

**MINUTES OF THE
REGULAR MEETING OF MARCH 13, 2012**

WATER COMMISSIONERS PRESENT:

Mr. James E. Kelleher, Acting Chairman
Mr. John S. Lovewell, Water Commissioner

EWD STAFF PRESENT:

Mr. Shane A. Ben David, Foreman
Mr. Fred R. Domont, Water Superintendent
Mrs. Pia Webster, Administrative Assistant

MEETING CALLED TO ORDER:

The Board of Water Commissioners of the Town of Edgartown held their Regular Meeting on Tuesday, March 13, 2012, at 4:00 p.m. at the offices of the Water Department located at Fifty-Eight Kavanagh Way, Edgartown, Mass. At 4:03 p.m Acting Chairman James E. Kelleher called the meeting to order, welcoming those in attendance.

APPROVAL OF MINUTES:

The Commissioners considered the **Minutes of the Regular Meeting of February 14, 2012**. Water Commissioner John S. Lovewell had a question about the Superintendent's observation in the fifth paragraph on page 3 that the elevations of the Oak Bluffs and Edgartown standpipes were the same and that Oak Bluffs Water District would need to install a gate valve before Edgartown could hook up to its water supply. "Oak Bluffs needs to put in a gate valve?" inquired Mr. Lovewell. Superintendent Fred R. Domont replied, "I feel it's necessary, so we can flush the water in both directions... [I]t's just been sitting there."

Mr. Domont added that this would not entail a great expense, perhaps just a half-day's labor and a \$1,200 or \$1,300 valve. Mr. Lovewell suggested that the Superintendent initiate a discussion with Oak Bluffs about installing the gate valve. Mr. Domont noted that the Oak Bluffs Water District was in a situation similar to the Edgartown Water Department's. Indeed, he related, the district was planning to paint their larger standpipe and demolish the smaller standpipe that they had used in the past as a standby during painting and rehabilitation projects.

Mr. Lovewell made a motion to approve the Minutes of the Regular Meeting of February 14, 2012 as written. Acting Chairman Kelleher provided a second, and the motion

carried unanimously by voice vote. (Chairman Robert L. Burnham did not attend this meeting.)

OLD BUSINESS:

**DISCUSSION: PROPOSED MUNIS BILLING SYSTEM;
CORRESPONDENCE WITH IT MANAGER.**

Mr. Lovewell said he had “a thought” on the series of e-mails exchanged between the Town of Edgartown’s Information Technology (IT) Manager, Adam Darack, and the Superintendent regarding the Munis utility billing system and updating various computers in the Department. “I read the memos,” he said, “and it’s really upsetting... I think we ought to cooperate with Adam so he can do what he has to do... Am I off base?” “Yes!” exclaimed Mr. Domont. Mr. Lovewell wondered why Mr. Darack could not come over to the Wintucket Control Center and “look around.”

The Superintendent tried to explain that no malice had been intended in his response to Mr. Darack. “*He’s* the one that made all the threats,” said Mr. Domont, adding, “I’m tired of them turning things around.” “I’m just pushing a friendly, reasonable relationship,” said Mr. Lovewell. Acting Chairman Kelleher recommended that the Board take up this matter at their next meeting, after Chairman Robert L. Burnham had returned to the Island.

Mr. Lovewell noted that there was one thing they could all agree on, which was that if the Water Department was being forced to accept a billing system it did not want, “we’re going district... If we *have* to, we *will*.” Acting Chairman Kelleher suggested, as Mr. Lovewell had, that the IT Manager come to speak to the Board before they spent any more time on the subject. “Adam’s a pretty reasonable guy,” he remarked. The Acting Chairman then requested that an appearance by Mr. Darack be on the agenda for the April Regular Meeting.

CHIEF WATER OPERATOR POSITION.

The Superintendent stated that he was “very disappointed” with the lack of results after his efforts to establish the Assistant Superintendent position. Back in 2003, he recalled, the Department had asked the Personnel Board to upgrade the Foreman’s position to Grade 10, a request that had also been turned down. It was now 2012, and the Personnel Board was *finally* recognizing the Chief Operator position but *still* not the need for an Assistant Superintendent. “I think it’s another slap in the face,” declared Mr. Domont.

Mr. Lovewell wondered what would happen to the Foreman position if the Department had a Chief Operator. “It won’t be funded,” said Mr. Domont. Mr. Lovewell asked if current Foreman Shane A. Ben David would be the Chief Operator now. “It has to be voted at Town Meeting,” said the Superintendent. Mr. Ben David, who was present, explained that he would still be in charge out in the field. He then thanked the

Commissioners and the Superintendent for “going to bat for me” at their most recent meeting with the Personnel Board.

STANDPIPE REHABILITATION FUNDING (USDA).

The Superintendent reported that he had been in talks with USDA Rural Development Area Loan Specialist Ronald M. Koontz regarding the possibility of loan and grant support for the planned rehabilitation of the Mill Hill Standpipe. *[For background see pages 2-6 of the Minutes of the Regular Meeting of February 14, 2012.]* Mr. Koontz had told him, Mr. Domont related, that the Department was eligible for funding that was 75 percent loan and 25 percent grant. “That’s joyous news,” remarked Mr. Lovewell.

Acting Chairman Kelleher asked the Superintendent if he knew of any department or district that used the mixers described in the February 14 meeting by Leo Yuskus of Haley and Ward. Mr. Domont said that he would talk to some water superintendents on the Cape about this. So far, he added, the Edgartown Water Department had found no need for such equipment.

WATER DISTRICT.

Referring to the process of establishing a Water District, the Superintendent said, “Depending on what my status is in the near future, I would recommend that ... if the Commissioners feel strongly enough about it, we get a petition going... That’s the way we’ve got to go.” “I do see additional expenses in a Water District,” noted Mr. Lovewell. But, he continued, “now they have this Munis thing they’re trying to jam down our throats.” So perhaps the answer *was* to go with the Water District, though there were, admittedly, some hurdles to clear, concluded Mr. Lovewell. The discussion wound down.

CREIGHTON REPORT RECOMMENDATIONS.

Acting Chairman Kelleher related that he had been advised not to take up the agenda item involving the Creighton Report. “Creighton Report, what is that?” asked Mr. Lovewell. Mr. Domont answered, “That was the investigation of a report on me done by an employee here.” “That’s enough,” said Mr. Lovewell, now understanding. Administrative Assistant Pia Webster pointed to a copy of e-mail correspondence in the meeting packets from Town Administrator Pamela M. Dolby indicating that the report was still not a public document.

“So let’s just move on,” suggested Acting Chairman Kelleher. “It’s not *her* decision whether we discuss it or not,” argued the Superintendent, continuing, “It’s *our* decision. You have to understand, it’s *our* decision whether we want to bring it up or not.” Then Mr. Domont said, “What I’m going to do is, I’m not going to discuss it. I *will* talk to my legal counsel... *I’m* not the one in trouble, believe me.” He was, in fact, trying to *clear up* some trouble, he explained.

ADMIN ASSISTANT’S TRANSFER TO WASTE WATER DEPARTMENT.

Mr. Domont related that Admin Assistant Webster had been transferred to work in the Waste Water Department half-time. “And I congratulate her and wish her all the best,” he said. “However, I will be advertising when I get back from vacation for a full-time ... Administrative Assistant I, because that’s what the staff[ing] need is.” Responding to a query from Mr. Lovewell, the Superintendent explained that Mrs. Webster was currently working only half-time in the Water Department.

There was some discussion about how this situation had come about, with the Admin Assistant having been asked to help out in the Waste Water Department by the Town Administrator. “The *Department head* of any Department hires and fires personnel in that Department, with the exception of the Department head [himself],” Mr. Domont reminded the Commissioners. After still more discussion, the Superintendent reiterated, “I’m going to advertise when I get back from vacation for an Administrative Assistant...”

Acting Chairman Kelleher posed some questions about the Department’s staffing needs, which the Superintendent answered. Mr. Domont noted that although Mrs. Webster’s transfer only involved working 20 hours a week in the Waste Water Department, “I’m sure with the amount of things that are going on in Waste Water, I’m sure ... there’ll be more hours for her...”

NEW BUSINESS:

BARBATO CONSTRUCTION PAYMENT REQUEST.

The Superintendent explained that a pay requisition request from Barbato Construction Co., Inc. related to Change Order No. 6 of the Wintucket Control Center project – that is, the SCADA system installation – remained unpaid. “I’m going to recommend we don’t pay the last \$6,000,” he said, adding that this was the final pay requisition request. His reason was that Foreman Shane A. Ben David was not happy with the operation of the SCADA system. So until that system was “exactly what we want,” the Superintendent concluded, the Department would hold back payment.

VOTE: CARRYOVER OF SUPERINTENDENT’S BENEFIT DAYS.

Mr. Domont asked the Commissioners to approve the carrying forward of unused vacation days into his new employment year, which would begin on March 15. There was some discussion about whether that figure should include the 20 vacation days that would be awarded upon the completion of the current employment year, as well as the 54 vacation days that remained unused from the current and previous employment years. The Superintendent thought that the additional 20 days ought to be included.

Mr. Lovewell made a motion that the Superintendent be permitted to carry forward 74 vacation days into his next employment year, effective March 15, 2012. Acting Chairman Kelleher offered a second, and the motion carried unanimously by voice vote.

The Board discussed briefly the possibility of holding the April Regular Meeting on the first week of the month, since the second Tuesday fell on the same day as Annual Town Meeting. No definite decision was made.

ADJOURNMENT:

There being no further business, Acting Chairman Kelleher asked for a motion to adjourn. Mr. Lovewell made a motion to adjourn, seconded by Mr. Kelleher. The motion carried unanimously by voice vote, and the Acting Chairman adjourned the Regular Meeting at 4:48 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

**BOARD OF WATER COMMISSIONERS
TOWN OF EDGARTOWN**

James E. Kelleher, Acting Chairman

John S. Lovewell, Water Commissioner