

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF DECEMBER 17, 2015**

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 scheduled their Regular Meeting for Thursday, December 17, 2015, 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.

OLD BUSINESS:

REPORT: DOCK STREET HAZARD MITIGATION PROJECT CHANGE OF SCOPE OF WORK; ITT FLYGT PUMPS AND CONTROLLERS.

Facilities Manager David Thompson began, "I'm continuing battling to reduce the scope of work for the Dock Street project." He described how ITT Flygt Products, which made the pumps and controllers to be used in the project, had reduced the price of those items.

Waste Water Commissioner Sean E. Murphy asked by how much Mr. Thompson had managed to scale back the scope. The Facilities Manager replied that he had begun by asking the Capital Programs Committee for \$102,000 from the Town to complete the project. That had dropped to \$99,000 and then to \$84,000. "Keep it [the request] at a hundred and two thousand," said the Chairman.

NEW BUSINESS:

DISCUSSION/VOTES: FY16 SEWER CHARGES ABATEMENT REQUESTS.

Next, the Commissioners considered each of the FY16 Sewer Charges Abatement Requests submitted thus far. Administrative Assistant Pia Webster had analyzed the submissions; researched the claims of the applicants; sent out staff to count drains; and made recommendations for each request.

Mark J. and Ann Irimia Casella, 61 No Summer St (20D-222, S0067). The property had been charged for 13 Outlets to Drain (OTDs) based on permits in the account file. A November 24, 2015 inspection, prompted by a letter from Ms. Casella, uncovered only 10 drains. This was because the owners had not built an addition for which they had applied. Commissioner Murphy made a motion, seconded by the Chairman, to abate off the cost of three drains, or \$210, from the FY16 bill for 61 North Summer Street. The motion carried unanimously by voice vote.

Steven and Anne Corbeille, Gerard Goldman, 18 Pinehurst Rd (20C-114, S0406). The FY16 Sewer Charges for this account had come to \$700 for 10 OTDs based upon a 2014 permit for a master bedroom addition. According to correspondence from Ms. Corbeille, though, the addition had never been completed. A site visit by Department staff on November 12, 2015 established that there were only seven OTDs.

Commissioner Murphy made a motion, seconded by Commissioner Scott Ellis, to abate off from the FY16 Sewer Charges bill for 18 Pinehurst Road \$210.00 for the three OTDs for which the customers had been overcharged. The motion carried unanimously by voice vote.

Lisa J. Crowley-Dutile, 111 School St (29A-12-1, S0482). There are two structures on this property, each with its own water line and meter. The main house had undergone a total renovation, with its water turned off at the street on June 29, 2015. Renovations would be completed by January 1, 2016. A check with the Water Department confirmed that as of December 15 the water was still turned off.

Admin Assistant Webster had suggested a proration of the 17 OTDs in the main house, abating charges for the first 184 days of the fiscal year and reducing the annual bill of \$1,470.00 by \$598.21. The customer would pay the full amount for the four OTDs in the guest house, where she had been living full-time with her husband. Commissioner Murphy made a motion, seconded by Commissioner Ellis, to abate off from the FY16 Sewer User Charges bill for 111 School Street \$598.21 for the 184 days the main house was being renovated. The motion carried unanimously by voice vote.

Bradford T. and Anne M. Fligor, 5 Marchants Path (20C-137-15, S0632). Due to staff error, the Fligors' corrected drain count had not been properly entered in the billing system after a house inspection in the fall of 2014 and a vote by the Board on February 19, 2015. So the FY16 Sewer User bill for 5 Marchants Path printed out with three extra OTDs, a mistake to which Mr. Fligor had drawn the Department's attention with a letter. Commissioner Murphy made a motion, seconded by Commissioner Ellis, to abate off

from the FY16 bill for 5 Marchants Path \$210.00 for the three OTDs for which the customers had been overcharged. The motion carried unanimously by voice vote.

Nicole Friedler-Brisson, 19 Road to the Plains (28-31-92, S1127). This customer had submitted a permit dated October 27, 2014 adding eight drains to her house, which currently had five. An inspection confirmed that the fixtures associated with the eight drains had not been installed, and a conversation with Ms. Friedler-Brisson's contractor established that the addition would not be finished until May 1, 2016.

According to the Admin Assistant, the customer considered it fair to pay for five drains for the full year (\$350.00) and for the additional eight drains for the last 61 days of the fiscal year (\$93.30), for a total of \$443.30; and she had already paid that amount. Commissioner Murphy made a motion to abate off from the FY16 Sewer Charges bill for 19 Road to the Plains \$466.70 for the time the new addition was being worked on. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

Benjamin L. Hall, 21 Oliver St (20C-3, S0333); 40 Main St (20D-198, S0688); 15 Simpsons Ln (20D-225, S0174). The three properties in questions had had no water consumption in a number of years, as attested to by Water Department reports, and Water Department service was shut off at the street level at all three properties. Commissioner Murphy said that he "reluctantly" moved to abate the FY16 Sewer Charges of \$560.00 for 21 Oliver Street; \$140.00 for 40 Main Street; and \$630.00 for 15 Simpsons Lane. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

Myron J. Mintz, Tr, 24 So Summer St (20D-131, S0427). In his abatement request letter, Mr. Mintz argued that billing by the number of OTDs (\$840 for 12 drains) was unfair and that his bill ought to be computed based on an actual impact on the waste water system, that is, by gallonage. (Mr. Mintz is a second-home owner.)

In her recommendation to the Board, the Admin Assistant pointed out that based on the water usage at Mr. Mintz's property, and using the billing systems in the Towns of Tisbury and Oak Bluffs (both based on gallonage), Mr. Mintz's bill would have been considerably higher under the billing systems used in the other Towns.

Commissioner Murphy remarked that it make no sense to change the entire billing system to suit the demands of a single customer. Moreover, he said, "it's a great method." It was voted by the Board of Waste Water Commissioners, noted the Chairman. After further discussion, all of it against, Commissioner Murphy made motion to deny Mr. Mintz's request that his bill be computed on an actual impact on the waste water system and not the arbitrary use of drains and further, to have the Admin Assistant send him a letter explaining why. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

Sarah B. and Eugene C. Rorer, Trs, 89 So Summer St (29B-8, S0389). The Rorers purchased 89 South Summer Street from the Brown-Anderson Family Realty Trust on September 25, 2015, at which point, according to Mrs. Rorer, the house was "basically

demolished.” On the Admin Assistant’s advice, Mrs. Rorer had checked with her attorney and learned that at closing she had received a two-month credit for her sewer bill. Water Department staff confirmed that the water meter had been removed on October 2, 2015. Contractor Peter Rosbeck reported that interior work would not be completed until July 15, 2016.

The Admin Assistant had recommended that the Rorers pay for the first 94 days of the FY16 billing period, from July 1 to October 2, and the Rorers had already done this. Commissioner Murphy made a motion, seconded by Commissioner Ellis, to abate off from the FY16 bill for 89 South Summer Street \$416.19 for the 274 days in the billing period that the house would be off the water system. The motion carried unanimously by voice vote.

Twanette Tharp, 77 Fuller St (19A-5, S0613). There are two structures at this property, a main house and a guest house, each with its own water line and meter. The main house had undergone a total renovation, and its water had been turned off at the street on March 27, 2015. Those renovations would not be completed until May 1, 2016, according to contractor Mark Lucier. The guest house had been in use throughout the fiscal year.

The customer had paid her FY15 sewer bill in full, despite not having use of the 10 drains in the main house after March 27. Thus, for all intents and purposes, she will not have had use of those drains for more than a full year by the time the main house reopened on May 1, 2016. Both houses were inspected by Department staff to confirm the number of drains in each. The Admin Assistant suggested that the cost of the 10 drains in the main house be abated entirely for FY16. The customer had already paid for the cost of the nine drains in the guest house for FY16.

Commissioner Murphy made a motion, seconded by Commissioner Ellis, to abate off from the FY16 Sewer Charges bill for 77 Fuller Street \$700.00 for the 10 OTDs in main house. The motion carried unanimously by voice vote.

OTHER BUSINESS:

FACILITIES MANAGER’S REPORT.

The Facilities Manager related that on November 20 he had issued permits to Mariner’s Property LLC for the eight apartments and four office-retail spaces planned for the lot at Map 21, Parcel 34.223 on the Edgartown-Vineyard Haven Road. He also mentioned that representatives from GHD Inc. would be visiting the following day to examine more closely the areas of concern identified during their first site visit. Moreover, he was happy to report, he said, that Steve Vancour had been onboard since November 2 and that he was “pleased to have him.”

In addition, Mr. Thompson drew the Board’s attention to the Annual Report he had written for the 2015 Town Report. He had highlighted, he said, the Dock Street Hazard Mitigation Program Grant Project; and the planned replacement of capital assets in their 20-year-facility. “Looks good to me,” commented Commissioner Murphy.

FINANCIAL REPORTS.

With regard to the report on FY16 Operating Budget Expenditures as of December 21, 2015, Admin Assistant Webster pointed to the transfer of \$20,000 from the Reserve Fund into the Repair/Replace Equipment Account, bringing the budget up to \$70,000, with the amount spent to \$51,732.75 and the amount available to \$18,267.25.

The Facilities Manager said that at this point his plan was to ask for about \$18,000 more for the Solid Waste Removal Contracts Account and \$20,000 more for the Repair/Replace Equipment Account through Warrant Articles for the April 2016 Special Town Meeting.

Admin Assistant Webster reported that six weeks after sewer bills had been mailed, posted collections stood at \$996,432.10, or 82.4 percent of the Commitment total of \$1,208,784.75. In other news, Town Collector Melissa Kuehne had liened the 13 delinquent FY15 Sewer Charges accounts, which totaled \$10,744.00 in principal and \$1,508.29 in interest. The list of those liens with the amounts was in the meeting binders.

Next, the Admin Assistant went over year-to-date Septage figures, which totaled \$237,285.07, and compared them to the same day in FY14, the previous best year for Septage, when the total had been \$213,654.24. The year-to-date figures for FY16 constituted an 11 percent increase in revenue over FY14's numbers, she said.

The Facilities Manager summarized a December 7 letter he had written to Town Administrator Pamela M. Dolby, which explained the FY17 budget line increases for Equipment Hire; Solid Waste Removal Contracts; Equipment Maintenance; and Capital Outlay, which increases had brought the Operating Budget total to exceed the 2½ percent increase limit by about \$12,050.00.

APPROVAL OF MINUTES.

The Commissioners considered the **Minutes of the Regular Meeting of August 13, 2015**. Commissioner Murphy made a motion to accept the minutes as written, and Commissioner Ellis provided a second. The motion carried, with Commissioners Ellis and Murphy voting Aye and the Chairman abstaining because he had not attended that meeting.

Turning to the **Minutes of the Regular Meeting of October 15, 2015**, Commissioner Ellis made a motion to approve as written, seconded by Commissioner Murphy. There being no discussion or questions, the motion carried unanimously by voice vote.

Lastly, the Board members looked at the **Minutes of the Special Meeting of November 3, 2015**. Commissioner Murphy made a motion to accept the minutes as written, and Commissioner Ellis provided a second. The motion carried, with Commissioners Ellis and Murphy voting Aye and the Chairman abstaining because he had not attended that meeting.

ADJOURNMENT

There being no further business, Chairman Searle offered a motion to adjourn, with a second from Commissioner Ellis. The motion carried unanimously by voice vote. Chairman Searle adjourned the meeting at 4:36 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