

Deborah Levine of West Hartford suggested finding more creative solutions for a broader range of customers and spoke about a recycling crisis.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Sweezy spoke in favor of the economic development rate because he understands the drastic need for revenue. He stated that it will benefit every member town, and will help small users by lowering water rates.

Commissioner Adil suggested that customers go to the legislature to voice their concerns about plastic and recycling initiatives.

Commissioner Patel spoke regarding market conditions of water.

Commissioner Taylor spoke in favor of the economic development rate and stated that Niagara Bottling is providing jobs and benefits to a member town community. He also spoke regarding the amount of water discharged into the Farmington River each day.

Commissioner Vicino asked for an update on backflow prevention devices at a future meeting.

ADJOURNMENT

The meeting was adjourned at 4:32 PM

ATTEST:

John S. Mirtle
District Clerk

April 28, 2020

Date of Approval

**BUREAU OF PUBLIC WORKS
PUBLIC HEARING**

The Metropolitan District
555 Main Street, Hartford
Wednesday, February 26, 2020

Present: Commissioners Andrew Adil, John Avedisian, Allen Hoffman, Dominic Pane, Pasquale Salemi and District Chairman William A. DiBella (6)

Also

Present: Commissioner Scott W. Jellison, Chief Executive Officer
Christopher Martin, Chief Financial Officer
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Sue Negrelli, Director of Engineering
Nick Salemi, Communications Administrator
Allen King, Real Estate Administrator
Carrie Blardo, Assistant to the Chief Operating Officer
Julie Price, Professional Level Trainee

CALL TO ORDER

Allen Hoffman, acting as chairman, called the meeting to order at 4:04 PM.

The District Clerk read the following statement:

The following hearing notice was published in the Hartford Courant on February 7, 2020 and again on February 17, 2020; and the notice was filed, for public inspection, in the office of the town clerk in each municipality that is a member town of The Metropolitan District.

**NOTICE OF PUBLIC HEARING ON THE SEWER ASSESSMENT FOR THE
MARRIOTT HOTEL, 200 COLUMBUS BOULEVARD, HARTFORD**

THE METROPOLITAN DISTRICT
555 Main Street, P.O. Box 800
Hartford, Connecticut

The Metropolitan District will hold a public hearing at The Metropolitan District Headquarters located at 555 Main Street, Hartford, on Wednesday, February 26, 2020, at 4:00 P.M. for the purpose of establishing and levying a sewer assessment against certain real property known as 200 Columbus Boulevard, Hartford, Connecticut and owned by the State of Connecticut a/k/a Adriaen's Landing State of Connecticut. The following entities may have an ownership interest in the real property or responsibility for any sewer assessment against the real property: Earth Technology Inc.; Adriaen's Landing Hotel, LLC; HT-Adriaen's Landing Hotel TRS, LLC; Waterford Development, LLC; Capital Region Development Authority f/k/a Capital

City Economic Development Authority; and Marriott International, Inc. d/b/a Hartford Marriott Downtown.

All interested parties, both in favor or against said assessment, may appear to be heard.

John S. Mirtle, Esq.
District Clerk

PUBLIC COMMENTS

Attorney Frank Appicelli of One State Street, Suite 1800, Hartford, representing Adriaen's Landing Hotel, LLC, HT-Adriaen's Landing Hotel TRS, LLC, Waterford Development, LLC and Marriott International, Inc. d/b/a Hartford Marriott Downtown, spoke in opposition of the assessment.

ADJOURNMENT

The public hearing was adjourned at 4:09 PM

ATTEST:

John S. Mirtle
District Clerk

April 28, 2020

Date of Approval

BUREAU OF PUBLIC WORKS**The Metropolitan District**

555 Main Street, Hartford

Telephonic Only Meeting

Tuesday, April 28, 2020

Present: Commissioners Andrew Adil, Donald Currey, James Healy, Allen Hoffman, Maureen Magnan, Dominic Pane, Bhupen Patel, Alvin Taylor, Richard W. Vicino and District Chairman William DiBella (10)

Absent: Commissioners John Avedisian, Byron Lester, Alphonse Marotta and Raymond Sweezy (4)

Also

Present: Commissioner Scott W. Jellison, Chief Executive Officer
Christopher Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Christopher Levesque, Chief Operating Officer
Susan Negrelli, Director of Engineering
Victoria S. Escoriza, Executive Assistant
Julie Price, Professional Level Trainee
David Silverstone, Consumer Advocate

CALL TO ORDER

The meeting was called to order by Chairman Vicino at 1:00 PM.

In accordance with Governor Lamont's Executive Order #7B, this meeting was telephonic only.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Chairman DiBella and duly seconded, the meeting minutes of February 3, 2020 were approved.

On motion made by Commissioner Magnan and duly seconded, the meeting minutes of February 26, 2020 were approved. Commissioner Patel abstained.

Commissioner Pane joined the telephonic meeting at 1:04 PM.

**FINAL ASSESSMENT FOR SANITARY SEWERS FOR
MARRIOTT DOWNTOWN HOTEL
200 COLUMBUS BOULEVARD, HARTFORD**

To: Bureau of Public Works for consideration on April 28, 2020

Construction of sanitary sewers and appurtenances in all or portions of 200 COLUMBUS BOULEVARD, HARTFORD have been completed and house connections authorized. In accordance with Bureau of Public Works policy, the assessments will be billed on June 1, 2020.

It is therefore RECOMMENDED that it be

Voted: That the assessments for the construction of sanitary sewers and appurtenances in all or portions of 200 COLUMBUS BOULEVARD, HARTFORD, are declared due and payable to the Assessable Sewer Fund; to direct the District Clerk to publish same on a date to be fixed in a conference with the Treasurer; and to Direct the District Clerk to file liens to secure any and all assessments or parts thereof which remain unpaid within the time limit set by law.

**SCHEDULE OF ASSESSMENTS FOR
SANITARY SEWERS FOR HARTFORD MARRIOTT DOWNTOWN HOTEL
200 COLUMBUS BOULEVARD, HARTFORD**

THE METROPOLITAN DISTRICT
555 Main Street, P.O. Box 800
Hartford, Connecticut

The following schedule of assessment has been determined relative to the construction of and connection to public sanitary sewers at the **HARTFORD MARRIOTT DOWNTOWN HOTEL, 200 COLUMBUS BOULEVARD, HARTFORD.**

Assessments are based on the "SCHEDULE OF FLAT RATES SEWER ASSESSMENTS, CONNECTION CHARGES AND OUTLET CHARGES" adopted August 7, 2017, at \$111.50 per front foot or adjusted foot, \$4,420.00 per inlet or lateral, and \$765.00 per hotel room units.

DIRECT ASSESSMENTS

<u>Property now or Formerly of</u>	<u>Number</u>	<u>Inlets</u>	<u>Frontage</u>	<u>Hotel Room Units</u>	<u>Acreage</u>	<u>Assessment</u>
<u>COLUMBUS BOULEVARD – EAST</u>						
State of Connecticut a/k/a Adriaen's Landing State of Connecticut; Earth Technology Inc.; Adriaen's Landing Hotel, LLC; HT-Adriaen's Landing Hotel TRS, LLC; Waterford Development, LLC; Capital Region Development Authority f/k/a Capital City Economic Development Authority; Marriott International, Inc. d/b/a Hartford Marriott Downtown	200	1	N/A	409	N/A	\$312,885.00

Respectfully submitted,

Scott Jellison
Chief Executive Officer

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

SEWER LATERAL INSTALLATION PROGRAM

To: Bureau of Public Works for consideration on April 28, 2020

At the November 25, 2019 Bureau of Public Works meeting, the Bureau approved the Sewer Lateral Installation Program to facilitate property owners to repair or install a sewer lateral to their property. The District Board approved the program at its December 16, 2019 meeting. Staff recommends the following modifications to the Sewer Lateral Installation program.

IT IS RECOMMENDED THAT IT BE:

VOTED: That the Bureau of Public Works modifies the Sewer Lateral Installation Program, and recommends to the District Board approval of the following modified Program:

Scenario	Sewer Type	New 6-inch Lateral*** in Public ROW	New 6-inch Lateral*** in Private Property	Lateral Renewal/Rehab**
1	New Sewer Main – Layout & Assessment	District installs as part of the project, cost to property owner \$4,420* plus frontage and dwelling unit assessment	Property owner responsible for actual cost. District pays contractor and property owner repays District over time	N/A
2	Existing Sewer Main with Existing lateral in ROW	District installed as part of the previous project, cost to property owner \$4,420* plus frontage and dwelling unit assessment	Property owner responsible for actual cost. District pays contractor and property owner repays District over time.	District responsible for public portion within the ROW.
3	Existing Sewer Main with no lateral	Property owner responsible for actual cost. District pays contractor and property owner repays District over time.	Property owner responsible for actual cost. District pays contractor and property owner repays District over time.	N/A
4	Existing Sewer Main with Existing lateral to be renewed			Property owner responsible for private property portion actual cost, District responsible for public portion within the ROW. District pays contractor and property owner repays District over time.

*\$4,420 – prevailing rate per lateral or inlet

** Renewals to include lining of lateral, include PPID work with prequalified contractors

***Subject to approval by CEO or designee

Criteria of Sewer Lateral Installation Program:

- Properties requiring a sanitary sewer lateral of 6" abutting an MDC sewer main. Exceptions to the lateral size or type would be subject to approval of the Chief Executive Officer or his/her designee.
- Renewals shall be installed for the full length of lateral pipe.
- Sewer laterals/renewals must be built to MDC standards by qualified, licensed, bonded and insured contractors.
- Limit of \$10,000 per property for sewer lateral installation/renewal for all work in public right-of-way and private property.
- Amount owed by property owner will be paid to District over fifteen or twenty years with same interest rate as sewer assessments (6%).
- Credit checks performed at District's discretion.
- Contracts and/or price quotes between the property owners and their contractors must be submitted to Utility Services for review to verify the appropriateness of the cost proposal. The District reserves the right to deny any price proposal. Any increase in price of construction must be approved by District in order for property owner to receive increase of District payment to contractor.
- Owner bound to terms of the written contract with Contractor.
- ~~District will issue a two party check addressed to the property owner and the contractor. The property owner will be required to endorse the check over to the contractor as acceptance of completed work and to pay for the completed work.~~
- **The property owner will be required to provide written acceptance of the completed work in order for the District to issue payment to the Contractor. Failure by the property owner to provide written acceptance will not alleviate the property owner's responsibility to pay the Contractor for the completed work.**
- ~~A 10% down payment of the cost proposal shall be required from the property. The 10% down payment may be waived at the sole discretion of the Chief Executive Officer or his/her designee.~~
- **Property owner shall indemnify the District for all claims for damages arising out of the work performed at the property.**
- Property owner will repay the District by monthly payments as a separate line item on the water bill.
- Any deposit required by the contractor will be the sole responsibility of the property owner.
- No pre-payment penalties
- Funding to be established with a revolving fund from the Assessable Sewer Fund

AND

VOTED: That the Controller or Chief Administrative Officer be requested to make tentative allocations for this program pending passage by the District Board, and funding for the same is authorized from the Assessable Sewer Fund.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

Chairman DiBella moved to amend the resolution, as shown above in blue text. The amendment was adopted without objection.

On motion made by Chairman DiBella, the report was received and resolution, as amended, adopted by unanimous vote of those present.

ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT-AGREEMENT

To: Bureau of Public Works for consideration on April 28, 2020

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.

It is therefore **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>
1	Davenport Road, West Hartford WVSWHF.09	Developer: RJ Contractors Contractor: RJ Contractors	January 7, 2019

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.

TUNNEL UPDATE

Director of Engineering Susan Negrelli presented an update on the progress of the tunnel project.

ADJOURNMENT

The meeting was adjourned at 1:47 PM

ATTEST:


John S. Mirtle
District Clerk

September 30, 2020

Date of Approval

BUREAU OF PUBLIC WORKS
The Metropolitan District
555 Main Street
Hartford, Connecticut 06103
Wednesday, September 30, 2020

Present: Commissioners Andrew Adil, John Avedisian, Donald Currey, James Healy, Allen Hoffman, Dominic Pane, Bhupen Patel, Raymond Sweezy, Calixto Torres, Richard W. Vicino, James Woulfe, and District Chairman William DiBella (12)

Absent: Commissioners Richard Bush, Byron Lester, Maureen Magnan, Alphonse Marotta and Alvin Taylor (5)

Also

Present: Commissioner Denise Lewis
Commissioner Jacqueline Mandyck
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
Tom Tyler, Director of Facilities
Nick Salemi, Communications Administrator
Carrie Blardo, Assistant to the Chief Operating Officer
Victoria S. Escoriza, Executive Assistant
David Silverstone, Consumer Advocate

CALL TO ORDER

The meeting was called to order by Vice Chairman Hoffman at 5:06 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 Sweezy and duly seconded, the meeting minutes of April 28, 2020 were approved.

SOUTH HARTFORD CONVEYANCE AND STORAGE TUNNEL UPDATE

Director of Engineering Susan Negrelli and Brian McCarthy of CDM Smith gave a presentation on the South Hartford Conveyance and Storage Tunnel.

MISCELLANEOUS INDUSTRIAL USER GENERAL PERMIT

Christopher Levesque, Chief Operating Officer, gave a presentation on the CT DEEP Miscellaneous Industrial User General Permit.

BERLIN WATER CONTROL DEPARTMENT

Christopher Levesque, Chief Operating Officer, gave a presentation on a billing dispute with the Berlin Water Control Department.

SEWAGE SLUDGE INCINERATORS NEW SOURCE PERFORMANCE STANDARDS

Scott W. Jellison, Chief Executive Officer, and Christopher Stone, District Counsel, updated the Bureau on the Hartford Water Pollution Control Facility sewage sludge incinerators and a pending Consent Decree from the United States Environmental Protection Agency related to New Source Performance Standards.

COMMISSIONER QUESTIONS AND COMMENTS

District Chairman DiBella asked for an update on the landfill.

Commissioner Pane thanked District Counsel for resolving recent cases.

ADJOURNMENT

The meeting was adjourned at 7:05 PM

ATTEST:


John S. Mirtle
District Clerk

November 17, 2020

Date of Approval

**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:

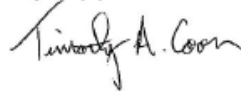
- Minor clearing and grubbing.
- Demolition and replacement of existing pavement at the existing elevation.
- Earth removal (excavation and fill).

- 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.

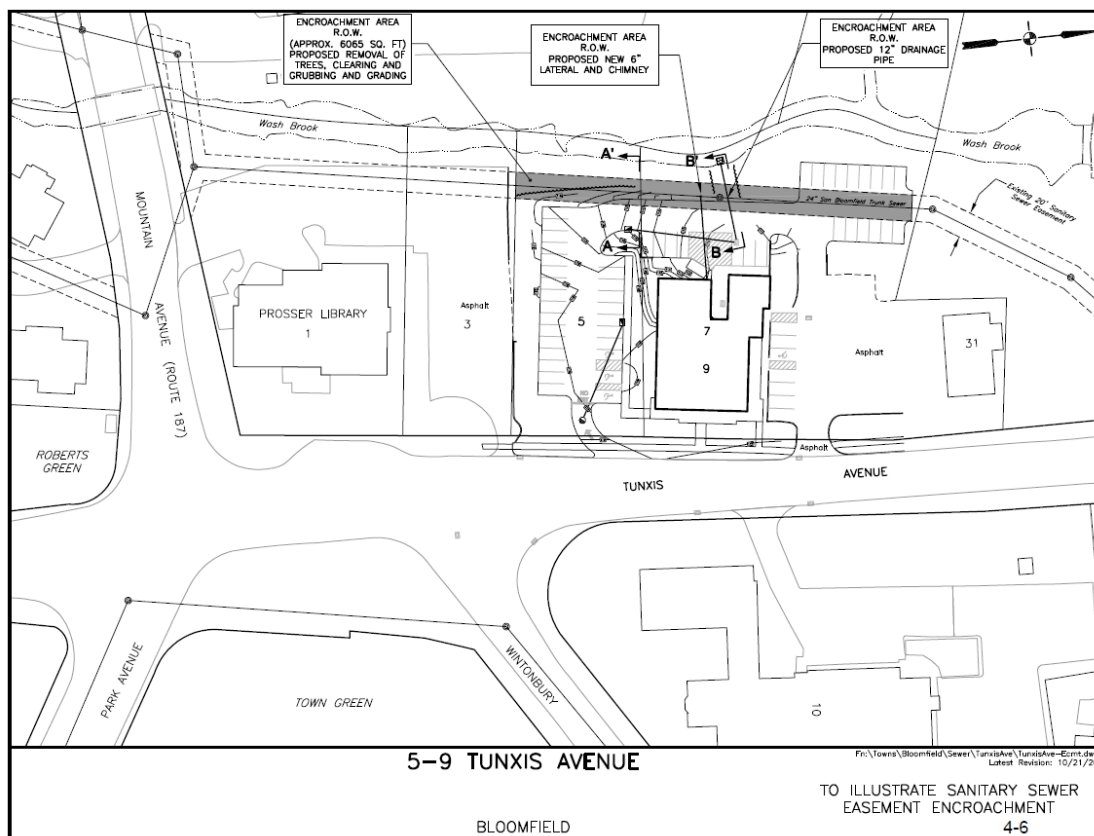
Very truly yours,

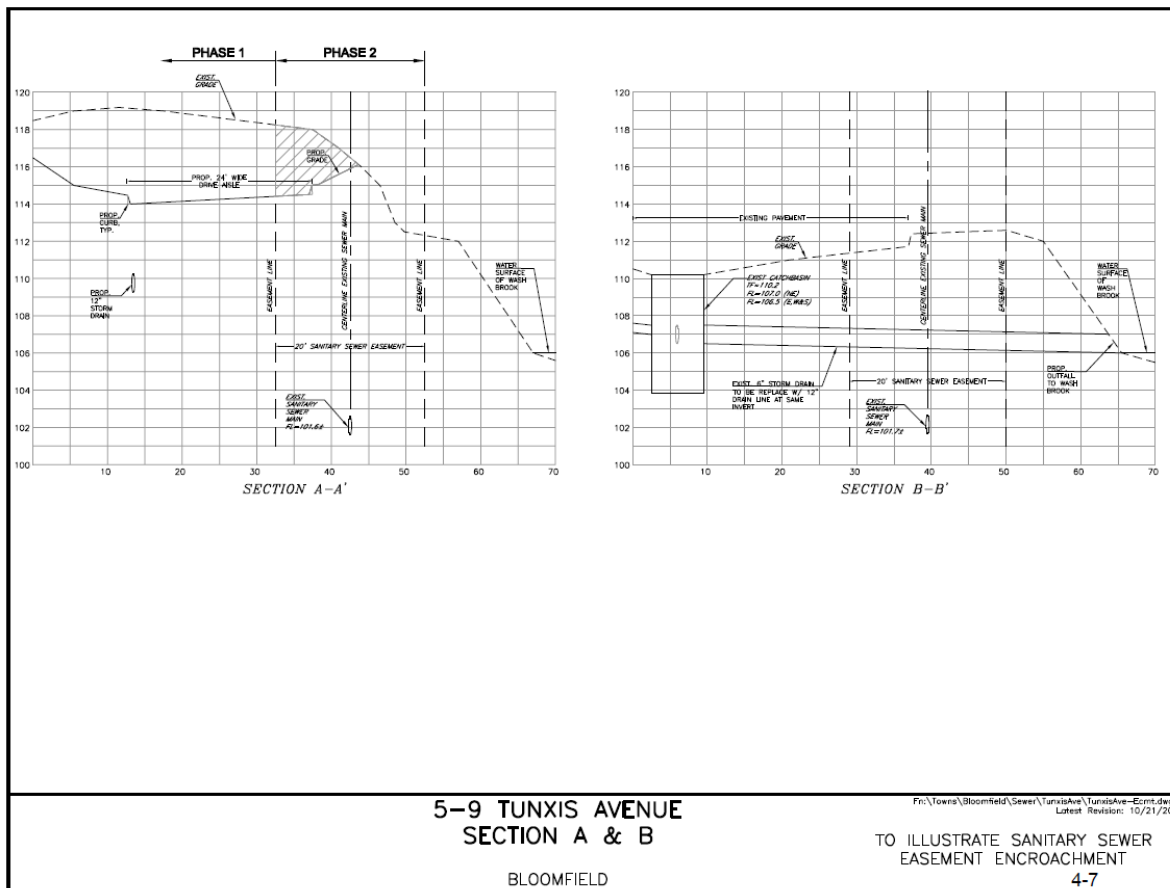


Timothy A. Coon, P.E.
J.R. Russo & Associates, LLC

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;

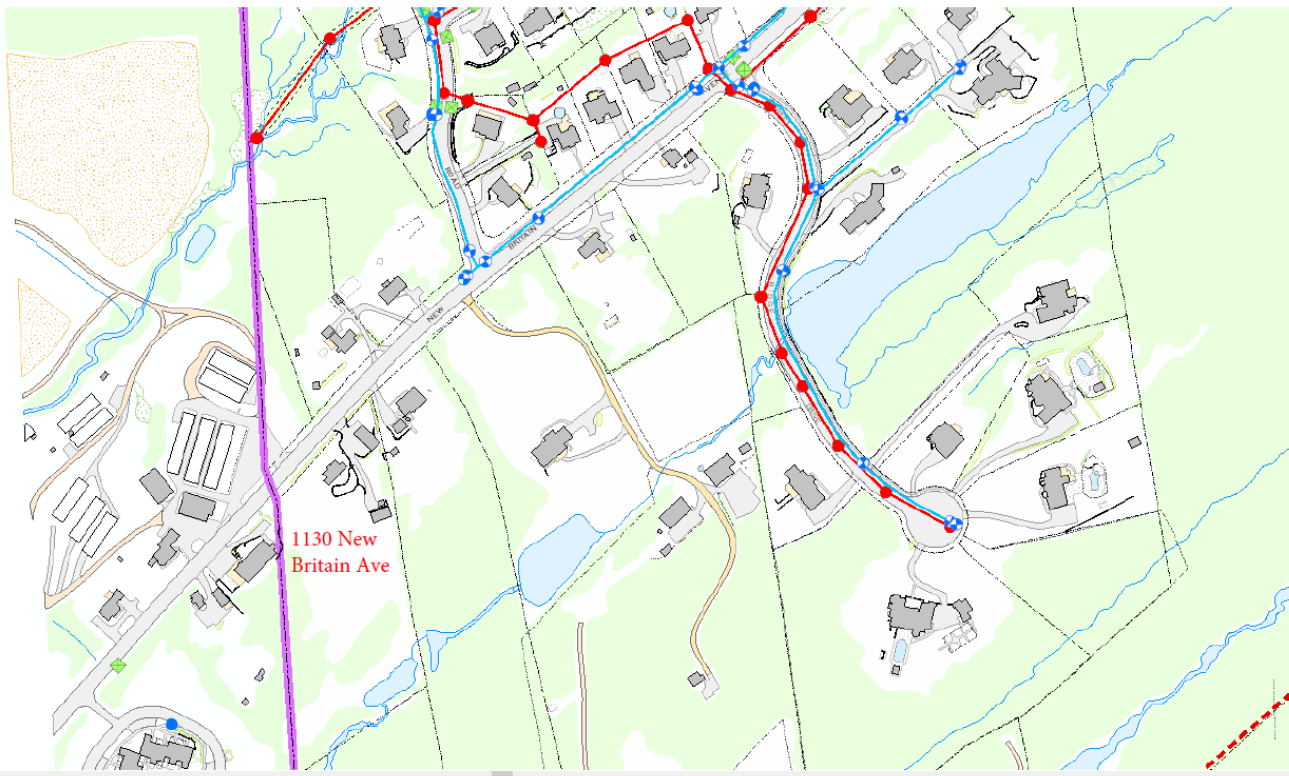
I am requesting sewer service from the Berlin Water Control Commission for my property at 1130 New Britain Avenue, Rocky Hill, CT which also abuts my property at 976 Deming Road in Berlin, CT. I have established an easement to allow me to get service to my property at my Rocky Hill property.

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

Sincerely,

RAYMOND KULIASIUS

Raymond Kuliasius



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

January 20, 2021

Date of Approval

INDEX

To

MINUTES OF THE BUREAU OF PUBLIC WORKS

Bureau of Public Works - 2020

	Page
<hr/>	
A	
ACCEPTANCE OF SEWERS BUILT BY DEVELOPER'S PERMIT AGREEMENT	
Davenport Road, West Hartford	20
ASSESSMENT	
Marriott Hotel, 200 Columbus Blvd, Hartford	16
B	
BERLIN WATER CONTROL DEPARTMENT	
Billing Dispute	23
C	
CHAIRPERSON, ELECTION OF	
Election of Richard W. Vicino	1
CLEAN WATER PROJECT BUDGET	
Discussion	37
E	
EASEMENT ON DISTRICT LAND	
231-255 Brainard Road, Hartford	10
ECONOMIC DEVELOPMENT RATE	
For Clean Water Project Charge	8
ENCROACHMENT AGREEMENT	
5-9 Tunxis Avenue, Bloomfield	25
H	
HARTFORD LANDFILL	
Declaratory Judgment Action	11
HOFFMAN, ALLEN	
Elected Vice Chairperson	2
M	

	Page
MISCELLANEOUS INDUSTRIAL USER GENERAL PERMIT	
Presentation	23
P	
PUBLIC HEARING	
Sewer Assessment Marriott Hotel, 200 Columbus Blvd, Hartford	13
R	
RATES	
2021 Sewer User Charge Rates	32
S	
SEWAGE SLUDGE INCINERATORS	
New Source Performance Standards	23
SEWER LATERAL INSTALLATION PROGRAM	
Creation of	18
SEWER SERVICE AGREEMENT	
1130 New Britain Avenue, Rocky Hill	29
T	
TUNNEL, SOUTH HARTFORD CONVEYANCE & STORAGE	
Update	21
Update	23
V	
VICE CHAIRPERSON, ELECTION OF	
Election of Allen Hoffman	2
VICINO, RICHARD W.	
Elected Chairperson	1