

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

FOR THE YEAR  
2025

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Office of the District Clerk

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

January 13.....	1
March 3.....	61
April 28.....	65
June 30.....	74
September 8.....	104
October 27 .....	115
November 19 .....	118
December 1 (Public Hearing) .....	135

## INDEX

Minutes of the Bureau of Public Works .....	I-1
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**MEMBERSHIP**  
**OF**  
**THE BUREAU OF PUBLIC WORKS**  
**2025**

**ALLEN HOFFMAN**     Chairman, Bureau of Public Works  
**CALIXTO TORRES**     Vice Chairman, Bureau of Public Works

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ALLEN HOFFMAN

JAMES WOULFE

GEORGIANA HOLLOWAY

# **MINUTES**

**OF**

**MEETINGS OF THE BUREAU OF PUBLIC WORKS**

**HELD IN 2025**



**BUREAU OF PUBLIC WORKS  
SPECIAL MEETING**

555 Main Street, Hartford

January 13, 2025

**Present:** Commissioners John Bazzano, Richard Bush, William DiBella, John Gale, Allen Hoffman, Jean Holloway, Gary Johnson, Byron Lester, Pasquale J. Salemi, Alvin Taylor, James Woulfe and District Chairman Donald Currey (12)

**Remote**

**Attendance:** Commissioners Joan Gentile, Maureen Magnan, Bhupen Patel and David Steuber (4)

**Absent:** Commissioners John Avedisian, David Drake, James Healy, and Calixto Torres (4)

**Also**

**Present:** Commissioner Andrew Adil  
Commissioner Dimple Desai (Remote Attendance)  
Commissioner Peter Gardow (Remote Attendance)  
Commissioner Diane Lewis  
Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk (Remote Attendance)  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Sue Negrelli, Director of Engineering  
Jason Waterbury, Senior Project Manager  
Carrie Blardo, Assistant to the Chief Executive Officer  
Julie Price, Executive Assistant  
Elizabeth Tavelli, Independent Consumer Advocate

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 7:52 PM

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner DiBella and duly seconded, the meeting minutes of November 18, 2024 were approved.***

**BUREAU OF PUBLIC WORKS  
MODIFICATION OF 2006 EPA CONSENT DECREE**

To: Bureau of Public Works

January 13, 2025

In 2006, the District entered into a Consent Decree with the United States Environmental Protection Agency to implement actions to abate overflow from sanitary sewers throughout the District. On January 4, 2013, the EPA and CT DEEP approved the District's Sanitary Sewer Evaluation Survey Report ("SSES Report") Implementation Schedule which established a schedule to eliminate structural sanitary sewer overflows ("SSOs"). Five of the eight Structural SSOs have already been eliminated through a combination of the reduction of stormwater and groundwater I/I into separated sewers, improvement of conveyance capacity, and the expansion of wet weather treatment capacity. The approved SSES Report Implementation Schedule required completion of the South Hartford Conveyance and Storage Tunnel by January 3, 2023. The Parties anticipate that completion of this tunnel will provide enough additional sewage conveyance capacity to eliminate the remaining Structural SSOs. In a letter dated October 30, 2015, EPA and CT DEEP approved a one-year extension for the completion of the South Hartford Conveyance and Storage Tunnel, from January 3, 2023, to January 3, 2024. On June 30, 2022, the MDC submitted a request to extend the schedule for completing the South Hartford Conveyance and Storage Tunnel due to delays in completing the contract to construct the primary tunnel, ultimately requesting to extend the deadline to December 31, 2026. The proposed First Modification to 2006 Consent Decree will extend the deadline to December 31, 2026.


In addition to extending the deadline for completion of the South Hartford Conveyance and Storage Tunnel, the proposed First Modification to 2006 Consent Decree incorporates a schedule to complete inflow and infiltration projects to reduce inflow and infiltration into the District's sewer system.

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 Chief Executive Officer of The Metropolitan District, Scott W. Jellison, on behalf of the District, hereby is authorized, empowered and directed to execute the First Material Modification to 2006 Consent Decree with the United States Environmental Protection Agency attached hereto.

Respectfully submitted,

  
John S. Mirtle  
District Clerk

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

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UNITED STATES OF AMERICA, and  
STATE OF CONNECTICUT,

Plaintiffs,

v.

THE METROPOLITAN DISTRICT OF  
HARTFORD, CONNECTICUTDefendant.

---

CIVIL ACTION NO.: 3:06cv-728(PCD)

**FIRST MATERIAL MODIFICATION TO 2006 CONSENT DECREE**

WHEREAS, The Metropolitan District of Hartford, Connecticut (the “MDC”) is a public not-for-profit municipal corporation chartered by the Connecticut General Assembly in 1929 to provide potable water and sewer systems to the Hartford area;

WHEREAS, the Plaintiff, the United States of America (“United States”), on behalf of the United States Environmental Protection Agency (“EPA”), filed a Complaint on May 11, 2006, alleging that the MDC violated Section 301(a) of the Clean Water Act (“Act” or “CWA”), 33 U.S.C. § 1311(a);

WHEREAS, the State of Connecticut (the “State”), on behalf of the predecessor to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”), joined as a Plaintiff-Intervenor;

WHEREAS, on August 17, 2006, this Court entered a Consent Decree resolving the allegations in the Complaint (the “2006 Consent Decree” or “CD,” ECF No. 15-8);

WHEREAS, the MDC has implemented a number of projects and measures pursuant to the 2006 Consent Decree but has not yet completed all required projects;

WHEREAS, the 2006 Consent Decree specified that the Court retains jurisdiction for the purpose of enforcing and modifying the 2006 Consent Decree;

WHEREAS, for the reasons set forth in detail below, this First Material Modification to the 2006 Consent Decree (“First Modification”) provides for the following: (i) extension of the deadline for eliminating structural sanitary sewer overflow (“SSO”) outfalls from January 3, 2023 to December 31, 2026 and (ii) incorporation of a schedule to complete Inflow and Infiltration elimination projects (“I/I projects”);

WHEREAS, the below facts support modifying the 2006 Consent Decree to extend the deadline for eliminating structural SSO outfalls:

- The 2006 Consent Decree requires the MDC to eliminate all SSO outfall discharges from the MDC’s Collection System serving Newington and West Hartford no later than 10 years from the date of EPA’s and CT DEEP’s approval of the Sanitary Sewer Evaluation Survey Report Implementation Schedule (“SSES Report Implementation Schedule”). *See* CD Section VII.J.
- On January 4, 2013, EPA and CT DEEP approved the SSES Report Implementation Schedule, which established an implementation schedule to eliminate the structural SSO outfalls.
- Five of the eight structural SSO outfalls have already been eliminated through a combination of the reduction of stormwater and groundwater I/I into separated sewers, improvement of conveyance capacity, and the expansion of wet weather treatment capacity.
- The approved SSES Report Implementation Schedule required completion of the South Hartford Conveyance and Storage Tunnel by January 3, 2023. The Parties anticipate that completion of this tunnel will provide enough additional sewage conveyance capacity to eliminate the remaining structural SSO outfalls.

- In a letter dated October 30, 2015, EPA and CT DEEP approved a one-year extension for the completion of the South Hartford Conveyance and Storage Tunnel, from January 3, 2023, to January 3, 2024.
- On June 30, 2022, the MDC submitted a request to extend the schedule for completing the South Hartford Conveyance and Storage Tunnel due to delays in completing the contract to construct the primary tunnel, ultimately requesting to extend the deadline to December 31, 2026

WHEREAS, based on the circumstances described above, the Parties agree that the 2006 Consent Decree deadline for eliminating structural SSO outfalls should be modified—from January 3, 2023 to December 31, 2026—to provide additional time to complete construction of the projects designed to eliminate the remaining structural SSO outfalls.

WHEREAS, the below facts support the incorporation of a schedule to complete I/I projects:

- Inflow and Infiltration (“I/I”) is the process of water from sources other than domestic wastewater entering sanitary sewers. I/I causes dilution in sanitary sewers, which decreases the efficiency of treatment, and may cause SSOs.
- The 2006 Consent Decree requires the MDC to submit proposed control projects to reduce I/I. *See* CD Section VII.I. These projects are to be submitted in Sewer System Evaluation Survey Reports (“SSES Reports”) to EPA and CT DEEP for approval. *See* CD Section VII.H. Upon EPA and CT DEEP’s approval of the SSES Report, the MDC shall implement the recommendations of the SSES Report in accordance with the schedule included in the SSES Report. *See* CD Section VII.J.
- On January 4, 2013, EPA approved I/I projects contained in three SSES Reports submitted by the MDC and made the schedules enforceable under the 2006 Consent Decree.
- The three approved SSES Reports provided recommendations to alleviate local SSO concerns and to provide for a 10% reduction in I/I in areas of the Collection System contributing to SSOs.
- On June 30, 2015, the MDC submitted a “2015 SSO Program Master Plan” that provided a list of 15 I/I projects that incorporated the schedules and 10% I/I reduction in the three approved SSES Reports.

- Under the 2015 SSO Program Master Plan, the 15 I/I projects are estimated to cost of approximately \$136 million in total and are scheduled to be completed by the end of calendar year 2022.
- In December 2018, pursuant to a 2006 administrative Consent Order with CT DEEP, the MDC submitted an Integrated and Long-Term Control Plan (“Integrated Plan”) to CT DEEP to address sewage overflow and other sewer collection system needs.
- The MDC updated the Integrated Plan in May 2020, providing for reprioritization of many I/I projects included in the 2015 SSO Program Master Plan.
- On August 31, 2022, the MDC submitted a request to EPA to extend the schedule for six of the I/I projects described in the 2015 SSO Program Master Plan, to be completed by the end of calendar year 2045, rather than 2022.
- On September 19, 2022, the MDC and CT DEEP entered into an administrative Consent Order (“2022 Consent Order”) memorializing select projects described in the Integrated Plan to be completed by the end of calendar year 2029.
- On July 24, 2023, the MDC and CT DEEP modified the 2022 Consent Order to prioritize projects in northern Hartford. EPA supported this modification to benefit those communities.
- Since 2005 to present, MDC has spent over \$1.2 billion in removing 550 million gallons (from an annual average CSO volume of 1,040 million gallons) of CSOs from its collection system. These improvements include upgrading the Hartford Wastewater Treatment Plant, rehabilitation of over 700 acres consisting of sewer separation, lining and cleanout work to create capacity, cleaning out pipes to remove residue, and re-lining old pipes to be more hydraulically sealed. This work also includes the installation of more than 25 miles of new sanitary sewer and drain pipes.
- On May 24, 2024, the MDC submitted a copy to EPA of a memorandum from the MDC’s engineering contractor, CDM Smith, entitled “SSO Elimination Master Plan Status Update” describing the remaining projects planned pursuant to the Sewer System Evaluation Survey Scope of Work required by Section VII.H of the 2006 Consent Decree.
- The Parties have reviewed the SSO Elimination Master Plan Status Update and agree to the updated implementation schedule provided in Table 2 of Appendix A of this First Modification.



WHEREAS, based on the circumstances described above, the Parties agree that the 2006 Consent Decree should be modified to incorporate a schedule for the completion of the I/I projects required by Section VII.J of the 2006 Consent Decree, as specifically described in the SSO Elimination Master Plan Update;

WHEREAS, Section XXI.A of the 2006 Consent Decree provides that “[a]ny material modification to the terms of this Consent Decree shall be by written agreement of the Parties and approval of the Court;”

WHEREAS, the Parties have agreed that pursuant to Section XXI.A of the 2006 Consent Decree, the proposed modifications as set forth herein constitute material modifications to the 2006 Consent Decree, which require written approval of the Parties and approval of the Court;

WHEREAS, the Parties recognize, and the Court by entering this First Modification finds, without admission of facts or law except as expressly stated herein and without admission of liability by the MDC, that this First Modification has been negotiated at arms-length and in good faith and that this First Modification is fair, reasonable, and in the public interest, and that entry of this Consent Decree without further litigation is an appropriate resolution of the disputes.

NOW, THEREFORE, upon the consent of the Parties, it is hereby ordered, adjudged, and decreed as follows:

#### **MODIFIED CONSENT DECREE PROVISIONS**

1. The 2006 Consent Decree shall remain in full force and effect in accordance with its terms with the exception of the revisions to the numbered Paragraphs below which correspond to the Paragraph numbering of the 2006 Consent Decree:

Section VII.J shall be amended as follows:

The MDC shall implement the projects listed in Table 2 of Appendix A of the First Material Modification to this Consent Decree according to the schedule provided, in which all I/I projects are completed by no later than the end of 2040.

By December 31, 2028, the MDC shall provide to EPA and CTDEEP, either as an update to its CSO Long Term Control Plan/Integrated Plan or as a separate document, specific starting and completion dates for the projects described in Table 2 of Appendix A, subject to Review and Approval under Part VI of the Consent Decree, and implement them upon submission, subject to any changes as a result of the Review and Approval process.

Section VII.K.2 shall be amended as follows:

2. Newington and West Hartford. All Structural SSO outfall discharges from the MDC's Collection System serving Newington and West Hartford (i.e., Hartford Avenue Siphon Overflow Chamber, Hillcrest Overflow Chamber, Center Trunk Overflow to Trout Brook (CTS-2), and Center Trunk Overflow at Talcott Street (CTS-3)) shall be eliminated by December 31, 2026.

2. The Effective Date of this First Modification shall be the date upon which this First Modification is entered by the Court or a motion to enter this First Modification is granted, whichever occurs first, as recorded on the Court's docket.

3. The Court shall retain jurisdiction to modify and enforce the terms and conditions of the 2006 Consent Decree and this First Modification, and to resolve disputes arising hereunder as may be necessary or appropriate for the construction or execution of the 2006 Consent Decree and this First Modification.

4. This First Modification shall be lodged with the Court for a period of not less than thirty (30) days for public notice and comment in accordance with 28 C.F.R. § 50.7. The United States reserves the right to withdraw or withhold its consent if the comments received disclose facts or considerations that indicate that this First Modification is inappropriate, improper, or inadequate. The MDC consents to the entry of this First Modification without further notice and agrees not to withdraw from or oppose entry of this First Modification by the Court or to



challenge any provision of this First Modification, unless the United States has notified the Parties in writing that it no longer supports entry of this First Modification.

5. Each undersigned representative certifies that he or she is fully authorized to enter into the terms and conditions of this First Modification and to execute and legally bind the Party he or she represents to this document.

6. This First Modification may be signed in counterparts, and its validity shall not be challenged on that basis.

7. This First Modification, in conjunction with the 2006 Consent Decree constitutes the final, complete, and exclusive agreement and understanding among the Parties with respect to the settlement and supersedes all prior agreements and understandings, whether oral or written, concerning the settlement embodied in this First Modification.

APPROVED AND ENTERED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

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UNITED STATES DISTRICT JUDGE  
District of Connecticut

FOR THE UNITED STATES OF AMERICA:

TODD KIM  
Assistant Attorney General  
Environment and Natural Resources Division  
U.S. Department of Justice

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KATHERINE M. ROMERO  
Trial Attorney  
Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
Washington, D.C. 20044-7611  
(202) 514-2746

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Date

FOR THE UNITED STATES OF AMERICA, continued:

VANESSA ROBERTS AVERY  
United States Attorney District of Connecticut

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ANNE F. THIDEMANN  
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1000 Lafayette Boulevard  
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Anne.Thidemann@usdoj.gov

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Date

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:

\_\_\_\_\_  
JOSEPH G. THEIS  
Acting Director  
Water Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

\_\_\_\_\_  
Date

\_\_\_\_\_  
HANNAH C. ANDERSON  
Attorney-Advisor  
Water Enforcement Division  
Office of Civil Enforcement  
Office of Enforcement and Compliance Assurance  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

\_\_\_\_\_  
Date

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, continued:

\_\_\_\_\_  
CARL DIERKER

\_\_\_\_\_  
Date

Regional Counsel

United States Environmental Protection Agency, Region 1

5 Post Office Square, Suite 100

Boston, Massachusetts 02109-3912

\_\_\_\_\_  
JEFF KOPF

\_\_\_\_\_  
Date

Senior Enforcement Counsel

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5 Post Office Square, Suite 100

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FOR THE STATE OF CONNECTICUT:

WILLIAM TONG  
Attorney General

---

DANIEL M. SALTON  
Assistant Attorney General  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, Connecticut 06106

---

Date

FOR THE METROPOLITAN DISTRICT OF HARTFORD, CONNECTICUT

---

SCOTT JELLISON  
Chief Executive Officer  
The Metropolitan District  
555 Main Street  
Hartford, Connecticut 06104

---

Date

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

**BUREAU OF PUBLIC WORKS  
MODIFICATION OF CT DEEP CONSENT ORDER #COWRMU22002**

To: Bureau of Public Works

January 13, 2025

On November 7, 2006 the District entered into Consent Order No. WC5434 with CT DEEP to implement actions to abate overflow from both sanitary and combined sewers throughout the District. In December 2012, the District submitted a required Long-Term Combined Sewer Overflow Control Plan update to CT DEEP which was approved in April, 2015. In 2012, the EPA developed an integrated planning framework that offered the opportunity for the regulated community to develop an integrated plan to meet multiple Clean Water Act requirements while also considering other infrastructure improvements and affordability issues, such as improvements to the District's drinking water system and associated costs. In 2019 the Water Infrastructure and Improvement Act became federal law and amended the Clean Water Act to include the integrated planning framework. In December 2018, per the Consent Order, the District submitted another update to its Long-Term Control Plan to CT DEEP. The update plan, titled Integrated Plan and Long-Term Control Plan ("2018 LTCP/IP"), incorporates an integrated planning concept and identifies the next iteration of actions with associated timelines for meeting the requirements of the CSO Control Policy and water quality standards.

On September 19, 2022, the District and CT DEEP executed a new Consent Order to supersede the 2006 Consent Order No. WC5434. CT DEEP determined that the 2018 LTCP/IP constitutes a new program and approach to achieving the requirements of the CSO Control Policy and water quality standards, and as such the District is authorized to de-authorize certain outstanding projects and associated outstanding bonds authorized to complete those projects delineated in the 2005 LTCP and the 2012 LTCP. Upon doing so, the first phase of the Clean Water Project, established under the LTCP and the 2012 LTCP was concluded as to the de-authorized projects. In July 2023, the 2022 Consent Order (#COWRMU22002) for the Integrated Plan Implementation Phase I was modified to incorporate sewer mitigation projects within the public right-of-way and on private property, including private stormwater disconnections and house connections ("lateral") repair or replacement. These revisions help mitigate combined sewer overflows and protect public health and safety in the communities with combined sewers.

In September 2024, the District submitted a request to CT DEEP for a modification of the schedule contained in Consent Order #COWRMU22002 for extensions of three milestones of projects listed in Table 1 of Appendix A of the Consent Order:

1. "Expedited Sewer Separation Contracts (in Public Right-of-Way or ROW)" to a revised final completion date of July 1, 2026 – 18-month extension;
2. "Expedited Sewer Separation Contracts (Private)" to a revised final completion date of July 1, 2027 – 18-month extension; and
3. Large Diameter Sewer Rehabilitation Phase 3A (aka 18" – 21" Brick Rehabilitation) to a revised final completion date of Part 2 by July 1, 2026 – 6-month extension.

CT DEEP agreed to the extensions and issued a modification to Consent Order #COWRMU22002 for execution by the District.



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 Chief Executive Officer of The Metropolitan District, Scott W. Jellison, on behalf of the District, hereby is authorized, empowered and directed to execute the Consent Order #COWRMU22002 Modification with the State of Connecticut Department of Energy & Environmental Protection attached hereto.

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

[portal.ct.gov/DEEP](http://portal.ct.gov/DEEP)

STATE OF CONNECTICUT

V.

THE METROPOLITAN DISTRICT

#### CONSENT ORDER MODIFICATION

A. With the agreement of The Metropolitan District, the Commissioner of Energy and Environmental Protection ("the Commissioner") finds:

1. The Metropolitan District ("Respondent") owns and operates a sanitary sewerage system, including a sewage treatment facility known as the Hartford Water Pollution Control Facility ("HWPCF"), and discharges treated sanitary sewage under the terms and conditions of NPDES Wastewater Discharge Permit No CT0100251.
2. The Respondent maintains a sewerage system, which includes sewers that convey both stormwater and sanitary sewage ("combined sewers"). During increased flow conditions associated with wet weather events, such combined sewers discharge untreated sewage to the waters of the state at certain locations ("combined sewer overflows"). In addition, during wet weather events that result in private property flooding, such sewers can cause sanitary sewage backups. Currently, the Respondent has thirty-eight active combined sewer overflow locations within their collection system that discharge combined sewage at various volumes and times depending on the storm location and severity.
3. The State of Connecticut has published the Combined Sewer Overflow Strategy, May 1990 as a guidance document for the development of combined sewer overflow control strategies.
4. The United States Environmental Protection Agency ("EPA") has published the Combined Sewer Overflow Control Policy, April 1994 ("CSO Control Policy") which requires compliance with the implementation of the "Nine Minimum Controls" and development of a "Long-Term Combined Sewer Overflow Control Plan".
5. On July 7, 1994, the Respondent entered into Consent Order No. WC 5143 to address combined sewer overflows into Folly Brook and



Wethersfield Cove.

6. On May 13, 1998, the Respondent entered into Consent Order No. WC 5248 to address combined sewer overflows into Folly Brook and Wethersfield Cove and the installation of a system-wide overflow alarm program.
7. On January 15, 2002, the Respondent, along with the City of Hartford, entered into Consent Order No. WC 5317 to address discharges of storm water and surface water from Tower Brook into the Respondent's sewer system.
8. On December 28, 1994, the Respondent submitted to the Commissioner the report entitled Nine Minimum Control Measures Status Report for the Metropolitan District Commission, Hartford, CT Docket No. 94-308-038.
9. On April 20, 1999, the Respondent submitted to the Commissioner the report entitled Combined Sewer Overflow (CSO) Abatement Long Term Facilities Plan, Phase II, Long-Term CSO Control Plan and Water Quality Monitoring Program (WQMP) dated May 1998 by Malcolm Pirnie, Inc.
10. On April 30, 1999, the Respondent submitted to the Commissioner the report entitled Combined Sewer Overflow Abatement Long-Term Facilities Plan, Phase II Solids and Floatables Abatement Plan prepared by Malcolm Pirnie, Inc.
11. On November 8, 1999, the Respondent submitted to the Commissioner the report entitled Combined Sewer Overflow Warning System, CSO Communications Plan prepared by Malcolm Pirnie, Inc.
12. On April 2, 2002, the Commissioner found that the Respondent's "Long-Term Combined Sewer Overflow Control Plan" did not adequately address water quality standards and did not fully address all of the Nine Minimum Controls.
13. On October 2, 2002, the Respondent entered into Consent Order WC 5365 requiring the Respondent to revise the "Long-Term Combined Sewer Overflow Control Plan" to comply with the EPA's 1994 and 2002 CSO Control Policy, which have been incorporated into the Federal Clean Water Acts of 1972, as amended.
14. On December 30, 2004, the Respondent submitted to the Commissioner a revised report entitled Long-Term CSO Control Plan (LTCP), prepared by Camp, Dresser & McKee, which further addressed meeting the requirements of the CSO Control Policy and water quality standards.
15. On November 7, 2006, the Respondent entered into Consent Order No.



WC 5434 to implement actions to abate overflows from both the sanitary and combined sewers throughout the District.

16. As required by Consent Order No. WC 5434, on December 28, 2012, the Respondent submitted to the Commissioner a report entitled Long-Term Combined Sewer Overflow Control Plan 2012 Update prepared by CDM Smith, and dated December 28, 2012, revised on August 28, 2014, and December 4, 2014 (2012 LTCP). This report is a LTCP Update which further addressed meeting the requirements of the CSO Control Policy and water quality standards.
17. In 2012, EPA developed an integrated planning framework that offered a voluntary opportunity for a municipality, such as the Respondent, to develop an integrated plan to meet multiple Clean Water Act (CWA) requirements. On January 14, 2019, the Water Infrastructure and Improvement Act (WIIA) (H.R. 7279) became law. WIIA added a new Section 402(s) to the CWA to amend the CWA to include the 2012 Integrated Municipal Stormwater and Wastewater Planning Approach Framework.
18. As required by Minor Consent Order Modification No. 2 dated May 2, 2017, to Consent Order No. WC 5434, on December 28, 2018, the Respondent submitted to the Commissioner a report entitled Integrated Plan and Long-Term Control Plan, prepared by CDM Smith and dated December 2018 (2018 IP/LTCP). This report was developed pursuant to the federal Water Infrastructure Improvement Act of 2018 to satisfy the requirements set forth in the Modified Consent Order and identified the next iteration of the actions with associated timelines for meeting the requirements of the CSO Control Policy and water quality standards.
19. The 2018 IP/LTCP constitutes a new program and approach to achieving the requirements of the CSO Control Policy and water quality standards, and as such the Respondent is hereby authorized to de-authorize any outstanding projects and any outstanding bonds authorized to complete the projects delineated in the LTCP and the 2012 LTCP. Upon doing so, the first phase of the Clean Water Project established under the LTCP and the 2012 LTCP, is concluded. The Integrated Plan Implementation Phase I Project List and Timeline, attached hereto as Appendix A, shall serve as the list of projects to be completed that are necessary for the Respondent to be deemed compliant with this Consent Order through 2029, as may be modified or amended pursuant to the procedure set forth below in paragraph B. 31.
20. DEEP requested a summary update to the 2018 IP/LTCP submitted pursuant to paragraph A.18., above. On May 14, 2020, the Respondent



submitted to the Commissioner a report entitled 2018 Integrated Long-Term CSO Control Plan Summary prepared by CDM Smith and dated May 2020.

21. As requested by DEEP, on February 1, 2021, the Respondent submitted to the Commissioner a report entitled Integrated Plan Implementation Phase I (2021 through 2028) and Future Phases prepared by CDM Smith and dated January 29, 2021 ("Integrated Plan Implementation Phase I"). This report outlines identifies CSO projects, their priority based on water quality, cost and affordability, and engineering factors, and associated sequencing of projects for the period from 2021 to 2029, inclusive. Such report informed the requirements of DEEP's Consent Order No. COWRMU22002 issued on September 11, 2022 ("2022 Consent Order"). The project "Park River & South Meadows, Current CIP Sewer Rehab (in Park River & South Meadows' [29,000 total feet of rehabilitation in Bloomfield and Hartford] required by such order was completed on June 30, 2022.
22. In response to requests from EPA and DEEP dated March 8, 2023 & March 10, 2023, on June 7, 2023, the Respondent submitted a plan proposing revisions to the actions and schedule, as identified in Appendix A and Appendix C, required by the 2022 Consent Order for the Integrated Plan Implementation Phase I. This submittal proposes sewer mitigation projects within the public right-of-way and on private property, including private stormwater disconnections and house connections ("lateral") repair or replacement. These revisions are being proposed to mitigate combined sewer overflows and to protect public health and safety in the communities with combined sewers. Respondent's June 7, 2023 submittal is hereafter referred to as "the "2023 Integrated Plan Implementation Phase I."
23. On September 9, 2024, the Respondent submitted a request for modification proposing revisions to the schedule identified in Table A, of the 2022 Consent Order (**"TABLE 1: 2023 Integrated Plan Implementation Phase I, Project List and Timeline"**). Specifically, the MDC requested schedule extensions for:
  - a. "Expedited Sewer Separation Contracts (in Public Right-of-Way or ROW)" to a revised final completion date of July 1, 2026 (18-month extension);
  - b. "Expedited Sewer Separation Contracts (Private)" to a revised final completion date of July 1, 2026 - 18-month extension; and
  - c. "Large Diameter Sewer Rehabilitation Phase 3A" (aka 18" - 21" Brick Rehabilitation) to a revised final completion date of Part 2 by July 1, 2026 - 6-month extension.



- d. Furthermore, while the MDC did not request an extension of the milestone for the “Blue Hills Granby Drainage Study” (previously identified as the North Branch Park River Drainage Study, aka “the Drainage Study”), the Department has deemed a milestone extension is appropriate to allow the completion of the full suite of actions identified in the Scope of the Drainage Study.
  - 24. By virtue of A.1 and A.2, the Respondent is causing pollution of the waters of the state and is maintaining facilities or conditions that can reasonably be expected to create a source of pollution to the waters of the state.
- B. The Commissioner, acting under §22a-6, §22a-424, §22a-425, §22a-427, §22a-428, §22a-430, and §22a-431 of the Connecticut General Statutes, orders the Respondent as follows:

1. The Respondent shall:

Implement the 2018 IP/LTCP, including the specific actions outlined in the 2023 Integrated Plan Implementation Phase I, with the overarching goals of:

- i. Achieving a 1-year storm level of CSO control for CSO Regulators where and as identified in Tables 1 and 2 in Appendix B of this consent order.
- ii. Completing a Controls Strategy Plan for the Operation of the South Hartford Conveyance and Storage Tunnel (SHCST) by December 31, 2025. This Plan shall look at opportunities to maximize the use of the SHCST as constructed by SHCST Contracts 1, 2, 3 & 5 in controlling and reducing SSOs and CSOs, respectively;
- iii. On or before December 31, 2026, Respondent shall control structural SSOs CTS-2, CTS-3 and NTS in accordance with the Respondent’s Consent Decree, and control South Branch Park River CSOs S-19, S-21, S-23, S-24, S-25, S-26, S-27, S-28, S-29, and S-30 to a 1- year storm;
- iv. Completing a Drainage Study/Sewer Separation Preliminary Design for the elimination of remaining Wethersfield Cove CSOs, including CSOs to Folly Brook, by December 31, 2027. This Study will identify all work required to achieve elimination of remaining Wethersfield Cove CSOs via sewer separation and/or drainage system improvements; and
- v. Eliminate CSO Discharges to the North Branch of the Park River,





by completing conveyance improvements, sewer separations, and infiltration and inflow reduction projects, no later than December 31, 2043.

Steady progress towards completion shall be made equally in each of the action(s) identified in sections B.1.a.(i) to (v), inclusive within the required time period; however, a delay for just cause in any of such actions shall not be justification for delay in other required action.

- b. Continue to demonstrate a means, in accordance with the Respondent's Charter, to authorize funding necessary to implement the 2018 IP/LTCP and the 2023 Integrated Plan Implementation Phase I, as amended by this consent order, including but not limited to actions necessary to meet the goals identified in section B.1.a above. The means by which the Respondent funds required authorizations shall be demonstrated at least one year prior to the need for additional funding until the full authorization level to fully implement the 2018 IP/LTCP and the 2023 Integrated Plan Implementation Phase I, as amended by this consent order, has been achieved.
2. The Respondent shall initiate engineering and related construction contracts to implement the 2023 Integrated Plan Implementation Phase I at a minimum average annual expenditure rate which is consistent with the Respondent's affordability analysis to implement such Plan and at a minimum spending rate of \$40M per year, inclusive of any contracts required to comply with the Respondent's USEPA and USDOJ Consent Decree and to remove nitrogen at the Respondent's wastewater treatment facilities.

Nothing in this consent order shall preclude the Commissioner from requiring an increase in the Respondent's \$40M minimum average annual expenditure rate, as necessary to implement future engineering and construction contracts to complete all actions necessary to abate CSOs within the service area, upon a finding of changes in affordability as indicated in future IP/LTCP updates. Furthermore, for future IP/LTCP phases, the Commissioner anticipates annual expenditure rates will increase with the specific rate to be identified in the IP/LTCP Update required by section B.12 of this consent order and as determined by an updated affordability analysis pursuant to EPA's "1997 Combined Sewer Overflows - Guidance for Financial Capacity Assessment and Schedule Development", as amended and/or superseded.



3. The Respondent shall retain one or more qualified consultants acceptable to the Commissioner until this consent order is fully complied with and the Commissioner acknowledges that CDM Smith Inc. as identified by the Respondent, may prepare documents and oversee the actions required by this consent order for the 2023 Integrated Plan Implementation Phase I. Within ten days after retaining any consultants(s) other than the one originally identified under this paragraph, the Respondent shall notify the Commissioner in writing of the identity of such other consultant(s). The consultant(s) retained shall be qualified professional engineers licensed to practice in Connecticut and shall be acceptable to the Commissioner. The Respondent shall submit to the Commissioner a description of the consultant's education, experience and training which is relevant to the work required by this consent order within ten days after a request for such a description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant unacceptable.
4. On or before January 1, 2024 and until full compliance with this consent order has been achieved, the Respondent shall conduct public information and outreach as follows:
  - a. On or before January 31st after the issuance of this consent order and quarterly thereafter, conduct a meeting outside of typical business hours (8:00 am to 5:00 pm) for the general public that presents: 1) an update on projects completed and under construction, 2) a schedule for projects under construction or yet to start construction, 3) a status of use of minority and disadvantaged business enterprises, including efforts and success at recruiting labor and contractors from the area where projects are or will be occurring under this consent order, and 4) other items as requested by the Commissioner. Notice of each quarterly meeting, including the date, time, location, and agenda for the meeting, along with any supporting materials, shall be posted on Respondent's website at least 30 days prior to such meeting. The annual meeting required by paragraph B.4.c of this consent order shall constitute the second quarterly meeting of each year. Quarterly meetings may be suspended upon the Respondent's written request and written approval by the Commissioner.
  - b. On or before March 1st after the issuance of this consent order and annually thereafter, post on its website an annual update and proposed projects report, which tracks the status of each implementation plan action in the 2023 Integrated Plan Implementation Phase I, as amended by this consent order, and proposes projects to improve the sewerage





system in the upcoming year that are not specified in this consent order for public review and comment. Such website update and report shall be in a format different than the required annual reports submitted to the Commissioner in accordance with paragraph B.19 of this consent order and shall:

- i. Consist of a user-friendly presentation of information in non-technical, Layman's terms (with a general public audience in mind) regarding the status and progress of the 2023 Integrated Plan Implementation Phase I, as amended by this consent order;
- ii. For the 2023 Integrated Plan Implementation Phase I, clearly identifies which specific actions/projects are to be implemented in each calendar year and the associated timeframe for completion; the neighborhood of each proposed action/project as well as the short-term impacts and the long-term benefits to the community, and the funding sources for future implementation actions;
- iii. Include a summary of additional projects proposed to be completed in the upcoming year that improve the sewerage system and are not specified in Appendix A of this consent order;
- iv. Include a summary of actions taken to utilize minority and disadvantaged business enterprises, including efforts and success at recruiting labor and contractors from the area where projects are or will be occurring under this consent order;
- v. Include a summary of projects completed in the previous calendar year pursuant to the 2022 Consent Order and this consent order, identification of compliance with completion deadlines, or if a deadline is missed, identification of the cause(s), and an alternate proposed deadline. This posting does not relieve the Respondent of the requirement of notification to the Commissioner as outlined in paragraph B.32. of this consent order;
- vi. Include updates and estimates for incremental achievements in CSO reductions of each project;
- vii. Include a contact number, prominently displayed on its website, for community members to contact the Respondent



regarding questions and/or concerns regarding the work associated with the 2023 Integrated Plan Implementation Phase I;

- viii. Include an advertisement, consisting of a posting notice of such update and proposed projects report prominently on Respondent's webpage and social media and appearance of a notice in newspapers of general circulation in Respondent's service area, identifying means of commenting on such report, which notice period shall close no sooner than 15 days after the annual meeting specified in paragraph B.4.b. of this consent order. At the same time as the notice to the newspaper, the consumer advocate identified in paragraph B.4.c. of this consent order shall also be notified.
- c. On or before April 1st after the issuance of this consent order and annually thereafter, conduct an annual meeting outside of typical business hours (8:00 am to 5:00 pm) for the general public which presents a comprehensive update/ proposed projects report of the previous 4 quarterly updates, as required by paragraph B.4.a. of this consent order and includes a question/answer component. The quarterly update/ report required by paragraph B.4.a. of this consent order and notice of the date and time of the annual meeting required by this paragraph shall be posted on Respondent's website, social media, and appear in newspapers of general circulation in Respondent's service area at least 30 days prior to such annual meeting.
- d. Include Respondent's consumer advocate in the review of each quarterly update and proposed projects report required by paragraph B.4.a. of this consent order and his/her attendance at each annual meeting required by paragraph B.4.b. of this consent order.
- e. Within 30 days of the close of the public comment period specified in paragraph B.4.b. of this consent order, Respondent shall post all public comments and a response document, responding to comments, prominently on its webpage and send such comment response document to the Department.
- 5. On or before December 31, 2030, the Respondent shall have completed construction of all actions identified in 2023 Integrated Plan Implementation Phase I, as described in Appendix A, Table 1 of this consent order, and as may be modified by a Long-Term Control Plan Update as described in paragraph B.15.



6. On or before January 1st after the issuance of this consent order and annually thereafter, the Respondent shall submit a list of specific construction contracts for the next two consecutive calendar years for the Commissioner's review. The "Two Year Bid Schedule" shall list: the specific CSO related improvement, estimated costs, reasons for scheduling as proposed, specified construction contract bid dates, proposed construction completion dated. The "Two Year Bid Schedule" shall be based upon the 2023 Integrated Plan Implementation Phase I, as described in Appendix A, Table 1 of this consent order, and as may be amended by the Long-Term Control Plan Update as described in paragraph B.12.
7. No less than 90-days prior to the respective bid dates, as specified in the "Two Year Bid Schedule" submitted pursuant to Paragraph B.6. above, for all CSO related construction contracts that comprise the 2023 Integrated Plan Implementation Phase I, the Respondent shall submit final design documents to the Commissioner for final review and written approval. At a minimum, the final design documents shall contain:
  - a. Plans, technical specifications and contract documents which describe the proposed contracts, noting any significant changes from the 30 percent design submitted.
  - b. Demonstration of formal submittal of application(s) as required for all state and local permit approvals and related documents for respective project.
8. Within one year following every contract's substantial completion date, the Respondent shall submit final record drawings in an electronic format of completed works to the Commissioner to document formal compliance with this consent order.
9. As part of the LTCP/IP update process Respondent shall retain a qualified third-party consultant acceptable to the Commissioner, to determine the efficacy and cost effectiveness of the revised approach for sewer mitigation and public health and safety protection identified in the 2023 Integrated Plan Implementation Phase I compared to more traditional sewer mitigation projects.
  - a. On or before April 1, 2024 and each year thereafter, Respondent shall submit a report for the Commissioner's review summarizing the results of each of the projects identified in the 2023 Integrated Plan Implementation Phase I. Such report shall include: 1) an estimation of the expected reduction in volume in the Respondent's conveyance system and estimated reduction in CSOs, 2) an evaluation the efficacy and cost effectiveness of the revised approach for sewer



mitigation and public health and safety protection certification protection identified in the 2023 Integrated Plan Implementation Phase I compared to more traditional sewer mitigation projects, and 3) certification that each action has been conducted in a cost effective manner and in compliance with the requirements of the Regulations of CT State Agencies section 22a-482 related to performance of an alternatives analysis and value engineering for projects over \$10,000,000, selection of engineering consultants based on qualifications based selection, conducting competitive bidding of contracts, and meeting contracting goals for minority & women based enterprises;

b. Respondent shall measure and maintain data on the following metrics which shall be provided to the consultant(s) approved pursuant to paragraph B.9.a. and provide the basis for the evaluation required by paragraphs B.10.a. and B.10.c

- LF of new storm drains or sanitary sewers installed as part of sewer separation projects;
  - LF of CIPP rehabilitation of existing combined sewers, sanitary sewers or storm sewers;
  - LF of CIPP rehabilitation of private property laterals;
  - Number of properties with new storm laterals or sanitary sewer laterals installed as part of sewer separation projects;
  - Number of properties with completed renewal of existing sanitary sewer laterals;
  - Number of properties with complete surcharge protection completed via the District's Backwater Valve/Private Property Inflow Disconnection Program;
  - Number of properties with completed private property separation including foundation drains, roof leaders, etc.;
  - Reduction in CSO volume in a 1-year storm, a typical year, as well as the elimination storm as measured at CSO's N-2 and N-4, as compared to baseline values established in the 2018 LTCP/IP; and
  - Reduction in CSO volume in a 1-year storm and a typical year at all Gully Brook and North Meadows Drainage District CSOs, as compared to baseline values established in the 2018 LTCP/IP.
- c. On December 31, 2028, Respondent's consultant required by paragraph B.9. of this consent order shall submit a report to the Commissioner with its determination on the efficacy and cost effectiveness of the revised approach for sewer mitigation and public health and safety protection identified in the 2023 Integrated Plan Implementation Phase I compared to more traditional sewer mitigation projects. Such report shall consider both sewer mitigation and public health and safety protection.



10. Long-Term Control Plan Update. By December 31, 2028, the Respondent shall submit, for the Commissioner's review and approval, an IP/LTCP Update to demonstrate the Respondent's progress to date along with a proposed plan for the next phase of Integrated Plan Implementation for meeting 1-year storm level of CSO control as defined in Appendix B, Table 2 of this consent order until such CSO control has been achieved. The Respondent shall make appropriate revision to such IP/LTCP Update to address comments made by the Commissioner. Each IP/LTCP Plan Update shall at a minimum comply with the following:
  - a. The IP/LTCP Update shall be a stand-alone document that builds upon its predecessor.
  - b. Consistent with the requirements of paragraph B.4. of this consent order, the IP/LTCP Update shall include a public information process and provide an opportunity for receiving and responding to public comment.
  - c. The IP/LTCP Update shall demonstrate, to the Commissioner's satisfaction, the Respondent's plans for achieving a 1- year, level of CSO control as defined in Appendix B, Table 2 and implement the projects as defined in Appendix C, Table 1, by the earliest feasible date, but no later than December 2059.
  - d. The IP/LTCP Update shall include a new five-year CSO abatement construction schedule which shall be incorporated as an amendment to this consent order or into a subsequent consent order upon adoption by DEEP.
11. Any proposed modification of the activities specified in this consent order and the schedule of completion shall be submitted for review and approval, by the Commissioner as an amendment to this consent order and shall be accompanied by final conceptual design documents and affordability analyses to be supplied by the Respondent.
12. Progress Reports. On or before the last day of January of each year after the date of issuance of this consent order and continuing until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction, Respondent shall submit a progress report to the Commissioner describing the actions which Respondent has taken to date to comply with this consent order.
13. Full compliance. Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.





14. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this consent order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 60 days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.
15. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
16. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.
17. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and each such individual shall certify in writing as follows:



"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

18. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
19. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. Respondent's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.
20. Commissioner's powers. Nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
21. Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.
22. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this consent order will result in compliance or



**Connecticut  
Department of Energy &  
Environmental Protection**

prevent or abate pollution.

23. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
24. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.
25. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this consent order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.
26. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, Respondent shall immediately notify by email the individual identified in Paragraph B.34 paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
27. Noncompliance. Failure to comply with this order may subject the Respondent to an injunction and penalties under Chapters 439, and 445 or 446k of the Connecticut General Statutes.
28. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:





Ann Straut, Environmental Engineer 3  
Department of Energy and Environmental Protection  
Bureau of Water Protection and Land Reuse  
Water Planning and Management Division  
79 Elm Street, Hartford, Connecticut 06106-  
5127 [ann.straut@ct.gov](mailto:ann.straut@ct.gov)

The Metropolitan District consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind The Metropolitan District to the terms and conditions of the consent order.

The Metropolitan District

BY:

\_\_\_\_\_  
Scott W. Jellison  
Chief Executive Officer

\_\_\_\_\_  
Date

Issued as a final order of the Commissioner of Energy and Environmental Protection that shall supersede Consent Order COWRMU22002 executed on September 19, 2022.

A handwritten signature in blue ink, appearing to read "Katie S. Dykes".

\_\_\_\_\_  
Katie S. Dykes  
Commissioner

\_\_\_\_\_  
12/20/2024

Date



## APPENDIX A

TABLE 1: 2023 Integrated Plan Implementation Phase I, Project List and Timeline

Area	CWP/IP Project	Description	Original 9/19/2022 CO Completion Date	Revised 7/13/2023 CO Completion Date	Revised TBD CO Completi on Date
North Branch Park River	I-4 (N-30) Improvements	Rehabilitation of N-30 Sewer	12/31/2023	12/31/2024	12/31/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (ROW)	Installation of up to 8,000 LF of new storm drains and associated storm laterals as required to facilitate separation of 160 properties in North Hartford	N/A	12/31/2024	Now broken out into 4 projects (Durham, Woodstock&Branford, Westland, and Windsor St. projects as identified below)
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (ROW)	Durham Street Project	N/A	12/31/2024	2024 - Completed 4/30/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (ROW)	Woodstock & Branford Project	N/A	12/31/2024	2024 - Completed 5/9/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (ROW)	Westland Street Area Project	N/A	12/31/2024	7/1/2026
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (ROW)	Windsor Street Area Project	N/A	12/31/2024	7/1/2026
North Branch Park River	Current CIP Sewer Rehab (in Bloomfield & NBPR)	15,000 LF of rehabilitation in Bloomfield & Hartford	12/31/2022	12/31/2024	12/31/2024
North Branch Park River	Blue Hills Granby* Drainage Study	Drainage study of the NBPR	12/31/2023	12/31/2024	12/31/2025*

Gully Brook	Current CIP Sewer Rehab (in Gully Brook Area)	15,000 total feet of rehabilitation in Gully Brook Area of Hartford	12/31/2022	12/31/2024	12/31/2024
North Meadows	Tower Avenue Area Sewer Rehabilitation	Rehabilitation of 10,000 LF of sewers & 200 laterals in Gully Brook Area Upstream of NM-2/3/4	12/31/2028	12/31/2024	12/31/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (Private)	Completion of private property separation work of up to 160 properties in North Hartford	N/A	12/31/2025	Now broken out into 4 projects (Durham, Woodstock&Branford, Westland, and Windsor St. projects as identified below)
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (Private)	Durham Street Project	N/A	12/31/2024	2024 - Completed 4/30/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (Private)	Woodstock & Branford Project	N/A	12/31/2024	2024 - Completed 10/31/2024
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (Private)	Westland Street Area Project	N/A	12/31/2024	12/31/2026
North Branch Park River/Gully/ North Meadows	Expedited Sewer Separation Contracts (Private)	Windsor Street Area Project	N/A	12/31/2024	7/1/2027
Park River & South Meadows	18-in to 21-in brick rehab	52,000 LF of rehabilitation targeting 18- in to 21-in brick sewers in Hartford	12/31/2025	12/31/2025	Now broken out into 2 projects (Part 2, LD Phase 3A, Parts 1 & 2 as identified below)
Park River & South Meadows	18-in to 21-in brick rehab	Part 2 (LD Phase 3A Part 1)	12/31/2025	12/31/2025	12/31/2025

Park River & South Meadows	18-in to 21-in brick rehab	Part 2 (LD Phase 3A Part 2)	12/31/2025	12/31/2025	7/1/2026
Park River & South Meadows	West Hartford SSES Implementation Contract 2012-59	56,000 LF of SSES recommendations in West Hartford	12/31/2025	12/31/2025	12/31/2025
North Branch Park River	Sewer & Lateral Rehabilitation	Rehabilitation of 48,360 LF of sewers & 1,510 laterals in NBPR Area Upstream of N-2 & N-4	N/A	12/31/2026	12/31/2026
Gully Brook	Sewer & Lateral Rehabilitation	Rehabilitation of 30,120 LF of sewers & 1,040 laterals in Gully Brook Area Upstream of G-12	N/A	12/31/2026	12/31/2026
North Branch Park River/Gully/North Meadows	Backwater Valve/Private Property Inflow Disconnection	Plumbing improvements of up to 1,500 properties in North Hartford in advance of future separation projects.	N/A	12/31/2026	12/31/2026
North Meadows	Sewer & Lateral Rehabilitation	Rehabilitation of 8,530 LF of sewers & 500 laterals in NBPR Area Upstream of NM-5/6/7	N/A	12/31/2026	12/31/2026
South Branch Park River	South Hartford Conveyance & Storage Tunnel (SHCST) Contracts 2, 3, & 5	Completion of SHCST Contracts 2, 3, & 5 to control SBPR CSOs S-19 through S-30 to 1-year storm and control structural SSOs CTS 2, CTS 3 & NTS Hillcrest in accordance with the Consent Decree	12/31/2026	12/31/2026	12/31/2026
North Branch Park River	Granby 7 Sewer Separation	Sewer Separation including sewer rehabilitation	12/31/2028	12/31/2028	12/31/2028
North Branch Park River	Granby 8 Sewer Separation (design & construction)	Sewer Separation including sewer rehabilitation	12/31/2029 (design only)	12/31/2028 (now includes construction)	12/31/2028 (now includes construction)
North Branch Park River	Granby 9 Sewer Separation (design & construction)	Sewer Separation including sewer rehabilitation	12/31/2029 (design only)	12/31/2028 (now includes construction)	12/31/2028 (now includes construction)
North Branch Park River	Bloomfield Styrene Rehabilitation	Rehabilitation of 14,000 feet of sewers in Bloomfield	12/31/2029	12/31/2029	12/31/2029

Projects in red are being broken out into multiple projects due to inability of SBE contractors to complete in the original Consent Order timeline.

Projects in purple are the contracts broken out from the 3 larger projects (shown in red).

\*Previously called the North Branch Park River Drainage Study – 1 year extension initiated by DEEP to allow for DEEP review and approval.



## APPENDIX B

**Table 1: Regulator Level of Control Summary**

CSO Regulator	Level of Control	CSO Regulator	Level of Control	CSO Regulator	Level of Control	CSO Regulator	Level of Control
F-26	Elimination	N-2	Elimination	NM-14	1-year storm	P-29	1-year storm
F-27	Elimination	N-4	Elimination	P-1	1-year storm	S-3	1-year storm
F-28	Elimination	N-9	Elimination	P-2	1-year storm	S-8	1-year storm
F-29	Elimination	N-10	Elimination	P-3	1-year storm	S-10	1-year storm
F-30	Elimination	N-12	1-year storm	P-4	1-year storm	S-12	1-year storm
F-32	Elimination	N-14	1-year storm	P-5	1-year storm	S-13	1-year storm
F-33	Elimination	N-22	1-year storm	P-9	1-year storm	S-14	1-year storm
G-2	1-year storm	N-23	1-year storm	P-10	1-year storm	S-15	1-year storm
G-8	1-year storm	N-24	1-year storm	P-11A	1-year storm	S-16	1-year storm
G-9	1-year storm	N-25	1-year storm	P-12	1-year storm	S-19	1-year storm
G-10	1-year storm	N-28A	1-year storm	P-13	1-year storm	S-21	1-year storm
G-11	1-year storm	N-28B	1-year storm	P-14	1-year storm	S-23	1-year storm
G-12	1-year storm	N-29	1-year storm	P-15	1-year storm	S-24	1-year storm
G-13E	1-year storm	N-30	1-year storm	P-15A	1-year storm	S-25	1-year storm
G-13W	1-year storm	NM-2	1-year storm	P-16	1-year storm	S-26	1-year storm
G-15	1-year storm	NM-3	1-year storm	P-16A	1-year storm	S-27	1-year storm
G-17A	1-year storm	NM-4	1-year storm	P-18	1-year storm	S-28	1-year storm
G-17B	1-year storm	NM-5	1-year storm	P-19	1-year storm	S-29	1-year storm
G-19	1-year storm	NM-6	1-year storm	P-23	1-year storm	S-30	1-year storm
G-21	1-year storm	NM-7	1-year storm	P-24	1-year storm	SM-2	1-year storm
G-23	1-year storm	NM-10	1-year storm	P-26	1-year storm		

**Table 2: 1-year storm Level of Control<sup>1</sup> for precipitation events, based on duration and quantity**

Duration	Depth (inches)
15-minute	0.56
30-minute	0.75
1-hour	0.94
2-hour	1.22
3-hour	1.40
6-hour	1.75
12-hour	2.12
1-day	2.47
2-day	2.80
3-day	3.04
4-day	3.26
7-day	3.84
10-day	4.43

<sup>1</sup> Respondent shall prevent CSOs from occurring from precipitation events less than or equal to the depths identified in Table 2.

**APPENDIX C****TABLE 1: Projects deferred from the *Integrated Plan Implementation Phase I***

<b>Area</b>	<b>CWP/IP Project</b>	<b>Description</b>	<b>Original CO Completion Date</b>	<b>Revised CO Completion Date</b>
Park River & South Meadows	SM-2 Improvements	Replacement/rehabilitation of existing collection system gates and SM-2	2024	2030 - 2040
South Branch Park River	Cemetery Brook Area Large Diameter Rehab	7,000 LF of rehabilitation targeting the Cemetery Brook Sewer Area	2025	2030 - 2040
Park River & South Meadows	Farmington and Homestead Ave Large Diameter Rehab	7,000 LF of rehabilitation targeting the Farmington/Homestead Avenue Area	2026	2030 - 2040
North Branch Park River	New North Branch Interceptor Improvements	NNBI Replacement Pipe & N-22 Regulator Improvements (eliminating N-9 & N-10)	2027	2030 - 2040
South Branch Park River	Kane Brook (S-8 & S-13)	Sanitary sewer improvements to S-8 and S-13	2027	2030 - 2040
North Branch Park River	Homestead Avenue Interceptor Improvements (Design Only)	Replacement of 4,600 LF HAI (achieving 2-year level of control at N-4)	2029	2030 - 2040
Gully Brook	Gully Brook Area Large Diameter Rehab (Part 1)	13,500 LF of rehabilitation targeting the Gully Brook Interceptor	2029	2030 - 2040
Gully Brook	Gully Brook Area Large Diameter Rehab (Part 2)	13,500 LF of rehabilitation targeting the Gully Brook Interceptor	2029	2030 - 2040
Farmington and Park Street	N-12 Sewer Separation and CMOM	Sewer Separation including sewer rehabilitation	2029	2030 - 2040
Franklin Avenue	South Hartford Conveyance & Storage Tunnel (SHCST) Contract 4	Completion of SHCST Contract 4 to eliminate Franklin Ave CSOs to the Wethersfield Cove; F-26, F-27, F-28, F-29, F-30, F-32, and F-33	2029	2030 - 2040

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

**MEMORANDUM OF UNDERSTANDING WITH CITY OF HARTFORD  
MS4 GENERAL PERMIT**

To: Bureau of Public Works

January 13, 2025

**BE IT HEREBY RESOLVED**, that the Board of Commissioners of The Metropolitan District hereby authorizes the Chief Executive Officer, or his designee, to execute the attached Memorandum of Understanding between the City of Hartford and The Metropolitan District regarding the terms, conditions, and specific obligations under which the District and City of Hartford will comply with the Connecticut Department of Energy and Environmental Protection's ("DEEP") General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems ("MS4 General Permit"), the full terms of which are set forth in the attached Memorandum of Understanding.

Respectfully submitted,

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

John S. Mirtle, Esq.  
District Clerk



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE METROPOLITAN DISTRICT  
And  
CITY OF HARTFORD**

**1. Parties**

This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between The Metropolitan District ("MDC"), whose address is 555 Main Street, Hartford, and the City of Hartford ("COH"), whose address is 550 Main Street, Hartford. MDC and COH may be referred to collectively as the "Parties" or individually as a "Party" to this MOU.

**2. Purpose**

The purpose of this MOU is to establish the terms, conditions, and specific obligations under which the MDC and COH will comply with the Connecticut Department of Energy and Environmental Protection's ("DEEP") General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems ("MS4 General Permit") effective October 1, 2023, and future iterations of the MS4 General Permit.

The MS4 General Permit, issued pursuant to Connecticut General Statutes, Section 22a-430b, authorizes the discharge of stormwater and specific non-stormwater discharges from or associated with a MS4, provided the municipality or state or federal institution that initiates, creates, originates or maintains such discharge registers pursuant to the MS4 General Permit and complies with all permit requirements.

Since the MDC and COH each own and/or control portions of the MS4 in Hartford, the MDC and COH agree that the efforts of both parties are necessary to comply with the MS4 General Permit. Therefore, in accordance with Section 6(b)(3) of the MS4 General Permit,<sup>1</sup> MDC and COH agree to coordinate the development and implementation of their respective Stormwater Management Plans to address all the elements of the MS4 General Permit, and shall divide and undertake the responsibilities and Best Management Practices as further described in this MOU, to comply with the MS4 General Permit's requirements. MDC and COH agree to provide information related to the MS4 General Permit to the other as provided in this MOU and upon request in accordance with this MOU.

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<sup>1</sup> Section 6(b)(3) of the MS4 General Permit provides: "Where a portion of the separate storm sewer system within a municipality is owned or otherwise the responsibility of another municipality, institution or state or federal agency the entities shall coordinate the development and implementation of their respective Stormwater Management Plans to address all the elements of Section 6. A description of the respective responsibilities for these elements shall be included in the Stormwater Management Plan for each municipality."

### **3. Term of MOU**

This MOU is effective upon the date last signed and executed by the duly authorized representatives of the Parties to this MOU and the governing bodies of the parties' respective municipalities, and shall remain in full force and effect until: (1) registration under a MS4 General Permit is no longer required for the lawful operation of the Small MS4 in Hartford; or (2) termination of this MOU by the written consent of both Parties.

### **4. Allocation of Responsibilities under the MS4 General Permit**

The City of Hartford Stormwater Management Plan, dated April, 2017, as modified by the annual reports submitted in accordance with the MS4 General Permit since 2017 (the "SWMP"), shall initially serve as the baseline for the requirements necessary to comply with the currently-effective MS4 General Permit, until MDC and COH (collectively or separately) develop replacement or updated Stormwater Management Plan(s). MDC and COH shall, at least annually, coordinate to the extent necessary and practicable, to ensure that each of the requirements of the MS4 General Permit and SWMP (or their respective SWMPs) are achieved. MDC may submit its own stormwater management plan compliant with the MS4 General Permit.

Attachment A to this MOU, incorporated herein by reference, titled "Allocation of Permit Responsibilities", contains a description of the agreed-upon respective responsibilities between the MDC and COH, and are designed to facilitate the ongoing implementation of the SWMP and efficient performance of the Minimum Control Measures required under the MS4 General Permit. MDC and COH hereby agree to coordinate and implement the responsibilities assigned to each respective Party to the Maximum Extent Practicable, as required by the MS4 General Permit and related regulations. To the extent reasonably necessary, the Parties shall exchange such information and documents as are necessary for each to complete the tasks allocated to them in this MOU and Attachment A. Further, MDC and COH each acknowledge that a failure of one Party to perform its requirement(s) under the MOU or the MS4 General Permit may result in enforcement actions or liabilities to one or both Parties. Therefore, the Parties shall communicate with each other if a requirement under the MS4 General Permit is unlikely, or unable, to be performed as agreed under this MOU and may request that the other Party assist with, or take over, the requirement, at a cost to be negotiated in good faith between the parties. If the requested Party is unable to assist with, or take over, the requirement, the requesting Party shall coordinate, as necessary, to ensure that the requirement is met to the Maximum Extent Practicable, as required by the MS4 General Permit and related regulations.

MDC and COH acknowledge that should revisions to the SWMP (or their respective SWMPs) be necessary or agreed upon at any point, the MDC and COH may endeavor to incorporate the agreed upon Allocation of Permit Responsibilities found in Attachment A into a revised SWMP (or their respective SWMPs). Further, the Parties may revise any such allocation of permit responsibilities as necessary, upon agreement of both parties, in

furtherance of the purpose of complying with the MS4 General Permit and changes in laws and/or regulations specifically referenced herein.

## **5. Dispute Resolution**

Neither Party shall have the right to commence any claim arising out of or relating to this MOU against the other Party, except: (1) to enforce a responsibility assigned to any Party pursuant to this MOU; (2) to seek reimbursement for costs associated with assuming the responsibilities of the other Party under this MOU or the MS4 General Permit; or (3) to seek reimbursement for any fine or penalty resulting from the failure of the other Party to fulfill its obligations under this MOU or MS4 General Permit. Neither Party shall be liable to the other for damages in excess of the (1) costs associated with assuming the responsibilities of the other Party, or (2) fine or penalty resulting from the failure of the other Party to fulfill its obligations under this MOU or MS4 General Permit.

Each Party shall be responsible for their own legal fees in any claim between the Parties arising out of or relating to this MOU, and in any action by a government entity or third party related to the MS4 General Permit. To the extent that a fine, penalty, or other order assigned to one Party results from any such action by a government entity or third party, the noncompliant Party shall be responsible for the payment/performance of the fine, penalty, or other order based upon its share of the liability, as apportioned by a court of law or agency, with due consideration of the allocation of responsibilities contained in Attachment A to this MOU.

Each Party expressly disclaims and covenants not to seek consequential damages of any kind against the other Party.

If a dispute arises between the Parties regarding this MOU, the Parties agree to first attempt to resolve the dispute through mediation administered by the American Arbitration Association ("AAA") in accordance with its Commercial Mediation Rules, or another comparable mediation procedure chosen by mutual agreement of the Parties. Both Parties shall participate in good faith in the mediation process. If the dispute remains unresolved after mediation, the Parties may then pursue other available remedies.

## **6. General Provisions**

### **A. Amendments**

Either Party may request changes to this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOU shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOU.

### **B. Entirety of Agreement**

This MOU represents the entire and integrated agreement between the MDC and COH and supersedes all prior negotiations, representations and agreements, whether written or oral.



**C. Severability**

Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and the Parties may renegotiate the terms affected by the severance.

**D. Governmental Immunity**

With the exception of the actions discussed in Section 5 of this MOU, the MDC and the COH and their respective governing bodies do not waive their governmental immunity by entering into this MOU, and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.

**7. Signatures**

In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOU is the date of the signature last affixed to this page.

**Signatories:****The Metropolitan District**

\_\_\_\_\_  
Scott Jellison, P.E.  
The Metropolitan District  
Chief Executive Officer

\_\_\_\_\_  
Date

**The City of Hartford**

\_\_\_\_\_  
Arunan Arulampalam  
City of Hartford  
Mayor

\_\_\_\_\_  
Date

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE METROPOLITAN DISTRICT  
And  
CITY OF HARTFORD**

**ATTACHMENT A:  
ALLOCATION OF PERMIT RESPONSIBILITIES**

A description of the respective responsibilities between MDC and COH (jointly the "Parties" or severally a "Party") are provided in the following Best Management Practices (BMP) tables. Each Party is responsible for the costs and expenses associated with the specific obligations assigned to it.

The COH and The MDC shall form a Joint MS4 Committee (the "Joint MS4 Committee") composed of the Chief Operating Officer (the "COO") and the Director of Engineering from the MDC and the Director of Public Works and the City Engineer from the COH, or their respective designees. The Joint MS4 Committee shall coordinate as necessary, but at least annually, to oversee that each of the control measures in this Attachment A are achieved to the extent reasonably possible, to review the requirements of all Control Measures, to identify problems, and to recommend solutions as appropriate to the Mayor of the COH and the CEO of the MDC

BMP #	BMP Description / Commitments
1	<p><b>Control Measure 1: Public Education and Outreach</b> According to the Connecticut Department of Energy &amp; Environmental Protection (DEEP) MS4 General Permit, the goals of this minimum control measure are to:</p> <ul style="list-style-type: none"> <li>(1) Raise awareness that polluted Stormwater runoff is the most significant source of water quality problems.</li> <li>(2) Motivate residents to use BMPs which reduce polluted Stormwater runoff; and</li> <li>(3) Reduce polluted Stormwater runoff as a result of increased awareness and utilization of BMPs.</li> </ul>
1-1	<p><b>Implement Public Education and Outreach</b> Implement a public education program to distribute educational materials to the community to achieve the goals of this control measure.</p> <ul style="list-style-type: none"> <li>• COH shall take the lead in developing a public education program and outreach messaging as required to comply with BMP 1-1, with input from MDC as necessary.</li> <li>• COH will maintain the Hartford Public Works webpage, or equivalent other public-facing webpage, that will provide information on the stormwater management efforts in Hartford, tips on preventative measures for residents, and include links to additional resources.</li> <li>• MDC will maintain a Stormwater Management webpage that provides information on the stormwater management efforts being made by MDC and COH in Hartford, tips on preventative measures for residents, and additional resource links. The information provided shall generally follow the public education and outreach messaging developed by COH. MDC may develop its own messaging so long as it does not conflict with the purpose of the MS4 Permit.</li> </ul>

	<ul style="list-style-type: none"> <li>COH and MDC shall coordinate periodically, but not less often than three times annually, and the COH shall post on social media educational information discussing stormwater management issues as required by the SWMP.</li> </ul>
1-2	<p><b>Address education/ outreach for pollutants of concern</b> Implement additional measures for discharges to waters associated with the following Stormwater Pollutants of Concern: Phosphorus, Nitrogen, Bacteria, and Mercury. Educational materials will be developed as needed to specifically tailor and target education on the sources, impacts, and available pollution reduction practices for the Stormwater Pollutant of Concern in accordance with Section 6(a)(1)(C) of the MS4 General Permit.</p> <ul style="list-style-type: none"> <li>COH shall take the lead in developing public education and outreach messaging for pollutants of concern as required to comply with BMP 1-2 with input from MDC as necessary.</li> <li>The MDC and COH shall coordinate in accordance with BMP 1-1 to post at least one post for social media addressing applicable Stormwater Pollutants of Concern and their sources, impacts, and available pollution reduction practices.</li> <li>COH will maintain on its webpage information related to Stormwater Pollutants of Concern.</li> <li>MDC will maintain on its webpage information related to Stormwater Pollutants of Concern.</li> </ul>

BMP #	BMP Description / Commitments
2	<p><b>Control Measure 2: Public Participation and Involvement</b> Control Measure 2 requires opportunities be provided to engage the community to participate in the review and implementation of the COH SWMP. According to the MS4 General Permit, the goal of this minimum control measure is to involve the community in both the planning and implementation process of improving Stormwater quality.</p>
2-1	<p><b>Comply with public notice requirements for the SWMP and Annual Reports</b> Publish a public notice to inform the public of the SWMP and the Annual Report required by Section 6(j) of the MS4 General Permit and to solicit comments on the SWMP and Annual Report.</p> <ul style="list-style-type: none"> <li>COH shall be responsible to ensure all public notices are posted by the required deadlines and maintain a copy of the SWMP and Annual Report on its webpage.</li> <li>MDC shall provide COH with information based on the MDC responsibilities outlined in this MOU for the Annual Report at least 30 days prior to the date the Annual Report is required to be publicly available. MDC will also maintain a copy of the SWMP and Annual Report on its webpage or link to the COH webpage for each.</li> </ul>
2-2	<p><b>Stormwater Committee meetings</b></p> <ul style="list-style-type: none"> <li>The Joint MS4 Committee shall meet as often as useful, but at least once annually, to share information, coordinate activities, and monitor progress to track compliance with the MS4 General Permit, the SWMP, and this MOU. Either Party may request a meeting of the joint Stormwater Committee upon reasonable notice. Such meetings may be held either in person or virtually.</li> </ul>
2-3	<p><b>Sponsor community participation event (not fewer than one annually)</b> The permittees will hold, or coordinate with a third Party to hold one community participation event per year. Information on improving water quality and stormwater impacts will be provided at the event(s).</p> <ul style="list-style-type: none"> <li>COH will hold, or coordinate with a third party to hold at least one community participation event per year and will be the point of contact for public outreach events held by the COH.</li> </ul>

	<ul style="list-style-type: none"> <li>• MDC will participate in COH's community participation event or hold its own annual community event or events.</li> <li>• MDC will continue to hold an annual MDC Household Hazardous Waste Collection Event in Hartford.</li> <li>• MDC will provide COH with information on the MDC event(s) outlined in this BMP for the Annual Report.</li> </ul>
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BMP#	BMP Description / Commitments
3	<p><b>Control Measure 3: Illicit Discharge Detection and Elimination</b></p> <p>Control Measure 3 requires the development of a written Illicit Discharge Detection and Elimination (IDDE) Program designed to: provide the legal authority to prohibit and eliminate illicit discharges to the MS4, find the sources of any illicit discharges, eliminate those illicit discharges, and ensure ongoing screening and tracking to prevent and/or eliminate future illicit discharges. The MS4 General Permit requires the IDDE Program be implemented within the urbanized area and those catchment areas of the permittees with either Directly Connected Impervious Area (DCIA) of greater than 11%, or which discharge to impaired waters.</p>
3-1	<p><b>Develop a written Illicit Discharge Detection and Elimination Program</b></p> <p>Develop a written IDDE Program.</p> <ul style="list-style-type: none"> <li>• COH has developed a written IDDE Program dated October 16, 2023, which was adopted by the City Council on December 11, 2023.</li> <li>• The COH IDDE Program provides an implementation timeline on activities required under this BMP.</li> <li>• The Parties shall implement the IDDE Program as follows:             <ul style="list-style-type: none"> <li>○ MDC shall be responsible to develop and implement a written IDDE Program by December 31, 2025, and MDC shall implement its IDDE Program throughout the portions of the of the "below-the-grate" MS4 infrastructure owned or controlled by the MDC.</li> <li>○ COH shall be responsible to implement its written IDDE Program throughout the portions of the "below-the-grate" MS4 infrastructure owned or controlled by the COH.</li> <li>○ COH and MDC shall implement an IDDE Program throughout the portions of the "below-the-grate" MS4 infrastructure where ownership and control is unclear or yet to be determined. The Parties agree to work together by exchanging information, as needed, to determine an allocation of responsibility for implementing the IDDE program for the portions of the MS4 infrastructure where ownership or control is unclear or yet to be determined. Implementation of the IDDE program does not mean or imply ownership or control. If the Parties are unable to complete allocation or responsibility for ownership or control of the outfalls where ownership or control is unknown within one year from execution of the MOU, the Parties shall share the costs of implementation equally (50/50). Where ownership or control of certain portions of the MS4 infrastructure lies with third parties, the Parties shall work together to notify, and to the extent necessary, enter MOUs (or otherwise contract with), those third parties, to get them to take responsibility over those portions of the MS4 infrastructure.</li> <li>○ COH shall be responsible to implement its written IDDE Program on the portions of the MS4 that is "above-the-grate", including on the public streets, sidewalks, gutters, parking lots, open-air culverts, ditches, or streams which are subject to the MS4 Permit, except for on properties owned or controlled by the MDC.</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>○ MDC shall be responsible to develop and implement the IDDE Program on the portions of the MS4 that is “above-the-grate” on properties owned or controlled by the MDC.</li> <li>• The Parties further agree to coordinate their IDDE investigatory efforts according to the following procedure:             <ul style="list-style-type: none"> <li>○ MDC shall perform the initial investigation of a suspected/reported illicit discharge within that portion of the MS4 where MDC is responsible.</li> <li>○ If MDC has determined, based upon the results of its investigation, that the illicit discharge is entering the MS4 from outside the portion of the MS4 where MDC is responsible, MDC shall notify the COH and shall pinpoint the area to the extent feasible where MDC believes the illicit discharge is entering the MS4 where MDC is responsible with the procedures outlined in the IDDE Program. MDC shall provide copies and descriptions of the data and methods followed in its investigation to COH.</li> <li>○ COH shall then be responsible for investigating each source of illicit discharge identified by MDC and the COH, as an enforceable legal authority, will eliminate the illicit discharges. If upon conducting its own investigation, COH disagrees with the determination of MDC as to the origin of the illicit discharge or is unable to locate the source of the illicit discharge, COH shall report its finding to the Joint MS4 Committee, which shall review available information and determine next steps.</li> </ul> </li> <li>• The Parties further agree to coordinate their IDDE enforcement efforts as follows:             <ul style="list-style-type: none"> <li>○ MDC shall utilize available legal authority to identify, investigate and to the extent possibly eliminate discovered illicit discharges as required to comply with the IDDE Program and the MS4 Permit throughout the portions of the MS4 infrastructure owned or controlled by the MDC. COH shall, assist MDC as appropriate to utilize city legal authority and enforcement powers to eliminate illicit discharges throughout the portions of the MS4 infrastructure owned or controlled by the MDC.</li> <li>○ COH shall utilize its legal authority to eliminate discovered illicit discharges as required to comply with the IDDE Program and the MS4 Permit throughout the portions of the MS4 infrastructure owned or controlled by the COH. MDC shall assist COH where it is necessary to utilize MDC legal authority and enforcement powers to eliminate illicit discharges throughout the portions of the MS4 infrastructure owned or controlled by the COH.</li> </ul> </li> </ul> <p>If modifications to the Parties’ IDDE Programs are, or become, necessary for either Party to implement the IDDE Program as agreed in this MOU, the Parties shall cooperate to modify their respective IDDE Programs.</p>
3-2	<p><b>Develop a list and maps of all MS4 stormwater outfalls in urbanized and priority areas</b></p> <p>Develop a list (spreadsheet or database) and map or series of maps showing all stormwater discharges from municipally owned or operated pipe or conduit located within the MS4, and all interconnections with other MS4s pursuant to Section (6)(a)(3) and Appendix B of the MS4 General Permit. The Parties shall share equally (50/50) the cost of developing the spreadsheet or database and map for the first year of the program. If the map or list of stormwater discharges takes longer than one year to develop, the cost share to be paid by the COH will decrease to thirty percent (30%); if longer than two years, the COH share will decrease to ten percent (10%).</p> <ul style="list-style-type: none"> <li>• MDC and COH shall develop and maintain a list and map of all MS4 and related infrastructure in Hartford and all interconnections with other MS4 outfalls and related infrastructure in the COH.</li> </ul>

	<ul style="list-style-type: none"> <li>• MDC and COH will agree to a format for maintaining the list of MS4 outfalls and related infrastructure in Hartford. COH and MDC and the format of mapping data of the outfalls.</li> <li>• COH and MDC will be individually responsible for maintaining a list of interconnections with other MS4s and other stormwater systems that are connected to their respective MS4 infrastructure. COH and MDC shall provide updates to the Joint MS4 Committee of any changes to infrastructure belonging to them.</li> </ul>
3-3	<p><b>Develop a program for citizen reporting of illicit discharges</b>  As part of the Written IDDE Program (BMP #3-1) for citizen reporting of illicit discharges, affirmatively investigate and eliminate any illicit discharges reported provided such report incorporates at least a time and location of an observed discharge. All citizen reports and the responses to the reports shall be included in the Annual Report.</p> <ul style="list-style-type: none"> <li>• COH shall be the designated single point of contact for citizens reporting of illicit discharges. COH utilizes Hartford 311 for citizen reporting of illicit discharges.</li> <li>• MDC shall refer citizens to Hartford 311 to make such reports and shall include such information on its webpage. At its option, however, MDC may develop a system to directly receive citizen reports of illicit discharges. If MDC directly receives any citizen reports of illicit discharges, MDC will follow its IDDE Program procedures and report the findings to the COH for enforcement per the MOU. MDC will provide the citizen reporting information in the format determined by the COH for their tracking and the Annual Report.</li> <li>• Regardless of which Party receives a citizen's report of an illicit discharge, that receiving Party will notify the Party responsible for that portion of the MS4 where the illicit discharge is reported to be occurring, and that responsible Party will investigate the citizen's report in accordance with the IDDE Program and with procedure discussed in BMP 3-1.</li> </ul>
3-4	<p><b>Establish legal authority to prohibit illicit discharges</b>  Update the necessary and enforceable legal authority by statute, ordinance, rules and regulations, permit, easement, contract, order or any other means, to eliminate illicit discharges. The permittees will update the existing sewer ordinance and develop regulations addressing illicit discharges and incorporate into municipal code or a storm drain manual to establish the legal authority in accordance with Section 6(a)(3) and Section (A)(7)(a) of Appendix B of the MS4 General Permit.</p> <ul style="list-style-type: none"> <li>• COH will update its existing ordinances and develop regulations addressing illicit discharges and incorporate into municipal code or a storm drain manual to establish the legal authority in accordance with Section 6(a)(3) and Section (A)(7)(a) of Appendix B of the MS4 General Permit.</li> <li>• MDC will update its ordinances as necessary to comply with MS4 regulations, this MOU and Schedule A throughout the portions of the MS4 infrastructure owned or controlled by the MDC.</li> <li>• The Parties shall enforce the IDDE Program as described in BMP 3-1.</li> </ul>
3-5	<p><b>Develop record keeping system for IDDE tracking</b>  Maintain a record of illicit discharge abatement activities. The Permittees will create a record keeping system for IDDE tracking that will include, at a minimum: location (identified with an address or latitude and longitude), description, date(s) of inspection, sampling data (if applicable), action(s) taken, date of removal or repair and responsible Party(ies). This information will be included in the Annual Report.</p> <ul style="list-style-type: none"> <li>• MDC and COH will create and maintain a record keeping system (or separate systems) for IDDE tracking as necessary to comply with the BMP 3-5.</li> </ul>

	<ul style="list-style-type: none"> <li>In the event of separate record keeping systems, MDC shall share record keeping and tracking data related to illicit discharge abatement activities at least annually and COH will incorporate this information in the Annual Report.</li> </ul>
3-6	<p><b>Address IDDE in areas with pollutants of concern</b></p> <p>For waters for which Phosphorus, Nitrogen, or Bacteria is a Stormwater Pollutant of Concern, the IDDE program shall give highest priority in areas with the highest potential to discharge bacteria, phosphorus, and nitrogen to the MS4 in order to address septic system failures. Such areas shall be identified based on assessment of the following criteria: historic on-site sanitary system failures, proximity to bacteria impaired waters, low infiltrative soils, and shallow groundwater. The MS4 General Permit requires the following be included in the Annual Report: summary of the program, the number of areas identified with failing systems, actions taken by the permittee to respond to and address the failures, and the anticipated pollutant reduction.</p> <ul style="list-style-type: none"> <li>The SWMP gives highest priority in areas with the highest potential to discharge bacteria to the MS4 to address septic system failures. The Parties shall coordinate efforts to comply with this BMP 3-6 to address septic system failures, if required by the Department of Health and Human Services (HSS) Environmental Health Division, in accordance with the divisions of responsibilities discussed in BMP 3-1.</li> </ul>
3-7	<p><b>Develop and maintain an inventory identifying all known locations where Sanitary Sewer Overflows have discharged to the MS4 within the time period required by the Permit.</b></p> <p>The permittee will develop an inventory for all known locations where Sanitary Sewer Overflows (SSOs) have discharged to the MS4 within the last five years. This shall include SSOs resulting during dry or wet weather, from inadequate conveyance capacities, or where interconnectivity of the storm and sanitary sewer infrastructure allows for communication of flow between the systems.</p> <ul style="list-style-type: none"> <li>MDC shall be responsible for developing and maintaining an inventory of all known locations where SSOs have discharged to the MS4 as required by the MS4 Permit. MDC will share the inventory at least once a year to the COH for the Annual Report.</li> <li>MDC shall be responsible for compliance with DEEP or other legal requirements associated with SSO occurrences, including reporting requirements.</li> <li>COH shall share information provided by MDC related to SSOs on its webpage and direct the public to DEEP and MDC resources for further information on SSOs.</li> </ul>

BMP#	BMP Description / Commitments
4	<p><b>Control Measure 4: Construction Site Runoff Control</b></p> <p>Control Measure 4 requires implementation and enforcement of a program to control stormwater discharges to the MS4 associated with land disturbance or development (including re-development) activities from sites (as defined in the DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities) with one acre or more of soil disturbance, whether considered individually or collectively as part of a larger common plan.</p>
4-1a	<p><b>Implement, upgrade (as necessary) and enforce City land use regulations related to Construction Site Runoff Control</b></p> <ul style="list-style-type: none"> <li>COH shall, as necessary, implement, upgrade, and enforce its land use regulations and ordinances to meet the requirements of the MS4 General Permit and the SWMP related to Construction Site Runoff Control.</li> </ul>



	<ul style="list-style-type: none"> <li>MDC shall, as necessary, apply the COH's regulations and ordinances to meet the requirements of the MS4 General Permit and the SWMP related to Construction Site Runoff Control on MDC Construction Projects.</li> </ul>
4-1b	<p><b>Establish interagency or inter-jurisdictional agreements</b></p> <p>The COH and MDC shall establish interagency or inter-jurisdictional agreements (Memorandums of Understanding (MOUs)) to plan for the contribution of pollutants between the COH and MS4s owned and operated by others. Interconnected MS4 operators that have been identified potentially include the MDC, various state properties, and the Connecticut Department of Transportation (DOT).</p> <ul style="list-style-type: none"> <li>COH and MDC will update this MOU as necessary to comply with the MS4 General Permit and the SWMP.</li> <li>COH and MDC will separately consider and pursue MOUs with other Interconnected MS4 operators in cases where interconnection is to the MS4 infrastructure owned or controlled by one or the other, if the Party determines that the MOU would be advantageous to efficiently meeting the goals of the MS4 General Permit and the SWMP.</li> <li>The Joint MS4 Committee will consider MOUs with other Interconnected MS4 operators in cases where interconnection affects parts of the MS4 infrastructure owned or controlled by each COH and MDC, if the Parties each determine that the MOU would be advantageous to efficiently meeting the goals of the MS4 General Permit and the SWMP.</li> </ul>
4-2	<p><b>Develop and implement a plan outlining interdepartmental coordination of site plan review and approval</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for developing and implementing a plan outlining how all COH departments and boards with jurisdiction over the review, permitting, or approval of land disturbances and development projects within the MS4 will coordinate their functions with one another as provided in COH ordinances, COH Zoning Regulations, the MS4 Plan, state standards and regulations relating to stormwater management and drainage systems, and other applicable laws and regulations.</li> <li>COH and MDC will coordinate to develop an efficient procedure for connections to MDC MS4 infrastructure.</li> <li>COH will inform Land Use applicants to coordinate with the MDC regarding the design of any drainage system which connects to MDC drainage infrastructure.</li> <li>MDC will provide the COH with information at it relates to applicable State of Connecticut stormwater standards or regulations and provide information when requested by COH about any plans or projects related to infrastructure connections between COH and MDC.</li> </ul>
4-3	<p><b>Review site plans for stormwater quality concerns</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for conducting site plan reviews that incorporate consideration of stormwater controls or management practices to prevent or minimize impacts to water quality, as necessary to comply with the requirements of the SWMP and COH Ordinances.</li> <li>MDC shall, upon request from the COH, review site plans where there is a potential to increase the total flow to be received through MDC infrastructure.</li> </ul>
4-4	<p><b>Conduct Site Inspections</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for conducting site inspection(s) and enforcement if necessary to assess the adequacy of the installation, maintenance, operation, and repair of construction control measures and, where allowed post construction control measures.</li> <li>MDC may perform site inspection where there is a potential to increase the total flow to be received through the MS4 to MDC infrastructure.</li> </ul>
4-5	<b>Consideration of public input</b>

	<ul style="list-style-type: none"> <li>COH shall be responsible for implementing a procedure for receipt and consideration of information submitted by the public concerning proposed and ongoing land disturbance and development activities. Currently any project requiring approval by a land use agency or commission is presented at a public meeting. Projects not presented at a public meeting will be posted to the COH website and a contact name (with phone number, address, and email) to whom the public can send comments will be provided.</li> <li>MDC shall participate in public meetings upon request from the COH.</li> </ul>
4-6	<p><b>Notify construction site operators of the requirements for registration under "General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities"</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for developing a procedure for notifying developers and contractors of their potential obligation to obtain authorization under the DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities with a provision in the notification informing the developer/contractor of their obligation to provide a copy of the Stormwater Pollution Control Plan to the permittees upon request.</li> </ul>
4-7	<p><b>Document compliance with the Connecticut Anti-Degradation Implementation Policy in the Water Quality Standards for all new or increased discharges to High Quality Waters from the MS4</b></p> <ul style="list-style-type: none"> <li>COH and MDC shall coordinate as necessary to achieve BMP 4-7 under the SWMP.</li> </ul>
4-8	<p><b>Demonstrate no new or increased discharges to Impaired Waters from the MS4</b></p> <ul style="list-style-type: none"> <li>COH and MDC shall coordinate as necessary to achieve BMP 4-8 under the SWMP.</li> </ul>

BMP#	BMP Description / Commitments
5	<p><b>Control Measure 5: Post-construction Stormwater Management in New Development and Redevelopment</b></p> <p>Control Measure 5 requires a program to address stormwater runoff from new or redevelopment projects that disturb one or more acres of land.</p>
5-1	<p><b>Establish legal authority and guidelines regarding low impact development (LID) and runoff reduction in site development planning</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible to establish requirements that a developer or contractor seeking the permittee's approval shall consider the use of low impact development (LID) and runoff reduction site planning and development practices prior to the consideration of other practices in the permittees' land use regulations, guidance, or construction project requirements to meet or exceed those LID and runoff reduction practices identified in the CT Stormwater Quality Manual as amended.</li> </ul>
5-2	<p><b>Enforce LID/runoff reduction requirements for development and redevelopment projects</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for requiring runoff reduction/ LID measures be used by developers in accordance with Section (6)(a)(5)(A)(i)&amp;(B) of the MS4 General Permit.</li> <li>COH will utilize its legal authority to enforce its ordinances or other legal requirements as necessary to comply with this BMP 5-2.</li> </ul>

	<ul style="list-style-type: none"> <li>MDC will follow all ordinances or other legal requirements for MDC's projects and on MDC's properties.</li> </ul>
5-3a	<p><b>Identify retention and detention ponds in priority areas</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible to identify retention and detention ponds in priority areas and to enforce compliance with applicable inspection and maintenance ordinances or other legal requirements as necessary to comply with this BMP 5-3a.</li> <li>MDC shall inspect and maintain MDC's infrastructure in accordance with applicable ordinances or other legal requirements.</li> </ul>
5-3b	<p><b>Implement long-term maintenance plan for stormwater basins and treatment structures</b></p> <p>Implement a maintenance plan for ensuring the long-term effectiveness of retention or detention ponds and stormwater treatment structures or measures (such as swirl concentrators, oil/grit separators, water quality wetlands or swales, , etc.) located in the Urbanized Area and those catchment areas of the COH with either DCIA of greater than 11% or which discharge to impaired waters and which discharge to, or receive Stormwater from the MS4.</p> <p>COH shall be responsible to implement a maintenance plan for ensuring the long-term effectiveness of retention or detention ponds and stormwater treatment structures that are owned by the COH. COH shall additionally be responsible for requiring and enforcing maintenance plans for privately-owned retention or detention ponds to the extent required by the MS4 permit. MDC shall be responsible to implement a maintenance plan for ensuring the long-term effectiveness of retention or detention ponds and stormwater treatment structures that are owned by the MDC.andprivately owned ponds where the MDC maintains an easement or other legal authority to the extent that MDC's use or authority related to the ponds impacts the long-term effectiveness and maintenance requirements of the privately-owned ponds..</p>
5-4	<p><b>DCIA mapping</b></p> <p>Calculate the Directly Connected Impervious Area (DCIA) that contributes Stormwater runoff to each of its MS4 outfalls (i.e. catchment areas) using mapping provided by the DEEP or other equivalent source. The DCIA calculation shall be based upon the criteria available through the DEEP Stormwater webpage.</p> <ul style="list-style-type: none"> <li>COH will calculate the Directly Connected Impervious Area (DCIA) that contributes Stormwater runoff to each of the MS4 outfalls (i.e. catchment areas) using mapping provided by the DEEP or other equivalent source.</li> <li>The COH and MDC may hire a consultant to perform the work required by this BMP. In such event the Parties shall split the costs associated with this BMP equally.</li> <li>The Parties agree to contribute information to the Joint MS4 Committee or its consultant necessary to facilitate compliance with this BMP 5-4.</li> </ul>
5-5	<p><b>Address post-construction issues in areas with pollutants of concern</b></p> <p>For discharges to impaired waters for which Nitrogen, Phosphorus or Bacteria is a Stormwater Pollutant of Concern, develop, fund, implement, and prioritize erosion and sediment problems noted during required inspections of retention or detention ponds and Stormwater treatment structures or measures (BMP #5-3) under the Retrofit program specified in the MS4 General Permit (BMP #6-3) to correct the problems in a specific timeframe and to establish short- and long-term maintenance.</p> <ul style="list-style-type: none"> <li>COH shall be responsible to implement BMP 5-5 with regard to retention or detention ponds and stormwater treatment structures or measures covered by this BMP 5-5 that are owned by the COH.</li> </ul>



	<ul style="list-style-type: none"> <li>• MDC shall be responsible to implement BMP 5-5 with regard to retention or detention ponds and stormwater treatment structures or measures covered by this BMP 5-5 that are owned by the MDC.</li> <li>• For all privately-owned retention or detention ponds and stormwater treatment structures or measures covered by this BMP 5-5, COH shall be responsible for implementing this BMP 5-5.</li> </ul>
5-6	<p><b>Implement and maintain any control measures or conditions for New Discharge to an Impaired Water without an Established TMDL</b></p> <p>If a new discharge to an impaired water without a TMDL is authorized pursuant to the conditions of Section 3(b)(7) of the MS4 General Permit and BMP 4-8, implement and maintain any control measures or conditions on the site that enabled such authorization, and modify such measures or conditions as necessary to maintain such authorization.</p> <ul style="list-style-type: none"> <li>• COH and MDC shall coordinate as necessary to achieve BMP 5-6 under the SWMP for all new discharges from the MS4 to an impaired water without a TMDL</li> </ul>
5-7	<p><b>Additional requirements for all new and existing discharges to a water with an Established TMDL or with a Pollutant Load Reduction specified within the TMDL</b></p> <p>If a new discharge to a water with a TMDL or with a pollutant load reduction established within the TMDL is authorized pursuant to the conditions of Section 3(b)(7) of the MS4 General Permit and BMP 4-8, follow the discharge requirements consistent with the applicable Wasteload Allocations, Load Allocations or Water Quality Targets for that TMDL. Implement BMPs as necessary to achieve the Waste Load Allocation, Load Allocation or Water Quality Targets specified within the TMDL (see Appendix D of the MS4 General Permit) for all existing Discharge to a Water with an Established TMDL or with a Pollutant Load Reduction specified within the TMDL.</p> <ul style="list-style-type: none"> <li>• COH and MDC shall coordinate as necessary to achieve BMP 5-7 under the SWMP for all new discharge to a water with a TMDL or with a pollutant load reduction established within the TMDL.</li> </ul>

BMP#	BMP Description / Commitments
6	<p><b>Control Measure 6: Pollution Prevention/Good Housekeeping for Municipal Operations</b></p> <p>The goal of Control Measure 6, Pollution Prevention/Good Housekeeping for Municipal Operations, is preventing or reducing pollutant runoff and protecting water quality from all permittees owned or operated MS4s. The following BMPs for new development and redevelopment will be implemented to fulfill the requirements of Control Measure 6.</p>
6-1	<p><b>Continue the formal employee training program developed under the 2004 MS4 General Permit</b></p> <p>Continue the formal employee training program developed under the 2004 MS4 General Permit to increase awareness of water quality related issues in management of its MS4.</p> <ul style="list-style-type: none"> <li>• COH and MDC will each separately conduct annual employee training programs in order to meet the requirements of the SWMP.</li> <li>• The Parties may coordinate and conduct joint trainings or share training materials.</li> </ul>



6-2a	<p><b>Minimize the discharge of pollutants to MS4 from parks and open space management</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for maintaining properties, parks, and other facilities that are owned, operated, or otherwise the legal responsibility of the COH so as to minimize the discharge of pollutants to the MS4.</li> <li>MDC shall be responsible for implementing BMP 6-2a on any MDC owned or controlled properties.</li> </ul>
6-2b	<p><b>Minimize the discharge of pollutants to MS4 from pet waste management</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for managing pet waste to minimize the discharge of pollutants to the MS4.</li> </ul>
6-2c	<p><b>Minimize the discharge of pollutants to MS4 from waterfowl management</b></p> <ul style="list-style-type: none"> <li>COH shall be responsible for maintaining waterfowl management efforts to minimize the discharge of pollutants to the MS4</li> </ul>
6-2d	<p><b>Minimize the discharge of pollutants to MS4 from municipal buildings and facilities</b></p> <p>Maintain municipal buildings and facilities (schools under the jurisdiction of the permittees, City offices, police and fire stations, pools, parking garages and other permittee-owned or operated buildings or utilities) to minimize the discharge of pollutants to the MS4.</p> <ul style="list-style-type: none"> <li>COH will follow the requirements of the BMP for COH-owned or controlled buildings and facilities.</li> <li>MDC will follow the requirements of the BMP for MDC-owned owned or controlled buildings and facilities.</li> </ul>
6-2e	<p><b>Minimize the discharge of pollutants to MS4 from municipal vehicle and equipment maintenance</b></p> <p>Maintain vehicles and equipment to minimize the discharge of pollutants to the MS4.</p> <ul style="list-style-type: none"> <li>COH will follow the requirements of the BMP for COH-Fleet and equipment maintenance.</li> <li>MDC will follow the requirements of the BMP for MDC-Fleet and equipment maintenance.</li> </ul>
6-2f	<p><b>Minimize the discharge of pollutants to MS4 from leaf management</b></p> <p>Maintain leaf management so as to minimize the discharge of pollutants to the MS4. Establish and implement procedures to minimize or prevent the deposition of leaves in catch basins, streets, parking lots, driveways, sidewalks or other paved surfaces that discharge to the MS4. Such procedures also apply to leaves collected by the permittee.</p> <ul style="list-style-type: none"> <li>COH shall be responsible for compliance with the requirements of BMP 6-2f.</li> <li>MDC shall maintain leaf management on MDC properties so as to minimize the discharge of pollutants to the MS4, and with regard to any leaves collected by the MDC.</li> </ul>
6-3	<p><b>Implement coordination with interconnected MS4s</b></p> <p>As part of the interagency agreements established pursuant to Section (6)(a)(4)(A)(i)(e) and BMP #4-1, coordinate with operators of interconnected MS4s (such as neighboring municipalities, institutions and DOT) regarding the contribution of potential pollutants from the storm sewer systems, contributing land use areas and Stormwater control measures in the respective MS4s. This same coordination shall be conducted regarding operation and maintenance procedures utilized in the respective systems.</p> <ul style="list-style-type: none"> <li>COH and MDC shall coordinate together, and with other agencies jointly, as necessary to fulfill the requirements of the BMP, especially prior to approving or modifying outside connections to the MS4 serving Hartford.</li> </ul>

6-4	<p><b>Develop and implement a program to control other sources of pollutants to the MS4</b></p> <p>Develop and implement a program to control the contribution of pollutants to its MS4 from commercial, industrial, municipal, institutional or other facilities, not otherwise authorized by permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes.</p> <p>COH and MDC shall coordinate as necessary to develop and implement a program to conduct public education and outreach to commercial, industrial, municipal, institutional or other facilities not otherwise authorized by permit, regarding compliance with the requirements of the Permit.</p>
6-5	<p><b>Additional measures for discharges to impaired waters</b></p> <p>Implement additional measures for discharges from permittee-owned or operated lands to impaired waters (with or without a TMDL).</p> <ul style="list-style-type: none"> <li>• COH shall be responsible for implementing any additional measures for discharges from COH owned or operated land required by BMP 6-5 of the SWMP.</li> <li>• MDC shall be responsible for implementing any additional measures for discharges from MDC-owned or operated land required by BMP 6-5 of the SWMP.</li> </ul>
6-6	<p><b>Track projects that disconnect DCIA</b></p> <p>Track on an annual basis the total acreage of DCIA that is disconnected as a result of redevelopment or retrofit projects within the MS4. Tracking the disconnection of DCIA means documenting within a given redevelopment or retrofit project the amount of existing DCIA that is modified such that it is disconnected. This tracking may include disconnections of DCIA from redevelopment or retrofit projects implemented as early as July 1, 2012 (five (5) years prior to the effective date of the MS4 General Permit). Any redevelopment or retrofit of an existing developed site, whether public (municipal, state or federal) or private (residential, commercial or industrial) shall be included in this tracking.</p> <ul style="list-style-type: none"> <li>• COH shall be responsible for tracking projects that disconnect DCIA that contributes Stormwater runoff to each of the MS4 outfalls (i.e. catchment areas) with the input of the Joint MS4 Committee.</li> </ul>
6-7	<p><b>Develop and implement infrastructure repair/rehabilitation program</b></p> <p>Continue to repair and rehabilitate its MS4 infrastructure in a timely manner to reduce or eliminate the discharge of pollutants from the MS4 to receiving waters. Utilize the information developed pursuant to Section (6)(a)(6)(A)(v) of the 2004 MS4 General Permit, to fund and implement a program for repairing, retrofitting or upgrading conveyances, structures and outfalls of the MS4.</p> <ul style="list-style-type: none"> <li>• COH shall be responsible for implementing the infrastructure repair/rehabilitation program and complying with the requirements of BMP 6-7 throughout the portions of the MS4 infrastructure owned or controlled by the COH, and within city owned parks and properties but not including public rights of way.</li> <li>• MDC shall be responsible for implementing the infrastructure repair/rehabilitation program and complying with the requirements of BMP 6-7 throughout the portions of the MS4 infrastructure owned or controlled by MDC.</li> <li>• The Parties shall initially prioritize implementing the infrastructure repair/rehabilitation program on their own infrastructure for a period of two (2) years following execution of this MOU, while the Parties work together to determine ownership where the ownership and control of the MS4 infrastructure that is currently unknown or disputed. Following that initial two (2) year period, or if emergency repairs are required in the interim, MDC shall be responsible for implementing an infrastructure repair/rehabilitation program and complying with the requirements of BMP 6-7 with the input of the</li> </ul>

	Joint MS4 Committee for all areas where the ownership and control of the MS4 infrastructure remain unknown or disputed, and the Parties will share the costs equally (50/50).
6-8a	<p><b>Develop plan to identify/prioritize retrofit projects</b></p> <p>Develop a plan to identify and prioritize DCIA disconnection projects. Considerations for prioritizing retrofit projects may include outfall catchment areas that discharge to impaired waters, areas within the Urbanized Area of the MS4, or catchment areas with greater than eleven percent (11%) DCIA. The permittees shall select from the list of prioritized projects those that it will implement to meet the goals described in BMP 6-8b.</p> <ul style="list-style-type: none"> <li>COH shall develop a plan to identify/prioritize retrofit projects.</li> </ul>
6-8b	<p><b>Implement retrofit projects to disconnect 2% of DCIA</b></p> <p>Commence the implementation of the projects identified above with a goal of disconnecting one percent (1%) per year of DCIA to the maximum extent practicable and continue such program with a goal to disconnect one percent (1%) of DCIA in each year thereafter.</p> <ul style="list-style-type: none"> <li>COH shall coordinate as necessary to implement retrofit projects according to the plan to comply with this BMP #6-8b.</li> <li>COH shall be responsible for implementing such retrofit projects to disconnect at least 1% of DCIA per year.</li> </ul>
6-9	<p><b>Develop/implement street sweeping program</b></p> <p>Establish and implement procedures for sweeping City-owned or operated streets and parking lots.</p> <ul style="list-style-type: none"> <li>COH shall be responsible for implementing a street sweeping program that complies with BMP 6-9, with a goal of minimizing various pollutants, including sediment, debris, yard waste, trash, deicing materials and trace metals to improve water quality. COH shall comply with its street sweeping Standard Operating Procedures (SOP), which is designed to sweep all public residential roadways twice monthly as a baseline as weather permits during the months of April through November and sweep City-owned parking facilities at least once annually. COH may modify the frequency of sweeping for certain streets as the situation warrants with notice to the Joint MS4 Committee. COH may, in conjunction with its street sweeping program, evaluate areas that would benefit from increased litter disposal options and/or litter removal services. The COH will provide MDC with a copy of its current street sweeping SOP and, as appropriate, any updates or amendments of the SOP.</li> <li>MDC will identify and inform COH of areas with elevated levels of catch basin debris as provided in the MDC catch basin SOP. MDC will provide COH with a copy of its current catch basin SOP and, as appropriate, any updates or amendments of the SOP. COH will evaluate its street sweeping program based on input provided by the MDC concerning areas with elevated levels of catch basin debris and MDC will evaluate its catch basin cleaning program based on input provided by the COH.</li> <li>The Parties are encouraged to coordinate the street sweeping and catch basin cleaning programs to maximizing the effectiveness of each.</li> <li>MDC will sweep all MDC-owned facilities at least once annually.</li> </ul>
6-10	<p><b>Develop / implement catch basin cleaning program</b></p> <p>Conduct routine cleaning of all catch basins and track catch basin inspection observations. Utilizing information compiled through its inventory of catch basins, operational staff and public complaints, optimize routine cleaning frequencies for particular structures or catchment areas as follows to maintain acceptable sediment removal efficiencies.</p>



	<ul style="list-style-type: none"> <li>• MDC shall be responsible for conducting a catch basin cleaning program that complies with BMP 6-10 for all stormwater system catch basins throughout the portions of the MS4 infrastructure owned or controlled by the MDC. MDC shall comply with its current catch basin SOP to clean at least 3,500 catch basins per year and inspect the remaining catch basins at least once per year. Optimal cleaning frequency will be determined based on the requirements of Section 6(a)(6)(D)(ii)(f) of the MS4 General Permit.</li> <li>• COH shall be responsible for conducting a catch basin cleaning program that complies with BMP 6-10 for all stormwater system catch basins throughout the portions of the MS4 infrastructure owned or controlled by the COH. Optimal cleaning frequency will be determined based on the requirements of Section 6(a)(6)(D)(ii)(f) of the MS4 General Permit.</li> <li>• For all catch basins where the ownership and control of catch basins is disputed or yet to be determined, MDC shall be responsible for implementing the catch basin cleaning program that complies with BMP 6-10, with the input and oversight of the Joint MS4 Committee with the costs of such cleaning shared based on the Parties respective percentage of ownership.</li> <li>• MDC shall share information on its performance of the activities required by this BMP with COH for the Annual Report</li> <li>• The Parties are encouraged to coordinate the street sweeping and catch basin cleaning programs to maximizing the effectiveness of each.</li> <li>• COH will be responsible for cost reimbursement to the MDC associated with the collection, transportation and disposal of catch basin debris collected by MDC in COH owned basins, should the COH request MDC to clean COH owned basins.</li> <li>• If MDC provides information to the Joint MS4 Committee that demonstrates that any catch basin in which the catch sump is greater than 50% full following consecutive cleanings within a 13-month period, the Joint MS4 Committee will recommend a solution designed to eliminate this problem and may consider recommending a cost sharing program if necessary.</li> </ul>
6-11	<p><b>Develop/implement snow management practices</b> Implement snow management practices including Deicing Material Management and Snow and Ice Control Practices.</p> <ul style="list-style-type: none"> <li>• COH shall be responsible for implementing the requirements of the BMP.</li> <li>• MDC shall be responsible for developing and implementing snow management practices at all MDC owned or controlled properties.</li> </ul>

BMP#	BMP Description / Commitments
7	<p><b>Control Measure 7: Monitoring Requirements</b> Comply with the screening and monitoring requirements of Section 6(i) of the MS4 General Permit and conduct Impaired Waters Outfall Investigation and Monitoring. The Annual Report shall report on the progress of the impaired waters investigation and monitoring program.</p>
7-1	<p><b>Screen all Outfalls that Discharge to Impaired Waters: Begin Screening</b> Utilizing the list and mapping of all outfalls that discharge to impaired waters prepared pursuant to BMPs #3-2 and #7-2, and Section 6(a)(3)(C) of the MS4 General Permit, screen these outfalls for the pollutant identified as the pollutant of concern for the impairment.</p> <ul style="list-style-type: none"> <li>• MDC shall be responsible for screening all stormwater outfalls throughout the portions of the MS4 infrastructure owned or controlled by the MDC as required to comply with BMP 7-1. The information will be shared with the COH for the Annual Report.</li> </ul>

	<ul style="list-style-type: none"> <li>• COH shall be responsible for screening all stormwater outfalls throughout the portions of the MS4 infrastructure owned or controlled by the COH, as required to comply with BMP 7-1.</li> <li>• The Parties shall initially prioritize compliance with this Control Measure on their own MS4 outfalls for a period of two (2) years following execution of this MOU, while the Parties work together to determine ownership where the ownership and control of MS4 outfalls that are currently unknown or disputed. If the ownership and control of any MS4 outfalls is disputed or yet to be determined two years after the effective date of the Permit, the Parties will share the cost equally (50/50) for compliance with this Control Measure. The Joint MS4 committee will coordinate which Party will perform the work related to each MS4 outfall.</li> <li>• MDC will share as necessary information about activities under this BMP for the Annual Report.</li> </ul>
7-2	<p><b>Inventory and mapping of discharges to impaired waters</b></p> <p>MS4s that discharge into impaired waters, as identified in Section 6(k) of the MS4 General Permit, must create an inventory of all outfalls that discharge to impaired waters utilizing the list and mapping prepared pursuant to BMP #3-2 and Section 6(a)(3)(C) of the MS4 General Permit.</p> <ul style="list-style-type: none"> <li>• COH and MDC shall jointly be responsible for creating and maintaining an inventory and mapping of all outfalls that discharge to impaired waters as required to comply with BMP 7-2. Cost of this program will be shared equally (50/50) until the Parties have determined ownership, after which the costs will be split based on the Parties' respective ownership.</li> </ul>
7-3	<p><b>Follow-up Investigations of drainage areas: commence/implement follow-up investigations</b></p> <p>Investigate activities within the drainage area contributing to each outfall identified for follow-up investigation under BMP #7-1. This investigation shall include factors potentially associated with the cause of the related impairment.</p> <ul style="list-style-type: none"> <li>• MDC shall be responsible to investigate activities within the drainage area contributing to each stormwater outfall throughout the portions of the MS4 infrastructure owned or controlled by MDC and identified for follow-up investigation under BMP #7-1 in accordance with the IDDE Program, and in accordance to the division of responsibilities described in this MOU under BMP 3-1. In performing this obligation, MDC shall follow the procedures outlined in the IDDE Program.</li> <li>• COH shall be responsible to investigate activities within the drainage area contributing to each stormwater outfall throughout the portions of the MS4 infrastructure owned or controlled by the COH and identified for follow-up investigation under BMP #7-1 in accordance with the IDDE Program and in accordance to the division of responsibilities described in this MOU under BMP #3-1.</li> <li>• The Parties shall initially prioritize compliance with this Control Measure on their own MS4 outfalls for a period of two (2) years following execution of this MOU, while the Parties work together to determine ownership where the ownership and control of MS4 outfalls that are currently unknown or disputed. If the ownership and control of any MS4 outfalls is disputed or yet to be determined two years after the effective date of the Permit, the Parties will share the cost equally (50/50) for compliance with this Control Measure. The Joint MS4 committee will coordinate which Party will perform the work related to each MS4 outfall.</li> <li>• MDC shall share information on its performance of the activities required by this BMP with COH for the Annual Report.</li> </ul>

7-4	<p><b>Annual monitoring of priority outfalls</b></p> <p>Once outfall screening has been completed for at least half of the outfalls identified pursuant to BMP #7-2 and Section 6(i)(1) of the MS4 General Permit, utilize the screening results to select six (6) of the highest contributors of any of the pollutants of concern. These six outfalls shall be sampled annually for the appropriate pollutant of concern.</p> <ul style="list-style-type: none"> <li>• MDC shall be responsible for complying with BMP 7-4 on any MDC outfalls identified pursuant to BMP #7-2 as one of the six (6) of the highest contributors of any of the pollutants of concern.</li> <li>• COH shall be responsible for complying with BMP 7-4 on any COH outfalls identified pursuant to BMP #7-2 as one of the six (6) of the highest contributors of any of the pollutants of concern.</li> <li>• The Parties shall initially prioritize compliance with this Control Measure on their own MS4 outfalls for a period of two (2) years following execution of this MOU, while the Parties work together to determine ownership where the ownership and control of MS4 outfalls that are currently unknown or disputed. If the ownership and control of any MS4 outfalls is disputed or yet to be determined two years after the effective date of the Permit, the Parties will share the cost equally (50/50) for compliance with this Control Measure. The Joint MS4 committee will coordinate which Party will perform the work related to each MS4 outfall.</li> <li>• COH shall share information on its performance of the activities required by this BMP with COH for the Annual Report.</li> </ul>
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***On motion made by Commissioner DiBella and duly seconded, the report was received and resolution adopted by unanimous vote of those present.***

#### **SETTLEMENT OF PENDING LITIGATION KENNY/OBAYASHI IV JOINT VENTURE V MDC**

At 8:22 PM, Chairman Hoffman requested an executive session so that the Bureau of Public Works could discuss potential settlement of pending litigation regarding Kenny/Obayashi IV Joint Venture v MDC.

***On a motion made by Commissioner Lester and duly seconded, the Bureau of Public Works entered into executive session to discuss the pending settlement.***

Those in attendance during the executive session:

Commissioners Andrew Adil, John Bazzano, Richard Bush, Donald Currey, Dimple Desai (remote), William A. DiBella, John Gale, Peter Gardow (remote), Joan Gentile (remote), Allen Hoffman, Jean Holloway, Gary Johnson, Byron Lester, Diane Lewis, Maureen Magnan (remote), Jackie Mandyck, Dominic Pane, Bhupen Patel (remote), Pasquale J. Salemi, David Steuber (remote), Alvin Taylor, and James Woulfe; Chief Executive Officer Scott W. Jellison; Chief Administrative Officer Kelly Shane, Chief Operating Officer Chris Levesque, Director of Engineering Susan Negrelli; District Counsel Christopher Stone; Assistant District Counsel/District Clerk John Mirtle (remote).

**RECONVENE**

At 9:06 P.M., Chairman Hoffman requested to come out of executive session and District Chairman Currey made motion to come out of executive session. The motion was duly seconded, the Bureau of Public Works came out of executive session and reconvened.

**SETTLEMENT OF PENDING LITIGATION  
KENNY/OBAYASHI IV JOINT VENTURE v MDC**

To: Bureau of Public Works

January 13, 2025

**RESOLVED**, that pursuant to Section B2f of the By-Laws of The Metropolitan District, the Board of Commissioners of The Metropolitan District hereby authorizes District Counsel, or his designee, to settle the pending federal litigation captioned **KENNY/OBAYASHI IV JOINT VENTURE v MDC**, Docket No. 3:22-CV-01237-JBA (the "Civil Action"), for the total sum of \$51,000,000.00, by means of approved change order(s) relating to differing site conditions encountered by the tunnel contractor, and as payment for the reasonable costs and expenses associated therewith, as full and final resolution of any and all additional contract payments relating to said change orders, subject to the proper execution of any and all documents reasonably necessary to effect these final change orders, including but not limited to filing a Stipulation of Dismissal, with prejudice and waiving all rights of appeal of the Civil Action; and

**BE IT FURTHER RESOLVED**, that the Board of Commissioners recognizes that with the acknowledgment of the differing site conditions and approval of the related change orders, the District, in effect, waives any and all claims for liquidated damages relating to the construction delays associated with said differing site conditions.

Respectfully submitted,

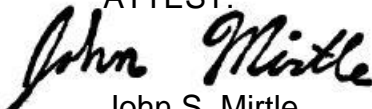
  
John S. Mirtle, Esq.  
District Clerk

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

**ADJOURNMENT**

The meeting was adjourned at 9:11 PM

ATTEST:

  
John S. Mirtle  
District Clerk

March 3, 2025  
Date of Approval



**BUREAU OF PUBLIC WORKS  
SPECIAL MEETING**

555 Main Street, Hartford

March 3, 2025

**Present:** Commissioners John Avedisian, John Bazzano, Richard Bush, William DiBella, David Drake, John Gale, Joan Gentile, James Healy, Allen Hoffman, Jean Holloway, Pasquale J. Salemi, Alvin Taylor, Calixto Torres, James Woulfe and District Chairman Donald Currey (15)

**Remote**

**Attendance:** Commissioners Gary Johnson, Byron Lester and Maureen Magnan (3)

**Absent:** Commissioners Bhupen Patel and David Steuber (2)

**Also**

**Present:** Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Commissioner Chris Tierinni  
Citizen Member Edwin Vargas  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Jamie Harlow, Director of Human Resources (Remote Attendance)  
Sue Negrelli, Director of Engineering  
Robert Schwarm, Director of Information Systems (Remote Attendance)  
Tom Tyler, Director of Facilities  
Carrie Blardo, Assistant to the Chief Executive Officer  
Julie Price, Executive Assistant  
Amanda Litvak, Professional Level Associate (Remote Attendance)  
Matthew McAuliffe, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 4:45 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 DiBella and duly seconded, the meeting minutes of January 13, 2025 were approved.***

***Commissioner Healey entered the meeting at 4:48 PM.***

**PIERSON LANE, WINDSOR – FINAL ASSESSMENT**

To: Bureau of Public Works for consideration on March 3, 2025

On February 17, 2016, the District Board of The Metropolitan District Commission passed a layout and schedule of assessment for construction of a sanitary sewer in a portion of Pierson Lane, Windsor, CT. Construction of sanitary sewers and appurtenances in all or portions of PIERSON LANE, WINDSOR, have been completed and house connections authorized. In accordance with Bureau of Public Works policy, the assessments will be billed on or about April 1, 2025.


On November 6, 2024, the District Board of The Metropolitan District voted to defer the assessment of 109 Pierson Lane until such time as the property connects to the District's sewer. It is therefore RECOMMENDED that it be

**Voted:** That the assessments for the construction of sanitary sewers and appurtenances in a portion of PIERSON LANE, Windsor 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.

**FINAL DIRECT ASSESSMENTS**

<u>Property now or Formerly of</u>	<u>Number</u>	<u>Inlets</u>	<u>Frontage</u>	<u>(Adjusted)</u>	<u>Dwelling Units</u>	<u>Acreage</u>	<u>Assessment</u>
<b><u>PIERSON LANE – NORTH</u></b>							
Windsor Business Bays LLC	77	2	150.00		1	.92	\$19,823.40
Lindave Associates	97	1	244.75	(290.00)	0	1.74	\$31,150.80
Vintage Radio & Communications Museum	115	1	190.00		0	1.97	\$27,712.90
<b><u>PIERSON LANE – SOUTH</u></b>							
Richard Havunen	88	1	404.00	(250.00)	0	1.51	\$27,112.70
<b>Total Direct Assessments</b>							<b>\$165,018.90</b>

Respectfully submitted,

  
John S. Mirtle, Esq.  
District Clerk

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

***Commissioner Taylor entered the meeting at 4:55 PM.***

***Commissioner Woulfe entered the meeting at 5:05 PM.***

**DRAFT ORDINANCE RE: MEMORANDUM OF UNDERSTANDING WITH CITY OF HARTFORD ON CT DEEP GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)**

***Commissioner DiBella made a motion, which was duly seconded, to refer the draft ordinance to the Committee on MDC government.***

***Commissioner Salemi entered the meeting at 5:15 PM.***

***Commissioner Gale made a motion to amend the draft ordinance, which was duly seconded, as shown in redline below. The amendment was passed unanimously by those present.***

**SEC S2w     STATE OF CT GENERAL PERMIT FOR DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

No person or property owner shall, without the express consent of the District, discharge or permit to be discharged, as related to water quality, directly or indirectly, from any premises under his/her control into any District owned or controlled storm sewer or combined sewer any quality discharge of stormwater that is subject to the State of Connecticut Department of Energy & Environmental Protection's ("CT DEEP") General Permit for Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems ("MS4 General Permit"). The MS4 General Permit, issued pursuant to Connecticut General Statutes, Section 22a-430b, authorizes the discharge of stormwater and specific non-stormwater discharges from or associated with the MS4 General Permit. The implementation of the MS4 General Permit is detailed within the terms and conditions of a Memorandum of Decision ("MOU") dated January 14, 2025 by and between the District and the City of Hartford ("COH") , as may be amended. The MOU sets forth the terms, conditions, and specific obligations under which the MDC and COH will comply with and enforce MS4 General Permit, as may be amended. Both the MOU and the MS4 permit are incorporated by reference herein, and are available to the public on the District website. Any express consent by the District to discharge as required above shall be consistent with the terms and conditions of the Memorandum of Decision ("MOU") dated January 14, 2025 by and between the District and the City of Hartford ("COH") , as may be amended.

***The motion to refer the draft ordinance, as amended in redline above, to the Committee on MDC Government was passed by unanimous vote of those present.***

***Chairman Hoffman allowed Independent Consumer Advocate Tavelli to share her comments & questions as she was not present at the beginning of the meeting for the agenda.***

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

ICA Elizabeth Tavelli stated that she did not think that the amendment to change the word to “quality” in agenda item #6’s ordinance makes sense and encouraged the Commissioners to read the sentence in question again. She also asked about the language “without the express consent of the District” and what the process for such consent will involve.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

**ADJOURNMENT**

The meeting was adjourned at 5:34 PM

ATTEST:



John S. Mirtle  
District Clerk

April 28, 2025

Date of Approval

**\*\*Video of the full March 3, 2025 Bureau of Public Works meeting is available at  
<https://www.youtube.com/@MetropolitanDistrictCommission> \*\***

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING**

555 Main Street, Hartford

April 28, 2025

**Present:** Commissioners John Avedisian, William DiBella, David Drake, James Healy, Allen Hoffman, Gary Johnson, Byron Lester, Alvin Taylor, Calixto Torres and James Woulfe (10)

**Remote**

**Attendance:** Commissioners Joan Gentile, Jean Holloway, Maureen Magnan, Bhupen Patel and David Steuber (5)

**Absent:** Commissioners John Bazzano, Richard Bush, John Gale, Pasquale J. Salemi and District Chairman Donald Currey (5)

**Also**

**Present:** Commissioner Diane Lewis  
Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Commissioner Chris Tierinni (Remote Attendance)  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel (Remote Attendance)  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Jamie Harlow, Director of Human Resources  
Sue Negrelli, Director of Engineering  
Dave Ruddy, Director of Operations  
Tom Tyler, Director of Facilities  
Michael Curley, Manager of Technical Services  
Jessica Coelho, Senior Project Manager  
Julie Price, Executive Assistant  
Amanda Litvak, Professional Level Associate (Remote Attendance)  
Matthew McAuliffe, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 5:47 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

The Independent Consumer Advocate did not have any comments or questions.

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner Gentile and duly seconded, the meeting minutes of March 3, 2025 were approved.***

**LICENSE AGREEMENT RE: 45 GRANBY STREET, HARTFORD**

To: Bureau of Public Works on April 28, 2025

In 2014, the District entered into a license agreement with New Hope Christian Ministry ("Licensee") to use 45 Granby Street for the purpose of parking. The license agreement was thereafter extended for five (5) additional years, until September 30, 2023, and amended to expand the permitted parking area. The Licensee has requested to extend the term of the agreement for another five (5) years, up to and including May 15, 2030. The District purchased the property known as 45 Granby Street, Hartford in 2010 for the Clean Water Project ("CWP") but the property is not yet needed for construction activities and, according to the most recent CWP construction schedule, will not be needed during the term of the requested license renewal. If that changes, the license agreement can be promptly terminated upon notice to the Licensee.

It is RECOMMENDED that it be

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

**RESOLVED:** New Hope Christian Ministry is hereby authorized to use a portion of 45 Granby Street for parking purposes, subject to proper execution of a renewed license agreement with such terms and conditions as required by District Counsel; and

**FURTHER**

**RESOLVED:** That Scott Jellison, as Chief Executive Officer of The Metropolitan District, is authorized to execute and deliver the License Agreement on behalf of the Metropolitan District and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of the License Agreement.

Respectfully submitted,

  
John S. Mirtle, Esq.  
District Clerk



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

**ENCROACHMENT AGREEMENT – CONCOURSE PARK 309 REDEVELOPMENT  
285 & 291 FORBES STREET; 936, 942, 944 & 960 SILVER LANE**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated April 9, 2025, Paul Rodrigues of Solli Engineering, LLC., on behalf of Jasko Zelman 1 LLC, and JZ Otto LLC (collectively “Jasko”) and the Town of East Hartford, (“Town”) the future and current owners respectively of 285 & 291 Forbes Street, 936, 942, 944 & 960 Silver Lane in East Hartford (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty-foot-wide (20’) easement or right-of way, containing an existing 10-inch sanitary sewer, situated on the Property (the “ROW”) for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the “Map”).

The Town has entered into a Purchase and Sale Agreement for the Property with Jasko and anticipates that a closing will occur in the near future. The Town has given Jasko permission to submit this encroachment permit application for the following described work for such construction and installation of these site improvements that Jasko will undertake on the Property after such closing.

The proposed scope of work entails: (i) installing a temporary 14’ wide x 45’ long modular steel bridge on timber matting including all appurtenances in up to two (2) locations along the ROW ahead of proposed site demolition and subsequent permanent site improvements, including removing existing pavement and curbing; existing gas lines, drainage piping and structures (ii) regrading up to 12,200 sf of easement area, earth excavation up to 2.4 feet in depth, (iii) installing new utilities across the ROW including a new 8-inch water main, new sanitary laterals (1) 4” force main and (1) 8” PVC lateral, (1) 4-inch gas line, (8)-2” service conduits, (2) 4” electric and telecommunication conduits in up to four (4) locations, and new stormwater lines, (3) 8” C900, and (iv) installing surface restoration consisting of new bituminous pavement, concrete walkways, curbing, traffic islands, and landscaping including shrubs and grass as well as incidental activities such as resetting existing manhole frame and covers, within the ROW as shown on the Map (collectively, the “Improvements”).

With the exception of the new 8-inch water main that will cross under the Sewer, the proposed lines will be installed above the MDC’s existing ten-inch (10”) sewer and its appurtenances situated within the ROW (collectively, the “Sewer”) with a minimum of one foot (1’) of vertical clearance between the Sewer and such lines, and proposed grades will not impede access to the Sewer. Eversource will require a twenty-foot wide (20’) and forty-foot wide (±40’) easement which will overlap perpendicular with the ROW (collectively these “Eversource Easements”). Connecticut Natural Gas (“CNG”) will also require a ten-foot wide (10’) easement which will overlap perpendicular with the ROW (the “CNG Easement” and Eversource

Easements are collectively the "Utility Easements"). The Sewer was built in 1972 under DPA by National Amusements Company and the ROW was acquired by the MDC and filed on the East Hartford land records in Volume 496, at Page 262U-262V.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result.

Jasko has agreed to the following conditions in order to satisfy the District's concerns for protection of the Sewer and to maintain accessibility along the length of the 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 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 for or in connection with the Improvements within this ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within this ROW.
3. The District shall not be held liable for any damage caused to any structure listed above, located within or adjacent to the ROW in the event of an emergency Sewer repair. The District will make every effort feasible to minimize damage to these structures; however, the cost of repairs to such structures shall be the responsibility of the Owner.
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. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the Sewer or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within this ROW, including any such costs incurred by the District.
6. An MDC 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within the ROW.
7. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the 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 Sewer.

8. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, and the State of Connecticut and shall maintain the District's standard form of requisite 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.
9. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Jasko and MDC, following the completion of the sale of the Property to Jasko, whereby Jasko becomes the fee owner of the Property, and consistent with current practice involving similar requests, and filed on the Town of East Hartford 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 after sale of the property by the Town of East Hartford to Jasko Zelman1 LLC, 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 Jasko Zelman 1 LLC to encroach upon the MDC existing twenty-foot-wide (20') Main ROW situated on the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by Solli Engineering, LLC, entitled, "Existing 10" Sewer Main Profile, Sheet 1 of 2 and Sheet 2 of 2, Concourse Park 309 Silver Lane East Hartford, Connecticut, 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) Jasko shall obtain all required approvals and 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 Jasko, and recorded on the East Hartford land records. In the event that such full execution and recording does not occur within four (4) 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,



John S. Mirtle  
District Clerk

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

**ENCROACHMENT AGREEMENT – THE SPARK ON CEDAR STREET  
1 MYRA COHEN WAY, NEWINGTON**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated December 13, 2024 Ronald E. Bomengen of Fuss & O'Neill, Inc., on behalf of APR Newington LLC, ("APR" or "Owner") current owner of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's two (2) existing twenty-foot-wide (20') sewer easements situated on the Property along Cedar Street (CT Route 175) and along the right-of-way property of CT Busway (these "Easements") for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the "Map").

The proposed work within these Easements entails: miscellaneous site demolition including, removing existing concrete block wall, chain link fence, and trees; clearing and grubbing up to 12,300 sf; earth excavation and filling up to 3-feet in depth (along the southwest corner of the property). Proposed utility work includes installing an 8-inch water service, 2-inch gas service, an 18-inch stormwater line and new catch basins top(s) on existing drainage structures. This work also includes excavation and minor grading associated with a new (3'-high) concrete block retaining wall, 12-inch (thick) bituminous pavement sections, concrete walkways and curbs, installing one light pole, three (3) collapsible bollards, installing 6' (high) ornamental fence, and landscaping including the bushes and grass within these Easements as shown on the Map (collectively, the "Improvements"). The proposed utility lines will be installed perpendicular to the MDC's existing eight-inch (8") PVC and fifteen-inch (15") sanitary sewers and its appurtenances situated within these Easements (collectively, these "Sewers") with a minimum of one foot (1') of vertical clearance between these Sewers and such lines, and proposed grades will not impede access to these Sewers. The 8-inch PVC sewer was built in 1994 and the easement was acquired by the MDC through the MDC Project known as "724 Cedar Street, Newington, Contract 94-85" and filed on the Newington land records in Volume 986, at Page 71. The 15-inch PVC sewer was built in 1980 and the easement was acquired through the MDC Project known as "Northwest Trunk Sewer Extension, Contract 80-29" and filed on the Newington land records in Volume 394, at Page 243.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to these Sewers as a result.

APR has agreed to the following conditions in order to satisfy the District's concerns for protection of these Sewers and to maintain accessibility along the length of these Easements:

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 these Sewers. All heavy construction equipment must be located outside of the limits of these Easements and their respective right-of-way's ("ROWs") when not in use. Any earth moving equipment that will be utilized on these ROWs over and adjacent to these Sewers shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to these Sewers caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner for or in connection with the Improvements within these ROWs shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within these ROWs.
3. The District reserves the right to remove Improvements within these ROWs at any time if so required for maintenance, repair or replacement of these Sewers or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within these ROWs, 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 inspector must be on the job site whenever work is being performed within these ROWs, 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within these ROWs.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of these Sewers 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 these Sewers.
7. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, the State of Connecticut and shall maintain the District's standard form of requisite 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 these ROWs.
8. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between APR and MDC, consistent with current practice involving similar requests, and filed on the Town of Newington 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 APR Newington, LLC to encroach upon both MDC existing twenty-foot-wide (20') sanitary sewer easements situated on the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by Fuss & O'Neill Inc., "APR Newington LLC MDC Encroachment Permit Plan Garden Apartments 690 Cedar Street, Newington, Connecticut", (Plan Sheet) MDC-01 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) APR Newington, LLC shall obtain all required approvals and 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 APR Newington, LLC, and recorded on the Newington 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,



John S. Mirtle  
District Clerk

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

***Commissioner Woulfe exited the meeting in person at 5:55 PM and joined remotely.***



**DRAFT ORDINANCE REVISIONS RE: AVAILABILITY & CAPACITY GUIDELINES**

Chief Executive Officer Scott Jellison explained the proposed draft revisions to the sewer ordinances related to availability and capacity. The Bureau discussed meeting with the City of Hartford to discuss the potential draft ordinance revisions. No formal action was taken.

**APPROVAL OF AVAILABILITY & CAPACITY GUIDELINES**

Throughout the discussion of the previous agenda item, "Draft Ordinance Revisions Re: Availability & Capacity Guidelines," the Committee also discussed this agenda item. No formal action was taken.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

**ADJOURNMENT**

The meeting was adjourned at 6:26 PM

ATTEST:



John S. Mirtle  
District Clerk

June 30, 2025

Date of Approval

\*\*Video of the full April 28, 2025 Bureau of Public Works meeting is available at  
<https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING**

555 Main Street, Hartford  
June 30, 2025

**Present:** Commissioners John Avedisian, John Bazzano, Richard Bush, William DiBella, David Drake, John Gale, Allen Hoffman, Gary Johnson, Bhupen Patel and District Chairman Donald Currey (10)

**Remote**

**Attendance:** Commissioners Joan Gentile, Jean Holloway, Byron Lester, Maureen Magnan and David Steuber (5)

**Absent:** Commissioners James Healy, Pasquale J. Salemi, Alvin Taylor, Calixto Torres and James Woulfe (5)

**Also**

**Present:** Commissioner Dominic Pane  
Commissioner Chris Tierinni (Remote Attendance)  
Citizen Member Ed Vargas (Remote Attendance)  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel (Remote Attendance)  
John Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Susan Negrelli, Director of Engineering  
Dave Ruty, Director of Operations  
Tom Tyler, Director of Facilities  
Michael Curley, Manager of Technical Services  
Carrie Blardo, Assistant to the Chief Executive Officer  
Victoria Escoriza, Executive Assistant  
Amanda Litvak, Professional Level Associate (Remote Attendance)  
Kevin Sullivan, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate  
Mike Palmer, Fuel Cell Energy

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 5:34 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

Alma Elder of Middlefield spoke regarding the fuel cell lease and submitted written public comment.

Dear Commissioners of MDC,

Please consider the obligations of Metropolitan District Commission (MDC) regarding the proposed lease of land. This proposed lease would establish a power plant comprising three 3000 carbonate fuel cells that utilize natural gas. The power plant will be owned by Fuel Cell Energy, Inc. (FCE).

#### Background

The emission of greenhouse gases (GHGs) from these fuel cells is a significant concern. GHGs pose a massive and growing threat to Hartford and the surrounding area. MDC's Core Values emphasize excellence in customer service, public accountability, and environmental stewardship. However, pipelines, gas meters, and home appliances in Hartford are notorious for their leakiness, leading to substantial climate and public health issues. (1) A preliminary estimate of methane leaks in Hartford in 2019 revealed 4.3 leaks per road mile. This power plant may produce even more GHGs.

The alarming statistics on GHGs were brought to the attention of the legislature. In May 2022, the Connecticut General Assembly enacted Public Act No. 22-5, which mandated the state to reduce greenhouse gas emissions by at least 45% below 2001 levels by 2030 and by 80% below 2001 levels by 2050. Given the potential danger of methane emissions, it is imperative that a government agency such as MDC monitor and mitigate the emissions of pipelines and fuel cells on its property.

#### Considerations in the Present

The Bureau of Public Works should meticulously examine the FCE brochure (2) and terms of lease. While the brochure asserts that ultra-clean power will be provided, the basis of this claim remains unclear. A combustion-free process is mentioned, but no supporting documentation is provided. The brochure also lists CO2 emissions of 980 lb/MWh. Additionally, it suggests the ability to recycle CO2 into a valuable product, but the process and subsequent actions are not detailed.

If the above problems are adequately dealt with, the Commissioners could limit the lease to 15 years (2040). By 2040 electricity generation to CT customers must be CO2 emission-free according to a legislative bill, HB5004, file number 821, page 2, line 26.

The state of Connecticut (CT) established standards for assessing leaks. As a government agency funded by taxpayer dollars, the MDC should oversee the measurement of these standards. Government oversight has occurred before. For instance, in 2024, Algonquin Gas Transmission in Cromwell operated a compressor station subject to stringent technical standards, including centrifugal compressors with dry seals. (3) When the facility's potential volatile organic compounds exceeded the threshold set by the Regulations of CT State Agencies, a compliance plan was implemented, and the disregard for state standards resulted in a fine for Algonquin Gas Transmission.

MDC should establish an oversight committee to ensure that methane leaks are minimal and carbon capture is effective. This committee could even establish higher standards for a power plant in a polluted and disadvantaged neighborhood such as Hartford. MDC and the Bureau of Public Works can appoint engineers, employees, and citizens to this crucial oversight committee, which would serve taxpayers in Hartford and CT.

#### Conclusion

A conventional lease agreement with FCE may not be suited to cut real-world emissions in Hartford. Commissioners of BPW and MDC should confront the danger of GHGs from the power plant. 'Measure and Monitor' should be the *modus operandi*.

Thank you in advance for your consideration of these matters. A formal reply and discussion of the points here would be greatly appreciated. These issues are complex, not black-and-white, and balance is often needed in decisions within MDC.

1. Methane Gas Leaks Across Hartford Threaten Health & Climate. Report of Sierra Club 2022 Fact Sheet.
2. Potential Real Estate Lease at 235 Brainard Rd Harford. March 4, 2024. Memo by Bureau of public Works to District Board.
3. Consent Oder No. 8383 of State of CT vs. Algonquin Gas Transmission, LLC.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

Elizabeth Tavelli, ICA, spoke regarding the approval of Availability & Capacity Guidelines and asked how the MDC ensures contractor estimates are consistent across projects.

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner DiBella and duly seconded, the meeting minutes of April 28, 2025 were approved.***

**LEASE OF REAL ESTATE FOR FUEL CELL – 235 BRAINARD ROAD HARTFORD**

To: Bureau of Public Works

June 30, 2025

Pursuant to a resolution adopted by the Board of Commissioners of The Metropolitan District on March 4, 2024, The Metropolitan District (“MDC”) entered into an Option To Lease Real Property (“Option”) with Fuel Cell Energy, Inc. (“FCE”), dated July 2, 2024, whereby MDC granted FCE an option to lease approximately 32,000 square feet of MDC’s land located at 235 Brainard Road in Hartford, Connecticut (the “Leased Parcel”) for the construction and operation of three (3) FCE 3000 carbonate fuel cells (the “Project”) on the Leased Parcel (the “Initial Agreement”), which was amended pursuant to a First Amendment To Option To Lease Real Property between MDC and FCE, dated October 28, 2024, whereby the Option Term (as defined in the Initial Agreement) was extended to June 30, 2025 (the “First Amendment,” and the Initial Agreement together with the First Amendment are hereinafter collectively referred to as the “Agreement”). Further, as permitted pursuant to Section 16 of said Option, FCE assigned the Option to its wholly owned subsidiary, Homestead FuelCell 1, LLC (“HFC1”).

On February 5, 2025, FCE exercised its option to lease the Leased Parcel pursuant to the Agreement, and thereafter, as permitted pursuant to Section 16 of said Option, FCE assigned its rights to its wholly owned subsidiary, Homestead FuelCell 1, LLC (“HFC1”). MDC and HFC1 negotiated the terms of lease (the “Ground Lease”), which includes the following:

- 1) Triple net lease of 33,210 square feet of land on the 235 Brainard Road Property;
- 2) Term of twenty (20) years commencing on the Commercial Operation Date (as defined in the Ground Lease) for the Project;
- 3) Construction Period Rent: \$1.64/sq. ft. per year (\$54,464.40 = \$1.64 x 33,210 sq. ft. for Leased Parcel and \$14,940.40 = \$1.64 x 9,110 sq. ft. for Laydown Area), prorated for any partial year, payable annually in advance;
- 4) Base Rent/Leased Parcel, payable annually in advance:
  - Years 1-5: \$10.94/sq. ft. (\$363,317.40 per year);
  - Years 6-10: \$11.48/sq. ft. (\$381,250.80 per year);
  - Years 11-15: \$12.06/sq. ft. (\$400,512.60 per year); and
  - Years 16-20: 12.66/sq. ft. (\$420,438.60 per year);

Note: To accommodate other uses at 235 Brainard Road, the total area calculations for the Laydown Area and Leased Parcel may be slightly less than 42,320 sq. ft., and as such the annual Construction Period Rent and Base Rent may be adjusted accordingly; and

- 5) Compliance with all statutory and regulatory requirements necessary for the construction and operation of a fuel cell generating facility.

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 Chief Executive Officer is hereby authorized to execute the Ground Lease with HFC1 upon and subject to the above enumerated terms and conditions, and such other terms and conditions that the District Counsel shall deem appropriate and in the best interests of the MDC.

Respectfully submitted,



John S. Mirtle  
District Clerk

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

**ENCROACHMENT PERMIT  
CT DOT MATERIALS TESTING LAB & SIGN SHOP,  
280 WEST STREET, ROCKY HILL**

To: Bureau of Public Works for consideration June 30, 2025

In a letter dated January 22, 2025, Chantal Frances of Michael Baker International, on behalf of Connecticut Department of Transportation District 1 Headquarters (the "CTDOT") owners of proposed Materials Testing Laboratory & Sign Shop Facility located at 280 West Street in Rocky Hill (the "Property") and The Department of Veterans Affairs ("DVA"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's existing twenty-foot-wide (20') easement or right-of way, containing an existing 8-inch sanitary sewer, situated on the Property and the property of DVA (the "ROW") for the purpose of constructing and installing site improvements for and in connection with a proposed development project, as shown on the attached map (the "Map").

The DVA has entered into a Transfer of Custody and Control Agreement ("TCCA") with CTDOT to give permission to the CTDOT to make site improvements to DVA's property located at 198 West Street in Rocky Hill for the following described work for the mutual benefit of both properties which CTDOT will undertake after June 23, 2025. After the TCCA expires or the transfer of custody and control is returned back to DVA, CTDOT agrees to maintain, repair,



replace or make future improvements to the following described work for as long as proposed site improvements exist.

The proposed scope of work entails: (i) the installation of temporary ground reinforcement or protective measures to withstand heavy equipment and vehicle traffic including compacted gravel base, bituminous ramps over 8-inches thick, timber mating, or steel plating along or across the easement ahead of proposed site demolition and short-term impacts to accommodate construction activities associated permanent site improvements such as the placement of masonry scaffolding, cranes outriggers, as well as perform over-excavation work within the easement to install building foundations or other structures located outside but along the easement boundary. Site demolition will including clearing and grubbing, including the removal of trees and stumps, removing existing pavement (on DVA property); existing chain link fence and gates, the abandonment of existing 4-inch and 6-inch water lines (serving DVA), the abandonment or removal of drainage piping and structures, (ii) the regrading of up to **7180 sf** of easement area, including earth excavation up to 3.5 feet in depth, (iii) installing new utilities across or along the ROW including a 4-inch domestic water service, 8-inch water main fire loop in up to two (2) locations, two (2) 6-inch sanitary laterals and two (2) sanitary manholes, electrical and telecommunication concrete encased conduits in up to five (5) locations: (1) site lighting 2-way duct, (2) Level-2 EV charger/telecom 4-way ducts, and (2) Level-3 EV charger/fire tank 8-way ducts, new stormwater lines: (2) 15" RC pipes, (1) 18-inch RC pipe, and three (3) new drainage manholes, and (iv) installing surface restoration consisting of new chain link fence and gate, bituminous pavement, concrete walkways, curbing and landscaping including shrubs and grass as well as incidental activities within the ROW as shown on the Map (collectively, the "Improvements").

The proposed lines will be installed above the MDC's existing eight-inch (8") sewer and its appurtenances situated within the ROW (collectively, the "Sewer") with a minimum of one foot (1') of vertical clearance between the Sewer and such lines, and proposed grades will not impede access to the Sewer. The Sewer was built in 1965, and the ROW was acquired by the MDC as shown on MDC Record Plan #565, "Right-of-Way and Assessment Plan for a Proposed Sanitary Sewer in Westbrook Road & Private Lands", and filed on the Rocky Hill land records on October 10, 1966.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the Sewer as a result.

CTDOT has agreed to the following conditions in order to satisfy the District's concerns for protection of the Sewer and to maintain accessibility along the length of the 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 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 CTDOT for or in connection with the Improvements within this ROW shall be the responsibility of the CTDOT.

2. No additional permanent improvements, other than the proposed Improvements, shall be located within this ROW.
3. The District shall not be held liable for any damage caused to any structure listed above, located within or adjacent to the ROW in the event of an emergency Sewer repair. The District will make every effort feasible to minimize damage to these structures; however, the cost of repairs to such structures shall be the responsibility of the CTDOT.
4. In the event of a sewer emergency caused by the proposed excavation described above, the CTDOT shall provide, install, operate and remove, at the CTDOT's expense, an appropriately sized bypass pump and appurtenances.
5. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the Sewer or any part thereof. CTDOT shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within this ROW, including any such costs incurred by the District.
6. An MDC 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within the ROW.
7. The CTDOT shall perform a CCTV inspection, witnessed by an MDC inspector, of the 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 Sewer.
8. In the event the CTDOT retains a third-party contractor to complete the Improvements called for herein, CTDOT shall include language in its agreement with its contractor committing the contractor to indemnify, defend and save harmless the District and any included therein from any and all claims arising from the negligent or intentional acts or omissions of the contractor (excluding any such claims arising from the negligent or intentional acts of the MDC and municipality). Further, the CTDOT shall require contractor to maintain the CTDOT's standard form of requisite insurance, which has been provided to the MDC and deemed as sufficient and/or reasonably equivalent to meet those as stipulated in the MDC's current Guidance Manual for Developers' Permit Agreements, and add the MDC as an additional insured, which insurance shall remain in force and effect during the performance of any work within the ROW.
9. The CTDOT shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

10. Nothing in the Encroachment Permit shall be construed as a modification, compromise or waiver by the State of any rights and immunities afforded to the State under applicable law with respect to matters arising out of the Encroachment Permit. In the event there is a conflict between Section 10 any other terms or condition of the Encroachment Permit Section 10 will govern.

Staff has reviewed this request and considers it feasible.

A formal encroachment permit shall be executed between CTDOT and MDC, and consistent with current practice involving similar requests.

It is **RECOMMENDED** that it be

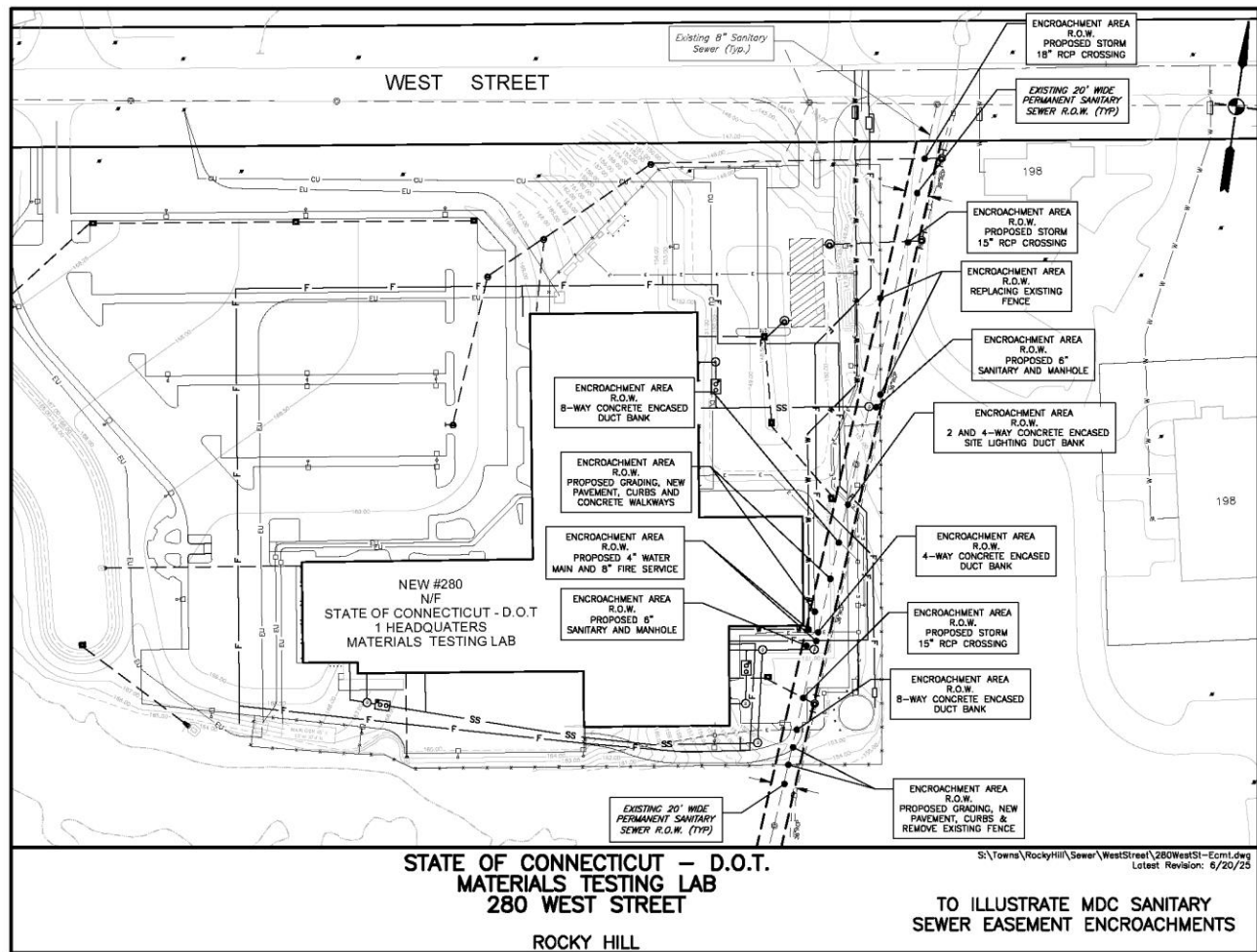
**VOTED:** That the Bureau of Public Works recommends to the District Board passage of the following resolution:

**RESOLVED:** That the Chairman or Vice Chairman of the District Board be authorized to execute a encroachment permit , subject to approval of form and content, inclusive of the conditions set forth above, by District Counsel, granting permission to CTDOT to encroach upon the MDC existing twenty-foot-wide (20') sanitary sewer easement situated on the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by Michael Baker International and VN Engineers, Inc., entitled , "CT DOT District 1 Headquarters and Materials Testing Lab (Drawing Titles) Grading and Drainage Plan and Utility Plan-01 (Project No.) 0118-0171", (Drawing No). C-012 and C-013, respectively, and (ii) maintain, repair and replace such Improvements, provided that (a) subject to Section 10, the District shall not be held liable for any cost or damage of any kind (b) CTDOT shall obtain all required approvals, and (c) such permit shall not be effective until fully executed by the District and CTDOT. 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,



John S. Mirtle  
District Clerk



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

*Commissioner Magnan exited the meeting at 6:25 PM*

## REFERRAL OF DRAFT ORDINANCE REVISIONS TO COMMITTEE ON MDC GOVERNMENT

### SEC. S2f DETERMINATION FOR **AVAILABILITY AND CAPACITY EXCLUSION**

~~In determining whether any waste discharged or proposed to be discharged into any public sewer or drain is to be excluded under Section S2e, and Sections S2l through S2n, inclusive, or any subdivisions of any of them, of this ordinance, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer or drain into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, the quantities of other objectionable wastes likely in said sewer or drain, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when and as~~

~~discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the Manager of the Bureau of Public Works; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by said Manager or his successor.~~

The Bureau of Public Works shall establish and publish Availability & Capacity Guidelines ("A&C Guidelines") for determination of the availability and capacity of the District's sewers and drains to accept proposed discharges in accordance with District Ordinances and any municipal, state & federal regulatory requirements.

(a) For purpose of this ordinance:

- (1) a property is determined to be an "existing connection", if the property is currently directly connected, or at any time in the past had a house connection or house drain, to a District combined sewer, sanitary sewer or storm drain. Subsoil drainage/groundwater drainage will not be considered as existing discharges.
- (2) a property is determined to be a "new connection", if the property has never been directly connected to the District's sewer system and therefore has never directly discharged to a District combined sewer, sanitary sewer or storm drain. All new connections shall be in accordance with Section S3r requiring separate sanitary and storm connections.

**(b) Existing Connections**

- (1) When a redeveloped property with an existing connection(s) is served by a combine sewer or a storm drain that is tributary to a combined sewer and the redevelopment is exempt from any applicable municipal and State of Connecticut requirements, the discharge shall be permitted.
- (2) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, and municipal or State of Connecticut requirements apply, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms described in any applicable municipal and/or State of Connecticut requirements. If the applicant can demonstrate control of post-development volume and discharge rates to pre-development volume and discharge rates, the discharge shall be permitted.
- (3) If the requirements of subsection (b)(2) above are satisfied through the use and maintenance of an onsite detention system, the applicant may consider off-site improvements to the combined sewer, or a storm drain that is tributary to a combined sewer, to eliminate the need for or reduce the size of the on-site detention system. In those cases where the off-site improvements benefit the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage

system within the same municipality as the redeveloped property.

- (4) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates on-site, the applicant shall be required to install a new storm drain that discharges to an existing storm drain or water course through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (5) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms subject to municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr storm event. If the applicant can control post-development volume and discharge rates to pre-development volume and discharge rates and the existing drain has adequate capacity to accept the post-development discharges, the discharge shall be permitted.
- (6) If the requirements of subsection (b)(5) above are satisfied through the use and maintenance of an onsite detention system, the applicant may consider off-site improvements to the combined sewer or a storm drain that is tributary to a combined sewer to eliminate the need for or reduce the size of the on-site detention system, or in those cases where the off-site improvements benefit the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (7) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the



applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.

- (8) For an existing sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2I "Use of Sanitary Sewers" and the District's Availability & Capacity determination shall govern.

**(c) New Connections**

- (1) No new house drain connection shall be authorized to discharge to a combined sewer. A property prohibited from connecting a new house drain to a combined sewer, and which does not have access to connect to an existing storm drain, may only connect said new house drain to the District's system by installing a storm drain through a Developer's Permit Agreement.
- (2) When new house drain connections are proposed to be served by an existing storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain has adequate capacity to accept the new house drain connection discharges, the discharge shall be permitted.
- (3) When new house drain connections are proposed to be served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain does not have adequate capacity to accept the new storm house connection discharges, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement and or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.

- (4) When new house drain connections are proposed to be served by a storm drain that discharges to a combined sewer, the applicant will be required to demonstrate that post-development total runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. All new house drain connections will be required to discharge to a storm drain. The applicant will be required to install a new storm drain to an existing storm drain or water course through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (5) For a new sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2I "Use of Sanitary Sewers and the District's Availability & Capacity determination shall govern.
- (6) For a new sanitary sewer house connection to a combined sewer, Sewer Ordinance S2q "Use of Combined Sewers" and the District's Availability & Capacity determination shall govern.

## **SEC. S2e WASTES EXCLUDED FROM ALL SEWERS**

- (a) No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his control into any public sewer of any kind or type, any of the following:
  - (1) Any substance or object likely to damage, injure, destroy or cause an obstruction in any sewer, or appurtenance thereof, into which it may be discharged;
  - (2) Any substance which may attack, damage or alter by either abrasion or chemical action the materials of which the sewer and its appurtenances are composed or built;
  - (3) Sticks, stones of material size, coarse rubbish, rags, unground or unshredded garbage or refuse, portions of any animal carcass more than one inch in longest dimension;
  - (4) Any debris or substance which by depositing any considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer is likely to cause an obstruction in any sewer or appurtenance;

- (5) Any gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any substance which may generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substances commonly found in sewers; (See Section S2g).
- (6) Steam, water vapor or other substance at a temperature above 150F, or substance which, upon coming into contact with water or sewage, will generate steam or vapor within such sewer; (See Section S2g).
- (7) Any waste or waste water which is strongly acid, and which, when tested in the usual technical manner, has a "pH" less than 5.5 or which is strongly alkaline and has a "pH" more than 10.0; ("pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution).
- (8) Objectionable poisons, cyanides, or any substance likely to generate poisonous fumes that may interfere with, constitute a hazard to, or be dangerous to human beings or domestic animals;
- (9) Any waste water or sewage containing animal guts or tissues, entrails, offal, blood, feathers, hair, hides, scraps, unshredded fruits or vegetables, straw or cinders;
- (10) Any water containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with sewage treatment and sludge digestion processes including the sedimentation, biological and chemical processes used by the District at its sewage treatment plants;
- (11) Any considerable quantity of waste from an industrial or commercial process or processes containing more parts per million than the limit indicated below, for any of the following:

Arsenic	0.1 ppm
Cadmium	0.2 ppm
Chromium (total)	2.0 ppm
Chromium (hexavalent)	0.2 ppm
Copper	2.0 ppm
Cyanide	2.0 ppm
Lead	0.5 ppm
Mercury	Prohibited
Nickel	2.0 ppm
Oil and Grease	100 ppm
Silver	0.5 ppm
Tin	4.0 ppm
Total Nitrogen*	16 lbs/day
Zinc	2.0 ppm
Hydrogen sulfide, sulfur dioxide, nitrous oxide or any halogen gas	10 ppm

Suspended solids other than above (i.e.,  
solids that float on the surface of or are  
in suspension in sewage which are  
removable by laboratory filtering)

600 ppm

\*Total Nitrogen shall be measured by analyzing the wastewater for Total Kjeldahl Nitrogen (TKN) plus Nitrate-nitrite. The total mass loading (flow multiplied by concentration) shall not exceed 16lbs per day.

(12) Any waste waters or sewage likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in sewage treatment and disposal for the District. This prohibition shall be understood as applying to the kind or character of wastes discharged into any sewer and as limiting the quantity of wastes or waters which may be discharged from any one parcel or plot of property and the rate or rates at which wastes are discharged to approximately the quantity of sewage or water which the sewer was intended to receive from that particular parcel or plot or from a typical parcel of that size or area.

(13) Unusual biochemical oxygen demand (B.O.D.), chemical oxygen demand (C.O.D.), or chlorine demand in such quantities as to constitute a significant load and/or harmful effect on the MDC sewerage system including the sewage treatment plants.

(14) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in applicable State or Federal regulations.

(15) Any discharge of any pollutant that may cause pass through or interference, as defined in 40 CFR Part 403.

**(b)** In determining whether any waste discharged or proposed to be discharged into any public sewer or drain is to be excluded under this Section, Section S2f and Sections S2l through S2v, inclusive, or any subdivisions of any of them, of this ordinance, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer or drain into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, impacts upstream and down from combined sewer overflow regulators, the quantities of other objectionable wastes likely in said sewer or drain, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when and as discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the Manager of the Bureau of Public Works; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by said Manager or his successor

## **SEC. S2q USE OF COMBINED SEWERS**

A combined sewer, except as provided in Section S2p or as otherwise specifically provided in any particular case, may be used to receive and convey any sewage or waste waters which

under the preceding sections of this ordinance may be lawfully discharged into either a sanitary sewer or a storm drain. No waste water or substance which is or has been excluded from both sanitary sewers and storm drains by the preceding sections of this ordinance shall be discharged, directly or indirectly, into any combined sewer. (See also Section S2p). The District prohibits the construction of new combined sewers. ~~The District prohibits the introduction of new inflow sources to the existing combined sewer system.~~ Modified stormwater discharge to a combined sewer as a result of development or redevelopment of a property shall be subject to the District's determination for availability and capacity under Section S2f.

***Commissioner Gale made a motion to refer the draft ordinance revisions to the Committee on MDC Government and it was approved unanimously.***

**BUREAU OF PUBLIC WORKS  
APPROVAL OF AVAILABILITY & CAPACITY ANALYSIS GUIDELINES**

To: Bureau of Public Works on June 30, 2025

The Metropolitan District ("District" or "MDC") requires that an Availability & Capacity ("AC") analysis of the District's system be completed prior to permitting any connection proposed (re)developments of residential dwellings of four or more units and commercial/industrial buildings to the District infrastructure through MDC's Utility Services Department. The purpose of the Availability & Capacity ("AC") analysis is to first determine the availability of District infrastructure and second, to determine whether or not available capacity within the District sanitary, combined, or storm sewer collection and treatment system exists to meet the proposed needs of such (re)developments. The District will provide a letter stating whether there is, or is not, adequate sewer service available for proposed (re)development sites.

It is **RECOMMENDED** that it be

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

**RESOLVED:** The District Board hereby approves the attached Availability & Capacity Analysis Guidelines, contingent upon approval of #7A "Referral of Draft Ordinance Revisions to Committee on MDC Government".

Respectfully submitted,

  
District Clerk



## **Availability and Capacity Analysis Guidelines**

### **SANITARY SEWER**

#### **The Metropolitan District**

#### **PURPOSE**

The Metropolitan District ("District" or "MDC") requires that an Availability and Capacity (AC) Analysis be completed prior to connecting or modifying a sewer connection through MDC's Utility Service Department. An owner and/or developer may be required by their lender or another entity to obtain a letter from The Metropolitan District stating whether there is, or is not, wastewater collection available (adjacent) to the proposed development/redevelopment/change-in-use at the site and if such services are of sufficient capacity for the planned development. The intent of the availability and capacity analysis process is to research the capability of the existing District wastewater collection and treatment system (including any pumping stations and downstream Water Pollution Control Facility) to meet the discharge rates and volumes for the proposed residential dwellings of four or more units or commercial/industrial buildings. Residential properties of 1-3 units are exempt from the AC process.

The District categorizes properties as having "new" or "existing" connections based on the following criteria:

- A connection is considered "new" if the property has never been connected and therefore never directly discharged stormwater to a District combined sewer or storm drain.
- A connection is considered "existing" if the property is currently discharging or has discharged stormwater through a connection from the property to a District combined sewer or storm drain. The applicant will be required to demonstrate the volume and rate of each source of surface water drainage to the connection. Subsoil drainage/ groundwater drainage will not be considered as existing discharges.

For an existing sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2l "Use of Sanitary Sewers" and the District's Availability & Capacity determination shall govern.

For a new sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2l "Use of Sanitary Sewers and the District's Availability & Capacity determination shall govern.

For a new sanitary sewer house connection to a combined sewer, Sewer Ordinance S2q "Use of Combined Sewers" and the District's Availability & Capacity determination shall govern.

#### **AVAILABILITY AND CAPACITY (AC) PROCESS SUMMARY**

1. A *formal written request (hard copy)* for an availability and capacity analysis is made to the MDC Technical Services Department, 555 Main Street, Hartford, Connecticut 06103. or [techservices@themdc.com](mailto:techservices@themdc.com). This request must include:
  - Location of the proposed development, including a street address and a location map.
  - Payment of the current Administrative Review Fee (See published rate at [www.themdc.org](http://www.themdc.org)) per utility by check made payable to The Metropolitan District or through available online payment system. *Please do not submit checks separately from the hard copy request and without reference to the invoice or project/development name.*



### Sanitary Sewer Availability and Capacity Analysis

- Detailed technical information as described below in the “Required Detailed Information” section.
- 2. District staff will review the submitted information to determine if the District’s current infrastructure can accommodate the planned wastewater flow rates. District staff may request additional information as applicable to the particular development and design.
- 3. The District will provide a written response if there is, or is not, sufficient availability and capacity for the planned development to convey and treat wastewater from the referenced project, as detailed by the owner and/or developer.
- 4. Our analysis does not focus on the technical adequacy of the design; such a review is conducted during the Developer’s Permit-Agreement process or connection permitting process by MDC Utility Services Department, as applicable.
  - a. Due to the age of the MDC infrastructure in some areas, additional investigation of the condition of the sanitary or combined sewer mains may be required prior to finalizing the AC. The location or condition of the sewer main may necessitate installation to an alternate nearby MDC main. This additional investigation may include CCTV for sewers and structural analysis of manhole and sewers;.
- 5. Following the review of the required information, MDC will provide to the owner/requester with an AC letter (via email and regular mail) of MDC’s determination on availability and capacity of the District system(s), with copies to the other appropriate municipal departments (i.e. Planning and Zoning, Development Services, etc.).
- 6. There is a separate AC process and separate review fee for drinking water and stormwater AC (see Availability & Capacity Analysis Guidelines - Stormwater) Once all AC approvals (Water, Sewer and storm) are obtained, the Owner/Developer may then proceed to the MDC Utility Services Department to apply for each applicable utility connection permit.

### REQUIRED DETAILED INFORMATION

#### **Sanitary Sewer Service**

*The below requirements shall be adhered to by the Engineer when submitting the AC review request:*

1. Drawings – provide 24 x 36-inch sheets of:
  - a. Existing survey (including lot lines/owner names/addresses)
  - b. Utility Plan (no contours)
  - c. Grading Plan (with contours)
2. Estimated water usage and wastewater flow rates calculated per *DPH design flow guidelines*, with average volume per day (gpd) and peak flow (gpm). **Flow shall not be calculated using fixture counts (CT Plumbing Code maximums).**
3. The type of dwelling units planned for the development (single-family, townhome, multi-unit, etc.), or type of commercial or industrial facility (office, retail, restaurant, hotel, manufacturing, etc.), including lot size and proposed lawn coverage, if irrigation is planned.

**Sanitary Sewer Availability and Capacity Analysis**

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4. For residential developments, the number of one-bedroom, two-bedroom, three-bedroom, etc. units planned for the development so that the volume of use per day (gpd) may be calculated per State of Connecticut Department of Public Health (DPH) guidelines. The Engineer is required to provide calculations for MDC review.
5. For commercial and industrial facilities, the size (square feet per use) and type of the proposed commercial or industrial facilities; specifically, the number of restrooms planned (office and retail), the number of seats (restaurant), the number of rooms (hotel), the number of beds (medical facility), the number of employees, etc.
6. Other water uses and sources of wastewater within the planned development, such as community buildings (kitchen facilities, rest rooms and/or locker rooms, etc.), swimming pool; HVAC equipment cleaning/blow down or fill cycles; intermittent but high instantaneous high flow processes (tank fill, tank draining, or other); or other facilities.
7. Condensation, roof drains/leaders, footing and/or underdrains (subsoil drainage/groundwater) and stormwaters shall not flow to a Separated sanitary sewer main.
  - a. If development is required to discharge flue condensate or any groundwater to the sanitary sewer, the developer shall have the discharge reviewed and approved by CT DEEP. The District will review the discharge and metering of flows with applicable fees/rates for this discharge.
8. MDC Sewer Ordinance S2I – Use of Sanitary Sewers. New connections, or increases in dry weather flow discharge resulting from development or redevelopment of a property, to a separated sanitary sewer shall be subject to the findings within an availability and capacity analysis performed by the District. If the District's separated sewer system's capacity in the vicinity of the connection is limited due to existing illegal wet weather inflow(s) of the type described elsewhere in the District's Sewer Ordinance, the District shall either: (a) exclude such discharge or connection to the District's sewer; or (b) require removal of an equivalent volume per day of inflow from the subject sewershed at the cost of the property owner or developer seeking connection or discharge to the District's sewers.
  - a. MDC Technical Services will determine if this Ordinance applies to the specific development. When the Ordinance does apply, the District will provide the Developer the requirements and process to ensure the equivalent volume per day is removed from the system prior to the connection being made.



## **Availability & Capacity Analysis Guidelines**

### **STORMWATER**

#### **The Metropolitan District (Hartford or West Hartford ONLY)**

#### **PURPOSE**

The Metropolitan District ("District" or "MDC") requires that an Availability & Capacity ("AC") analysis of the District's system be completed prior to permitting any connection to the District infrastructure through MDC's Utility Services Department. The purpose of the Availability & Capacity ("AC") analysis is to determine first the availability of District storm infrastructure and second, determine whether or not available capacity of the District storm or combined sewer collection and treatment system exists to meet the proposed needs of planned (re)developments of residential dwellings, of four or more units, and commercial/industrial buildings. The District will provide a letter stating whether there is, or is not, adequate storm service available for proposed (re)development sites. An owner and/or developer may request an Availability (only) letter prior to the full capacity analysis if written confirmation is required by their lender, or other entity to obtain a letter from the District stating what public storm infrastructure is available to serve the site.

#### **BACKGROUND**

The District owns and maintains some dedicated storm and all combined sewers located within Hartford and a small portion of West Hartford. While the District accepts storm water into those sewers, it is not wholly responsible for administering storm water management programs and regulations (e.g. Municipal Separate Storm Sewer System, abbreviated as "MS4", compliance) or flood control; that responsibility falls to the municipalities.

The capacity of the District's combined sewer system varies during wet weather events. As such, there is no capacity within the District's combined sewer system to convey new storm inflows, as it is under a Connecticut Department of Energy and Environmental Protection Consent Order (CT DEEP CO) to eliminate and reduce Combined Sewer Overflows (CSO) and private property surcharging. It should be noted that the District is not obligated to increase the capacity of its pipe networks to accommodate increases in storm water flows that may arise from development activities.

#### **DETERMINATION OF CONNECTION TYPE AND EVALUATION SCENARIOS**

The District categorizes properties as having "new" or "existing" connections based on the following criteria:

- A connection is considered "new" if the property has never been connected and therefore never directly discharged stormwater to a District combined sewer or storm drain.
- A connection is considered "existing" if the property is currently discharging or has discharged stormwater through a connection from the property to a District combined sewer or storm drain. The applicant will be required to demonstrate the volume and rate

Revised June 24, 2025

**Availability and Capacity Analysis – STORMWATER (continued)**

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of each source of surface water drainage to the connection. Subsoil drainage/ groundwater drainage will not be considered as existing discharges.

Based on the categories of connections, the applicant will be evaluated to the scenario applicable to the proposed discharge.

**Existing Connections**

- (1) When a redeveloped property with an existing connection(s) is served by a combine sewer or a storm drain that is tributary to a combined sewer and the redevelopment is exempt from and applicable to municipal and State of Connecticut requirements, the discharge shall be permitted.
- (2) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, and municipal or State of Connecticut requirements apply, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms described in any applicable municipal and/or State of Connecticut requirements. If the applicant can demonstrate control of post-development volume and discharge rates to pre-development volume and discharge rates, the discharge shall be permitted.
- (3) If the requirements of subsection (2) above are satisfied through the use and maintenance of an onsite detention system, the applicant may consider off-site improvements to the combined sewer or a storm drain that is tributary to a combined sewer to eliminate the need for or reduce the size of the on-site detention system. In those cases where the off-site improvements benefit the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (4) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates on-site, the applicant shall be required to install a new storm drain that discharges to an existing storm drain or water course through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention

**Availability and Capacity Analysis – STORMWATER (continued)**

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system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.

- (5) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms subject to municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr storm event. If the applicant can control post-development volume and discharge rates to pre-development volume and discharge rates and the existing drain has adequate capacity to accept the post-development discharges, the discharge shall be permitted.
- (6) If the requirements of subsection (5) above are satisfied through the use and maintenance of an onsite detention system, the applicant may consider off-site improvements to the combined sewer or a storm drain that is tributary to a combined sewer to eliminate the need for or reduce the size of the on-site detention system, or in those cases where the off-site improvements benefit the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (7) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.



**Availability and Capacity Analysis – STORMWATER (continued)****New Connections**

- (1) No new house drain connection shall be authorized to discharge to a combined sewer. A property prohibited from connecting a new house drain to a combined sewer, and which does not have access to connect to an existing storm drain, may only connect said new house drain to the District's system by installing a storm drain through a Developer's Permit Agreement.
- (2) When new house drain connections are proposed to be served by an existing storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain has adequate capacity to accept the new house drain connection discharges, the discharge shall be permitted.
- (3) When new house drain connections are proposed to be served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain does not have adequate capacity to accept the new storm house connection discharges, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement and or, in those cases where the new storm drain benefits the stormwater system generally, the District would consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.
- (4) When new house drain connections are proposed to be served by a storm drain that discharges to a combined sewer, the applicant will be required to demonstrate that post-development total runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. All new house drain connections will be required to discharge to a storm drain. The applicant will be required to install a new storm drain to an existing storm drain or water course through a Developer's Permit Agreement or, in those cases where the new storm drain benefits the stormwater system generally, the District would



### **Availability and Capacity Analysis – STORMWATER (continued)**

consider completing the off-site improvement under a cost sharing agreement with the applicant, with the amount of the applicant's contribution to the off-site improvements being the applicant's estimated costs to construct the on-site detention system or the applicant's estimated cost savings for the reduced size of the on-site detention system. In either case, the amount paid by the applicant under the cost sharing agreement will be used for improvements to the District storm drainage system within the same municipality as the redeveloped property.

### **AVAILABILITY & CAPACITY (AC) PROCESS**

1. A formal request for an availability and capacity analysis is made to the MDC Technical Services Department, 555 Main Street, Hartford, Connecticut 06103 or techservices@themdc.com. This request must include:
  - a. The location of the proposed development, including a street address and a location map.
  - b. Payment of the current Administrative Review Fee (See published rate at [www.themdc.org](http://www.themdc.org)) by check payable to The Metropolitan District or through available online payment system. Please do not submit checks separately from the hard copy request and without reference to the invoice or project/development name.
2. The Applicant must submit written confirmation from the City of Hartford or the Town of West Hartford, through the appropriate City/Town Department that oversees stormwater management and flood compliance, of demonstrated compliance with the applicable stormwater requirements/calculations as defined in the Applicable Regulations and General Requirements section herein. If applicable, also provide documentation from the Greater Hartford Flood Commission and/or Connecticut Department of Transportation ("DOT" or "CTDOT").
3. Submit hardcopies and electronic copies of the storm water calculations (or report) prepared in accordance with the latest City/Town stormwater regulations and these MDC Stormwater Guidelines, including:
  - a. Pre-and post-development peak runoff calculations indicating no increase in peak discharge rates and total runoff volume generated from NOAA Atlas 14, Volume 10, Type III Distribution, nested 24-hour storms with average recurrence intervals of 1-, 2-, 10-, 25-, and 100- years, in accordance with COH Stormwater and LID Standards. Include hydrographs for each entry point to the MDC system, peak discharge rates, and timing of the peaks.
  - b. An overall site plan including proposed drainage system, detention or retention structures, and treatment system layout drawing (24" x 36") with contours.
  - c. Percentages of pervious and impervious site cover (pre and post development).
  - d. Percentage of site drainage area that is captured on the site and directly connected to the MDC system (pre and post development)
  - e. The maximum elevation and mean elevation of the subject parcel.
  - f. Estimates of discharge rates from other inflow sources emanating from the site,

**Availability and Capacity Analysis – STORMWATER (continued)**

- such as foundation drains. Add these to the storm water discharge rates.
- g. The post-storm drainage time to empty any detention or retention systems connected to the MDC system. Detention systems should drain within 24 hours. Such drainage volumes shall be included in the above-described analysis.
4. The applicant in conjunction with MDC shall evaluate the connection type and applicable scenario defined in the "Determination of Connection Type and Evaluation Scenarios) that applies to the (re)development to ensure that the design of the stormwater connection and onsite improvements are performed to the appropriate scenario.
5. Following the review of the required submitted information, MDC will provide to the owner/requester with an AC storm letter (via email and regular mail) indicating the MDC's determination on availability and capacity of the District system(s), with copies to the other appropriate MDC and municipal departments (i.e. Planning and Zoning, Development Services, etc.). The letter will also include required instructions for the applicant to obtain a storm house connection permit.
6. There is a separate AC process and separate review fees for water and sanitary sewer. Once all AC approvals (water, sanitary and storm) are obtained, the Owner/Developer may then proceed to the MDC Utility Services Department to apply for each applicable utility permit.

**APPLICABLE REGULATIONS AND GENERAL REQUIREMENTS**

The below State of Connecticut and Local regulations and requirements shall be adhered to by the Engineer when submitting the AC review request.

**1. State of Connecticut Department of Energy and Environmental Protection-(DEEP)****CT DEEP's National Pollutant Discharge Elimination System (NPDES) General Permit issued to MDC, Permit ID#CT0100251**

Section 9, Item 12(b), no new sources of "inflow" shall be allowed into the MDC combined sewer system. Inflow is defined as water other than wastewater that enters a sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers storm waters, surface runoff, street wash waters, or drainage.

**Requirements to be Met:**

- New Storm Connections will be considered a new source of inflow and shall not be permitted to enter the District's combined sewer system unless approved by CT DEEP.

**CT DEEP Connecticut Stormwater Quality Manual, Effective Date: March 30, 2024****Requirements to be Met:**

**Availability and Capacity Analysis – STORMWATER (continued)**

- In conjunction with the requirements of the City of Hartford or in the absence of the City of Hartford's Planning and Zoning review when a formal waiver of the requirements is provided by the City of Hartford, the AC application to the MDC must demonstrate compliance with the minimum requirements of the Connecticut Storm Water Quality Manual. See Table 4-1 (pg. 36), Standard 1, for Runoff Volume and Pollutant Reduction (aka "Water Quality") performance criteria. See Table 4-1 (pg. 36), Standard 2, for Stormwater Runoff Quantity Control (aka "Water Quantity") performance criteria.
- The Connecticut Stormwater Quality Manual (CSQM) criteria requires post-development discharge rates (and total runoff volumes) to be controlled to 50% of a pre-development peak flow rate for the 2-yr storm.
- Pre-development conditions must reflect only the discharges that are captured on the site and are directly connected (piped) to the District drain or sewer. This is evaluated in accordance with COH Stormwater and LID Standards.

**Connecticut General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, Effective Date: December 31, 2020***Requirements to be Met:*

- All requirements related to stormwater management must also be adhered to.

**CT DEEP National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems, Effective Date: October 1, 2023***Requirements to be Met:*

The District and the City of Hartford have entered into a Memorandum of Understanding (MOU) regarding each parties' individual responsibilities as it pertains to the General Permit.

- The applicant shall obtain approval from the City of Hartford on the submittal of their stormwater management plan from each respective party or signatory to ensure that the requirements of the permit are met. A letter of acknowledgement and commitment from each party or signatory will be required to ensure compliance with their approved stormwater management plans prior to the MDC issuing the Availability and Capacity letter.
- Stormwater Management Plan which demonstrates any retention or detention systems installed shall be maintained in accordance with COH Stormwater and LID Standards. The City, as MS4 permittee, is responsible for monitoring the ongoing maintenance of storm water control and treatment facilities and enforcing compliance with their storm water regulations. The MDC reserves the right to request maintenance records for its review and may act, including termination of service, against a property owner if the MDC determines that existing flooding on or off-site is a result of a lack of maintenance of the drainage system and its appurtenances resulting in a degradation of the performance of the retention or detention system that affects the MDC's collection system.

**Availability and Capacity Analysis – STORMWATER (continued)****2. City of Hartford****City of Hartford Zoning Regulations - Section 6.14, Stormwater & Low Impact Development (“COH Stormwater and LID Standards”)****Requirements to be Met:**

- Prior to submitting an AC application to MDC, stormwater calculations and requirements for (re)developments must be approved by the City of Hartford (COH) for conformance to their Zoning Regulations with respect to peak flows and water quality (treatment) on site. Issuance of approval or formal waiver by the City of Hartford does not exempt the Applicant from complying with MDC requirements or State of Connecticut Requirements.

The MDC does not approve the technical adequacy of the site drainage design, proposed stormwater controls, or compliance with the City requirements. The MDC will review specific design elements related to connections to the District-owned infrastructure during the permitting process by MDC Utility Services Department, as applicable.

**2021 International Plumbing Code portion of the 2022 CT State Building Code****Requirements to be Met:**

- The applicant must demonstrate full separation of all internal and external plumbing from the building/site in order to permit each connection. Separation of sewer and storm discharges shall be included in the calculations for proposed discharge rates. MDC will not review capacity requests until the applicant can provide approved plumbing drawings approved by the City of Hartford's License and Inspection department, which would signify that all discharge sources have been properly accounted for.
- Prior to submitting a request for connections, the applicant will need to provide all architectural, mechanical, plumbing and site (drainage/utility) drawings to the District Utility Services Department for review. The plans must confirm to all CT State Building Codes with approval from the City of Hartford Licensing and Inspection group (“COH L&I Standards”). The applicant must demonstrate full separation of all internal and external plumbing from the building/site in order to permit each connection.

**3. Town of West Hartford****Town of West Hartford Stormwater Management, Chapter 148 of the Code****Requirements to be Met:**

- Applicants must comply with the Town of West Hartford's requirements for storm water management. There are a limited number of streets in West Hartford that

#### **Availability and Capacity Analysis – STORMWATER (continued)**

drain to MDC combined sewers or storm sewers. These include Farmington Avenue and cross-streets east of Whiting Lane. Approval by the Town does not exempt the Applicant from compliance with MDC requirements. The applicant must demonstrate full separation of all internal and external plumbing from the building/site in order to permit each connection.

#### **4. Metropolitan District**

##### **Ordinances of the Metropolitan District Relating to Sewers**

Applicable sections of the current version of “Ordinances of The Metropolitan District Relating to Sewers”, available from the MDC website ([www.themdc.org](http://www.themdc.org)), including, but not limited to:

Section S2f: Determination for Availability and Capacity  
 Section S2n: Use of Storm Drains  
 Section S2o: Prohibited Discharge into Storm Drains  
 Section S2p: Use of Auxiliary or Relief Drains  
 Section S2q: Use of Combined Sewers  
 Section S2r: Use of Overflow Sewers  
 Section S3r: Separate Storm and Sanitary House Connections

##### **Requirements to be Met:**

##### **When a Developer’s Permit Agreement is required:**

- Refer to the latest District Developer’s Permit Agreement Guidance Manual

##### **When a Cost Share Agreement is recommended:**

- Provide a detailed and itemized construction cost estimate of any detention systems (excluding water quality units) required to attenuate or control the post-development peak discharge rates and volumes required by the municipal requirements (100-yr storm).
- Provide a detailed and itemized construction cost estimate of any detention systems (excluding water quality units) required to attenuate or control the post-development peak discharge rates and volumes required by the State of Connecticut minimum requirements (10-yr storm)  
 And/or
- Provide a detailed and itemized construction cost estimate to install public storm sewers

The MDC will meet with developers to discuss available options to meet the municipal and State of Connecticut requirements. Options include a Developer’s Permit Agreement to install public storm sewers or Cost Sharing Agreement in which the Developer will contribute funds to the MDC to install storm sewers or improvements that would eliminate an equivalent amount (minimum) or more of inflow from the District’s combined sewer in development’s drainage area.

**Availability and Capacity Analysis – STORMWATER (continued)**

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**For Fully Separated Storm Sewers:**

- If the storm sewer is tributary to infrastructure or facilities owned by others, such as the City of Hartford, Greater Hartford Flood Control Commission or the Connecticut Department of Transportation, the Applicant must first seek written permission from that entity from which the net increase in discharge is sought. The MDC will not approve new or existing connection discharges that increase surcharging or street flooding.

**The Metropolitan District Approved Materials List**

The District provides a list of approved materials by manufacturer and model. Any petition to include additional materials to the list shall be submitted to the District Technical Services Department.

***Requirements to be Met:***

- All structures, pipe and fittings proposed shall meet the requirements provides in the publication
- Only closed-bottom type detention systems will be permitted to be installed and connected to the MDC sewer system



***Chairman Currey made a motion to amend the resolution, shown above in redline, that approval is contingent upon approval of #7A “Referral of Draft Ordinance Revisions to Committee on MDC Government”. The amendment passed by unanimous vote of those present.***

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

#### **SOUTH HARTFORD CONVEYANCE & STORAGE TUNNEL CONTRACT #4**

Susan Negrelli, Director of Engineering, led a discussion regarding the South Hartford Conveyance & Storage Tunnel Contract #4

#### **BUSHNELL SOUTH DEVELOPMENT AND PENDING CLAIMS RELATING TO MARRIOTT HOTEL SEWER ASSESSMENT AND BUCKINGHAM STREET GARAGE DISCHARGE FEES**

At 7:04 PM Chairman Hoffman requested an executive session to discuss pending claims.

***On motion made by Commissioner DiBella and duly seconded, the Bureau of Public Works entered into executive session to discuss pending claims.***

Those in attendance during executive session: Commissioners John Avedisian, John Bazzano, Richard Bush, William DiBella, David Drake, John Gale, Allen Hoffman, Gary Johnson, Bhupen Patel and District Chairman Donald Currey; District Counsel Christopher Stone and Chief Executive Officer Scott Jellison.

#### **RECONVENE**

At 7:45 PM, Chairman Hoffman requested to come out of executive session and on motion made by Commissioner Avedisian and duly seconded, the Bureau of Public Works came out of executive session and reconvened. No formal action was taken.

#### **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

#### **COMMISSIONER REQUESTS FOR CONSIDERATION OF FUTURE AGENDA ITEMS**

There were no Commissioner requests for consideration of Future Agenda items.

**ADJOURNMENT**

The meeting was adjourned at 7:46 PM

ATTEST:

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

John S. Mirtle  
District Clerk

September 8, 2025

Date of Approval

\*\*Video of the full June 30, 2025 Bureau of Public Works meeting is available at  
<https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**BUREAU OF PUBLIC WORKS  
SPECIAL MEETING**

555 Main Street, Hartford  
September 8, 2025

**Present:** Commissioners John Avedisian, John Bazzano, William DiBella, David Drake, John Gale, Joan Gentile, Allen Hoffman, Gary Johnson, Calixto Torres and District Chairman Donald Currey (10)

**Remote**

**Attendance:** Commissioners Richard Bush, Byron Lester, Maureen Magnan, Bhupen Patel, Alvin Taylor and James Woulfe (6)

**Absent:** Commissioners James Healy, Jean Holloway, Pasquale J. Salemi and David Steuber (4)

**Also**

**Present:** Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Commissioner Chris Tierinni  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Jonathan Perugini, Chief Financial Officer  
Susan Negrelli, Director of Engineering  
Dave Ruddy, Director of Operations  
Tom Tyler, Director of Facilities  
Jason Waterbury, Assistant Manager of Engineering  
Jason Bretemps, Utility Maintenance Superintendent  
Carrie Blardo, Assistant to the Chief Executive Officer  
Victoria Escoriza, Executive Assistant  
Matt McAuliffe, IT Consultant (Remote Attendance)  
Kevin Sullivan, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate  
Brian Brown, CDM Smith  
Mike McGuire, CDM Smith

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 4:32 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

Elizabeth Tavelli, ICA, made no comments relative to agenda items.

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner DiBella and duly seconded, the meeting minutes of June 30, 2025 were approved.***

**ENCROACHMENT AGREEMENT – MARTIN LUTHER KING (MLK) APARTMENTS,  
VAN BLOCK AVENUE AND LUIS AYALA LANE, HARTFORD**

To: Bureau of Public Works for consideration September 8, 2025

In a letter dated August 6, 2025, Aaron Greenblatt of Vesta Corporation, on behalf of MLK Apartments LLC (“MLK”), MLK of 99 Van Block Avenue in Hartford (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty two-foot-wide (22’) easement or right-of way, containing an existing 78-inch storm sewer, 78-inch Colt District Storm Drain, situated on the Property (the “ROW”) for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the “Map”).

The proposed scope of work entails: (i) installing up to three (3) 4” underground electric and telecommunication conduits in up to two (2) locations, and (ii) installing surface restoration consisting of, new concrete walkways and ADA sidewalk ramps w/detector strips, pavers, bituminous pavement and driveway aprons, curbing, and landscaping including shrubs and grass as well as incidental activities within the ROW as shown on the Map (collectively, the “Improvements”).

The proposed lines will be installed above the MDC’s existing seventy-eight-inch (78”) storm sewer and its appurtenances situated within the ROW (collectively, the “Sewer”) with a minimum of one foot (1’) of vertical clearance between the sewer and such lines, and proposed grades will not impede access to the sewer. Eversource will require a forty-six-foot wide (46’) easement which will overlap the ROW (the “Eversource Easement”). The sewer was built in 1969 to 1971 under Contract 67-23 and the layout of the ROW was described in the May 1966 Journal, pages 74-75, and acquired by the MDC and filed on the City of Hartford land records in Volume 1182, at Page 132.

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

MLK has agreed to the following conditions in order to satisfy the District’s concerns for protection of the sewer and to maintain accessibility along the length of the 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 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 MLK for or in connection with the Improvements within this ROW shall be the responsibility of the MLK.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within this ROW.
3. The District shall not be held liable for any damage caused to any structure listed above, located within or adjacent to the ROW in the event of an emergency sewer repair. The District will make every effort feasible to minimize damage to these structures; however, the cost of repairs to such structures shall be the responsibility of the MLK.
4. In the event of a sewer emergency caused by the proposed excavation described above, the MLK shall provide, install, operate and remove, at the MLK's expense, an appropriately sized bypass pump and appurtenances.
5. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the sewer or any part thereof. MLK shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within this ROW, including any such costs incurred by the District.
6. A preconstruction meeting shall be held prior to commencing any such activities within the ROW. An MDC inspector must also be on the job site whenever work is being performed within the ROW, and MLK 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 forty-eight (48) hours advance notice must be given to the District 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.
7. The MLK shall perform a CCTV inspection, witnessed by an MDC inspector, of the 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 purpose of assessing the post-activity condition of the sewer.
8. The MLK shall at all times indemnify, defend and save harmless the District, any municipality included therein, and the State of Connecticut and shall maintain the District's standard form of requisite 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 within the ROW.

9. The MLK shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between MLK and MDC, consistent with current practice involving similar requests, and filed on the City of Hartford 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 MLK Apartments LLC, to encroach upon the MDC existing twenty two-foot-wide (22') ROW situated on the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans prepared by Crosskey Architects LLC and submitted by Vesta Corporation, entitled, "Utility Plan", (Sheet) C-300, Martin Luther King Apartments, Van Block Ave. & Luis Ayala Lane, Hartford, Connecticut, (prepared for) Vesta Corporation & Sheldon Oak, 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 and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) MLK shall obtain all required approvals and 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 MLK, and recorded on the City of Hartford land records. In the event that such full execution and recording does not occur within four (4) months of the completion 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,



John S. Mirtle  
District Clerk



## VESTA CORPORATION

175 Powder Forest Drive  
Weatogue, CT 06089  
Main: (860) 325-1700  
Fax: (860) 784-1978



August 6, 2025

VIA EMAIL

Michael Curley, P.E.  
Manager of Engineering  
The Metropolitan District  
555 Main Street  
Hartford, CT 06103

Re: *Easement Encroachment Permit – MLK Apartments, Hartford, CT*

Dear Mr. Curley:

On behalf of MLK Apartments, LLC, owner of MLK Apartments located at 99 Van Block Avenue in Hartford, CT, we are hereby requesting approval of an encroachment permit for the development of the property.

An encroachment permit approval is requested from the MDC to install primary electrical services and telecommunication lines for Eversource, including an easement for such lines, across MDC's existing 22' wide sewer easement containing the 78" Colt District Storm Drain.

The proposed electrical services will run perpendicularly through the 22' wide sewer easement in order to connect to the existing electric service across Van Block Avenue. The existing grade will remain the same within the easement, and minimal earthwork will be required for the utility installation.

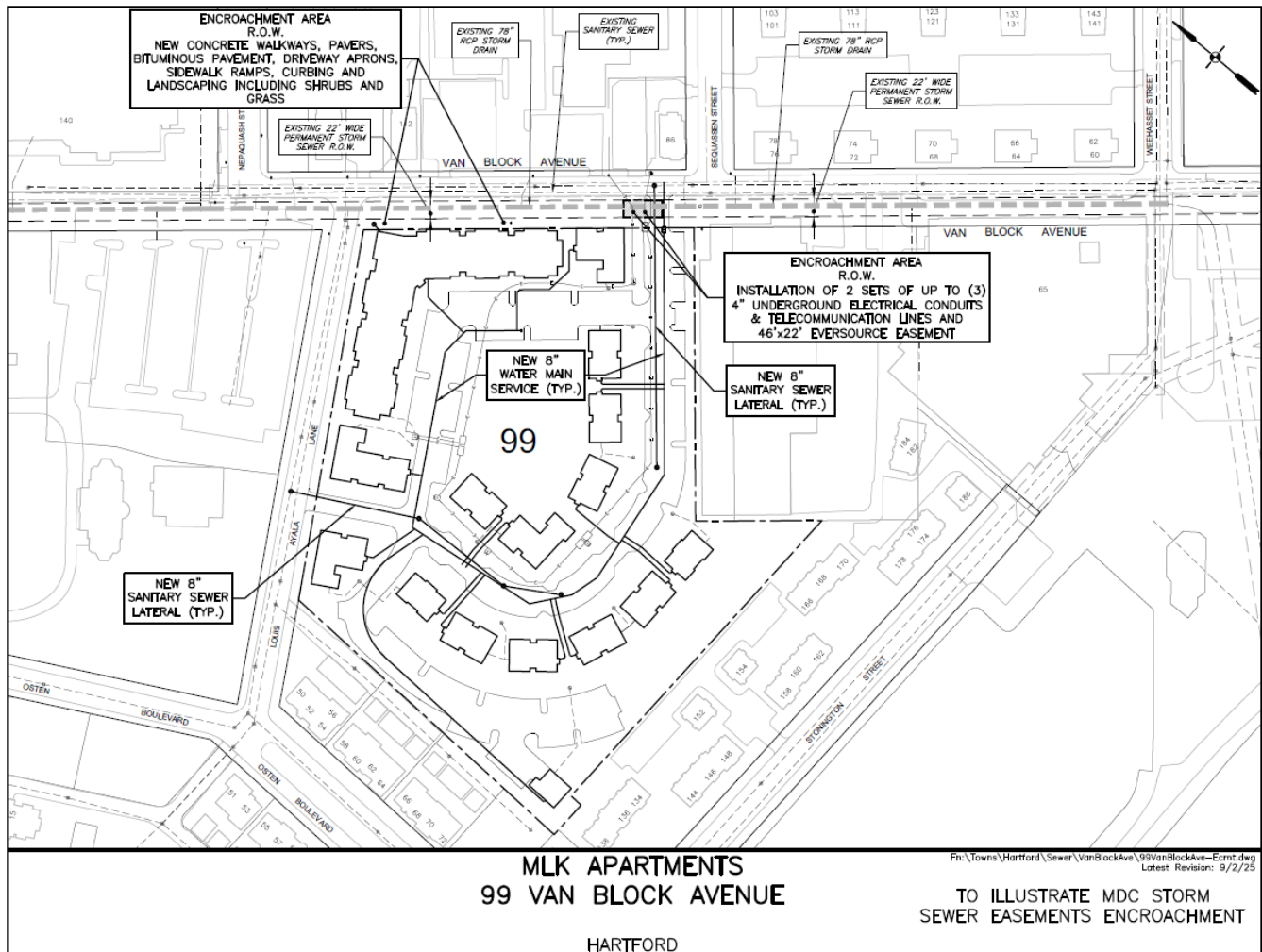
The proposed work is described in greater detail in the enclosed Utility Plan and Easement Plan CAD File.

We appreciate your assistance in processing the above-referenced request. If you have any additional questions, please contact me at 860-325-1730 or [aaron@vestacorp.com](mailto:aaron@vestacorp.com).

Thank you,



Aaron Greenblatt



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

***At 4:40 PM, Commissioner Bush entered the meeting remotely.***

***At 5:07 PM, Commissioner Taylor entered the meeting remotely.***

## **REFERRAL OF DRAFT ORDINANCE REVISIONS TO COMMITTEE ON MDC GOVERNMENT**

### **SEC. S2l USE OF SANITARY SEWERS**

- (a) In addition to the restrictions on use of the District's sanitary sewers set forth elsewhere in the District Charter and ordinances, and except as may be specifically otherwise permitted provided with reference to for some particular sewer, sanitary sewers shall be used only for the conveyance and disposal of sanitary sewage as defined in Section S1b(2)

of this ordinance and for diluted, water-carried industrial wastes which are not objectionable as provided hereinafter. Except as specifically provided for some particular sewer or location, no sanitary sewer shall be used to receive and convey or dispose of other substance(s), including but not limited to any storm or surface water, subsoil drainage, any flows of water seeping into buildings or excavations from soils or other underground sources, flows of natural springs, or ground waters, surplus from flowing wells, the discharge from roofs, roof conductors, yard drains, street or highway drains.

- (b) New connections, or increases in dry weather flow discharge resulting from development or redevelopment of a property, to a separated sanitary sewer shall be subject to the findings within an availability and capacity analysis performed by the District. If the District's separated sewer system's capacity in the ~~vicinity~~ **sewershed** of the connection is limited due to existing illegal wet weather inflow(s) of the type described above in the District's sewer, the District shall either: (1a) exclude such discharge or connection to the District's sewer; or (2b) require **payment of an Equivalent Inflow Removal Rate for the removal of an equivalent volume per day of inflow from the subject sewershed at the cost of the property owner or developer seeking connection or discharge to the District's sewers. Removal of existing inflow sources from the property can be used to reduce the overall increase in future discharge volume and volume required to be removed.**
- (c) **The District Board shall establish an Equivalent Inflow Removal Rate ("EIRR") based on the calculated cost for removal of the average volume per day of inflow from a typical single-family property. The EIRR shall be a fixed rate per number of gallons which rate and volume in gallons may be modified from time to time by the District Board. A property owner or developer required to remove an equivalent volume per day of inflow from the sewershed shall pay the EIRR based on the equivalent volume per day of inflow required to be removed. The minimum EIRR due shall be 1 and additional EIRR's will be rounded up to the nearest whole number. Proceeds from the EIRR will be used for improvements, or removal of inflow, to the District's sewer system within the same sewershed in order to improve capacity within the sewershed.**

## **SEC. S2s STATE OF CT GENERAL PERMIT FOR DISCHARGES FROM ~~MISCELLANEOUS NON-SIGNIFICANT~~ INDUSTRIAL USERS**

No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his/her control into any public sewer of any kind or type, any ~~new~~ discharge of ~~miscellaneous~~ sewer compatible wastewater subject to the State of Connecticut Department of Energy & Environmental Protection's ("CT DEEP") General Permit for Discharges from ~~Miscellaneous Non-Significant~~ Industrial Users ("~~MHU~~ Non-SIU General Permit") **or Significant Industrial Users (SIU General Permit)** without first submitting the required notification forms **in accordance with** ~~under~~ the **Non-SIU MHU** General Permit **or SIU General Permit** to the District. All ~~notification~~ form submittals to the District ~~under the MHU General Permit~~ shall include an administrative review fee as established, and amended

or modified, by the District Board. No variances shall be granted by the District to any discharger ~~under the MIU General Permit~~ unless the discharger has taken actions to achieve compliance and has implemented best management practices that are determined to be appropriate by the District. For any person or property owner requesting a variance, under the CT DEEP ~~Non-SIU General Permit or Significant Industrial User~~ SIU General Permit and/or other applicable state permit(s) ~~they~~ shall provide information to the District as to why the discharger is unable to comply with the conditions of the permit and the best management practices that have been implemented. The District retains the right to deny any variance request.

(Adopted December 6, 2021)

(Effective January 1, 2022)

**Sec. S70      Connections To Land Not Previously Assessed and Supplemental Assessment of Previously Assessed Property**

- (a) Whenever a sewer has been laid out and constructed by the District to serve a particular section of highway or particular area, no connection shall be permitted thereto for any land which has not been assessed therefor or has not shared in an equitable manner in the expense thereof, unless prior to such connection, the owner of such land first signs a special agreement, and pays a sanitary sewer connection charge in full, if such charge does not include frontage charges, or, if such charge includes frontage charges, arranges to pay said sanitary sewer connection charge in the manner provided for in Section S7s herein. Such special agreement signed by the land owner shall be recorded in the land records of the town in which the land is situated. The Chairman or Vice Chairman of the Bureau of Public Works is authorized to sign all such agreements on behalf of The Metropolitan District. The Chairman of the Bureau of Public Works may at his or her discretion authorize the District Clerk to sign all such agreements on behalf of The Metropolitan District.
- (b) Whenever buildings or structures are constructed or expanded after an initial assessment, the District, pursuant to Conn. Gen. Statute 7-249, may issue a supplemental assessment upon the land previously assessed. The amount of the initial assessment shall be credited against the amount of the supplemental assessment. No connection for the new or expanded buildings or structures shall be permitted, unless prior to such connection, the owner of such land first signs a special agreement, and pays a sanitary sewer connection charge in full, if such charge does not include frontage charges, or, if such charge includes frontage charges, arranges to pay said sanitary sewer connection charge in the manner provided for in Section S7s herein. Such special agreement signed by the landowner shall be recorded in the land records of the town in which the land is situated. The Chairman or Vice Chairman of the Bureau of Public Works is authorized to sign all such agreements on behalf of The Metropolitan District. The Chairman of the Bureau of Public Works may at his or her discretion authorize the District Clerk to sign all such agreements on behalf of The Metropolitan District.

**SEC. G3a ESTABLISHMENT OF FUND**

There shall be a fund to be known as the Assessable Sewer Construction Fund, and the Treasurer shall maintain within said fund an accounting of:

- I. Sewer projects the cost of which is to be paid in whole by assessment of benefits or in part by assessment of benefits ~~or and~~ in part by Federal, or State grants, or by bond funds or budget appropriations, or other income.
- II. Sewer projects where separate accounting and financing are required by State or Federal regulations.
- III. Sewer projects the costs of which are paid, in whole or in part, by proceeds from cost sharing agreements as referenced in Sewer Ordinance S2f and/or Equivalent Inflow Removal Rate payments defined in Sewer Ordinance S2l.

(Adopted June 2, 1986)

(Effective June 12, 1986)

**SEC. G3b MONIES DEPOSITED IN THE FUND**

The Treasurer shall deposit in said fund

- a. All collections from assessments
- b. All payments for outlet and connection charges
- c. Portions of Federal or State grants as specified
- d. Authorized transfers from other funds
- e. All payments from cost sharing agreements under Sewer Ordinance S2f
- f. All Equivalent Inflow Removal Rate payments as defined in Sewer Ordinance S2l
- g. Other income resulting from operations of the fund

(Adopted June 2, 1986)

(Effective June 12, 1986)

**SEC. G3c EXPENDITURES FROM THE FUND**

The Treasurer shall make expenditures from said fund upon proper authorization for:

- a. Construction and related costs of sewers as defined in **Sewer Ordinance** Sec. S10e.

- b. Construction and related costs of sewers as defined in Sewer Ordinance S2f.
- c. Construction and related costs of sewer system, including removal of inflow, as described in Sewer Ordinance S2l.
- d. Reimbursement to developers of sewer connection charges under Sewer Ordinance S7n.
- e. The transfer of monies to the Debt Service Fund - Assessable Sewer for the purpose of paying principal and interest on debt obligations.
- f. Awards by court or approved settlements in connection with appeals on assessments.
- g. Transfers to other accounts of unexpended portions of monies deposited in the fund from such other accounts.

(Adopted June 2, 1986)

(Effective June 12, 1986)

#### SEC. G3d SURPLUS OF THE FUND

Any surplus accumulated in the fund, ~~as determined by the District Board~~, except for surplus resulting from the layout and assessment of sewers, may be used to defray assessable sewer construction fund costs not collectible by assessment, or said surplus ~~upon proper authorization~~ may be transferred to revenue surplus of the General Fund or the Debt Service Fund - Assessable Sewer as ~~may be recommended by the Board of Finance and~~ approved by the District Board. ~~, or in the absence of such recommendation by a vote of the District Board.~~

(Adopted June 2, 1986)

(Effective June 12, 1986)

#### SEC. G3e AUTHORIZATION TO BORROW

The Treasurer may, upon proper authorization, borrow such sums as may be necessary to finance authorized expenditures from the fund.

(Adopted Nov. 14, 1966)

(Effective Jan. 1, 1967)

***Commissioner DiBella made a motion to refer the draft ordinance revisions to the Committee on MDC Government and it was approved unanimously.***



**GRANBY SEWER SEPARATION PROJECTS SEQUENCING**

Brian Brown, of CDM Smith, presented on the Granby Sewer Separation Project Sequencing

**SEWER BACKUP PREVENTION PROGRAM AND BACKWATER VALVE PROGRAM**

Chairman Hoffman postponed the report re: the sewer backup prevention program and backwater valve program.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Independent Consumer Advocate Elizabeth Tavelli asked for clarification on the assessable sewer fund and whether any Ad Valorem goes into the assessable sewer fund.

**COMMISSIONER REQUESTS FOR CONSIDERATION OF FUTURE AGENDA ITEMS**

District Chairman Currey requested an update at a future Bureau of Public Works meeting regarding the Wethersfield Cove and Clean Water Project

**ADJOURNMENT**

The meeting was adjourned at 5:40 PM

ATTEST:



John S. Mirtle  
District Clerk

October 27, 2025

\_\_\_\_\_  
Date of Approval

\*\*Video of the full September 8, 2025 Bureau of Public Works meeting is available at <https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING**

555 Main Street, Hartford

October 27, 2025

**Present:** Commissioners John Avedisian, John Bazzano, William DiBella, John Gale, Allen Hoffman, Gary Johnson, James Woulfe and District Chairman Donald Currey (8)

**Remote**

**Attendance:** Commissioners Joan Gentile, Byron Lester, Maureen Magnan, Bhupen Patel and Calixto Torres (5)

**Absent:** Commissioners Richard Bush, David Drake, Pasquale Salemi and Alvin Taylor (4)

**Also**

**Present:** Commissioner William DiBella  
Commissioner Dominic Pane  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Susan Negrelli, Director of Engineering  
Dave Rutty, Director of Operations  
Robert Schwarm, Director of Information Services (Remote Attendance)  
Tom Tyler, Director of Facilities  
Jason Waterbury, Assistant Manager of Engineering  
Clarence Corbin, Project Manager  
Carrie Blardo, Assistant to the Chief Executive Officer  
Victoria Escoriza, Executive Assistant  
Matt McAuliffe, IT Consultant (Remote Attendance)  
Kevin Sullivan, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 5:30 PM.

A moment of silence was held in honor of Commissioner Holloway, who passed over the weekend.

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

Elizabeth Tavelli, ICA, had no comments or questions.

**APPROVAL OF MEETING MINUTES**

*On motion made by Commissioner Gale and duly seconded, the meeting minutes of September 8, 2025 were approved.*

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

To: Bureau of Public Works for consideration on October 27, 2025

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:

	<b><u>Sewers In</u></b>	<b><u>Built By</u></b>	<b><u>Completion Date</u></b>
1	6723 Myra Cohen Way / 16 Fenn Road, Newington	Developer: Newington Car Wash Property, LLC Contractor: Gallito Construction, LLC	December 15, 2023
2	48 Fairfield Avenue, Newington	Developer: Greg Patchen Contractor: Holcomb Farms (Randy Wilson)	November 29, 2022
3	Baker Hollow Road, Windsor	Developer: Town of Windsor Contractor: Dayton Construction	July 9, 2024

Respectfully submitted,



John S. Mirtle  
District Clerk

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

**SEWER INVESTIGATIONS, REPAIR & REHABILITATION IN CENTRAL ROW AND MARKET STREET - HARTFORD**

Project Manager Clarence Corbin gave a presentation regarding the large diameter sewer rehabilitation project phase 3A in Hartford, taking place in Central Row and Market Street areas.

***At 5:50 PM, Commissioner Gentile entered the meeting remotely.***

**SEWER BACKUP PREVENTION PROGRAM AND BACKWATER VALVE PROGRAM**

Chief Executive Officer Scott Jellison discussed the sewer backup prevention program and backwater valve program. He discussed potential Memorandums of Understanding with member towns regarding separated stormwater infrastructure.

**WETHERSFIELD COVE CSO ABATEMENT**

Director of Engineering Susan Negrelli discussed the progress on the Wethersfield Cove CSO abatement, also known as Contract 4 of the South Hartford Conveyance & Storage Tunnel (SHCST).

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

**ADJOURNMENT**

The meeting was adjourned at 6:11 PM

ATTEST:



John S. Mirtle  
District Clerk

November 19, 2025

Date of Approval

\*\*Video of the full October 27, 2025 Bureau of Public Works meeting is available at <https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING  
555 Main Street, Hartford  
Wednesday, November 19, 2025**

**Present:** Commissioners John Avedisian, William DiBella, David Drake, Joan Gentile, Allen Hoffman, Dominic Pane, Alvin Taylor, Calixto Torres and District Chairman Donald Currey (9)

**Remote**

**Attendance:** Commissioners Richard Bush, Byron Lester, Pasquale Salemi and James Woulfe (4)

**Absent:** Commissioners John Bazzano, John Gale, James Healy, Gary Johnson, Maureen Magnan and Bhupen Patel (6)

**Also**

**Present:** Commissioner William DiBella  
Commissioner Jackie Mandyck  
Commissioner Christopher Tierinni  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Susan Negrelli, Director of Engineering  
Dave Rutty, Director of Operations  
Robert Schwarm, Director of Information Services (Remote Attendance)  
Mike Curley, Manager of Engineering  
Jason Waterbury, Assistant Manager of Engineering  
Carrie Blardo, Assistant to the Chief Executive Officer  
Victoria Escoriza, Assistant Administrative Officer and Special Assistant  
Shereese Rodgers, Assistant Manager of Budget and Analysis (Remote Attendance)  
Haider Nawaz, Budget Analyst  
Matt McAuliffe, IT Consultant (Remote Attendance)  
Kevin Sullivan, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate (Remote Attendance)

**CALL TO ORDER**

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

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

Elizabeth Tavelli, ICA, had no comments or questions.

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner Gentile and duly seconded, the meeting minutes of October 27, 2025 were approved. Commissioners Drake and Pane abstained.***

***Commissioner Taylor entered the meeting at 5:39 PM***

***Commissioner Salemi exited the meeting at 5:40 PM***

***Commissioner DiBella entered the meeting at 5:45 PM***

***Commissioner Taylor exited the meeting at 5:46 PM***

***Commissioner Taylor entered the meeting at 5:50 PM***

**FISCAL YEAR 2026 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES AND  
OTHER SEWER CHARGES**

To: Bureau of Public Works for consideration on November 19, 2025

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 2026 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, 2026.

Additionally, in support of the 2026 budget and in accordance with Section S12l of the District's Ordinances, the monthly sewer customer service charge per connection will change from \$9.00 to \$12.50 or 38.9% change effective January 1, 2026.

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, 2026. In addition, the suspended solids strength charge will also remain unchanged at \$0.58 per pound effective January 1, 2026. 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 2026 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, 2026, said charge shall be \$4.87 per hundred cubic feet (ccf), an increase from \$4.57 in 2025, 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, 2026 and that, effective January 1, 2026, a sewer user customer service charge per connection of **twelve nine dollars and fifty cents (\$12.50) (\$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 \$4.87 per ccf commencing January 1, 2026.

**Further**

**Resolved:** That the District Board approve the following schedule of fees effective January 1, 2026.

	<u>CURRENT</u>	<u>PROPOSED</u>
<b>Installation, Repair or Replacement of Sewer Meters</b>		
<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	<b>\$360</b>	<b>\$500</b>
3/4" meter	<b>\$375</b>	<b>\$550</b>
1" meter	<b>\$445</b>	<b>\$575</b>
1-1/2" meter	\$1,140	\$1,140

	<u>CURRENT</u>	<u>PROPOSED</u>
2" meter	\$1,250	\$1,250
3" meter	<b>\$2,630</b>	<b>\$2,775</b>
4" meter	<b>\$3,180</b>	<b>\$3,550</b>
6" meter	<b>\$5,090</b>	<b>\$7,150</b>
8" meter	\$14,840	\$14,840
10" meter	\$17,110	\$17,110
12" meter	\$17,800	\$17,800
<b>Hydrant meter assembly</b>	<b>\$2,000</b>	<b>N/A</b>
Meter pit (5/8" - 1")	\$1,750	\$1,750
Meter pit (1 ½" and 2" <b>without bypass</b> )	\$5,500	\$5,500
<b>Meter pit (1 ½" and 2" with bypass)</b>	<b>N/A</b>	<b>\$6,000</b>
Meter pit (3" and Larger)	Actual Cost* + Overhead	Actual Cost* + Overhead
Open Channel Sewer	\$15,300	\$15,300
Meter Chamber for Open Channel	Actual Cost* + overhead	Actual Cost* + overhead
Radio transmitter unit	<b>\$242</b>	<b>\$225</b>
<b>Liquid Waste Discharge Fee</b> (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
<b>Equivalent Inflow Removal Rate ("EIRR")</b>	<b>N/A</b>	<b>\$11,100</b>
<i>The calculated cost for removal of the average volume per day of inflow from a typical single-family property. EIRR is established per Sewer Ordinance S2I(c)</i>		
<b>Administrative Review for Sewer Services Fee</b>	\$670	\$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>		

	<u>CURRENT</u>	<u>PROPOSED</u>
<b>Annual Wastewater Discharge Compliance Fee</b>	\$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>		
<b>Wastewater Discharge Compliance Fees</b>		
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	minimum \$1,000 or Actual Cost whichever is greater	minimum \$1,000 or Actual Cost whichever is greater
<b>Wastewater Discharge Violation Correction Schedule</b>		
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,



John S. Mirtle  
District Clerk

***Commissioner Torres made a motion to amend the resolution, as shown above in blue.  
The motion was duly seconded and accepted by unanimous vote of those present.***

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

#### **REVISIONS TO SEPTAGE REIMBURSEMENT RATE**

To: Bureau of Public Works for consideration November 19, 2025

Following the cost trends and in accordance with Section S14d of the District's Ordinances, it is recommended the Septage reimbursements for member town residents be increased from \$225 to \$275. The last increase to the septage reimbursement rate was effective January 1, 2016.

#### **REIMBURSEMENTS FOR MEMBER TOWNS RESIDENTS**

Member town residents who are not provided access to the District's sewer collection system are compensated by the District through a reimbursement program that provides the residents with as much as \$275 every three years for documented septage removal costs. A review by staff has also determined that a significant percentage of haulers are not passing the savings in disposal cost on to the residents within our member towns.

Presently, procedures for verifying resident and non-resident wastewater are limited. Though periodic spot checks are made by staff to verify the collection of septage from residential location within the District's member municipalities, in many cases this process is considered to be annoying to residents, time consuming and inconclusive in determining the actual quantities pumped from the member-town residence and the amount actually disposed at no fee by the hauler.

Conclusion

As a result of these findings, staff recommend that the following charges be incorporated in the reimbursement policy. That the reimbursement to qualified member-town residents for septage removal fees be increased from the present \$225 to \$275 to cover the cost for disposal at the Hartford Water Pollution Control Facility.

Therefore, it is **RECOMMENDED** that it be

**VOTED:** That the Bureau of Public Works approves the following resolution:

**RESOLVED:** The septage reimbursement rate for member town residents be \$275 effective on and after January 1, 2026.

Respectfully submitted,



John S. Mirtle  
District Clerk

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

***Commissioner Taylor exited the meeting at 5:53 PM***

**COST BENEFIT ANALYSIS OF POTENTIAL PROGRAM FOR STORMWATER  
CONNECTIONS IN MEMBER TOWNS WITH SEPARATED SEWER SYSTEMS**

Jason Waterbury, Assistant Manager of Engineering, provided a presentation regarding the Cost Benefit Analysis of Potential programs for Stormwater Connections in Member Towns with separated sewer systems.





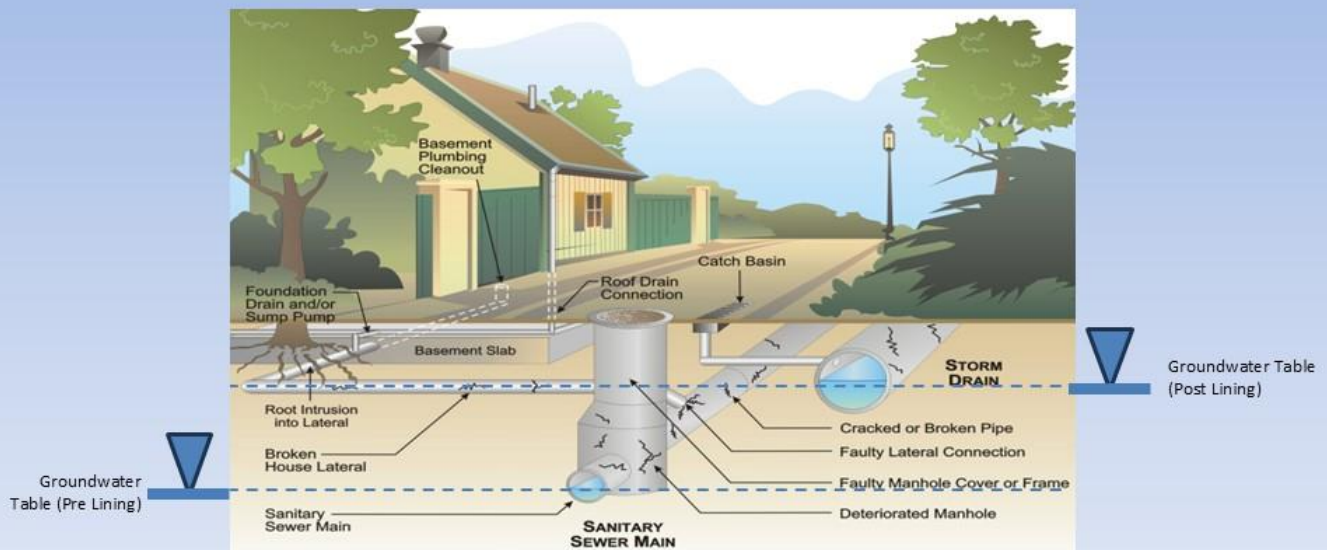
**Bureau of Public Works**

**November 19, 2025**

**Agenda Item: 7 – Cost Benefit Analysis of Potential Program for Stormwater**

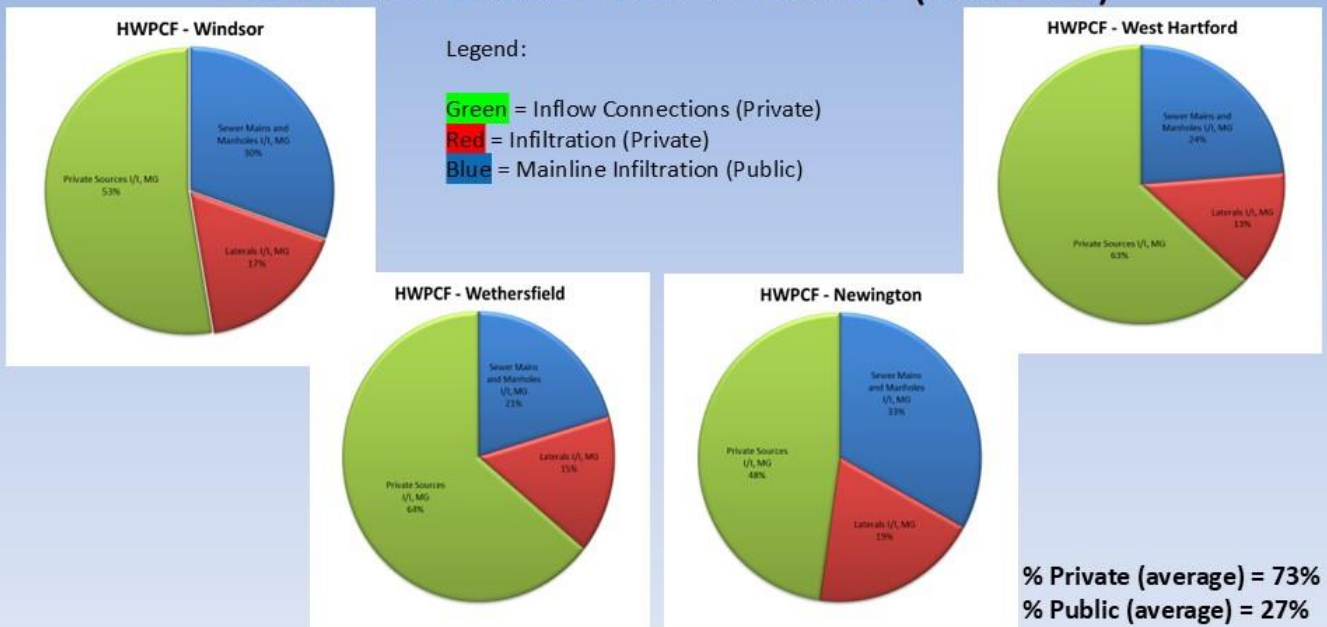
# Stormwater Impacts on Separate Sewer Systems

# Inflow and Infiltration



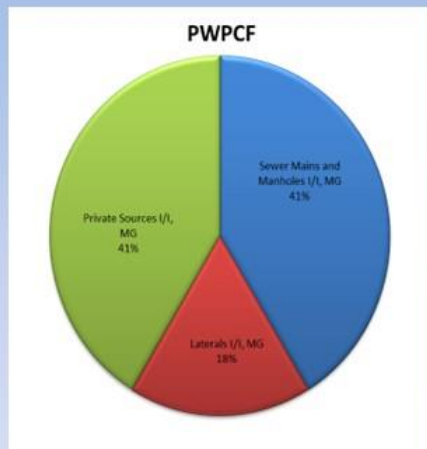
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## Public vs Private Wet Weather (HWPCF)



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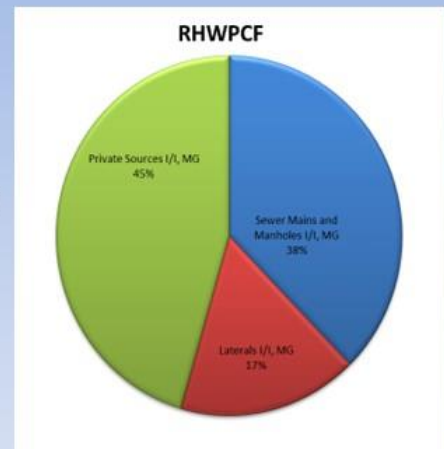
## Public vs Private Wet Weather (Non-HWPCF)



% Private = 59%  
% Public = 41%

Legend:

Green = Inflow Connections (Private)  
Red = Infiltration (Private)  
Blue = Mainline Infiltration (Public)



% Private = 62%  
% Public = 38%

5

## Comparing Drinking Water to Wastewater

- Majority of sewershed on drinking water system
- Approximately 30-35 mgd of billed drinking water in member towns
- Assume only 90% becomes wastewater (28 mgd)
  - Other 10% for watering lawns, washing cars, beverage manufacturing companies, etc.
- Average flow to all for treatment plants is over 60 mgd
- Peak at 200 mgd (Hartford), 27 mgd (Rocky Hill), 26 mgd (East Hartford), and 19 mgd (Poquonock) – 282 mgd total
- Paying to transport and treat stormwater and I/I in sewer system**

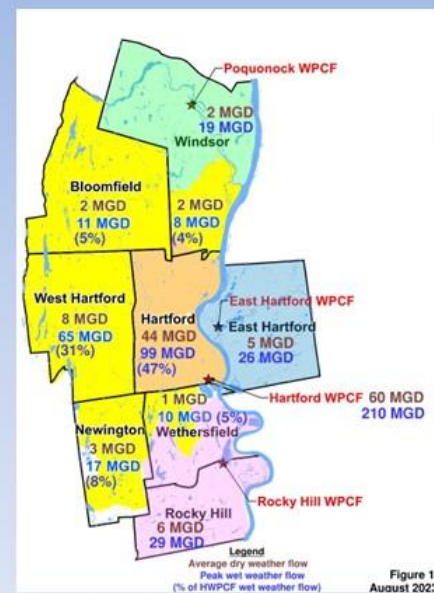


Figure 1  
August 2023

6

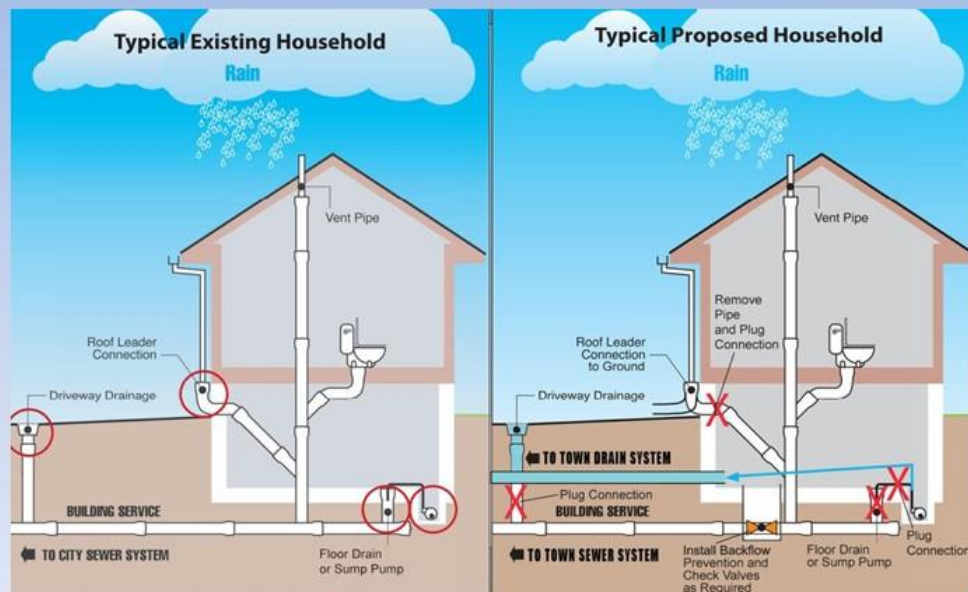


## Separate Clean Water from Sewer



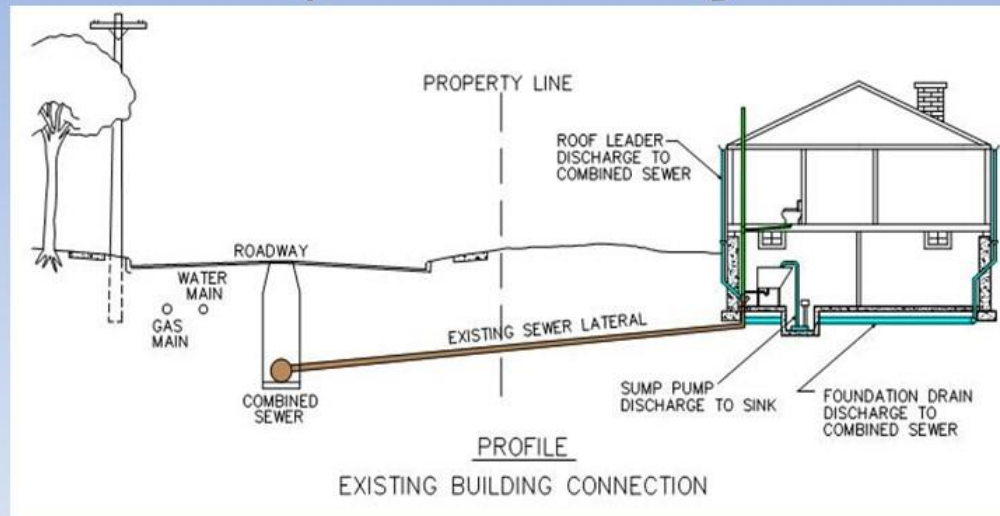
7

## Benefit of Drain Laterals



8

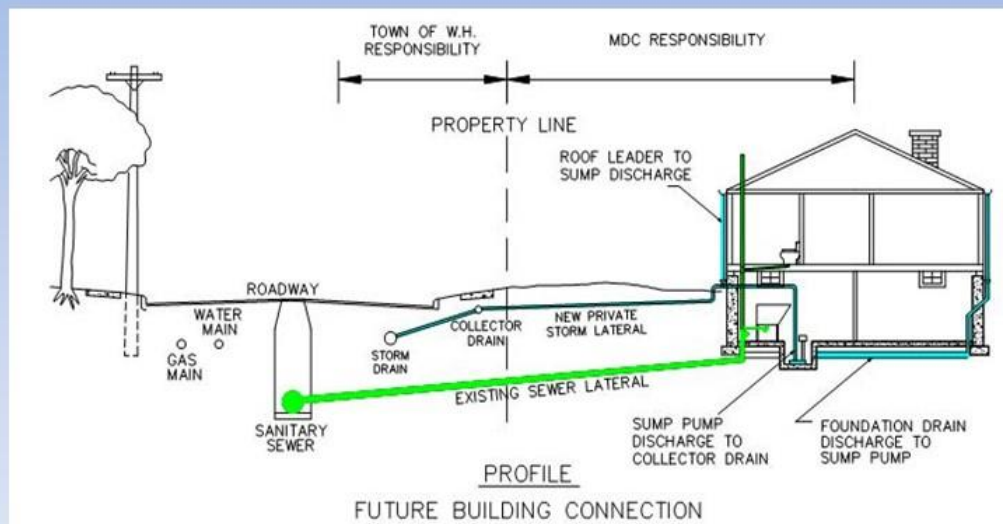
## MDC Sewer System – Existing Conditions



- \* Towns have ordinances that prohibit non-sanitary water to the MDC's sewer system
- \* Requires enforcement

9

## MDC Sewer System – Future Conditions

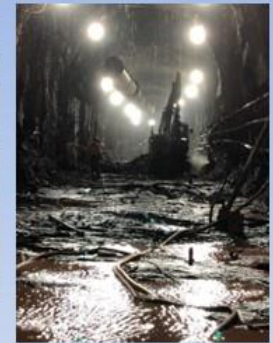


10



## Example Wet Weather Expansion Projects

- Hartford WPCF
  - \$500 million upgrade completed
- Rocky Hill WPCF
  - \$60 million upgrade completed
  - \$13.1M headworks improvements in Construction
- South Hartford Conveyance & Storage Tunnel
  - \$600 million
  - Intended for Wet Weather Only
- Conveyance (larger interceptor) projects
  - \$100M – Homestead, Goff Brook, etc



These projects, and many others like them, would not have been needed if stormwater from Hartford and seven other Member Towns was not in sewer system – **These Examples represent over \$1.3B in work to address infiltration and inflow transportation & treatment and do not account for future R&R work**

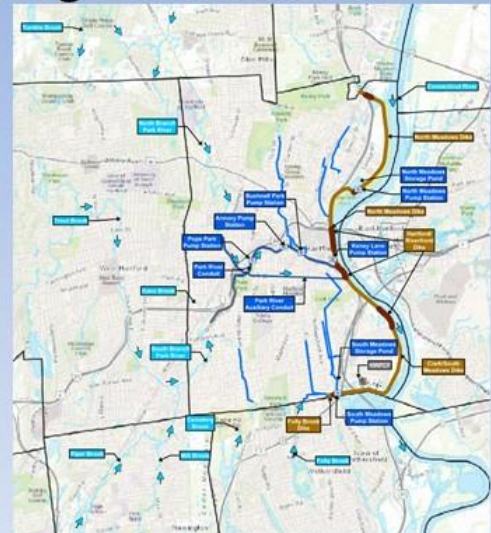
11

## It is Not as Simple as Just Requiring Enforcement

- As stormwater and I/I is removed the sewer system, it is redirected to new or upsized drainage system which may impact downstream communities
  - Example – North Branch Park River – Bloomfield to West Hartford to Hartford
- Requires better understanding of regional impact



Granby St. @ Nahum Dr. Hartford 7/4/23



12



## Additionally Existing Flooding

- Infrastructure to reduce flooding, not covered by MS4 permit
  - No state/federal regulatory criteria/requirement related to flooding
- Maximize future stormwater management projects with the MDC Integrated Planning
- Flood improvement projects in some Towns impact other Towns downstream
  - Trout Brook flows into Hartford



13

## MDC Stormwater Management Considerations

- Prior attempts of private I/I removal denied by Towns due to inadequate drainage system. For example:
  - FB2 Subarea in Wethersfield along Folly Brook
  - WH 34 Subarea in West Hartford
- Over half the flow treated at the MDC's 4 WPCFs is from stormwater and infiltration and inflow (I/I)
  - Even with approximately 341 miles of lining completed since 2008 & a projected IP Spend of \$385M (2018 dollars) for mainline Sewer Rehabilitation work
- Per 2018 LTCP Update, the cost to treat excess wet weather flow is about \$650 (2017 \$s) per million gallons
  - \$854.21 in 2025 dollars
- Total flow to all plants is about 26 billion gallons per year, thus about 14 billion gallons per year is stormwater and I/I
- About \$11.96M per year to treat the stormwater and I/I
  - Funds that could be used to disconnect private inflow connections

14

## Financial Summary

- Annual Cost to transport and treat wet weather flows increasing every year, with an estimated cost of nearly \$12M in 2025
  - This cost represents the cost to disconnect approximately 600 homes (annually)
    - Would be completed via District forces
    - Interior private property work already included in Sewer Backup Prevention Program (SBPP) budget
  - **Permanent disconnection is only guarantee storm water and ground water flows remain separated**
- CSO LTCP/IP includes lining of approximately 268 miles of sewers over remainder of IP plan
  - This will remove an estimated 10-20% of I/I
  - Total cost of approximately \$385M (2018 dollars)

ID	Rehabilitation Approach	National Study Average Reduction Range	Pilot Study Reduction Range
1	Mainline Sewer and Manholes	10-30%	10-40%
2	Lateral Connections	10-20%	10-40%
3	Laterals	10-20%	10-40%
4	Private Sources	20-40%	10-40%
5	1 and 2 Combined	20-50%	25%
6	1, 2 and 3 Combined	30-70%	20-40%
7	1 and 4 Combined	30-70%	10-40%

15

## Potential MOU with Responsibilities

- **Responsibilities of The Metropolitan District**
  - The MDC shall be responsible for the following:
    - Identification and prioritization of areas of Member Town where private property separation/disconnection work is required for either CO or CD compliance.
      - Coordination of schedule of MDC work with Member Town stormwater program.
    - All aspects of the preparation of Contract Documents for Construction for executing the private property work. This shall include:
      - Contracting with an Engineering Consultant for the Design of the work
      - Public Outreach
      - Inspections & preparation of sketches/drawings
      - Management of all necessary private property agreements, including those required by both the MDC and Member Town
      - Preparation of as-built documents for Member Town
    - Execution and administration of Construction phase
- **Responsibilities of Member Town**
  - Design & Installation of storm drainage infrastructure, as required for future private property separation/disconnection work by the MDC.
  - Restoration of all areas disturbed by the installation of the Work within the ROW.
  - Approval of private storm drain connections and timely issuance of permits for MDC and its Contractors at time of private property disconnection work.
  - Provide the MDC with immediate written notice of its discovery of any violation of the Applicable Town of Code Sections.

16



## MDC Sewer Ordinance(S2I)

Except as specifically provided with reference to some particular sewer, sanitary sewers shall be used only for the conveyance and disposal of sanitary sewage as defined in Section S1b(2) of this ordinance and for diluted, water-carried industrial wastes which are not objectionable as provided hereinafter. Except as specifically provided for some particular sewer or location, **no sanitary sewer shall be used to receive and convey or dispose of any storm or surface water, subsoil drainage,** any large continuous flow of water seeping into buildings or excavations from soils or other underground sources, flows of natural springs, or ground waters, surplus from flowing wells, the discharge from roofs, roof conductors, yard drains, street or highway drains.

17

### **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Duane Martin, Director of Community Development for the Town of West Hartford, stated that he is happy to hear what Scott Jellison and Jason Waterbury presented. West Hartford recognizes there is a storm drainage problem that is not going away. West Hartford has completed 7 flood studies. He understands these issues are expensive to address. The West Hartford Town Council has adopted \$5 million per year, and some money is built up. He welcomes the opportunity to work with the MDC on these flood studies. The town of West Hartford is asking MDC to partner with them as described in the presentation tonight.

### **ADJOURNMENT**

The meeting was adjourned at 6:51 PM

ATTEST:



John S. Mirtle  
District Clerk

January 28, 2026  
Date of Approval

\*\*Video of the full November 19, 2025 Bureau of Public Works meeting is available at <https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**BUREAU OF PUBLIC WORKS  
PUBLIC HEARING**

555 Main Street, Hartford  
Monday, December 1, 2025

**Present:** Commissioners Peter Gardow (1)

**Remote**

**Attendance:** Commissioner Andrew Adil (1)

**Also**

**Present:** John Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Jonathan Perugini, Director of Finance / Chief Financial Officer  
Susan Negrelli, Director of Engineering  
Dave Rutty, Director of Operations  
Mike Curley, Manager of Engineering  
David Banker, Assistant Manager of Engineering Services  
Jessica Coelho, Senior Project Manager  
Annie Dengler, Project Engineer 1  
Aloysius Rebeiro, Engineering Technician 1  
Kevin Sullivan, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate

**CALL TO ORDER**

Commissioner Peter Gardow called the Public Hearing to order at 5:30 PM

Commissioner Gardow read the following into the record:

This is a public hearing to consider the proposal to construct a Sanitary Sewer in portions of Wolcott Hill Road, Wethersfield. This Public Hearing is part of the legal procedure that The Metropolitan District is required to follow regarding the installation of sanitary sewers, as mandated by Special Act 511 of the Connecticut General Assembly of 1929.”

The plan for this project has been undertaken in response to a petition for sanitary sewers received from five property owners.

A final decision on this project has yet to be made. That decision will take into account what is said at this hearing, along with other information, including any information that the Town provides regarding the need for this project from the standpoint of public health

The District Clerk read the following statement:

The following hearing notice was published in the Hartford Courant on November 19, 2025:

NOTICE OF PUBLIC HEARING ON LAYOUT AND ASSESSMENT FOR SANITARY  
SEWERS FOR  
283 – 298 WOLCOTT HILL ROAD, WETHERSFIELD  
THE METROPOLITAN DISTRICT  
555 Main Street  
Hartford, Connecticut

November 19, 2025

The Metropolitan District will hold a public hearing in the Board Room, 555 Main Street, Hartford, on Monday, December 1, 2025, at 5:30 P.M. for the purpose of notification of the construction of public sanitary sewers in a portion of Wolcott Hill Road, Wethersfield.

Members of the public that would like to participate remotely may call into the public hearing at 415-655-0001, Access Code 2311 647 5959 # or via WebEx Link available on the District's website.

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

John S. Mirtle, Esq.  
District Clerk

Commissioner Gardow introduced District staff in attendance and stated the rules and procedures for the public hearing.

Senior Project Manager Jessica Coelho provided an overview of the Wolcott Hill Road, Wethersfield project and property assessments.

**PUBLIC COMMENTS**

Julie Flynn of 298 Wolcott Hill Road, Wethersfield spoke in favor of the project.

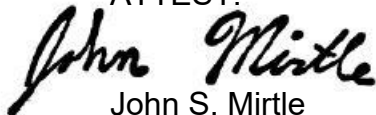
Gregory Dirkson of 290 Wolcott Hill Road Wethersfield spoke in favor of the project

Toni LaCava of 296 Wolcott Hill Road Wethersfield spoke in favor of the project

**ADJOURNMENT**

The public hearing was adjourned at 5:51 PM

ATTEST:



John S. Mirtle  
District Clerk

January 28, 2026  
Date of Approval

\*\*Video of the full December 1, 2025 Bureau of Public Works public hearing is available at  
<https://www.youtube.com/@MetropolitanDistrictCommission> \*\*

**INDEX**

**To**

**MINUTES OF THE BUREAU OF PUBLIC WORKS**



# Bureau of Public Works - 2025

	<b>Page</b>
<hr/>	
<b>A</b>	
<b>ACCEPTANCE OF SEWERS</b>	
Built by Developers	116
<b>ASSESSMENT, FINAL</b>	
Pierson Lane, Windsor	62
<b>AVAILABILITY &amp; CAPACITY GUIDELINES</b>	
Approval	88
Discussion	73
Discussion on Draft Ordinance	73
<b>B</b>	
<b>BUSHNELL SOUTH DEVELOPMENT</b>	
And Pending Claims Related to Marriott Hotel & Buckingham Garage	102
<b>C</b>	
<b>CONSENT DECREE</b>	
Modification of US EPA Consent Decree	2
<b>CONSENT ORDER</b>	
Modification of CT DEEP Consent Order	16
<b>E</b>	
<b>ENCROACHMENT AGREEMENT</b>	
1 Myra Cohen Way, Newington	70
Concourse Park 309 Redevelopment, East Hartford	67
CT DOT - 280 West Street, Rocky Hill	77
MLK Apartments - Van Block Avenue, Hartford	105
<b>F</b>	
<b>FUEL CELL LEASE</b>	
235 Brainard Road, Hartford	76

	<b>Page</b>
<b>G</b>	
<b>GRANBY STREET SEWER SEPARATION</b>	
Discussion on Sequencing of Projects	114
<b>L</b>	
<b>LICENSE AGREEMENT</b>	
45 Granby Street, Hartford	66
<b>LITIGATION, SETTLEMENT</b>	
Kenny/Obayashi IV Joint Venture v. MDC	59
<b>M</b>	
<b>MS4 GENERAL PERMIT</b>	
Memorandum of Understanding with City of Hartford	39
<b>O</b>	
<b>ORDINANCE, DRAFT</b>	
State of CT General Permit MS4	63
<b>ORDINANCES, DRAFT</b>	
Referral to Committee on MDC Government	81
Referral to Committee on MDC Government	109
<b>P</b>	
<b>PUBLIC HEARING</b>	
Layout & Assessments- Wolcott Hill Road, Wethersfield	135
<b>R</b>	
<b>RATES</b>	
2026 Sewer User Charge Rates	119
<b>S</b>	
<b>SEPTAGE REIMBURSEMENT RATES</b>	
Increase to Reimbursement Rate	124
<b>SEWER BACKUP PREVENTION PROGRAM</b>	
Discussion	117

	<b>Page</b>
<hr/>	
<b>SEWER REHABILITATION LARGE DIAMETER</b>	
Presentation on Central Row & Market St, Hartford Project	117
<b>SOUTH HARTFORD CONVEYANCE &amp; STORAGE TUNNEL</b>	
Discussion Contract #4	102
<b>STORMWATER IN MEMBER TOWNS</b>	
Presentation on Cost Benefit Analysis of Potential Program	125
<b>W</b>	
<b>WETHERSFIELD COVE</b>	
CSO Abatement Discussion	117