



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 REGULAR MEETING OF MARCH 22, 2018

WASTE WATER COMMISSIONERS PRESENT:

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

EWWD STAFF PRESENT:

Mr. Joseph Rock, Plant Operator
Mr. David Thompson, Facilities Manager
Mrs. Pia Webster, Administrative Assistant

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, March 22, 2018, at 4:00 p.m. in the conference room at the Edgartown Waste Water Treatment Facility, located at 330 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:

REPORT: SITE VISIT FOR REPLACEMENT OF PROCESS FLOW METERS.

Facilities Manager David Thompson reported on the March 16 site visit required of any responders to the Invitation For Bids for the Replacement of Process Flow Meters. A representative from a single potential bidder – engineering and environmental services firm Weston & Sampson of Peabody, Mass. – had attended, as well as a regional salesperson from TriNova, Inc., a company that produces the type of hardware involved in the project.

NEW BUSINESS:

DISCUSS/VOTE: FY18 SEWER CHARGES ABATEMENT REQUESTS NO. 2.

Administrative Assistant Pia Webster went over a report titled “FY18 Sewer User Charges Abatements No. 2 – Abatements by Bill Number,” which indicated that the charges of the nine bills being considered totaled \$7,030.00; the total amount abated, if all requests were approved, would be \$4,371.33; and the total of the adjusted bills, if all abatements were approved, would be \$2,658.67.

21 Curtis Lane LLC, Susan Lukas, Randy S. Lukas, Erin G. Van Moorhem & Norman E. Boiani, 21 Curtis Ln (Map 20A Parcel 114, S0808). The Admin Assistant presented the following facts. At the request of the homeowner, on April 25, 2017 Operators Joseph Rock and Mario Mercadante had visited the site and established that although Building 1 was tied in to the sewer system, Building 2 (the small cottage at the back of the property) was not. Access to the buildings for drains counts was not available at that time.

For FY18 the customer was billed for nine drains. Co-owner Susan Lukas called in early March and said that she thought the count of nine drains included those in Building 2, which was not connected to the system. On March 16, 2018 Operator Rock did a drain count in both buildings and found five drains in Building 1 and four drains in Building 2. Thus, the Department had overcharged the the customer for four drains, or \$296.00.

Commissioner Murphy made a motion to abate off the FY18 bill for 21 Curtis Lane the amount of \$296.00; Chairman Searle provided a second. There being no discussion, the motion carried unanimously by voice vote.

78 Pease’s Point Way Nominee Trust, 78 Peases Point Way N (Map 20B Parcel 58.1, S0390). Commissioner Murphy stated that he would abstain from participation in the discussion and vote on this request because he had a conflict. The Admin Assistant explained that this house had been uninhabitable due to water damage since the winter of 2015. Water Department Admin Assistant Lindsey Mercier had confirmed that service at the street had been terminated on July 20, 2015 and had remained off since.

Chairman Searle made a motion to abate the entire FY18 bill for 78 Pease’s Point Way North in the amount of \$740.00, with a second provided by Commissioner Ellis. The motion carried by voice vote, with Chairman Searle and Commissioner Ellis voting aye and Commissioner Murphy abstaining.

DeLuna LLC, 8 Atwood Cir (Map 29B Parcel 57, S0254). Commissioner Murphy said that he would abstain from the discussion and vote on this property, using “an abundance of caution” due to a possible conflict. This was the estate of the late Helen Bowring, related Admin Assistant Webster, and no one had lived in the house since Mrs. Bowring’s death. Executrix Cynthia Thomas had requested a full abatement of the FY18 bill; and Water Department Assistant Sheila BenDavid had confirmed that the water service had been turned off at the street since January 5, 2017.

Commissioner Ellis moved to abate the FY18 bill for 8 Atwood Circle in the full amount of \$1,110.00, seconded by Chairman Searle. The motion carried by voice vote, with Chairman Searle and Commissioner Ellis voting aye and Commissioner Murphy abstaining.

Paulo C. DeOliveira & Justine S. DeOliveira, 27 Mill St (Map 20 Parcel 1.1, S1204). The Admin Assistant reported that the DeOliveiras' original house at 27 Mill Street had been demolished in late September 2017. She had confirmed with Water Department Admin Assistant Lindsey Mercier that the water service had been shut off at the street on September 27, 2017. Building Inspector Leonard Jason, Jr. had issued a Certificate of Occupancy for the new modular structure onsite on February 13, 2018.

As for the math of the proposed abatement, Mrs. Webster explained that this left no habitable structure on the property for 140 days. Thus, the DeOliveiras ought to pay for sewer service for just 225 days or 61.6 percent of the fiscal year.

$$225/365 \text{ or } 0.616 \times \$592.00 \text{ (annual bill)} = \$364.67 \text{ (adjusted bill)}$$
$$\$592.00 - \$364.67 = \$227.33 \text{ (amount of adjustment)}$$

Commissioner Ellis moved to abate \$227.33 off from the FY18 bill for 27 Mill Street, with a second provided by Commissioner Murphy. The motion carried unanimously by voice vote.

Benjamin L. Hall, 15 Simpsons Ln (Map 20D Parcel 225, S0174); 21 Oliver St (Map 20C Parcel 3, S0333); 40 Main St (Map 20D Parcel 198, S0688). This being the sixth year running that these particular requests were being heard, the Board needed no explanation. *[For the record, according to Water Department Admin Assistant Lindsey Mercier, water service has been shut off at the street level for 15 Simpson's Lane and 21 Oliver Street since August 1, 2015; and at 40 Main Street since January 18, 2012.]*

"With *extra* great reluctance," Commissioner Murphy moved to abate off the entire FY18 sewer charges of \$666.00 for 15 Simpsons Lane; \$592.00 for 21 Oliver Street; and \$148.00 for 40 Main Street. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

Elizabeth C. Hayman & Stanley Kurz, Trustees, 109 No Water St (Map 20D Parcel 276.1, S0310). Admin Assistant Webster recounted that resident Robert Hayman had called to say that he thought he had seven drains and not the eight the Department had charged him for. On February 18, 2018, Operator Rock conducted a drain count at 109 North Water Street and found that, indeed, there were only seven OTDs on the premises.

Commissioner Murphy made a motion to abate off the FY18 bill for 109 North Water Street the amount of \$74.00, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

Joshua J. Weeks, 50 Cottage St (Map 20B Parcel 84, S0684). The Admin Assistant related the following. On February 14, 2018, caretaker Paul Pertile telephoned to say that

he thought the drain count at his client's property at 50 Cottage Street was too high. In researching the property, Mrs. Webster discovered that at one time the house on what was now 46 Cottage Street had been the guesthouse on 50 Cottage Street prior to the latter lot's being subdivided into 50 and 46 Cottage Street. When there was just a single lot – 50 Cottage Street – with a main house and a guesthouse on it, the total drain count was 26. But when the property had been subdivided, the count for 50 Cottage that included the guesthouse remained the same, even as a new account was created for 46 Cottage Street.

On February 15, 2018, Operator Rock did drain counts at 46 and 50 Cottage Street. He found five drains at 46 Cottage; so the charge on this account had been correct. But at 50 Cottage Street, he counted 19 drains, while the Department had been charging the customer for 26. So the owner had been overcharged for seven drains or \$518.00.

Commissioner Murphy moved to abate the FY18 bill for 50 Cottage Street in the amount of \$518, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

REPORT: SENATE BILL NO. 2163 – THE CAPE COD & ISLANDS WATER PROTECTION TRUST; PRESENTATION BY SENATOR CYR.

Facilities Manager Thompson reported on a presentation by State Sen. Julian Cyr on Senate Bill No. 2163 – The Cape Cod & Islands Water Protection Trust. The bill, he said, proposed an expansion of the scope of the State's room occupancy excise tax to include short-term transient accommodations, with an amendment offering a local option excise tax. So stays at airbnb rentals, for instance, would become taxable under the first part of the bill, he said.

The Towns, Mr. Thompson continued, could decide whether to enforce the local option excise tax. Language had been added to the original short-term rental legislation to establish the Cape Cod & Islands Water Protection Fund (CCIWPF) for Barnstable, Dukes and Nantucket Counties to provide funding for critical regional water pollution abatement projects. The CCIWPF would be funded by an additional 2.75 percent occupancy excise tax in those Towns, a tax that would be applied to short-rental and traditional lodging equally.

In order to tap into this fund, the Facilities Manager went on, the Town of Edgartown would have to complete a Comprehensive Wastewater Management Plan (CWMP), something Oak Bluffs had been working on and Tisbury had just started. "Once you have one," he stressed, "you can tap into that money, which will continually be replenished." He explained that the decision to impose the additional 2.75 percent excise tax had to go the Annual Town Meeting floor, plus the Town had to appoint a member to the Trust. But, he emphasized, the Comprehensive Wastewater Management Plan had to come first.

Commissioner Murphy wanted to know, If the Senate bill passed, did it make sense to have the CWMP? Mr. Thompson replied that he was all for it and had presented the idea to the Selectmen. Commissioner Murphy asked how long it would take to complete the plan. Mr. Thompson said that a firm like GHD, Inc. could do it with about six months of

planning and then approximately two years of execution. The cost would be \$250,000 to \$350,000. “When I brought this to the Selectmen,” he cautioned, “the silence was deafening.”

**REPORT: MEPA SCOPING SESSION RE: 139 MEETINGHOUSE WAY
SUBDIVISION PROJECT.**

“Didn’t happen,” said Facilities Manager Thompson, explaining that the MEPA Scoping Session on the 139 Meetinghouse Way Subdivision Project set for March 21 had been postponed due to inclement weather.

OTHER BUSINESS:

FACILITIES MANAGER’S REPORTS.

Among the highlights the Facilities Manager pointed to in his Chief Operator’s Report for February 2018 was the walk-through he had done on the 28th with Tighe & Bond engineer Ian Catlow and Xylem representatives of the Chase Road and Dunham Road Substations in preparation for the SCADA proposal.

“The Duperon is up and running,” Mr. Thompson also reported, referring to the Mechanical Bar Screen installed the prior month. “It’s really good,” remarked Plant Operator Joseph Rock. The Facilities Manager mentioned as well that the Operators had begun gathering data for the Infiltration and Inflow Analysis.

FINANCIAL REPORTS.

Admin Assistant Webster went over a new report she had put together titled “Growth of Sewer User Accounts,” which laid out the addition of 184 accounts over the five-year period from FY14 through FY18, from 964 to 1,148. The Department could expect, she said, another 50 accounts by the time of the FY19 billing late in the year.

The “FY18 Cash Receipts Report as of March 22, 2018” indicated that year-to-date overall collections were ahead of those in FY17 by \$145,431.62, or 9.9 percent. At 1,473,285 gallons, Septage Receiving Volume was exceeding the previous fiscal year’s by 14.9 percent; and year-to-date Septage Receiving Revenue was surpassing FY17’s by 16.7 percent, growing from \$287,618.76 to \$335,743.99.

Turning to the report titled “FY18 Operating Budget Expenditures as of March 26, 2018,” Admin Assistant Webster noted that Total Operating Budget Expenses stood at 74.1 percent used, while they should be at 70.9 percent used at this point in the fiscal year. However, she stressed, once again the percentage of expenditures overrun had been reduced from that of five weeks before, this time from 3.8 percent to 3.2 percent.

Moreover, Mrs. Webster pointed out, this had been accomplished while more than \$8,800.00 in Capital Expenses had been pulled out of the Operating Budget in the past five weeks to cover a \$2,500 Bar Screen Replacement overrun and a \$6,372.83 bill from

Powers Electric to wire the Bar Screen, as shown in the report titled "FY18 Article/Capital Spending Pulled from Operating Budget – Updated as of March 26, 2018." Turning to the Facilities Manager, she said, "Well done, Dave."

APPROVAL OF MINUTES:

Next, the Commissioners considered the **Minutes of the Regular Meeting of February 15, 2018**. Commissioner Ellis made a motion to accept the minutes, as written, and Chairman Searle seconded said motion. There being no discussion, amendments or queries, the motion carried by voice vote, with Chairman Searle and Commissioner Ellis voting aye and Commissioner Murphy abstaining because he had not attended that meeting.

ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 4:29 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