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## **SPECIAL MEETING SEPTEMBER 30, 2003**

The Wethersfield Town Council held a special meeting on September 30, 2003 at 6:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Cascio, Fitzpatrick (6:10), Flynn, Gardow, Hemmann, Morin (6:05), Sassano (6:30), and Chairperson Czernicki.

Absent: Deputy Mayor O'Connor.

Also present: Bonnie Therrien, Town Manager; Representative Guerrera (6:05); Representative Doyle (6:20); Senator Fonfara (6:30); Richard Smith, Robinson & Cole; Peter Gross, Fuss & O'Neill and Dolores G. Sassano, Town Clerk.

All stood for the pledge of allegiance to the flag which was led by Councilor Flynn.

Representative Guerrera arrived at this time (6:05).

### Presentation and Update on MDC/Wethersfield Cove with State Representatives

Mr. Smith said Mr. Gross will be presenting the current information status relating to the alternative designs proposed and developed during ongoing sessions over the past year with various engineering firms. The MDC Engineers have met periodically with Mr. Gross and others at Fuss & O'Neill; as well as representatives from SEA Consultants to review the MDC modeling information prepared with respect to flows in the Wethersfield Cove basin. Several alternatives have been offered over the past couple of years to capture various overflow vents leading into the Cove. Other work that MDC has been performing with respect to sewer separation parallels to the Cove project. Mr. Gross will be giving background information and updates for the drainage issues and the current circumstances with respect to storm water and combined sewer overflows (CSO's) in the drainage basin. Also discussed will be the MDC status with respect to these issues; as well as a list of alternative projects that have been discussed.

Mr. Gross referred to a map which showed most of the drainage area of the Cove. The CSO's of the Franklin area flow into the Folly Brook conduit area, into the Cove and along into the Connecticut River. The drainage area is quite a bit larger for the Cove and it comprises areas in Wethersfield for Folly Brook and into Hartford. There is a fairly large area of Hartford that also drains into the Cove. The focus of the Cove has been the CSO's and the drainage into the Cove when storm waters exceed the capacity of the sewers. Mr. Gross said that the MDC is currently working on two projects in the Maple Avenue area. They are due to be finished by the end of this year. Discharge points will then be into storm drains along Franklin Avenue and eventually into the Cove. The MDC has begun the design of another CSO abatement program called SCAP (Supplemental CSO Abatement Program). Separation of CSO's into storm drains and sanitary sewers are Phase 1 of this program. This will reduce the amount of overflows at specific points. The MDC model is more accurate than it used to be and much information comes from the model. The MDC is under a consent order to conduct a Long Term Control Plan (LTCP) and follow through with it. They need to look at their entire system and come up with alternatives for the treatment and storage of the water and prioritize the work to be done. The guiding force for the prioritization is based on EPA and DEP policies governing water quality standards of the receiving waters. The CSO "fix" needs to meet these water quality standards.

Representative Doyle arrived at this time (6:20).

Mr. Gross said that Wethersfield needs to conduct storm water Phase 2 planning. The Town will have requirements to look at and plan for when evaluating alternatives. Mr. Gross said that there is a lot still unknown about the water flow and water quality variations. Some sampling has been performed. There has not been a comprehensive watershed

study done on the Cove to provide definitive answers to questions asked over the years.

Councilor Flynn said that he recalls the Town having trouble gaining access to the MDC's modeling information. He asked if the situation has improved at all. Mr. Gross said that the situation has improved and that the MDC has provided quite a bit of information and shared it with Fuss & O'Neill, SEA, and the DEP.

Chairperson Czernicki asked if the rate of accuracy is better than it had previously been. Mr. Gross said that he believes that it is as far as the model being better calibrated. An independent check will be performed to evaluate how the model is working. This provides the opportunity for a better and more detailed review.

Councilor Gardow asked what the time line of the review is. Mr. Gross said that it is currently being worked on and feeds into the long-term Consent Order which is due by Fall, 2004.

Councilor Hemmann asked who is responsible for the previously mentioned comprehensive study of the watershed area. Mr. Gross said that it depends on the reason that the study is done. Mr. Smith said that studies have been done over the years primarily to deal with flow issues related to construction projects for the MDC. Looking beyond that has not been done as the information has yet to be called for. There are many variables involved.

Councilor Flynn asked if the MDC is currently under any mandate for the watershed site. Mr. Gross said that they are not, but that they need to meet the required water quality standards.

Mr. Gross distributed a summary sheet of the Five Alternatives for Wethersfield Cove Water Quality Improvements. Alternate A is for MDC additional sewer separation, Phases 1-3. This alternative would reduce the number of CSO's by doing more sewer separation. This alternative would include additional flow slipping and roof leader disconnections as well.

Mr. Gross said that this alternative also stresses the underlying system and some relief sewers may be required to reduce the flow to pipes downstream. The effectiveness of this alternative is generally good even during larger storms. The water quality flowing to the Cove will improve given the fact that the CSO's are removed. The amount is reduced from 3.6 million gallons to .14 million gallons. This alternative does not do anything for the quality of the storm water. Because of the concern of the capacity of downstream sanity sewers and storm drains; new large diameter relief piping is likely to be required.

Councilor Flynn asked where the relief piping would empty into. Mr. Gross said that the relief piping release will depend on the location required.

Senator Fonfara and Councilor Sassano arrived at this time (6:30).

A concern with Alternative A is the roof leader disconnect program which is a part of it. The disconnect program could be difficult for the MDC to enforce as some owners may be opposed to it. It is expected that Alternative A will require a relatively long schedule; largely driven by funding and the MDC will hold any work after Phase 1 until the LTCP is complete. The estimated cost of Alternative A is \$20.6 million which does not include the cost of any required relief sewers. The operation and maintenance costs for this Alternative are low.

Councilor Flynn stated that what he is gathering is that the MDC will do Phase 1, but will not continue with Phases 2a, 2b, and 3 until the LTCP is developed. Mr. Gross said that there is currently no budget for the additional phases. Both the MDC and the DEP have stated that they need to review all of the demands within the Hartford system. Councilor Flynn said that the MDC time-line appears to be very indefinite at this point. Mr. Gross said that this is correct in that the LTCP is not due until the end of 2004.

Mr. Gross moved on to Alternative B which would provide for the MDC Phase 1 sewer separation as well as a 3.6 million gallon tank which will be designed to capture a 1-year storm. The effectiveness is good for a 1-year storm; however the releases of CSO's are greater in larger storms. There would be no CSO volume to the Cove from a 1-year storm.

Senator Fonfara apologized for being late and asked Chairperson Czernicki if he could be provided with the information provided tonight. He stated that the residents still are not clear of just what a 1-year storm means. He'd like the term put into layman terms to describe just how many discharges into the Cove per year are provided by a 1-year storm. This way residents could have a better understanding of what is being discussed. Chairperson Czernicki said that she spoke with Mr. Smith already to provide information about the heavy rainstorm that occurred a few days earlier. Mr. Gross said that the rainfall referred to measured 3.38 inches on the MDC gauge in the Franklin Avenue area. The amount of overflow that took place was significant. The 3.38 inches equates to between a 2-year storm and a 5-year storm which means that this type of storm would statistically occur between 2-5 years. The longer return frequency of a storm, the bigger the storm is; therefore a 5-year storm has greater volume than a 1-year storm.

Mr. Smith said that there are specific rainfall amounts that match up with each of the 1-, 2-, 5-, and 10-year storms. The number of inches of rain for each event is used to determine how flows are controlled and this shows how much water will come through for each year storm.

Councilor Flynn said that it would be helpful to find out how many 1-year storms have occurred over the past five years. Mr. Gross said that there have only been two storms during that period of time according to MDC data. Mr. Gross said that there have been discharges into the Cove more than twice during that time.

Senator Fonfara said that the main concern of the residents of Wethersfield is whether or not there is anything going into the Cove and not what a 1-year, etc, storm is. They want to clearly know how many times they will see discharge into the Cove.

Mr. Smith said that this can be done; however it is difficult to determine when to stop estimating permutations and combinations of storms. Models are calibrated to adhere to design standards of 1-, 2-, 5-, and 10-year storms.

Councilor Fitzpatrick asked if a 1-year storm is measured by length of time, amount of rainfall, or a combination of the two. Mr. Gross said that it is measured by intensity and duration as well as the total amount of rainfall. It is a complex function to factor.

Councilor Morin said that there is a lot of overflow into the Cove and it doesn't matter if the storm registers as a 1-year storm or not. He would like to know what the minimum event is to create an overflow. This is what needs to be addressed.

Both Representative Guerrera and Councilor Cascio left the meeting at this time (7:00).

Mr. Smith said that data can be compared in terms of the different volumes in comparison with the 3.6 million gallons that would be contained with Alternative B to determine how many times the 3.6 million gallons would be exceeded.

Councilor Morin said that he is frustrated with the redundancy of information provided.

Chairperson Czernicki said that Council, at some time, has already requested that information be provided as to how many storms occur each year that result in CSO's.

Councilor Sassano said that this information was provided, in written form, to Council members a couple of years ago. He said that each time a .5 inch rainstorm occurs there is 4 million gallons of CSO into the Cove. There are approximately 30-40 such events per year.

Councilor Flynn said that it would be useful to pick a period of time and apply each of the Alternatives to that same period of time and determine what the outcome would be. He does not see how Phase 1, once completed, will improve the water quality or overflow to the Cove. There seems to be nothing to show that there will be zero sewage overflows to the Cove.

Mr. Gross stated that approximately 52% of the overflow to the Cove comes from Wethersfield and the remaining 48% comes from Hartford. The bacteria concentration for CSO's ranges from a similar magnitude as storm water to up to fifty times more than what comes from urbanized storm water. The concentration of bacteria in storm water can

actually be up to 100 times more than that in CSO's.

Mr. Gross returned to the explanation of Alternative B. He said that with this Alternative, some of the CSO gets treated at the treatment plant. This Alternative does nothing for the storm water quality. Alternative B is feasible and reliable; however, it is more complex to construct and operate. The siting of the storage tank may be difficult. The site acquisition process and scheduling could be relatively long. The cost is approximated at \$17.3 million which is less than Alternative A. The operation and maintenance costs are moderate, but will be higher than Alternative A as the storage tank will require periodic pumping.

Alternative C is similar but is designed to do more with a bigger storm. The storage tank will be larger to accommodate most of a 10-year storm and all of a 1-year or 5-year storm, yet there is still no storm water quality improvement. This Alternative will improve water quality as more CSO gets treated at the treatment plant. This Alternative is feasible yet more complex to construct and operate as there are two tanks instead of one. The siting is also more complex because of the two tanks instead of one. The cost is approximated to be \$25.7 million. The operation and maintenance costs are moderate but will require the pump out of two tanks.

Alternative D takes into consideration the MDC's completion of Phase 1 CSO Abatement. This Alternative will include a study to understand the quality and quantity of storm water and waste water going into the Cove. The MDC would be held, at a minimum, to no discharge in CSO's in a 1-year storm. Further objectives would be based on a better understanding of the water quality. EPA policy looks for the water quality results and whether we are meeting the standards.

Councilor Hemmann asked if this isn't what Phase 2 is for; to do studies and come up with a plan.

Mr. Gross said that Phase 2 of the Storm water Plan is necessary to better understand the quality of the storm water and what our resources are. We then have five years to implement the plan. One problem with the plan is that much of the drainage area is in Hartford. Hartford needs to implement the same plan to tie in with Wethersfield and the MDC. Mr. Gross said that by controlling CSO's, the odor and air quality issue will also be better controlled.

Alternative D also provides more information to achieve water quality standards. A goal of this Alternative will be to improve water quality from both CSO's and storm water. The study could be relatively quick; however, the recommended steps could take years to implement and accomplish. The cost of this Alternative is hard to determine. It could cost from \$.5 million to \$2 million.

Councilor Morin said that the industrial discharges are a serious matter to consider. The DEP really only investigates when there is a complaint. The DEP states that the water quality is poor when it rains. Phase 2 will certainly help this situation, but it is a long-term and vague solution.

Mr. Gross said that a community will decide what it wants to do with the information derived from the Phase 2 study.

Alternative E provides for a new pipeline to the Connecticut River. This will involve a major CSO pipeline to the River which will bypass the Cove. This would require treatment and pumping of CSO's. This Alternative would definitely be effective in reducing overflows to the Cove. Some overflows could occur during very large storms. The water quality would improve due to the bypassing of the Cove. Due to tidal cycles, some discharge could flow back into the Cove. The chances of this are limited. Alternative E does not include any storm water improvement. This Alternative is the most complex of those presented as it includes a lot of piping and treatment. The use of existing MDC outfall may or may not be feasible, but if used would require complex modification of effluent pumping station. This Alternative would meet with very significant regulatory hurdles which may not be approvable.

Councilor Morin said that the Regulatory Agencies would not be open to any discharge into the River and would like it explained how the EPA allows East Hartford's infusion into the River as well as Narragansett's into Narragansett Bay. The treatment plants are not fail-proof and discharges could occur. Councilor Morin asked if there is a way to compare the storm water (sanitary) to the CSO's (non-sanitary) and see which is actually more detrimental to the Cove. He verified with Mr. Gross that it is almost impossible to rid the Cove entirely of storm water flows. Mr. Gross said that it would certainly be a plus to rid the Cove of illicit discharges. Councilor Morin asked how we address the issue if the

discharge into the River is not permissible.

Mr. Smith said that the issue is for what solution a permit can be obtained. We must comply with the clean water standards for performance and quality. It has been stated by State legislators that we aren't even to request money if the DEP, MDC, the Town, and others do not agree on what is to be proposed. The DEP will not agree unless the proposal meets clean water standards. Discharging the sewage to the River will not meet these standards. Councilor Morin claims that the DEP has been allowing this to happen for quite a while. Mr. Smith said that he can prepare any Application that Council requests. The question is whether there is funding for the Application and how concerned is the Council about the probability of success.

Chairperson Czernicki said that the Council could cling to a certain standard and as a result spin its wheels and waste time.

Mr. Smith said that the MDC Board has to sign for the permit. If the MDC Board cannot agree, there will be no document to submit.

Councilor Hemmann verified that if Alternative E is considered for pumping out to the River, there would still be 320,000,000 gallons of storm water into the Cove. Mr. Gross said that this is correct. Councilor Hemmann said that this Alternative does not address any of the storm water issues nor the pollutants entering the Cove in this manner. Mr. Gross said that Alternative D would tackle both issues of storm water overflows and CSO's.

Councilor Gardow clarified that Alternatives B,C,D & E would leverage the \$10 million already obtained. Phase 1 would be included in each. The question is if Council will ask to leverage the \$10 million for Alternative A which finishes Phase 1 and continues with the MDC's plans or to finish Phase 1 and continue with Alternative B,C,D or E. Councilor Gardow asked Mr. Gross what his recommendation is. Mr. Smith said that an application can be prepared for any project that the Council decides to pursue.

Chairperson Czernicki said that first the Council would need to know the challenges involved with siting a tank or tanks. This would probably need to be discussed in an Executive Session.

Councilor Morin said that there are two one-million gallon tanks along Route 20 near Bradley Airport. He said that the slopes and tanks are huge. He likes the tank alternatives; however, he wonders where in the south end of Hartford these tanks could be accommodated.

Chairperson Czernicki said that Alternatives B & C stipulate that nothing will be done until the MDC develops the LTCP.

Mr. Smith said that if we find the funding source, the MDC will go ahead with the project.

Chairperson Czernicki asked if Alternative C would have accommodated the heavy rainstorm that occurred just a few days previously. She was told that it would have accommodated it with the Phase 1 completed.

Town Manager Bonnie Therrien asked Mr. Gross how far along the MDC is with the Consent Order. Mr. Gross said that the DEP reported that the MDC is on schedule and will go ahead with a few items.

Councilor Gardow said that Alternative E looks very easy; it is actually the most difficult as far as permits, logistics and many other variables. Mr. Gross said that there is a siting factor with the pipe to the River in terms of where the treatment would take place. There is a limited amount of space on the MDC Treatment Plant grounds. Councilor Gardow asked if the tanks are made of concrete and Mr. Gross said that they are. Councilor Gardow asked how much area a 4.1 million gallon tank would take up. Mr. Gross said that the area would be approximately 200 x 200 square feet with a 15' to 20' depth.

Representative Doyle asked why there is no option for storm water treatment with the tanks. Mr. Gross said that the idea with storage is that it gets pumped in for treatment. The tanks proposed are for combined sewage, not the storm water. Mr. Gross said that the CSO is all from Hartford; there are no combined sewers in Wethersfield.

Councilor Cascio asked Representative Doyle if there is a possibility of obtaining additional funds for this Cove project. Representative Doyle said that nothing is being done at the moment as he is waiting for Council to decide on the next move. He will fight for additional funding for this project once there is a plan set in place.

Chairperson Czernicki asked if it is a realistic expectation that there will ever be clean, drinkable water in the Cove. Mr. Smith said this is not a realistic expectation. This is not the current classification for the water in the Cove.

The Town Clerk read into the minutes a letter received from the Wethersfield Involves Neighbors Association and residents Steven Andrea, Daniel DeCourcy, Richard Huntley, Leigh Standish, Sheila Wells, and Denis Walter. In summary the letter stated that "The time for tending to this tired old path has ended. We have advanced a roadmap for Council to follow that has a reasonable probability of ending sewage in the Cove. The current direction will not do so under any circumstances. We support a resolution for the town to enter into suit under the Connecticut Environmental Protection Act for an injunction to stop this unreasonable pollution in our Cove. No other position from our town's representatives will suffice."

## **ADJOURNMENT**

At 7:50 p.m., Councilor Cascio moved "**TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION: MDC AND REAL ESTATE NEGOTIATIONS**" seconded by Councilor Flynn. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Fitzpatrick left the Executive Session at 8:32 p.m.

At 8:38 p.m., Councilor Gardow moved "**TO ENTER BACK INTO THE REGULAR MEETING**" seconded by Councilor Flynn. All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-0.

At 8:38 p.m., Councilor Flynn moved "**TO ADJOURN THE MEETING**" seconded by Councilor Morin. All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-0.

Dolores G. Sassano  
Town Clerk