

**TOWN OF EDGARTOWN  
BOARD OF WASTE WATER COMMISSIONERS  
MINUTES OF THE  
REGULAR MEETING OF JULY 23, 2020  
CONDUCTED VIA ZOOM TELECONFERENCE**

**WASTE WATER COMMISSIONERS PRESENT:**

Mr. Glen S. Searle, Chairman  
Mr. Scott Ellis, Commissioner  
Mr. Sean E. Murphy, Commissioner

**EWWD STAFF PRESENT:**

Mr. William G. Burke, Facilities Manager  
Mr. Joseph Rock, Chief Operator  
Ms. Jennifer Smyth, Department Assistant, Meeting Host  
Mrs. Pia Webster, Administrative Assistant

**OTHERS PRESENT:**

Ms. Elizabeth G. (Libby) Baldwin, P.E., Tighe & Bond  
Mr. Ian B. Catlow, P.E., Vice President, Tighe & Bond  
Mr. John J. Dropick, Resident, Chappaquiddick  
Mr. Douglas R. Hoehn, Principal, Schofield, Barbini & Hoehn, Inc.

**PREFATORY REMARKS**

This being a teleconferenced meeting, Admin Assistant Pia Webster read into the record a prepared statement titled "Introduction to Teleconference," which outlined the governor's Executive Order and the current State of Emergency declared in the Commonwealth due to the Coronavirus Pandemic; and included cautionary words about the public nature of the video conference, as well as the means by which those listening in could obtain copies of the materials being discussed.

**MEETING CALLED TO ORDER:**

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, July 23, 2020, at 3:00 p.m. via the Zoom teleconference app. At 3:01 p.m. Chairman Glen S. Searle called the meeting to order and read into the record a written statement titled "Teleconference Meeting Ground Rules." Public comment would be allowed in this meeting during the New Business section, the Chairman announced.

**OLD BUSINESS:**

**UPDATE: IAN B. CATLOW ON PROGRESS OF CIP PROJECTS.**

Ian B. Catlow, P.E., Vice President of Tighe & Bond, related that he had e-mailed over plans for the **Dunham Road Station Upgrade and Chase Road Station Upgrade Projects** for Facilities Manager William G. Burke and Chief Operator Joseph Rock to examine. He was looking for approval to put the projects out to bid despite two “hanging chads,” as he described them, namely, the Temporary Construction Easement for the Dunham Road project and the Mass Department of Transportation Permit application still pending for the Chase Road project.

Mr. Catlow stated that the Temporary Construction Easement was a simple matter that would be wrapped up easily and soon. The Mass DOT Permit paperwork had been returned with questions about the use of pavement in an area where valves would be installed; Mass DOT maintained that drivers could think the paved area was a turning lane. Neither element was a reason to delay putting the project out for bid, said Mr. Catlow.

Waste Water Commissioner Scott Ellis made a motion that the Dunham Road Station Upgrade and Chase Road Station Upgrade Projects be put out to bid. Waste Water Commissioner Sean E. Murphy provided a second. Chairman Searle conducted a Roll Call Vote, with the following result: Mr. Murphy, Aye; Mr. Ellis, Aye; Mr. Searle, Aye.

Mr. Catlow then mentioned that with the departure of former Chief Procurement Officer Bryan Belanger, he had made a point of speaking with Juliet Mulinare, who was filling in as Procurement Officer part-time. Ms. Mulinare had requested that the Department send over a copy of the Request For Bids advertisement for the aforementioned projects before running it.

In other progress, Mr. Catlow reported, crew from Robert B. Our Co., Inc. had returned to the Facility on July 3 to adjust the **Scum Pump Installation**. Everything was running well now, he said. Yesterday he had received a Notice of Substantial Completion for that project, and he was waiting to resolve a couple of issues before approving the final Pay Requisition. He asked Department Assistant Jennifer Smyth if Damon Burchill had copied her on that Pay Requisition; Ms. Smyth answered no. Mr. Burchill, he said, was looking for \$41,000, and Mr. Catlow thought Mr. Burchill was overbilling a bit.

At this point Mr. Catlow introduced his colleague Elizabeth G. (Libby) Baldwin, who was working with him on the **Rapid Infiltration Beds Project**. Mr. Catlow related that it would cost \$136,000 to pull the material out of the basins. The question remained of where the material would go. He assumed, he said, it would not go off-Island, nor would replacement material be brought in.

**OTHER BUSINESS:**

**FACILITIES MANAGER’S REPORT.**

Mr. Burke reported on his progress investigating the leasing of a **MACK Granite 64R Truck** for the purpose of transporting sludge cakes to the incineration facility off-Island. He had heard nothing back, he said, from the Steamship Authority. As for insurance, he explained, a Department paid the same for an F150 as they would for a fire truck. The Department had one employee with a CDL for which the physical requirement had not been kept up; and Highway Superintendent Allan DeBettencourt had said he could spare one driver on Saturdays during the off-season, when the

incineration plant, Synagro, was open. Mr. Burke would continue to pull together the numbers, but as far as he could see, leasing the truck would result in a savings of about \$80,000 a year. He would contact Human Resources Director Kim Lucas about any changes in the Job Description of a Waste Water Department employee driving these loads, which would probably involve some kind of stipend.

Commissioner Murphy wanted to know if the Highway Department would have a driver to spare only in the off-season. Mr. Burke said that was the case but the lease would not begin until the off-season and this would give Plant Operator Jason Flanders a chance to get his license in order and active again. The Waste Water Department would be paying the Highway Department employee time-and-a-half on Saturdays, he said, and ideally, he added, the Waste Water Department should have two employees with CDLs. Admin Assistant Webster asked if hazardous waste ferries ran on Saturdays. Mr. Burke replied that the sludge cakes were not hazardous waste.

The Facilities Manager reported that Cole Powers continued to work on **electrifying the old shed**. A Raynor door had been installed, and a loft would be built on top for extra storage. He had spoken to Town Administrator James Hagerty about securing a service contract for electrical work, since he figured the Department would go over \$25,000 each year in that area.

A **pump at the Meshacket Pump Station** had blown up, continued Mr. Burke. He was paying an extra 10 percent to speed up getting a replacement pump that he would be picking up the following Wednesday and installing on Thursday. Also, the Meshacket Station needed a fence around it, per Homeland Security requirements, he said.

#### **CHIEF OPERATOR'S REPORT.**

Chief Operator Rock reported that the flow rates were "ramping up," although the Plant was still way behind where it had been at this point the year before. The number of service calls was rising, he said, as second-home owners returned to the Island. Jason Flanders had passed his Grade 4 exam; and they had had two fire alarms in the garage, the second one due to a leaky welding canister.

On June 26 Keith Fenner had started the **Bed Valve Replacement Project**, said Mr. Rock. He had done a good job, he added, protecting the erosion beds in the process. And on June 30 he had sent in the tie cards and customer information for the GPS integration project.

#### **FINANCIAL REPORTS.**

Admin Assistant Webster referred those present to a report titled "FY20 Operating Budget Expenditures – Final," to which she had added a column incorporating the encumbered amounts of \$36,380.00 under 530016 Special Services and \$16,400.00 under 587000 Replacement Equipment. With those figures factored in, the Total Combined Expenditures section of the FY20 Operating Budget had closed at 99.4 percent spent, with \$3,557.99 available. As for the Salaries & Wages section, staffing gaps had left \$124,470.93 available, which the Department had agreed in April to leave to the Town to disburse.

Turning to the "Final Fiscal Year 2020 Income and Expense Summary," Mrs. Webster showed Total Income of \$1,987,555.78 and Total Expenditures of \$1,877,168.55, resulting in a Net Surplus of \$110,387.23.

**APPROVAL OF MINUTES.**

Commissioner Murphy made a motion to approve the **Minutes of the Regular Meeting of June 25, 2020**, seconded by Commissioner Ellis. There being no discussion or comment, the Chairman conducted a Roll Call Vote, with the following result: Mr. Murphy, Aye; Mr. Ellis, Aye; Mr. Searle, Aye.

Commissioner Murphy left the meeting at this point – 3:34 p.m. – since he had conflicts with the 26 Orr Lane Sewer Extension Project and the Hob Knob Inn Expansion Project.

**NEW BUSINESS:**

**REPORT: EDGARTOWN YACHT CLUB E-ONE ISSUE.**

Chief Operator Rock reported on a situation at the Edgartown Yacht Club, where on a call in early June he had found two bad EQD connections and one bad EQD cable, conditions caused by excessive condensate and cooling water flowing into the E-One unit. When Mr. Rock informed maintenance manager Ezra Agnew that sewer regulations forbade such channeling, Mr. Agnew told the Chief Operator that during the Yacht Club upgrade, the Town had directed the EYC to cease discharging the condensate and cooling water into the harbor. Commissioner Ellis mentioned that it was the Plumbing Inspector who had told the Yacht Club staff to channel the condensate into the E-One pump.

In any event, continued Mr. Rock, he had e-mailed Conservation Agent Jane Varkonda to find out whether there was some law on the books that would prevent the Club from discharging the cooling water and condensate into the harbor; as yet he had not heard back. If harbor discharge was out of the question, they would “work out something,” concluded the Chief Operator.

**REPORT/DISCUSS/POSSIBLE VOTE: 26 ORR LANE SEWER EXTENSION.**

Douglas R. Hoehn, principal with Schofield, Barbini & Hoehn, Inc., introduced himself and said he was there to represent Bernard Chiu, who owned 20 and 26 Orr Lane (Map 20B, Lots 76.4 and 76.3, respectively). No. 20 had a house and pool on it; No. 26 was basically vacant, with a small cottage-studio. Mr. Hoehn described a 2003 plan by one of the previous owners of the lots, James Curtis, to extend the sewer line from where it then ended on Pease’s Point Way North to the end of that street’s extension, then down Braley’s Way, stopping at what was then called Third Street (Eel Pond Road). Mr. Hoehn said that Mr. Curtis thought the sewer line already ran to the vacant lot at 26 Orr Lane. So they believed that the vacant lot was part of the sewer line expansion plan of 2003, and now they wanted to make sure that they would be allowed to tie in that property to the Town’s sewer system.

Chairman Searle asked Mr. Hoehn if 20 Orr Lane was tied in. When Mr. Hoehn said he could not remember which was which, Admin Assistant Webster interjected that 20 Orr Lane was in fact tied in. She then referred the Commissioners to “Plan of Land in Edgartown, Mass. Prepared for Caroline M. Sharp, Trustee of the Sharp Curtis Nominee Trust,” which she had included in their meeting binders; she indicated the respective layouts of the lots in question. The Chairman wanted to know if anyone else on the street was going to tie in. Mr. Hoehn said that nobody was actively trying to tie in that he was aware of; when they brought in the line, approximately 12 parties had

tied in. “On Braley’s Way,” clarified Admin Assistant Webster, who directed the Commissioners to a site plan showing the original lots with the names of the parties who contributed to the tie-in program.

As to the question of whether there was already a stub at 26 Orr Lane, Chief Operator Rock related that he had visited the properties the day before, looking – to no avail – for the concrete bounds specified in the White Bros. Lynch Corp. agreement to mark the lot-line pipes, although they might very well be overgrown at this point. He had also gone to Braley’s Way and was unable to identify any concrete bounds there either. Mr. Hoehn said that he thought it was pretty clear that Mr. Curtis intended for both of his lots to be tied in, since he was the one who had actually organized the whole extension project and the two lots had already existed at the time the project was organized.

Admin Assistant Webster suggested that the Board members might want to delay voting on this matter, since she had only e-mailed the staff reports on Orr Lane and material on the concept of existing development envelopes the day before. She wanted to be sure, she said, that yes or no, their decision had a sound basis and a consistency with earlier decisions. Feeling they were on solid ground, the Chairman and Commissioner Ellis proceeded.

Chairman Searle and Commissioner Ellis agreed on several factors in favor of tying 26 Orr Lane in to the sewer system. The property abutted wetlands that lay along Eel Pond; and according to the Facilities Manager, the Braley’s Way sewer line could handle the additional flow. The Chairman asked the Chief Operator what he thought. Mr. Rock said that he agreed with Mr. Burke that the Braley’s Way line could handle the additional flow. He added that the reason the Commissioners were being asked to adjudicate was because of the agreement between the Department and the DEP regarding properties lying outside the Edgartown Great Pond Watershed.

Commissioner Ellis made a motion to approve the tie-in of 26 Orr Lane to the Braley’s Way sewer line since there was adequate flow and it was part of the original sewer project. Chairman Searle provided a second. The Chairman then conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

**REPORT/DISCUSS/POSSIBLE VOTE: EXPANSION OF HOB KNOB INN  
AT 124 & 128 UPPER MAIN STREET.**

Mr. Hoehn described himself as the “messenger” for the Hob Knob Inn expansion, a project in which he had not been involved. The Hob Knob, he said, was requesting an expansion of the original inn at 128 Upper Main Street from 17 to 20 rooms, as well as an expansion into the property next to it, 124 Upper Main Street, where Martin V. (Skip) Tomassian, Jr.’s law office was located. Mr. Hoehn said that Mr. Tomassian had had a sewer line run to his house many years before, although he had never tied in to the system. They would like to tie that property in now. Mr. Hoehn related that on that property were at least three buildings, with a total of seven bedrooms and one office. Once converted, 124 Upper Main Street would have 15 guest rooms, plus four employee bedrooms in the basement.

Chairman Searle wanted to know how many bathrooms were planned for the new and renovated structures on the properties. It seemed to him that the houses nearby already contained a lot of bathrooms, and he wondered if the sewer line could handle the additional flow that would be produced by the proposed expansion. Mr. Hoehn pointed to the plans by architect Patrick Ahearn,

which indicated bedrooms and bathrooms, although the exact number of bathrooms had not been counted up.

Admin Assistant Webster stated that a matter of concern for her related to Mr. Tomassian's property, which lay in the R-5 Residential Zone. According to the Waste Water Department's Bedroom Regulation, the 0.36 acre parcel qualified for five bedrooms; according to the Assessor's records, 124 Upper Main Street had five bedrooms. The Admin Assistant continued: Even if it were established that the lot did, in fact, have seven bedrooms, as Mr. Hoehn had said, seven would then be the maximum number of bedrooms that could be grandfathered in under the Bedroom Regulation, even with a tie-in to the sewer system.

The Waste Water Department had no records of there being a sewer lateral on the 124 Main Street property, Mrs. Webster went on. The Chief Operator could visit the site to explore that further. But it did not matter whether there was a lateral there or not, she stated. The property did not lie in a Business Zone; it was in an R-5 Zone and subject to the Bedroom Regulation.

The current Hob Knob Inn, at 128 Upper Main Street, was originally the Governor Bradford Inn, explained the Admin Assistant, and this use was grandfathered in when zoning was established. But 124 Upper Main Street would not be grandfathered in, she said. That was a residential use with a law office, just as a small doctor's office could be located in a residential zone.

Mr. Hoehn said that the Commissioners might offer an exception to the Bedroom Regulation. The Admin Assistant referred the Board members to her memorandum to them dated July 22, in which was quoted an excerpt from the Bedroom Regulation. She read aloud: "Now therefore, and in order to (a) fairly distribute such remaining capacity to and among existing and future residential users, and (b) further and support the Town's long-term goal of managing, protecting and enhancing the environmental health and quality of the Pond, the Commission hereby adopts the following regulation ..." The fair distribution of the Plant's capacity to residential properties, particularly to properties within the Great Pond Watershed, was written into the purpose of the Regulation, she said.

Mrs. Webster expressed surprise that the Hob Knob owner and the architect had not approached the Waste Water Department earlier to ask about the tie-in for 124 Upper Main Street. She said that when plans were brought to the Building Department, for instance, the contractor was sent for a signoff from the Waste Water Department first. The discussion continued. Then Chairman Searle made a motion to take the matter of the Hob Knob Inn Expansion Proposal under advisement and revisit it in the next meeting, seconded by Commissioner Ellis. The Chairman conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

**QUESTIONS RE: SEPTIC PUMPING FROM RESIDENT JAMES DROPICK.**

Chappaquiddick resident John J. Dropick had joined the meeting at 3:55 p.m. He wanted to know when he could expect to have regular maintenance pumping of his septic system. It was no good to say, he remarked, that he should wait until there was an emergency; then it would be too late. So he wanted a timeframe. The Facilities Manager related that in the past the Plant had been taking in too much septage and that a study was now being done to find out how much could be accepted without harming the Plant. So right now they were accepting five percent or less of the flow into the Plant as septage. He said they were looking at October to service Edgartown septic systems on a

maintenance basis. Then he provided Mr. Dropick with his phone number so they could continue their discussion outside the meeting.

**ADJOURNMENT**

There being no further business, the Chairman made a motion to adjourn the Regular Meeting, which Commissioner Ellis seconded. Chairman Searle conducted a Roll Call Vote, with this result: Mr. Ellis, Aye; Mr. Searle, Aye. The Regular Meeting adjourned at 4:14 p.m.

Respectfully submitted,

Pia Webster  
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS  
TOWN OF EDGARTOWN

---

Glen S. Searle, Chairman

---

Scott Ellis, Commissioner

---

Sean E. Murphy, Commissioner