

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

**MINUTES OF THE  
REGULAR MEETING OF JUNE 27, 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

**OTHERS PRESENT:**

Mr. Ed Charter, Agent for Josh Schwabel, 2 Dark Hollow Lane  
Mr. Michael Ditchfield, 80 Chase Road  
Ms. Christina G. Miller, 4 Dark Hollow Lane  
Mr. Stephen W. Miller, 4 Dark Hollow Lane  
Ms. Annette P. Smith, 6 Dark Hollow Lane  
Mr. Robert C. Smith, 6 Dark Hollow Lane  
Ms. Elizabeth S. Stone, 26 Dark Woods Road  
Mr. Robert W. Stone, 26 Dark Woods Road  
Ms. Anne D. Williamson, 10 Dark Hollow Lane, *et alii*

**MEETING CALLED TO ORDER:**

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, June 27, 2019, at a special time – 3:00 p.m. – in a special location – the Board Room on the Second Floor of the Edgartown Public Library, 26 West Tisbury Road, Edgartown, Mass. At 4:00 p.m. Chairman Glen S. Searle called the meeting to order. Also present from the Board were Waste Water Commissioners Scott Ellis and Sean E. Murphy.

**OLD BUSINESS:**

**UPDATE/DISCUSSION: DARK HOLLOW LANE SEWER EXTENSION.**

A number of residents of Dark Hollow Lane and its environs were present to comment on the proposal by Ed Charter, representing owner Josh Schwabel (2 Dark Hollow), to extend the Dark Woods Road

Sewer Main down the entire length of Dark Hollow Lane, ending in a terminal manhole.<sup>1</sup> Christina G. Miller of 4 Dark Hollow Lane said that she wanted to apprise the Commission members of the negative economic and environmental impact that she believed the sewer extension would have on the neighborhood.

There were two vernal pools nearby, Ms. Miller continued, one of them State-certified, surrounded by a large tract of land belonging to the Sheriff's Meadow Foundation. The installation of the sewer main would involve the clearing of many trees, something that would affect the environmental quality of the area adversely. In addition, if the main went in, the residents of Dark Hollow Lane would be obliged to tie in to sewer when their septic systems failed in the future, which was "a far more expensive" undertaking, she said, than replacing their septic systems.

At this point Administrative Assistant Pia Webster interrupted to clarify Ms. Miller's last point. Dark Hollow Lane was in a Zone II Area of Contribution, she said. If a septic system failed and no sewer was available, the septic had to be replaced with an enhanced system, which ran more than \$20,000, \$25,000 all told, and had annual testing expenses of about \$1,500 for the first three years, plus more frequent pump-outs than a standard system. So in the case of Dark Hollow Lane, said the Admin Assistant, it appeared that the sewer option might be less expensive, based on the figures in Mr. Charter's proposal.

Ms. Miller also raised the point that tying in to the sewer system would allow Mr. Schwabel to build a seven-bedroom home. In the Dark Woods subdivision, she said, the disturbance of certain elements in the natural landscape was not allowed, and the construction of a seven-bedroom home would surely disturb the landscape.

Commissioner Murphy said that according to the decision of the Board, Mr. Charter had to get all future abutters to the Dark Hollow Sewer Extension to agree in writing that they understood the proposal and did not object to the extension; clearly, that was not the case. Mr. Charter asked if he would be allowed simply to bring the line to 2 Dark Hollow and not to extend the main down the entire length of the street. That would be up to the Facilities Manager, said Commissioner Ellis.

Robert W. Stone of 26 Dark Woods Road wanted to know if he had to tie in to the system if the Dark Hollow extension was installed. Facilities Manager David Thompson replied that the sewer main already ran in front of Mr. Stone's property, along the length of Dark Woods Road. Turning to Mr. Charter, Mr. Thompson said that yes, it was possible to bring a line to only the 2 Dark Hollow property. What would happen to the terminal manhole? asked Admin Assistant Webster. "The new thing is a lateral," answered Mr. Thompson.

Commissioner Murphy stated that he would have to see a new plan if Mr. Charter intended to change his proposal from the construction of an extension with six laterals and terminal manhole to the installation of a single lateral off the Dark Woods Road main. Mr. Thompson explained how this was not the ideal way to do the project. What if in the future a resident farther down the road wanted to extend the line? someone asked. Mr. Thompson said that at that point a true extension with manhole had to be installed, that he would not approve a series of laterals, as had been done in the past.

Chairman Searle questioned why the price to buy into the extension had been \$7,000, never to rise, when the proposal had been presented to the Waste Water Department and the Conservation

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<sup>1</sup> See page 3 of the Minutes of the Regular Meeting of April 18, 2019 and page 2 of the Minutes of the Regular Meeting of May 23, 2019 for earlier references to Mr. Charter's proposal.

Commission but had changed to \$6,500, rising to \$10,000 on September 1 when presented in letter form to the abutters.

Commissioner Murphy said that as the situation currently stood, Mr. Charter wanted to present another plan. Therefore, he made the following motion: That the approval by the Commission of April 18, 2019 would stand until Mr. Charter came up with a new plan; and further, that Mr. Charter would have to notify the Dark Hollow Lane abutters of the new plan. Commissioner Scott provided a second, and the motion carried unanimously by voice vote.

**VOTE/SIGNING: CONTRACT FOR CHASE ROAD STATION PLC REPLACEMENT.**

Commissioner Murphy made a motion to sign the Agreement Between the Town of Edgartown and Industrial Technical Services, Inc. of Westfield, Mass. for the Chase Road Pump Station PLC Replacement at a cost of \$20,950.00. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote. Chairman Searle signed the contract (Ref. WW-19-31).

**VOTE/SIGNING: CONTRACT FOR SCUM PUMP REPLACEMENT.**

Commissioner Murphy made a motion to sign the Agreement Between the Town of Edgartown and Robert B. Our Co., Inc. of Harwich, Mass. for the Scum Pump Replacement at a cost of \$116,675.99. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote. Chairman Searle signed the contract (Ref. WW-19-32).

**DISCUSSION/VOTE: FY20 SEWER USER CHARGES RATES.**

Having already considered the FY20 Sewer User Charges Rates in their May Regular Meeting, the Commissioners proceeded to vote with little discussion.<sup>2</sup> Commissioner Murphy made the following motion: To raise the Annual OTD Rate from \$74.00 per drain to \$76.00 per drain; to keep the Annual BOD Flat Charge at \$1,425.00; and to keep the Annual BOD Seat Charge at \$14.25 per seat over 25 seats. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

**NEW BUSINESS:**

**DISCUSSION/VOTE: FY20 SEPTAGE RECEIVING RATES.**

Admin Assistant Webster went over a chart showing Septage Receiving figures with a hypothetical FY20 Total Volume of 2,279,800 gallons and the Annual Revenue resulting from keeping the Septage rate at 24 cents per gallon; raising it to 26 cents; raising it to 28 cents; lowering it to 22 cents; and lowering it to 20 cents. She noted that Septage Receiving Revenue had almost doubled in the past seven years without raising the rates, which were, in fact, far higher than those for Falmouth and other off-Island towns. On a motion by Commissioner Murphy, seconded by Commissioner Ellis, the Board voted unanimously to keep the FY20 Septage Rates for all Waste Types unchanged.

**DISCUSSION/VOTE: FY20 MISCELLANEOUS FEES.**

Next, the Board considered the Department's Miscellaneous Fees. Admin Assistant Webster said that the Facilities Manager was recommending that the House Visit Fee be raised from \$100.00 to \$150.00.

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<sup>2</sup> Ibid., page 3.

Commissioner Ellis noted that this fee had only recently been raised from \$50.00 to \$100.00 in the Water Department, which, in his opinion, was long overdue. All three Commissioners agreed to raise the House Visit Fee.

Commissioner Murphy then encouraged his fellow Board members to look at the Connection Permit Fees, suggesting that the Initial Residential Hook-Up Permit Fee go from \$150.00 to \$250.00 and the Revised Residential Permit Fee increase from \$100.00 to \$150.00. Commissioner Ellis and Chairman Searle agreed.

Lastly, after some discussion, the Commissioners concluded that the Off-Hours Pump-Out Fee should rise from \$100.00 to \$150.00.

Commissioner Murphy made a motion to raise the House Visit Fee to \$150.00; the Initial Residential Hook-up Permit Fee to \$250.00; the Revised Residential Permit Fee to \$150.00; and the Off-Hours Pump-Out Fee to \$150.00; and to leave the other Miscellaneous Fees unchanged. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

#### **FY19 SEWER USER CHARGES ABATEMENT REQUEST NO. 4.**

Admin Assistant Webster presented the Abatement Request of Alan Wiener of Annata LLC (Acct No S1107, 29 Winter St Unit 24, Map 20D Parcel 217.4C), who had been charged in FY19 for a BOD Flat Fee when, in fact, there was no longer a food operation at the site. Mrs. Webster said that even though Mr. Wiener had missed the April 16 deadline for Abatement Requests, the overcharge had been entirely her own fault; so she recommended that the Board grant it this one time.

Commissioner Murphy made a motion to abate off the amount of \$1,425.00 from the FY19 sewer bill for Account Number S1107, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

#### **DISCUSSION/VOTE: SIGNATURE AUTHORIZATION FORM.**

Following a brief discussion, Commissioner Murphy made the following motion: That he, Mr. Murphy, be authorized as the primary signer to approve all payments made by the Waste Water Department, with authorization given to Chairman Searle in his absence; and further, that he, Mr. Murphy, be authorized as the primary signer to approve all payrolls for the Waste Water Department, with authorization given to Chairman Searle in his absence. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote. The Signature Authorization Form was signed by all three Board members.

#### **OTHER BUSINESS:**

#### **FACILITIES MANAGER'S REPORTS.**

In view of the meeting length, Mr. Thompson skipped the **Chief Operator's Report**. As for the **Staff Update**, it was not necessary for him to speak specifically about a possible disciplinary matter, since the Commissioners had already been briefed. But Mr. Thompson did bring the Board up to date on an investigation into Septage Receiving metering equipment and the improvements that were being explored.

Lastly, the Facilities Manager talked briefly about the public outreach he was planning for the Agricultural Fair as part of his work for the New England Water Environment Association (NEWEA) Small Community Committee.

**FINANCIAL REPORTS.**

Mr. Thompson and Mrs. Webster reported that of the \$37,500 Chapter 77 Transfer voted by the FinCom on May 15, \$22,500 would be returned to the Town.

**APPROVAL OF MINUTES.**

The Board considered the **Minutes of the Regular Meeting of May 23, 2019**. Commissioner Ellis made a motion to accept the Minutes of May 23, 2019 as written, seconded by Commissioner Murphy. The motion carried unanimously by voice vote.

The Commissioners took up the **Minutes of the Special Meeting of June 6, 2019**. Commissioner Murphy made a motion to accept the Minutes of June 6, 2019 as written, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

**ADJOURNMENT**

There being no further business, Chairman Searle made a motion to adjourn the Regular Meeting, which Commissioner Ellis seconded. The motion carried unanimously by voice vote. The Regular Meeting adjourned at 3:44 p.m.

Respectfully submitted,

Pia Webster  
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS  
TOWN OF EDGARTOWN

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Glen S. Searle, Chairman

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Scott Ellis, Commissioner

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Sean E. Murphy, Commissioner