



TOWN OF EDGARTOWN
WASTE WATER DEPARTMENT
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**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF DECEMBER 20, 2017**

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

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, December 20, 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. Also present from the Board was Waste Water Commissioner Scott Ellis. *[Commissioner Sean E. Murphy arrived at 4:09 p.m.]*

OLD BUSINESS:

I & I ANALYSIS: GHD, INC. SUBMITTAL TO DEP.

The Board considered the memorandum dated December 13 from GHD, Inc. engineers Anastasia Rudenko and Marc Drainville to MassDEP Project Manager Brian Dudley regarding the Inventory of Existing Conditions for the Edgartown Infiltration and Inflow Analysis. The memorandum listed all of the system's Sewersheds, along with construction dates and details about their conditions. Also included was a site map indicating the Department's various Groundwater Monitoring Locations, as well as its Flow Gauge Locations. "We're good to go until next September," said Facilities Manager David Thompson.

NEW BUSINESS:

VOTE: ACCEPTANCE OF GLASCO UV REPLACEMENT CONTRACT.

The Commissioners had before them a copy of a contract between Glasco UV, LLC of Mahwah, N.J. and the Department for the provision of Ultraviolet Disinfectant Equipment at a total cost of \$99,000. Mr. Thompson related that the GHD, Inc. Condition Assessment had estimated the equipment for the project at \$220,000; and a workup by Ian Catlow of Tighe & Bond that had included engineering and attendant costs had the final tally at more than \$274,000. *[See page 5 of the Minutes of the Regular Meeting of November 16, 2017.]*

But purchasing the equipment as a “drop-in” unit; hiring Cole Powers to do the electrical work for about \$55,000; and having the crew complete the rest of the job would save the Department more than \$119,000. Mr. Thompson pointed to the figures from Mr. Catlow, where unnecessary items from the Scope of Work were in bold print. If the contract were signed that day, he added, the equipment could be delivered in February.

Commissioner Murphy had called earlier to say he was running late. So Chairman Searle elected to postpone the vote on the contract until his arrival. Since Commissioner Murphy had been present for the discussion of – and had approved the draft of – the FY19 Operating Budget in the November Regular Meeting, the Chairman skipped ahead to that agenda item.

DISCUSSION/VOTE: FY19 OPERATING BUDGET.

“I finally got my salary stuff,” said Mr. Thompson, who reported that the updating of the Town’s Compensation and Classification Plan had beefed up the Salaries & Wages section of the Operating Budget, resulting in a 4.2 percent increase for FY19. “We held the line” for the Expenditures section of the budget, he added. The Facilities Manager noted that he had budgeted the crew who were now Junior Operators as Plant Operators and had removed the Chief Operator position, since the leading candidate needed not just a Grade 6 but two years’ experience as a Grade 6.

Chairman Searle made a motion to approve the FY19 Operating Budget as presented, seconded by Commissioner Ellis. The motion carried unanimously by voice vote. With Commissioner Murphy still not there, the Chairman again jumped ahead to the business on the agenda of lesser import.

OTHER BUSINESS:

FACILITIES MANAGER’S REPORT.

“We seem to have squared away the Dock Street thing,” reported Facilities Manager Thompson, referring to the problems with baseless alarms and the pumps running dry at the Dock Street Pump Station. In addition, the Department had not had a nuisance fire alarm at the Plant in more than eight weeks. “The plant’s running well,” he concluded.

FINANCIAL REPORTS.

“The first report is interesting,” remarked Administrative Assistant Pia Webster. “It shows how *busy* we are.” The report, titled “FY18 Uncommitted Department Revenue as of December 19, 2017,” indicated that since July 1 the Department had issued 11 Initial Residential Sewer Permits, 23 Revised Residential Sewer Permits and four Commercial Sewer Permits; in other words, permits were being issued at the same brisk pace for the third year. In addition, Mrs. Webster pointed out, the rate at which they accepted Small Batches had more than doubled since the Department had initiated the practice in FY13.

The statistic of most concern to Admin Assistant Webster, though, was the number of Off-Hours Dumping Trips billed since July 1, and that was 40. “I don’t know if you think we should charge more for them,” she said. “I don’t know *how* you think we should get these guys [the haulers] in line.” Mr. Thompson commented that it was a problem in that the off-hours activity was not funding itself: the cost came out of the Overtime Account and the fees went back to the Town. “So my OT budget’s getting crushed!” stressed the Facilities Manager. Mrs. Webster noted that in the summer months the crew member getting called out was also becoming further exhausted.

Chairman Searle said that he thought a discussion of this matter should be an agenda item at the next Regular Meeting and that a rise in the Off-Hours Dumping rate should be considered by the Board. “But they’re just charging it back to the customer,” observed Mr. Thompson. The Chairman suggested that staff check around the Cape to see what other Departments did in this regard. “They don’t really do anything like this,” responded Mr. Thompson. “When they came and wanted us to open up earlier,” Commissioner Ellis remarked, “because we said no, they’re calling the [on-call] guy and just charging the customer.” *[Waste Water Commissioner Murphy had arrived by this point.]*

Mrs. Webster pointed to the instances where on a summer weekend afternoon Araujo Bros. Inc. would bring in just, say, a hundred gallons of Porta Potty waste, which costs \$14 to dump, and incur a \$100 Off-Hours Dumping Fee for the convenience of doing that. “I don’t get it,” she said. “Why couldn’t he get it in in the morning?” “Well, they’re definitely taking serious advantage of it,” remarked Mr. Thompson. Also, it was difficult to collect the fees from some of the haulers, added the Admin Assistant. It was agreed that the basis (actual emergency versus convenience) and the amount of the fee would be on the agenda of the January Regular Meeting.

Chairman Searle and Mr. Thompson brought Commissioner Murphy up to speed on what had transpired in the meeting thus far. Then the Chairman returned the meeting to New Business and the Glasco contract.

NEW BUSINESS:

VOTE: ACCEPTANCE OF GLASCO UV REPLACEMENT CONTRACT *[Cont.]*

The Facilities Manager reiterated the points he had made earlier regarding the Glasco UV, LLC contract for Commissioner Murphy’s benefit. The Admin Assistant noted that the

contract was for \$99,000, and Mr. Thompson explained that the form itself of the contract was from the Procurement Office. Commissioner Ellis made a motion to accept and sign the contract between Glasco UV, LLC of Mahwah, N.J. and the Department for the provision of Ultraviolet Disinfectant Equipment at a total cost of \$99,000; Commissioner Murphy provided a second. There being no further discussion, the motion carried unanimously by voice vote. Chairman Searle signed the five copies of the contract already signed by Adam Donellan, Vice President of Glasco.

**PROPOSAL/POSSIBLE VOTE: DUARTE CIRCLE SEWER EXTENSION
AND ROAD TO THE PLAINS PUMP CAP.**

The Commissioners turned to a discussion of the proposal by engineer Richard J. Barbini to extend the sewer main down Duarte Circle from Road to the Plains. [*Ibid.*, pages 1-5, for an account of Mr. Barbini's presentation.] Commissioner Murphy clarified with staff how the Vickers Street sewer extension had been funded the previous spring by an individual who had put up the funds himself and then sought and procured the participation of other residents.

"My concern is," said Commissioner Murphy, "you've got ... Duarte Circle and Vickers and all these places where we've assigned capacity to somebody who's not using it, and then a guy down the street wants to tie in, he's ready to go and he can't, because some guy on Duarte Circle in twenty-five years might possibly..." "...tie in," Commissioner Ellis finished the thought.

In the case of Vickers Street, Commissioner Murphy did not have a problem with the idea of reserving capacity, since the person who had invested in the infrastructure had to expect to get his money back. "My concern is," stated Commissioner Murphy, "we've assigned all this capacity and taken it offline for somebody that might *actually* want it for somebody that might never use it. I mean, I don't know if we can do anything about it."

"Were we told that there was no more room [on the line]," inquired Commissioner Ellis, "and then Dick Barbini went back and redid the numbers and said, 'Oh yeah, there *is* room?'" "Well, there was always a little bit of wiggle room," responded Mr. Thompson, who added that they had always been "up against the ceiling."

"But we're against the ceiling under the assumption that everybody there ties in, right?" asked Commissioner Murphy. Yes, answered the Facilities Manager, who referred the Board members to a chart in their binders titled "MV-2248-1 Town of Edgartown Katama Project Design Data (updated)."

Mr. Thompson had redone the pump count for the so-called Katama Project (also known as The Field Club Project) and had added up all the potential pumps in the entire system, which included the Road to the Plains complex. If the potential eight pumps of the Duarte Circle extension were added to the Road to the Plains line, that part of the project would have a total of 145 pumps.

"That's an N of nine," explained the Facilities Manager, who continued, "but the *top* end of an N of nine is a hundred and forty-*six* pumps. So we're approaching an N Factor – the

Simultaneous Run Factor – of 10, and that’s pretty much the ceiling that I wanted to stay under. We’re under it by *one pump* right now, assuming that we do Duarte Circle.”

Mr. Thompson went on that a further complication entered into the equation. “Now, those are all huge lots. I’ve had a couple people come and say, ‘Well, what if we subdivide? If we subdivide this lot, can we get *two pumps*, instead of one? And the potential for opening the door ... we’ve already granted a couple of subdivisions in Kitts Field. That was forty, fifty pumps ago, I wasn’t worried about it then.”

Commissioner Murphy wanted to know, if a person had a one-acre lot, what were the maximum number of bedrooms he could put in under the Bedroom Regulation? Seven, replied Admin Assistant Webster, if the property was tied in to the system. “Is seven the max?” asked Commissioner Murphy. “Yeah,” answered Mr. Thompson.

Responding to another query from Commissioner Murphy, Mrs. Webster said that if the one-acre lot were subdivided in half, each resulting lot could have six bedrooms. “But the problem there is the pumps,” she added. “But the problem is, it’s *two pumps*.” And does that change the calculations? asked Commissioner Murphy. Yes, said Mr. Thompson, it changes the flow. “And one of my concerns here,” stressed the Facilities Manager, “is that this flow total for Road to the Plains is based on those all being *four*-bedroom houses, and many of them *will* be more. So this is a very conservative number.”

Chairman Searle spoke of two lots for sale, both large enough to subdivide, and he expressed his concern that each sale would result in a request for two pumps instead the one pump assigned to the lot. “Well, the DEP permit for Road to the Plains,” stated Mr. Thompson, “was based on X number of map and lot parcels and *that* number of pumps. So what I’m looking for is, you’ve got a map and lot on there, if this was a map and lot on the 2008 DEP plan, the pump was assigned to *that* back then. You can’t subdivide it and get another pump.”

Commissioner Murphy said that he was just trying to look at the situation from the landowner’s perspective. He clarified with the Facilities Manager that if an owner subdivided, he could tie in one of the lots and install an advanced nitrogen-mitigation system on the other. The discussion continued.

Mr. Thompson mentioned that Mr. Barbini had wanted to attend this meeting but was off-Island that day. On the table were two matters, he continued. First, did the Board want to green-light the eight additional pumps on Duarte Circle? Commissioner Murphy noted that if the owner at the end of the street did in fact put in the sewer line, then if another owner’s septic system failed, the latter owner would be obliged to tie in to the wastewater system since the line would be in place.

Commissioner Murphy confirmed with Mr. Thompson that tying in the single property at the end of the cul-de-sac would provide adequate flow for the line. Admin Assistant Webster pointed out that the people seeking the line owned two lots; one had a recently constructed house on it, and the other was vacant.

Commissioner Murphy referred to some language in a motion Mr. Thompson had drafted for the purpose of the Duarte Circle discussion: “Any additional pumps added to this system

hereafter will be at the discretion of the Waste Water Commission, demonstrating an urgent need and/or the best interest of the Town.” “So we’re not shutting ourselves off,” he said.

The Facilities Manager explained: “Well, yeah, if the Board of Health comes in and says, I’ve got a failed system here. Is there any way that you guys could see your way clear to allowing a pump? Or to the Town lot there where the [Highway Department] garage is now – that’s not actually included in the 2008 plan – the Town wants to do something down there later on and they need to put in a couple of pumps? You have the discretion to do that.”

“I don’t have a problem with the way that’s worded,” said Commissioner Murphy, “because we’re basically giving these guys [staff] the cover to say to people, ‘I’m sorry, they don’t allow any new pumps there unless it’s in the best interest of the Town.’”

Mr. Thompson responded: “My unspoken thing is, they buried themselves in Tisbury, because they gave away all their capacity and then they had a really nice affordable housing thing that they were going to do, and putting in the nitrogen-mitigation system that would be required there, even though theoretically it could be reached by the sewer, killed the project. If it was on sewer, the neighbors wouldn’t have complained about the septic systems being put in there. So the lesson I took away from that is, we should always keep a couple in our pocket.”

Commissioner Murphy proposed the following scenario: Say, he had a double-sized lot on Road to the Plains with a three-bedroom house on it that he intended to subdivide later so his daughter could build a three-bedroom house. Unbeknownst to him, a sewer line was run down Duarte Circle. “There was no vote. I didn’t get asked,” he said. “And now I [can’t],” “Well, not necessarily,” said Mr. Thompson. “If you make a case for affordable, you guys could ...” But what if I wanted to sell it? Commissioner Murphy inquired.

Commissioner Murphy argued that there were a number of unanswered questions clouding this issue. For instance, how big exactly were the lots on Duarte Circle? Were any of them subdivide-able? Additionally, were we talking about eight pumps on that line or, say, 12 pumps?

Mr. Thompson replied: We’re going to assign them eight pumps and that’s it. Commissioner Murphy thought that the Board should have Mr. Barbini return, do the math and demonstrate to the Board that the Road to the Plains system could accommodate 12 more pumps, if in fact there were subdivide-able lots on Duarte Circle.

“In that case,” proposed Admin Assistant Webster, “wouldn’t it be better to leave *more* in your pocket so that in cases like that [subdivide-able lots on Road to the Plains], you’d get to say yes to them?” Commissioner Murphy returned to the idea of Mr. Barbini basing his Duarte Circle calculations on 12 pumps. “But then you have to put a bigger line in,” Commissioner Ellis pointed out. That’s not going to significantly affect the line, countered Mr. Thompson.

What he had been trying to get at, declared the Facilities Manager, was that the Department would simply allocate one pump per parcel. Right, but what he was saying, argued Commissioner Murphy, was that it would not fair unless every landowner on Duarte Circled

agreed to the laying of the sewer line and the line was not installed simply because an owner at the end of street wanted to do it, while the needs and desires of the other owners with subdivide-able lots were not considered. "This is not like the whole neighborhood got together and came to us," he said.

"Maybe what you need to do is make [the homeowner proposing the extension] responsible for getting permission," suggested Mrs. Webster. Commissioner Murphy recommended instead that the pump calculations for the maximum build-out of Duarte Circle be formulated by Mr. Barbini and that the Board members vote on that; or that the party seeking the line get waivers from the other landowners on the street that they understood what the future held for them in terms of subdividing and tying in to the sewer system.

What you have to understand, reiterated Mr. Thompson, was that the DEP's plan was based on the parcels that were in place at the time the plan was generated. The Facilities Manager again emphasized: "And it was allocated one pump per parcel, and that was the capacity of the system. So why, if you divide something in three, are you now entitled to three pumps?"

"But you're not," said Commissioner Murphy. "What I'm saying is, ... if I don't want this wastewater line ... right now I can build ... two houses, I have two lots. So by my neighbor running a wastewater line down, I have only *one* lot. And maybe the guy doesn't care.... But it just seems unfair."

Chairman Searle asked the other Commissioners if they would like to table the matter until January, when Mr. Barbini could attend and clear up some of their questions. It was agreed that no public health crisis was involved and that a decision could wait until the following month.

Commissioner Murphy made a motion to table the question of extending the Road to the Plains sewer line down Duarte Circle, as well as any vote on capping the number of pumps in the Road to the Plains Project, seconded by Chairman Searle. The motion carried unanimously by voice vote.

REPORT: DEC 13, 2017 FINCOM/CPC MEETING ON CIP.

The Facilities Manager reported the he and Admin Assistant Webster had met the previous afternoon with members of the Financial Advisory Committee (FinCom) and the Capital Programs Committee (CPC) to discuss the Department's Capital Improvement Plan (CIP).

Mr. Thompson related that the FinCom agreed with the CPC's recommendation to the Board of Selectmen that the Town consider consolidating several of the Condition Assessment Capital Projects assigned to particular fiscal years into a few larger initiatives. With some significant debt being retired in FY22, some of the Plan could be funded with new borrowing. The consolidation also made sense, he said, because the Department was "lagging seriously, anyway" behind the Plan's originally assigned schedule.

The Facilities Manager continued that FinCom member Morton Fearey had asked about the total estimated cost of the CIP, which was \$9.9 million, but was really closer to \$11 million with the other small projects costing under \$100,000 associated with it included.

Mr. Thompson went over a chart showing a breakdown of the Capital Improvement Plan by Type of Project; Construction; Direct Replacement; Electrical Components; and an Other/Proprietary category for upgrading existing equipment that would fall under the Sole Source-Proprietary exemptions of Chapter 30B.

Commissioner Murphy asked how long the Septage Storage Tank Project would take from start to finish. About 18 months, answered Mr. Thompson. The Facilities Manager pointed out how if a single company like Robert B. Our Co., Inc. were to grab all of the projects in the Construction category, the construction timetable would be less disruptive to the Plant's operation, and considerable time and expense overall would be saved. "Nice job, Dave," said the Chairman.

Admin Assistant Webster indicated the reports that she had presented to the FinCom, whose members, she said, had responded positively to the news that Commissioners had raised the OTD rate for FY18.

OTHER BUSINESS:

FINANCIAL REPORTS [Continued].

"As you can see, the Septage Revenue is *way up*," said the Admin Assistant who reported that for FY18 at a total of \$267,410.15 as of December 19, the Department had experienced Septage Revenue growth of 15 percent over the same period in FY17, when Septage Revenue stood at \$232,589.62.

During the same period in FY18, Total Septage Volume was up 13 percent, at 1,182,004 gallons, up from 1,046,365 gallons in FY17. "You can see why," Mrs. Webster said, "we need that Septage Holding Tank. That's why I did this chart [for the FinCom], to show them *why* we need that ... one point five six million dollars."

Pointing to the report titled "FY18 Operating Budget Expenditures as of December 18, 2017," the Admin Assistant noted that Total Operating Budget Expenditures stood at \$252,239.00, or 52.2 percent spent, while at Warrant 25FY18 the Department Expenditures ought to be at 45.5 percent spent or overspending of about \$31,000 in the current fiscal year.

APPROVAL OF MINUTES:

The Commissioners turned to the **Minutes of the Regular Meeting of October 19, 2017**. Commissioner Ellis made a motion to approve, 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

The next Regular Meeting was set for Thursday, January 18, 2018. 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 4:44 p.m.

Respectfully submitted,

Pia Webster

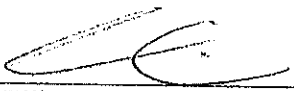
Pia Webster
Administrative Assistant

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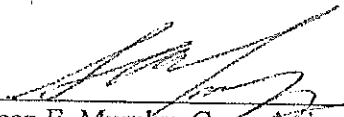
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