



**TOWN OF EDGARTOWN**  
WASTE WATER DEPARTMENT  
330 WEST TISBURY ROAD  
P.O. BOX 1068  
EDGARTOWN, MA 02539

TEL. 508 627-5482  
FAX 508 627-5169

**TOWN OF EDGARTOWN  
BOARD OF WASTE WATER COMMISSIONERS**

**MINUTES OF THE  
SPECIAL MEETING OF FEBRUARY 5, 2019**

**WASTE WATER COMMISSIONERS PRESENT:**

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

**EWWD STAFF PRESENT:**

Mr. David Thompson, Facilities Manager  
Mrs. Pia Webster, Administrative Assistant

**OTHER TOWN STAFF PRESENT:**

Mr. James M. Hagerty, Town Administrator

**OTHERS PRESENT:**

Ms. June D. Ameen, Resident, 13 Duarte Circle  
Mr. Henry R. Fauteux, Resident, 9 Duarte Circle  
Mr. Michael A. Goldsmith, Attorney, Reynolds, Rappaport, Kaplan & Hackney, LLC

**MEETING CALLED TO ORDER:**

The Board of Waste Water Commissioners of the Town of Edgartown held a Special Meeting on Tuesday, February 5, 2019, at 3:00 p.m. in the Fred B. Morgan, Jr. Selectmen's Meeting Room at the Edgartown Town Hall, 70 Main Street, Edgartown, Mass. At 3:00 p.m. Chairman Glen S. Searle called the meeting to order. Also present from the Board were Commissioners Scott Ellis and Sean E. Murphy.

**NEW BUSINESS:**

**DISCUSSION/VOTE/SIGNING: WARRANT TO COLLECTOR AND COMMITMENT -  
FY19 SEWER USER CHARGES.**

Administrative Assistant Pia Webster related that the Commitment for the Fiscal Year 2019 Sewer User Charges was not ready yet due to some computer issues and that she would have it

completed the following week. Having said that, Mrs. Webster added, the next agenda item – Discussion/Vote/Signing: Abatement No. 1 – FY19 Sewer User Charges (Prorated Accounts) – would also have to wait until the billing was done.

**OLD BUSINESS:**

**REVIEW AND DISCUSSION OF REQUESTS FOR SEWER LINE EXTENSION FOR DUARTE CIRCLE.**

**OTHER BUSINESS:**

**POSSIBLE EXECUTIVE SESSION: FOR THE PURPOSE OF DISCUSSING STRATEGY WITH RESPECT TO THREATENED LITIGATION IF AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE LITIGATING POSITION OF THE PUBLIC BODY.**

Chairman Searle read into the record the titles of the next two items of business, as written on the agenda.

The Chairman then offered his motion: That the Board go into Executive Session for review and discussion of requests for the sewer line extension for Duarte Circle, under the authority of Massachusetts General Laws Chapter 30A, Section 20(a)(3), to discuss strategy with respect to threatened litigation if an open meeting would have a detrimental effect on the litigation position of the public body, if the Chair so declares, after a Roll Call Vote, and to obtain or receive the advice of counsel, if requested, and that the Board not return to Open Session. Commissioner Murphy offered a second.

Attorney Michael A. Goldsmith suggested that the Chairman to amend his motion to indicate that the Board *may return to Open Session*. Chairman Searle so amended his motion, and Commissioner Murphy seconded the amended motion. The Chairman asked the Admin Assistant for a Roll Call Vote.

Admin Assistant Webster conducted a Roll Call Vote, with the results as follows:

Chairman Glen S. Searle	Yes
Commissioner Scott Ellis	Yes
Commissioner Sean E. Murphy	Yes

“Unanimous,” said Mrs. Webster. The Chairman announced that the Board was going into Executive Session and that he would let those who were leaving know when the session was done. June Ameen and Henry Fauteux, both residents of Duarte Circle, left the meeting room. The time was 3:06 p.m.

Chairman Searle continued the Open Session at 3:52 p.m. Ms. Ameen and Mr. Fauteux rejoined the others. The Chairman informed those present that the Board had not made a decision that day; so the Board would probably meet sometime the following week. “We’ll let you know what day that is,” he said. So there’ll be another Special Meeting? asked Ms. Ameen. Yes, answered the Chairman, Wednesday, February 13, at three o’clock.

**ADJOURNMENT**


There being no further business, Commissioner Ellis made a motion to adjourn, seconded by Commissioner Murphy. The motion carried unanimously by voice vote. The Special Meeting adjourned at 3:53 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