

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF AUGUST 20, 2020
CONDUCTED VIA ZOOM TELECONFERENCE**

WASTE WATER COMMISSIONERS PRESENT:

Mr. Glen S. Searle, Chairman
Mr. Scott Ellis, Commissioner

WASTE WATER COMMISSIONER ABSENT:

Mr. Sean E. Murphy, Commissioner

EWWD STAFF PRESENT:

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

OTHERS PRESENT:

Mr. Ian B. Catlow, P.E., Vice President, Tighe & Bond
Mr. Timothy F. Creato, Creato Excavation
Mr. Joshua Flanders, General Manager, Bad Martha Beer

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, August 20, 2020, at 3:00 p.m. via the Zoom teleconference app. At 3:02 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.

NEW BUSINESS:

**REPORT/DISCUSS/POSSIBLE VOTE: TIMOTHY F. CREATO ON PROPOSED
7 PEASE'S POINT WAY SOUTH TIE-IN.**

Timothy F. Creato of Creato Excavation related that 7 Pease's Point Way South, which had two cesspools in the yard, had recently been purchased by two members of the Williams family. He had spoken to Chief Operator Joseph Rock about what options there were for tying in. The gravity main on Davis Lane was too far away; and there was also the pressure line headed off Main Street down Pease's Point Way South that stopped at the next corner, jogging left down Pent Lane. So the answer was to lay a line that would run about 60 feet from the corner of Pease's Point Way South and Pent Lane across the frontage of the Shiverick Inn at 5 Pease's Point Way South to the Williams property at No. 7.

Mr. Creato continued that he had spoken to Assistant Water Superintendent Shane A. Ben David about the water main running on that side of the street about 2 feet from the curb; he would cross over it, and run his line more toward the middle of the lane. Chairman Searle inquired about the number of bedrooms at the property. Mr. Creato answered that the owner had told him there were five bedrooms onsite, with three bathrooms. Commissioner Scott Ellis, who said he had been to the house, confirmed those numbers.

Mr. Creato stated that he thought in this particular case it would be better to trench than to drill directionally, since there were a number of unanswered questions about what lay underground in front of the Shiverick Inn.

Facilities Manager William G. Burke reported that he had visited the site three days earlier with Mr. Rock and Highway Superintendent Allan DeBettencourt. State law, he said, dictated that on horizontals you had to be a minimum of 5 feet from the water line Mr. Creato had mentioned; in Edgartown, he believed, it was 10 feet. There was a storm drain that ran between the curb and the water main; and the Highway Superintendent had no plans for or idea of the layout of that storm drain, which ran from the flag pole to the corner of Pent Lane. So Mr. DeBettencourt had set some conditions, with which Mr. Burke agreed: (1) work could not commence until at least November; (2) before he excavated, Mr. Creato would put a sounding device down the storm drain at the flag pole and locate and document its siting for the Town; (3) if he excavated in front of 5 Pease's Point Way South, he would have to replace the curbing there (which was not up to code) with granite.

Mr. Creato responded that he would not have a problem with Conditions (1) and (2). He did not think Condition (3) would factor in, since he would not be cutting any curb. Mr. Burke disagreed, noting that he thought there was a stretch of that curb which would be disturbed. Chairman Searle directed Mr. Creato to discuss this with the Highway Superintendent and follow his instructions. Then the Chairman made a motion to approve Mr. Creato's proposal to tie in 7 Pease's Point Way South to the sewer system, subject to the three conditions stated by the Facilities Manager. Commissioner Ellis provided a second. Chairman Searle conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

**REPORT/DISCUSS/VOTE: TIMOTHY F. CREATO ON PROPOSED TIE-INS –
83 & 89 PEASE’S POINT WAY SOUTH.**

Mr. Creato related that both 83 and 89 Pease’s Point Way South, on which were sited the Tracker Home Decor building (No. 89) and the residence next door, belonged to Tommy Fisher. There were two options for tying into the pressure main that ran down the road: run the line to the northern frontage bound of 83 Pease’s Point Way South, where the sewer main in fact then crossed over to the east (odd-numbered) side of the road; or run the line to just where the two properties met and then cross the road at that point over to where the sewer main ran on the other side. He preferred the second option, he said, since a utility pole was located at the first juncture, as well as a water main. The properties would share the same lateral, he noted; and he would coordinate the work, which would not start until November, with the Highway and Water Departments.

Facilities Manager Burke reported that it appeared from records he had perused that both properties were part of the sewer development plan along Pease’s Point Way South, with the line able to support up to 18 properties and with 10 tied in at this time; so capacity was there. Again, Mr. Creato would need to coordinate with the Highway Superintendent and adhere to any conditions Mr. DeBettencourt might set. The single lateral idea was good; so the run would be kept on private property until about the last 20 feet. Because Mr. Creato would be crossing the street, Mr. Burke stressed, direction from the Highway Superintendent was key.

Commissioner Ellis made a motion to approve Mr. Creato’s request to tie in 83 and 89 Pease’s Point Way South according to the plan Mr. Creato had proposed, coordinating with the Highway Superintendent and adhering to any directives and conditions issued by Mr. DeBettencourt. Chairman Searle provided a second. The Chairman then conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

**DISCUSSION: INCLUSION OF WASTE WATER COMMISSION
IN TOWN BOARD MEETING NOTIFICATIONS.**

Admin Assistant Webster referred those present to her memorandum to the Board dated August 11 titled “Proposed Inclusion in Town Board Notifications,” which, she said, had been motivated by several instances in the past few years of proposals before other Town Boards, the outcome of which might have been affected by Waste Water Department regs or Waste Water Commission decisions, had the Department been notified of the proposals. The memo described in some detail four examples. She stated that the next step was to talk to Town Administrator James Hagerty and Town Counsel to see if inclusion of the Waste Water Commission on Town Board notifications was a possibility. Chairman Searle said to go ahead and work on that; Commissioner Ellis agreed.

REPORT: DEFINING LIMITS ON E-ONE ELECTRICAL PANEL SERVICE.

Facilities Manager Burke described how the different members of the Waste Water Department crew had different abilities; as a result, customers with E-One grinder pumps received varying degrees of service, for instance, on the electrical panels. So we’re not servicing customers identically, he said. Moreover, Mr. Burke went on, no one on staff was an electrician, which could be a liability issue. He wanted to know if the Board members had concerns, he said. Also, he was

wondering if Ian Catlow of Tighe & Bond, who was in attendance, had anything to say, based on his experience working with staff from other New England towns.

Mr. Catlow related that in the Town of Sturbridge, when crew members went to disconnect the panel to pull the pump, they did not mess with the internals of the panel for reasons of liability. He offered to ask around to see what approaches other Towns that used E-Ones took. Chairman Searle and Commissioner Ellis indicated that the Facilities Manager should look further into this matter and report back to them.

OLD BUSINESS:

UPDATE: IAN B. CATLOW ON PROGRESS OF CIP PROJECTS

Ian B. Catlow, P.E., Vice President, Tighe & Bond, reported that they were “a little bit behind” on the **Rapid Infiltration Beds Project** because various parties involved had taken vacations and they were still working out pricing on soil disposal; they should be able to wrap up shortly. Regarding the **Facility Upgrades and Septage Storage Project**, he and Facilities Manager Burke had been coordinating about the data they had been getting from the Plant, and Tighe & Bond had started “crunching a few numbers” on those projects as well.

Moving on to the bids process, Mr. Catlow related that thus far they had had pretty good interest in both bid packages, with four electrical contractors and five general contractors who had full plans for the **Dunham Road Station Upgrade and Chase Road Station Upgrade Projects** and four electrical contractors and four general contractors with full plans for the Facility Upgrades and Septage Storage Project. The bids for the electrical subcontractors would be opened on August 26 and would be covered by his Tighe & Bond colleague Daniel Roop, he added.

Also, continued Mr. Catlow, the following day Tighe & Bond would be issuing an addendum that would answer questions that had come up about the Requests For Bids. The general bids would be tentatively opened on September 9. Finally, Mr. Catlow said, some of the names of the prospective bidders were familiar, like Robert B. Our and Fall River Electrical, companies that had worked before with the Waste Water Department.

Admin Assistant Webster drew Mr. Catlow’s attention to the **Capital Programs Committee Six Year Estimate** form, something the Facilities Manager would have to submit in the next six weeks. Displayed on the Zoom screen was the form submitted by former Facilities Manager David Thompson on October 15, 2019. She explained the purpose of the form and noted that with all of the changes to Table 46 over the past six months, she thought that Mr. Burke would benefit from working with Mr. Catlow on this.

Mr. Catlow responded that once the bids were opened on September 9, he would have a much better idea of where they stood with regard what he referred to as “the first *tranche*” (FY2020-21). They would have to acknowledge, he continued, that the GHD report was going on five or six years old. So if they were going to take values out of that report for the purpose of capital planning, they should adjust them based on the *Engineering News Record* or some other index value to make sure they did not get caught short when they got billed.

The Admin Assistant described the months-long budget process from a preliminary meeting with the Capital Program Committee in September to the final joint meeting before the Financial

Advisory Committee and the Board of Selectmen in January. Mr. Burke asked if he could work with Mr. Roop on this if Mr. Catlow himself did not have time, since the Facilities Manager had worked with Mr. Roop on capital planning during his time in the Town of Webster. Mr. Catlow said that was fine, that he could pull Mr. Roop into the process more.

NEW BUSINESS [Continued]:

DISCUSSION/POSSIBLE VOTE: JOSHUA FLANDERS ON BAD MARTHA FARMER'S BREWERY KITCHEN.

Department Assistant Jennifer Smyth, who had inspected the premises and counted drains at the Bad Martha Farmer's Brewery, noted that manager Joshua Flanders was at the meeting that day representing the brewery in place of co-owner Jonathan Blum. Ms. Smyth said she had learned through receiving a Certificate of Occupancy from the Building Department that the brewery had done renovations at the property without first obtaining a Revised Commercial Sewer Permit. So she and Chief Operator Joseph Rock had done a site visit the week before, finding that the owners had moved the previously minimal kitchen operation up into a loft area on the second floor. The kitchen area was still small, with only the addition of pizza to their limited offerings. She and Mr. Rock had counted 17 drains, when the Department had been billing the brewery for 10 drains.

Commissioner Ellis said it was his understanding that paper plates were used. Ms. Smyth said this was correct; all they were washing were the cheeseboards and the pizza pans. Mr. Burke related that he had gone through the original paperwork for the brewery's application and that former Facilities Manager David Thompson's primary concern had been the beer waste and that aspect of the operation had not changed, having its own separate E-One chamber. Mr. Burke had considered the restaurant component based on per-seat water usage, and he did not anticipate any increase in water usage that would not be well within the limits of the E-One's capacity. He would leave it to the Commissioners if they wished to add a small BOD Charge, since the owners had exceeded the original kitchen plan beyond the approved one for only pretzels being served.

Asked for his opinion by the Chairman, Commissioner Ellis said it made sense to add a BOD Charge to the one already in place, as well as the seven additional drains that were counted during the inspection. Admin Assistant Webster suggested that part of any motion should be that the owners immediately apply for the Revised Commercial Sewer Permit, in order to bring the conditions of their operation up to date.

Manager Joshua Flanders said that he had not been part of the permitting process for the kitchen and that he had been told contractor Chad Nelson had conferred with staff at the Waste Water Department. Department Assistant Smyth said this had not been the case. Mr. Flanders said that the owners did not know that they were failing to get the necessary permit from the Waste Water Department; and they had, in fact, worked with the Planning Board, the Health Agent and the Building Inspector. So the oversight was definitely not intentional. Mr. Flanders added that they were brewing less onsite in Edgartown since establishing their brewery in East Falmouth.

Commissioner Ellis made a motion that Bad Martha Farmer's Brewery apply for a Revised Commercial Sewer Permit; that a second BOD Charge be added to the account; and that seven additional drains be added to the account. The Chairman provided a second, then conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

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

Chairman Searle asked if staff had heard from Doug Hoehn of Schofield, Barbini & Hoehn, Inc., who had represented the owners of the Hob Knob Inn in the July 23, 2020 Regular Meeting. Ms. Smyth said that Mr. Hoehn was not present and that the last time they had communicated, he had not been sure if the applicants had anything further to present to the Board. Asked by the Chairman how he felt about the proposal. Commissioner Ellis responded that there were definitely regulations about how many bedrooms you could have at 124 Upper Main Street, which the applicants wanted to convert from a use as a law office to an expansion of the inn at 128 Upper Main Street. All the Commissioners could say was, yes, the applicants could sewer 124 Upper Main Street, but they would have to adhere to the Bedroom Regulation, he said.

Commissioner Ellis then made a motion that the owners of 124 Upper Main Street could tie the property into the sewer system but that the number of bedrooms would be restricted to the parameters set by the Bedroom Regulation, that is, no more than the number of bedrooms currently onsite as verified by Department staff inspection. Chairman Searle provided a second, then conducted a Roll Call Vote, with the result as follows: Mr. Ellis, Aye; Mr. Searle, Aye.

OTHER BUSINESS:

FACILITIES MANAGER'S REPORT.

Facilities Manager Burke reported that the **Septage Shed** was powered; the door would be installed probably in early September; and he was ordering the laminated beams for the loft. Cole Powers had met with Kurt from ITS the week before to discuss the **SCADA System**, and they had agreed it would not be until October before they would begin work on that project. Flow was basically the same as last month, so the second Carrousel had never been turned on. And revenue from Septage Receiving was roughly half of what had been the year before.

On the issue of capacity, Mr. Burke spoke about the **GIS System** that was supposed to be done by the end of October. He had proposed to Mr. Catlow that upon completion they grab some data from the Assessor's Office and do an overlay of what was inside the Great Pond Watershed and outside the Watershed, and do a bedroom count, a stub count, and so forth. He said he wanted to have a firm grasp on it before speaking with Brian Dudley, MassDEP Cape & Island Wastewater Section Chief.

The Highway Superintendent had been on campus with the chipper, Mr. Burke went on. He had finally heard from the Steamship Authority about what would be involved in ferrying the **MACK Granite 64R Truck**; a 10 percent deposit would have to be put down with each reservation, he said. Plant Operator Jason Flanders had taken steps to reactivate his CDL; he had taken the written test but needed to take a road test. Still, backup drivers would be essential.

CHIEF OPERATOR'S REPORT.

In the absence of Mr. Rock, the Facilities Manager went through each item of the Chief Operator's Report. Commissioner Ellis wanted to know if the owners of Edgartown Meat & Fish could be required to have an annual inspection and pump-out to avoid being overloaded with grease, as had

occurred on August 1. Mr. Burke related that in fact the grease trap onsite had been cleaned earlier on the morning of the incident and he thought some of the discharge from the grease trap had been blown into the grinder pump. This was not the first time it had gummed up. Mr. Burke suggested having an escalating charge for the service visit if the crew was returning for the same problem time after time. After a brief discussion, it was agreed that the Facilities Manager and the Chief Operator would look further into the concept of escalating charges for service visits. Commissioner Ellis recommended also considering the imposition of a labor fee in such cases.

FINANCIAL REPORTS.

It being after four o'clock, Admin Assistant Webster said she would be quick. She pointed to the lopsided spending in accounts like Office Supplies and Miscellaneous Expenditures, due in most part, she said, to spending on computers and cleaning products. Regarding the FY20 Encumbered Expenditures, she noted that the Bed Valves Installation Project had been paid for.

APPROVAL OF MINUTES.

Commissioner Ellis made a motion to accept the **Minutes of the Regular Meeting of July 23, 2020**, seconded by Chairman Searle. There being no discussion or comment, the Chairman conducted a Roll Call Vote, with the following result: Mr. Ellis, Aye; Mr. Searle, Aye.

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 4:02 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN

Glen S. Searle, Chairman

Scott Ellis, Commissioner