



## TOWN OF EDGARTOWN

WASTE WATER DEPARTMENT  
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### TOWN OF EDGARTOWN BOARD OF WASTE WATER COMMISSIONERS

#### MINUTES OF THE REGULAR MEETING OF FEBRUARY 18, 2014

#### **WASTE WATER COMMISSIONERS PRESENT:**

Mr. James K. Carter, Chairman  
Mr. Glen S. Searle, Commissioner

#### **EWWD STAFF PRESENT:**

Mr. David Thompson, Facilities Manager  
Mrs. Pia Webster, Administrative Assistant

#### **OTHERS PRESENT:**

Mr. Richard J. Barbini, Schofield, Barbini & Hoehn  
Mr. Scott Ellis, Commissioner-Designate

#### **MEETING CALLED TO ORDER:**

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on a special day and at a special time – Tuesday, February 18, 2014, at 4:30 p.m. – in the conference room at the Edgartown Waste Water Treatment Facility, located at 330 West Tisbury Road, Edgartown, Mass. At 4:30 p.m., Chairman James K. Carter called the meeting to order.

#### **NEW BUSINESS:**

#### **DISCUSSION/VOTE: PROPOSED MICROBREWERY AND RETAIL SPACE AT 270 UPPER MAIN STREET**

Richard J. Barbini of Schofield, Barbini & Hoehn presented a plan for Bad Martha Farmer's Brewery and Beer Garden, to be located at the front portion of 270 Upper Main Street (Parcel 20A-65-2), where the antiques shop Abby-Ems was once located. He explained that Bad Martha would be a brewery that would "make beer in small quantities.... They can only sell what they make." Mr. Barbini added that if consumers asked about buying the product in bulk, they would be handed a list of the local

purveyors who would be selling it. Facilities Manager David Thompson noted that Bad Martha would be what was referred to in the business as a “craft brewer.”

Chairman Carter asked if food would be served. No, answered Mr. Barbini. Responding to a question from Waste Water Commissioner Glen S. Searle, Mr. Barbini described the ways this enterprise would be different from Offshore Ale Co. in Oak Bluffs, which was a full restaurant operation.

Facilities Manager Thompson referred those present to his analysis of the expected flows produced by the brewery. “It’s a high-BOD product,” he said, “but compared to a restaurant, it’s about one half of what a 40-seat restaurant would do.” Mr. Barbini pointed out that Bad Martha would have 34 seats. Mr. Thompson went over the brewing process. Twice every two months, a seven-barrel batch would be made and stored in a 1,500-gallon holding tank.

The Facilities Manager continued that the proposal called for an equalization (EQ) vessel with a dedicated E-One pump independent of the sanitary sewer service E-One. This would allow the sediment (the main source of high BOD and suspended solids) to be settled in the EQ vessel and the clearer wastewater to be decanted off the top and discharged to the system in timed pulses to minimize shock to the system. From time to time the settled material would be brought via pump-out to the treatment facility as septage. A seven-barrel batch would generate about 1,120 gallons of wastewater at the generally recognized rate of five gallons of wastewater per gallon of beer.

Commissioner Searle wondered if Offshore Ale Co. had a similar system. No, replied Mr. Barbini, theirs is a gravity-based system. Responding to a query from Chairman Carter, Mr. Thompson described what happened in the equalization tank as “pretreatment.”

Chairman Carter asked if the Board should establish a separate type of BOD charge for this sort of operation. The Facilities Manager explained that the Department could charge what it needed to charge to handle the waste being produced; the State allowed this. For instance, the Stop & Shop on Upper Main Street paid three separate BOD flat charges.

Commissioner-Designate Scott Ellis asked what the term BOD meant, and Mr. Thompson explained. So you can charge more if it turns out they produce more? Mr. Ellis inquired. Yes, answered the Facilities Manager.

Mr. Barbini added that the majority of the waste produced on the site would be sanitary waste and not waste from the brewing. Administrative Assistant Pia Webster wished to clarify for the record that there would be two E-One pumps, one to process brewery waste and one to handle sanitary waste.

Commissioner Searle made a motion to approve the Bad Martha Farmer’s Brewery and Beer Garden proposal as presented and charge the brewery one BOD flat charge to handle the additional waste produced. Chairman Carter produced a second, and the motion carried unanimously by voice vote.

**COMMENDATION: FORMER COMMISSIONER TIMOTHY K. CONNELLY.**

Speaking of Board member Timothy K. Connelly, who had offered his letter of resignation on January 28, the Chairman observed, "Tim did a lot to help the facility." He recalled that when it had come time to deal with some financial improprieties and the departure of a former Facilities Manager, Mr. Connelly had been "very focused" and goal-oriented. Referring to a letter to Mr. Connelly drafted by Admin Assistant Webster, Chairman Carter remarked, "I find it to be a very nice letter." Chairman Carter, Commissioner Searle and Facilities Manager Thompson signed the letter to former Commissioner Connelly.

**OLD BUSINESS:**

**REPORT: FINES AVAILABLE (OR NOT) – 30 EVELYN WAY.**

Facilities Manager Thompson reported on the results on his research into possible fines related to an incident last December 17, when a hauler had discharged a questionable load, screenings from which were "black, oily and smelling very strongly of petroleum, specifically of diesel." [See pages 5-6 of the Minutes of the Regular Meeting of January 9, 2014.] We have nothing in the regs as far as a fine is concerned, said Mr. Thompson, adding, we only have the right of refusal.

"The person delivering it should have known," insisted Chairman Carter. "I sent a strong letter to the Tisbury Board of Health," stated the Facilities Manager, "and I said I don't want to see any more loads from this location." (A copy of said letter was in the meeting packet.) Chairman Carter and Commissioner Searle agreed that this was a section in the *Rules and Regulations* that needed work, once the Board was back to three members.

**REPORT/RECOMMENDATION: GMC UTILITY TRUCK DISPOSAL.**

Facilities Manager Thompson referred the Commissioners to some online advertisements he had come across for vehicles similar to the utility truck the Department was hoping to sell. [See page 3 of the Minutes of the Regular Meeting of November 21, 2013.] The vehicle in question was a 2003 GMC Savana 3500 with only 6,000 miles on the odometer. Mr. Thompson related that he had spoken to Jennifer O'Hanlon, Town Procurement Officer, about the proper procedures attendant to its sale. He thought it advisable, he said, to list a minimum bid.

The Board members and the Facilities Manager discussed among themselves where they would like to set said minimum and reached a consensus of \$15,500.00. The Chairman instructed Mr. Thompson to initiate the bid procedure.

**FY14 SEWER BILLING – ABATEMENT/REFUND REQUEST NO. 5**

Admin Assistant Webster went through the details of Abatement Request No. 5 from the FY14 Sewer Billing Commitment, which sought to zero out the \$68.00 charge attached to **Account S0476 (53 Pinehurst Road LLC, 53 Pinehurst Road, Parcel 20A-80)**. The parcel in question was a vacant lot, but OTDs belonging to an abutting parcel owned by

the same customer had been billed on this account in FY13. Staff corrected this and entered zero as the OTD factor, only to discover after the FY14 billing that a zero factor gets billed as one OTD. In other words, the parcel ought to have been de-activated or deleted entirely.

Commissioner Searle made a motion to abate the \$68.00 charge for 53 Pinehurst Road, since that property is not tied in. Chairman Carter provided a second, and the motion carried unanimously by voice vote.

**VOTE/SIGN: APPLICATION FOR AUTHORITY TO ABATE – BILL FY12-945**

Next, the Commissioners considered an Application for Authority to Abate concerning the FY12 Sewer Bill for Parcel 20D-342-9. Admin Assistant Webster explained that in 2009 Parcel 20D-342 was divided into three condominium units, and when the then-owner applied for sewer service, he mislabeled the units. Thus, a garage unit with no sewer tie-in was labeled as being on a parcel that had a sewer tie-in. Mrs. Webster stated that the billing system had since been corrected, but Bill No. FY12-945 for the garage – charged in error and eventually liened – remained.

Chairman Carter asked for assurance that the South Summer accounts had been straightened out and that the Board was not abating a charge they had already abated. Mrs. Webster told him they were not. Commissioner Searle made a motion to submit the Application for Authority to Abate Bill FY12-945, seconded by Chairman Carter. The motion carried unanimously by voice vote, and the Commissioners signed the paperwork.

**REPORT/DISCUSSION/RECOMMENDATION: RESIDENT GRINDER PUMP  
CAPITAL REPLACEMENT.**

Facilities Manager Thompson spoke about the report by Henry S. Albro of F.R. Mahony & Associates in association with the New England Water Environment Association (NEWEA) and presented at NEWEA's conference in Boston late in January. Mr. Albro's paper investigated the ownership costs of grinder pumps; the life of an E-One pump was about 20 years, but in the meantime, the maintenance costs accelerated. The Facilities Manager related that the Edgartown Waste Water Department currently spent \$8,000 to \$10,000 each year – averaging \$33.87 per pump – on grinder pump repairs and replacements, which was in the middle range of cost per pump, according to the Albro study. The study suggested a set-aside of \$104 per year per pump to cover the eventual replacement of the pump (currently \$2,083) after its 20-year average life.

Mr. Thompson continued that such a set-aside charge for each customer with an E-One would help the Department pay for what was becoming a ballooning expenditure. "We've had unanticipated expenses with this," he said, noting that the Department currently oversaw 368 E-One pumps.

Chairman Carter wanted to know why the *Department* was replacing pumps when most *customers* had had to buy the E-Ones originally. Mr. Thompson answered that this was simply something that had been understood by the customers. "We stood up and told them," he said. In the Island Grove subdivision, the customers had paid for the panel,

while in Edgartown Meadows, the whole set-up had been free. All other E-One customers had had to pay for the pump in full. But in every case it had been understood that the Department would maintain the pump from there on out.

Chairman Carter related that when he had met with Town Administrator Pamela M. Dolby and Town Accountant Kimberly G. Kane to propose the annual set-aside charge for E-One customers, their responses had been positive. The Facilities Manager pointed out that Ms. Kane had recommended they locate a Massachusetts Town where this system had been set up successfully and find out what financial mechanisms they had employed. "I recommend we keep a good line of communication with them," added Chairman Carter. He stressed that to be fair, the funds for the E-One repairs should be coming from the grinder pump users only and not from *all* sewer system users.

**DISCUSSION: NOTIFY TOWN HALL RE: DEPLETION OF CAPITAL ACCT.**

Admin Assistant Webster went over Capital Account 0144006/585010 Re-equip, Repair, Replace, Upgrade, which had earlier shown a balance of \$6,257.83, with 86.1 percent of the budget of \$45,000.00 spent. However, she said, a series of credits from F.R. Mahony & Associates were attached to the account that morning, bringing the balance up to \$13,842.92, with 69.2 percent of the budget spent. That being the case, Mrs. Webster concluded, she was no longer concerned about this account bottoming out before June 30.

Facilities Manager Thompson said that he thought many of the credits were from E-One grinder pump repairs. He had expected, he said, that some of those transactions would have appeared in FY13.

**OTHER BUSINESS:**

**QUESTION ABOUT PAYROLL SIGNATURES.**

Noting that Facilities Manager Thompson would be off-Island on vacation the following week, Admin Assistant Webster asked if both Commissioners would be able to sign the payroll warrant on Wednesday, February 26. Commissioner Searle said he would be off-Island; the Chairman said he could sign. Mrs. Webster said she would notify the Town Administrator and the Town Accountant that the Department would have only one signature on that payroll warrant.

**JANUARY FACILITIES MANAGER'S REPORT.**

Facilities Manager Thompson reported that the effluent flow for January 2014 had been 4,089,277 gallons, while the recorded flow for January 2013 had been 5,267,714, further evidence of the 25 percent calibration flow meter discrepancy that had come to light last summer. *[See pages 4-5 of the Minutes of the Special Meeting of August 29, 2013; and page 4 of the Minutes of the Regular Meeting of October 17, 2013.]*

The total nitrogen for the month of January, continued the Facilities Manager, averaged 2.05 milligrams per liter. "That is the limit of technology for a brand-new, state-of-the-art facility," remarked Mr. Thompson, adding, "We're allowed seven [milligrams]."

While at the NEWEA conference, the Facilities Manager went on, he had met with Tighe & Bond Project Manager Ian Catlow to review the engineering of the Dock Street Hazard Mitigation Grant Project as well as plans for the secondary clarifiers.

Lastly, Mr. Thompson mentioned that a new hauler had contacted him about dumping at the facility. The hauler had a so-called wedding trailer like Bert Jamgochian's but larger, with an 800- to 1,000-gallon capacity. His trailer, however, was of insufficient height to allow for a proper feed for the discharge at Station One. An alternative was to use the unmetered small batch station while being charged for "nameplate" gallons – that is, for the maximum possible load, no matter the size of the load.

"I can't accept unmetered," declared Chairman Carter. Commissioner Searle agreed. For the benefit of Mr. Ellis, Messrs. Carter and Thompson spent a few minutes explaining the importance of metering all waste coming into the facility in light of Judge John Paul Sullivan's January 2012 report on the Department's operational deficiencies.

#### **JANUARY FINANCIAL REPORTS.**

Admin Assistant Webster related that the highlight of the monthly financial reports was the updated FY14 Sewer Billing Collections Report, which showed collections at 90.8 percent of the Adjusted Commitment. In a February 4 e-mail, Mrs. Webster continued, she had referred to plans to work out a schedule with the Town Collector so that more than a single Sewer Billing Commitment could be run each fiscal year. Since then she had spoken to the Collector and settled on billing dates of August 15 for Commitment 1 and February 15 for Commitment 2.

The second Commitment, the Admin Assistant explained, would pick up customers who had tied into the system from July 1 through February 14 of a particular fiscal year. As they had learned earlier from a MUNIS representative, the way to handle such customers was to bill them the full year's charge, then abate off the prorated portion of the fiscal year during which they had not been customers. The Department would still be missing, though, those who signed on from mid-February to June 30.

Chairman Carter stated in no uncertain terms that he wanted the Department to generate a third Commitment at the end of the fiscal year that would pick up the customers who had signed up for service from mid-February onward. Admin Assistant Webster said she would have to go over this with the Town Collector and see if and how this could be coordinated with her Department.

Not *if*, stressed the Chairman, because there *would* be a third Commitment. The Department could not simply give away service because a customer had signed on at a particular time of year. Mrs. Webster agreed to set up the proper schedule with the Town Collector and to work with Tyler Technologies to figure out how this could be done.

#### **APPROVAL OF MINUTES.**

In discussing the **Minutes of the Regular Meeting of September 12, 2013**, the Admin Assistant pointed out that they would have to remain in draft form, since only former

Commissioner Timothy K. Connelly and Chairman Carter had attended. As for the **Minutes of the Special Meeting of October 13, 2013**, Mrs. Webster reported that Assistant/Operator Shelly Reed was still working on them.

Turning to the **Minutes of the Regular Meeting of January 9, 2014**, Admin Assistant Webster pointed to a change at the bottom of page 4 suggested by Facilities Manager Thompson. The original sentence read, "Mr. Thompson mentioned that former Facilities Manager Joseph N. Alosso's 2009 Annual Report had described the 'major maintenance' that staff performed on the then-15-year-old plant." The words "needed on" should be substituted for "that staff performed" so that the sentence read, "Mr. Thompson mentioned that former Facilities Manager Joseph N. Alosso's 2009 Annual Report had described the 'major maintenance' needed on the then-15-year-old plant."

Commissioner Searle made a motion to approve the Minutes of the Regular Meeting of January 9, 2014 as amended, seconded by Chairman Carter. The motion carried unanimously by voice vote.

**ADJOURNMENT**

There being no further business or comment, Chairman Carter asked for a motion to adjourn. Commissioner Searle offered a motion to adjourn, seconded by the Chairman. The motion carried unanimously by voice vote, and Chairman Carter adjourned the meeting at 5:44 p.m.

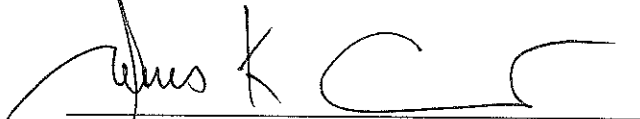
Respectfully submitted,



Pia Webster  
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS  
TOWN OF EDGARTOWN



James K. Carter, Chairman



Glen S. Searle, Commissioner