TOWN OF EDGARTOWN BOARD OF WASTE WATER COMMISSIONERS

MINUTES OF THE RESCHEDULED REGULAR MEETING OF JUNE 29, 2017

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

OTHER EDGARTOWN OFFICIALS PRESENT:

Mr. Michael J. Donaroma, Selectman Ms. Pamela M. Dolby, Town Administrator

OTHERS PRESENT:

Mr. Scott Anderson, General Manager & COO, The Boathouse Mr. Joshua Zolkowski, Property Manager, The Boathouse

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting, rescheduled from Thursday, June 22, 2017, on Thursday, June 29, 2017, 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.

NEW BUSINESS:

DISCUSSION REGARDING ATLANTIC/BOATHOUSE SEWAGE SITUATION.

Waste Water Commissioner Sean E. Murphy stated that he had a conflict with regard to the present discussion, since he represented The Boathouse and Atlantic. He added that he may ask some questions.

Scott Anderson, general manager and COO of The Boathouse Club & Restaurant, thanked the Board "for having me" and said he was "not there in any measure to point fingers in any direction," acknowledging that the business he worked for was "in the worst possible location" and that flooding and overspills had been "a historical problem for us." He continued that he had brought with him some "scratched-out renderings" from the engineer he had hired in the spring in the hope of coming up with some solutions. He had also picked the brain of engineer Richard J. Barbini, and he had brought with him Josh Zolkowski, property manager of The Boathouse, "because unfortunately he's the guy who deals with it on the frontlines every day." Mr. Anderson said he hoped to leave with "some kind of input and direction" from the professionals.

Currently, Mr. Anderson explained, a grease separator was housed in the basement of Atlantic, and in the past when the Town pumps had failed, everything that came down the hill wound up at the lowest point, which was their basement. He said they had been asked to redesign the system, and he needed more feedback, because he had been hearing a couple of different things. For one, he had been told that getting the separator out of the basement would be a start. But then he had been told that plumbing or zoning laws would not allow that. And two, if he could move it out of the building, where would he put it?

Thirdly, Mr. Anderson had been told to install an ejector pump. But again, he had heard conflicting reports on whether he could install one and if he could, where would he put it? After he had spoken to Bill Roman of the Edgartown Yacht Club, which obviously had no basement, Mr. Anderson had begun to wonder if they could "abandon everything, get everything out of the building, put a chamber somewhere under the Town parking lot, put in an ejector and pump the waste into the Town system..."

"Does the Yacht Club have a grease trap?" asked Commissioner Murphy. Yes, answered Mr. Thompson, "it's buried in the parking lot." Waste Water Commissioner Scott Ellis said that this had always been his thought, that the solution for The Boathouse would be to locate its grease trap and tanks under the lot. "But it's Town property," he shrugged. Town Administrator Pamela M. Dolby suggested, "If it's something that the Selectmen can do to assist these people... You know, it's not like it's something that's going to be sticking up in the middle of the parking lot, it's going to be covered. I'm sure the Selectmen will consider [it], to avoid this situation." "To me that would be the best solution," agreed Commissioner Ellis.

Mr. Anderson wanted to know if there was infrastructure in the road in front of The Boathouse-Atlantic that would prevent such a move. Ms. Dolby noted that Highway Superintendent Stuart Fuller could be helpful in that regard. Facilities Manager David Thompson remarked that there was a big catch basin in the area. "That would have to be looked into," he said, "but honestly, if you got rid of everything that's under the patio now, you'd have plenty of room to put in a grinder pump and just go around the corner and then that would be the end of it."

Responding to a query from Commissioner Murphy, Mr. Thompson explained, "The grinder pump can be *after* the grease trap." "But where would the grease trap be?" asked Commissioner Murphy. "Well, there's a couple of options in that regard," said Mr. Thompson. Mr. Anderson said his engineer wanted The Boathouse to take the 1,500-gallon grease trap out of the basement and replace it with a 3,000-gallon model buried in a vault. Mr. Thompson said they could run

the sanitary plumbing straight to the grinder pump and the grease trap piping could tee into that. From there the waste would be shot into the manhole.

"So if the Town pumps failed and everything backed up..." began Mr. Anderson. "Nothing would back up," countered Mr. Thompson. "You've got an ejector. It'll go in just one direction." "There's a check valve in there that won't let anything go back," explained Commissioner Ellis. "That's [Richard] Barbini's theory," said Selectman Michael J. Donaroma, "that if you had a grinder pump right there, it can't go back." Mr. Anderson wanted to know where it would go instead. It would show up at the first manhole on Dock Street, right by the pump station, replied Mr. Thompson. "So these guys would no longer be the lowest point on the [system]," observed Commissioner Murphy.

To address a further space issue, Mr. Thompson suggested that Mr. Anderson look at a hydromechanical grease trap, a device being used at The Port Hunter, Lucky Hank's, Isola, Rockfish and the Harbor View Hotel. He provided Mr. Anderson with some materials on the trap and explained in simple terms the mechanics of the device "So that would eliminate having Volkswagen-size tanks all over the property," remarked Commissioner Murphy. "Twenty-firstcentury method!" declared Mr. Thompson. "And then the grinder pump would come with a backflow preventer," said Commissioner Murphy. Right, said Mr. Thompson.

So what it comes down to, said Mr. Anderson, is we're going to have to find a way to get a grinder pump somewhere between the road and our building. In addition, explained Mr. Thompson, with an ejector pump, there would be no need to reconfigure the pitch. He recommended that The Boathouse have a generator in the event of a prolonged power outage. Mr. Anderson wondered how they were going to access the back patio from a construction standpoint; that is, would it be a problem to get a grinder pump vault in there from the Town's perspective? "You have to just go to the Conservation Commission," offered Commissioner Murphy, "and they already allowed a propane tank, so …"

Mr. Anderson asked if they would have to upgrade their power setup. No, said Mr. Thompson, the grinder pump's like a toaster oven, it's a single-phase two-forty. So what's the process from here? Mr. Anderson wanted to know. Obviously, check into the hydro-mechanical grease trap, advised Mr. Thompson, adding that Green Hippo was the company that took away the grease.

"Hasn't this been said for a year or so? Two years?" recalled Selectman Donaroma. About the grinder pump? asked Mr. Anderson. "Yeah," said the Selectman. Mr. Anderson related that the greatest obstacle had been figuring out where to put the pump. Also, he had been receiving contradictory information from various sources about how to proceed.

So now your only problem is the waste going from your place to the grinder pump, said Selectman Donaroma, adding, "That's your problem." "Right," said Mr. Anderson. Chairman Searle suggested the Board take this matter under advisement until their next meeting. Mr. Thompson noted that there was another issue: accessibility to the pump cores. Mr. Anderson inquired whether The Boathouse had the option of maintaining the pumps themselves, "on *our* dime." "Fine with me, absolutely," replied Mr. Thompson. "Oh, yeah!" declared Selectman Donaroma.

Water Department staff would not service the grinder pump in any event. Also, if they did not want service from the Town, The Boathouse might want to use a nonstandard installation; for instance, some people buried the grinder pump 12 feet deep so they could get gravity in their basement. "If you do that, it's *your* problem," he stressed. "I get ya'," said Mr. Anderson.

Chairman Searle made a motion that the Board table the matter of The Boathouse's grease trapgrinder pump plan for one month until Mr. Anderson returned with final plans. Commissioner Ellis provided a second, and the motion carried by voice vote, with Chairman Searle and Commissioner Ellis voting aye and Commission Murphy abstaining.

OLD BUSINESS:

UPDATE: DOCK STREET HAZARD MITIGATION PROGRAM GRANT PROJECT.

Facilities Manager Thompson reported that the Dock Street Hazard Mitigation Program Grant had expired on June 1 and that the Department had 60 days to submit any additional requests for reimbursement. He said that everything had been going along "swimmingly" until the preceding Friday night, when the 120-volt power in the station had failed. "There's a bunch of overlapping issues," Mr. Thompson began, including a number of punch list items from Robert B. Our Co., Inc.; Xylem, Inc.; and Fall River Electrical Associates, Inc. For instance, FREA had put the UPS into the panel but had failed to hook it up to the pump station.

Engineer Ian Catlow of Tighe & Bond had been at the Plant two days earlier, and Mr. Catlow had related that on a project in Marshfield involving the same electrical subcontractor and the same provider of controllers, the facility had had the same issues. Commissioner Murphy wanted to know, if the punch list was completed, would all the problems resolve? "Hopefully, that will solve everything," Mr. Thompson replied, adding that now the Department was mostly receiving "nuisance" alarms from the station. "So we're trying to get to the bottom of that," he said, concluding, "Ian just issued a new and very nasty punch list." The discussion wound down.

NEW BUSINESS [CONTINUED]:

DISCUSSION: REQUEST FROM SHARON WILLOUGHBY.

Administrative Assistant Pia Webster noted that this item had been mentioned briefly in the May meeting, and she refreshed the Commissioners' memories regarding the narrative behind it. In a letter to the Board dated December 12, 2016, Sharon Willoughby had inquired about the process for connecting to the sewer line that ran along Katama Road, since she had properties at 148, 150, 154 and 156 Katama Road. "I have been given different answers in the past," she had written. If that was not possible, the letter went on, could she connect these properties via the line on South Water Street?

The Facilities Manager had responded to Ms. Willoughby in a letter dated December 20, 2016 in which he had explained that the Field Club line that ran down Katama Road was part of a nitrogen mitigation agreement between the Town of Edgartown and the Department of Environmental Protection, the goal of which was to reduce nitrogen loading in the Edgartown

Great Pond Watershed. "Parcels *inside* the watershed were eligible to be connected to that system," Mr. Thompson had written, "while those outside, even if adjacent to the sewer line, were not, as they would be *importing* nitrogen into the watershed, while using capacity dedicated to removing it."

The Facilities Manager had explained further in the letter that "[a]ny new connections outside of the watershed are only those remaining lots within the existing 'envelope' of downtown sewer, which have not yet connected to accessible lines in their vicinity. This is the criteria DEP has established."

However, when Ms. Willoughby sent a letter dated May 17, 2017 repeating the queries of the December 12 letter and noting that the earlier letter had received no response, the Admin Assistant had concluded that Mr. Thompson's reply had not been delivered to Ms. Willoughby's post office box. At that point, in May 2017, the Admin Assistant sent Ms. Willoughby a copy of the Facilities Manager's December letter.

Next came a letter from Ms. Willoughby dated May 23, 2017 indicating that she had received Mr. Thompson's response and requesting a copy of the agreement between the Town and the DEP, as well as minutes of any meetings during which her correspondence had been discussed. The Admin Assistant had responded in a letter dated June 5, 2017 in which she mentioned that Ms. Willoughby's May 17 letter and Mr. Thompson's December 20 letter had been touched on briefly in the May 18, 2017 Regular Meeting. She enclosed a copy of the aforementioned agreement and assured Ms. Willoughby that her correspondence would stand as a separate agenda item in the next Regular Meeting, which was scheduled for June 22. Ms. Willoughby was currently abroad and could not attend.

"So I wrote the third letter," said Admin Assistant Webster, "trying to make it clear. I mean, it would be a *disaster* if ..." "I've represented Sharon in the past ..." began Commissioner Murphy, so he would abstain from any decision making on this matter. He continued: "But it *appears* from reading these letters that she seems confused about [why others can tie in but not her] ... She can *connect* if she wants to go run it somewhere, right?" "No," said the Admin Assistant and the Facilities Manager at the same time. "So, no, she can't at all," said Commissioner Murphy. "She's not in the watershed," said Mr. Thompson.

"No, I know that," countered Commissioner Murphy, who continued. "But I'm saying, if you go down to the corner there, right, South Water? Those are connected, right?" "Yeah, actually, there is one connected, right on the corner of, uh, Katama Road and South Water," said Mr. Thompson. "... [C]an somebody where she is, regardless of the Field Club line, spend the money and connect?" inquired Commissioner Murphy. "That's kind of a, my gut feeling is *no*," answered Mr. Thompson, "and the reason for that is the same reason for the Mullen Way [denial]." "Once it gets over a certain distance, it's out of our hands, the DEP would say no?" asked Commissioner Murphy.

Mr. Thompson went on, "If they're inside of the existing envelope of sewer, then, yes, we can manage it. But this would be reaching outside of the existing envelope of sewer." "But regardless of this Field Club line going by her house, she's not eligible?" said Commissioner Murphy, adding, "I think that's clear. But it seems like in her letter [she is asking], How come

Ellis.

Mr. Thompson returned to the text of Ms. Willoughby's original letter in which she inquired about the process for applying for sewer tie-in. *There is no process* for tying into the South Water Street line, said Mr. Thompson, because Ms. Willoughby's properties are not adjacent to that line.

Commissioner Murphy posed another question: "But if she said, I don't care what the cost is, I want to pay to run my own line, even if we said it was okay, doesn't DEP have to approve it? Kind of like Mullen way, right, same idea? So maybe that's the answer. Because she seems to be saying, I can see the guy's house down the street. Then how come I can't connect, even if I'm willing to pay to trench the line down there." Right, said Mr. Thompson, "I'd have to run it by DEP." "I mean, I can't imagine she's going to want to spend that money, but I think she just wants an answer," concluded Commissioner Murphy.

The Facilities Manager stated that in the simplest terms the DEP's approach was that they did not want a new sewer customer to contribute nitrogen to the plant that was not being taken from the Edgartown Great Pond Watershed. He then offered a "cautionary tale" he had heard from Andy Farrissey's crew, who had dug up Uncas Avenue the preceding week because the Oak Bluffs Waste Water Commissioners had made an exception to their moratorium and allowed the bowling alley to tie in to their system. Three of the bowling alley's neighbors said that they wanted tie to in, too; the Selectmen said no; and "they got their pants sued off." "Several of the Selectmen told them not to do it," Mr. Thompson added.

The Admin Assistant said that she thought Ms. Willoughby perhaps wanted a letter from the Board, laying out their conclusions. Commissioner Murphy reiterated that he would have to recuse himself. Chairman Searle suggested they keep it simple: "You're outside the watershed. You can't hook in. End of discussion." Commissioner Ellis added that the properties were not in the existing South Water Street envelope, so tying in to that line was not a possibility.

The Chairman wondered whether the Field Club line was a private line. No, it was not, said Mr. Thompson, because it was on a public way. But according to State code, he explained, if a line "is part of a mitigation plan, you don't have to let people tie in to it if it's not in the mitigation area. And it says that very specifically.... [Ms. Willoughby] has no, actually, legal right to tie in if she's not part of the mitigation plan."

The Admin Assistant repeated that it would be a disaster to make an exception. "I think you go into the Uncas Avenue issue if you do that," remarked Commissioner Murphy. "Yes, you open the door," said Mr. Thompson.

DISCUSSION/VOTE: FY18 SEWER USER CHARGE RATES.

Admin Assistant Webster went over her memorandum dated June 19 and updated on June 26 recommending a rise in the annual OTD rate for FY18 from \$70 to \$74. She argued that Operating Budget expenditures had increased by 9.1 percent since the last rate hike in FY16 and that the Town would be spending a total of \$715,000 in Raised and Appropriated Funds and Free Cash on the Department's Warrant Articles in FY18. The minimum increase in the number of

OTDs was expected to be 630, from 16,410 to 17,040, resulting in an 8.7 percent increase in revenue for the 5.7 percent rate hike.

Mrs. Webster spoke of the shortfall between the Department's Collections and its Expenses, a gap that would only widen, she noted, as the elements of the five-to-seven-year spending plan coming out of the Condition Assessment became budget line items. She read from the memorandum: "The issue comes down to the degree to which the burden of these new costs should be borne by those connected to the system and what portion should be carried by the Edgartown taxpayers in general; the latter do of course benefit from the operation of this Facility, if in ways that are perhaps not as readily apparent, for instance, in terms of the Town's environmental and economic health and their moderate septage pumping bills."

Following a brief discussion and a question from Operator Joseph Rock about the expected number of OTDs, Commissioner Ellis made a motion to raise the FY18 OTD Rate to \$74 per drain per year; and to leave the Annual BOD Flat Charge at \$1,425 and the BOD Seat Charge Annual Rate for each seat over 25 at \$14.25. Commissioner Murphy provided a second, and the motion carried unanimously by voice vote.

DISCUSSION/VOTE: FY18 SEPTAGE RATES.

The Admin Assistant related that she was recommending no change in the Septage Receiving Rates in FY18. For the sake of argument she had generated two charts for the Commissioners' consideration.

The first was titled "Total Volumes in Septage Receiving by Fiscal Year," which laid out just that, breaking the waste into six types, from FY12 (the earliest complete fiscal year for which data were available) to FY17 (using data through June 28, plus extrapolation). Mrs. Webster explained that she had chosen volume as a standard for comparison, and not revenue, because the FY12 and FY13 rates were different from those thereafter. Over the six-year period, volume had grown by 57.2 percent, from 1,299,030 gallons to an estimated 2,042,508 gallons.¹

The second chart worked out expected FY18 Septage Receiving Revenue under five different sets of rates, including: unchanged FY17 rates; a Septage rate of 20 cents per gallon; a Septage rate of 22 cents a gallon; of 26 cents a gallon; and of 28 cents a gallon. Commissioner Murphy pointed out that any adjustments to the rates for Porta Potty, Failed/Enhanced Systems, Grease and Tight Tank rates would make little difference, since their volumes were dwarfed by the volume of Septage (144,000; 16,800; 58,900; and 178,000 gallons, respectively, compared to 1,636,000 gallons). Exactly, said Mrs. Webster.

Turning to the Facilities Manager, Admin Assistant Webster said that unless any of the Department's proportional expenses in the management of Septage Receiving had increased significantly, she saw no reason to fiddle with rates. Mr. Thompson commented that although he had not studied the issue closely in recent years, he had seen no major alterations in that operation. "For every six dollars we take in, it costs us a buck," he said.

¹ The actual final total volume figure for FY17 was 2,055,400 gallons.

After a question about off-Island rates, Commissioner Ellis made a motion to leave all Septage Receiving Rates for Fiscal Year 2018 as they had been in FY17. Commissioner Murphy provided a second, and the motion unanimously by voice vote.

DISCUSSION/VOTE: FY18 MISCELLANEOUS FEES.

Admin Assistant Webster went through the list of Miscellaneous Fees for the Department included in the meeting binders. An addition, she pointed out, was under "Commercial Toilet Trailer Discharge," where could be found "Michael & Sons Porta Lisa, \$51.66." Mr. Thompson explained that this waste type was comparable to the Porta Potty stream, which cost 14 cents a gallon to discharge.

Since the trailers were unable to leave their wares at the Septage Receiving Station (wrong plumbing), the Facilities Manager continued, it was discharged with the Small Batches at the small station near the Laboratory Building. He had arrived at a flat charge for each particular trailer by assuming that each load was at least three-quarters full and charging for three-quarters of the total gallonage of the trailer's tank times 14 cents a gallon. So the cost for each load had been settled before the owner of the toilet trailer ever did business with the Department, and each load had to be paid for before discharging.

Operator Rock and Commissioner Murphy broached the possibility of raising the rate for Sewer Permits, which stood at \$100 for Residential Permits and \$250 for Commercial. Facilities Manager Thompson and Admin Assistant Webster agreed that the initial sewer permitting process took quite a bit of time on the administrative end, particularly if an E-One grinder pump was involved and the customer had to be walked through the easement procedure. Operator Rock remarked on how time-consuming the inspections for the initial tie-ins were.

After some discussion, it was agreed to leave the Commercial Permit rate at \$250 but to have two types of Residential Permits, an Initial Hook-up Permit for \$150 and a Revised Residential Permit for \$100.

Commissioner Ellis made a motion to adopt the FY18 Miscellaneous Fees Schedule as presented, except for the category of Residential Hook-up Permit, which would become an Initial Residential Hook-up Permit for \$150, and another category, Revised Residential Sewer Permit, for \$100. Commissioner Murphy offered a second, and the motion carried unanimously by voice vote.

REPORT: STAFFING UPDATE.

Mr. Thompson reported that right before his vacation, Plant Operator Stephen Vancour had announced his retirement. Then, while he was away, the Department's latest hire, Mario Mercadante, had accepted a job as a painter with Doug Best Construction at \$27 an hour. "It's hard to compete," said the Facilities Manager, who noted that the Junior Operator position paid less than \$20 an hour by comparison. As for the vacant Department Assistant position, said Mr. Thompson, "I have a stack of applications."

A discussion ensued regarding the recently updated Compensation and Classification Study. Operator Rock and the Facilities Manager spoke about why that study did not reflect the cost of

living on the Island and how much a person had to earn to afford year-round housing. Chairman Searle requested that staff check with the other Vineyard wastewater plants and all of the facilities on the Cape, as well as the one on Nantucket, to determine what the rates of pay were for Junior, Plant and Chief Operators, so that the Board members could ask the Selectmen for a fair living wage for the employees of the Edgartown Department. "Give us some numbers," he said.

OTHER BUSINESS:

FACILITIES MANAGER'S VACATION DAY BUYBACK.

Admin Assistant Webster related that unbeknownst to her, the Facilities Manager had received his five days of Vacation Buyback before he had left for vacation. However, she needed a vote herself from the Board with regard to unused Vacation Days. Because she had been working without a Department Assistant since March 10, she had been unable to take the six and a half days that remained of her vacation time for her current employment year, the last day of which would be July 18. She was requesting, she said, that the Board members vote to allow her to carry forward five of those days to her next employment year. She hoped, she said, that a Department Assistant would be hired by the end of July and that she could take some time off soon afterward. "So moved," said Commissioner Ellis. "Seconded," said Commissioner Murphy. The motion carried unanimously by voice vote.

FACILITIES MANAGER'S REPORTS.

Facilities Manager Thompson wished to highlight an incident on May 3, when the Operators failed to submit the required BOD5 sample for April and no Operator working in the Laboratory noted the omission. Mr. Thompson had registered the permit violation with Brian Dudley, head of Wastewater Management for the Cape and Islands at the DEP Southeast Regional Office.

Then on May 19 at 7:15 a.m., Mr. Thompson arrived at the Facility to find that no influent flow had been registering and that no one had noticed. The level at the Chase Road Substation was 11.5 feet, but due to a bad phone line, no alarm call had gone out. Both pumps were air-bound, running full speed but pumping nothing. Long story short, it was a very close call. This incident, the one on May 3 and the one in April where the Town Hall generator had been shut off without Operators noticing pointed to a general lack of observation of prevailing conditions.

Commissioner Murphy inquired about the morning routine at the Facility. "Whoever comes in in the morning does the numbers and logs them in," replied Mr. Thompson. "If there's a disparity," he explained, the reason for it was pinned down and a solution was found.

FINANCIAL REPORTS.

Admin Assistant Webster asked the Board members to sign a MUNIS printout on which was a statement attesting to the remaining balance of \$10,000 in the Condition Assessment Account (A74 ATM4/15 06440269/530006) and the fact that this account was closed and the balance was available to the Town for other purposes. The Board members signed it.

Mrs. Webster reported on her June 21 meeting with the Financial Advisory Committee to address the Department's FY17 Chapter 77 Budget Transfer Request of \$32,704.68 from the Salaries & Wages section of the Operating Budget to the Expenditures section. The FinCom had requested an appearance because of the size of the transfer. The Admin Assistant related that the Committee had approved the transfer and that the Town Accountant had already executed it.

Turning to the FY17 Operating Budget Expenditures Report, Mrs. Webster remarked that there remained two weeks' worth of bills for that fiscal year and that the Chapter 77 Transfer ought to cover whatever else came in. Mr. Thompson agreed.

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 5:22 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