



TOWN OF EDGARTOWN

WASTE WATER DEPARTMENT
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TOWN OF EDGARTOWN BOARD OF WASTE WATER COMMISSIONERS

MINUTES OF THE REGULAR MEETING OF APRIL 17, 2014

WASTE WATER COMMISSIONERS PRESENT:

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

EWWD STAFF PRESENT:

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

OTHERS PRESENT:

Mr. Ian Catlow, Project Manager, Tighe & Bond, Inc.

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, April 17, 2014, 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 Designate Glen S. Searle called the meeting to order. Administrative Assistant Pia Webster apologized for having failed to put Reorganization of the Board on the agenda. She assured the Board that they could officially install Mr. Searle as Chairman at their next meeting.

OLD BUSINESS:

PROGRESS REPORT: ROAD TO THE PLAINS SEWER EXTENSION.

Facilities Manager David Thompson related that he had recently done a walk-through of the site of the Road to the Plains sewer extension, just prior to the grinding of the road surface. Using contractor Keith Fenner's markings, he had been able to work up engineer's drawings. "Nothing's ready to go yet," he said, adding, "We've got our first late-comer." "The asphalt plant hasn't opened yet?" asked Commissioner Scott Ellis. Commissioner Ellis and the Chairman both thought it was opening that day. "Well, the base *is* prepared," said Mr. Thompson.

PROGRESS REPORT: SELLING OF UTILITY TRUCK.

The Facilities Manager reported that he had run the required ads for the sale of the 2003 GMC Savana 3500. "No bites," he said. *[For background on this matter, see page 3 of the Minutes of the Regular Meeting of November 21, 2013; page 3 of the Minutes of the Regular Meeting of February 18, 2014; and page 6 of the Minutes of the Regular Meeting of March 13, 2014.]*

Admin Assistant Webster remarked that often in a bidding process, interested parties waited until nearly the deadline to submit their offers. Mr. Thompson noted that should there be no bids submitted by the deadline of May 15, the process could be re-initiated with a new deadline.

NEW BUSINESS:

PRESENTATIONS: IAN CATLOW OF TIGHE & BOND, INC.

A. HAZARD MITIGATION GRANT PROGRAM PROJECT.

Project manager Ian Catlow of Tighe & Bond, Inc. related that he had begun work on the Hazard Mitigation Grant Program (HMGP) application for the Dock Street project in February 2012. A relatively little-known program, he noted, the State managed the HMGP with the Massachusetts Emergency Management Agency (MEMA). "Dock Street is the perfect fit for this program," he said.

One snag that he and Mr. Thompson had encountered, Mr. Catlow continued, was the existence of the Martha's Vineyard Commission's own Hazard Mitigation Plan, something with which any project of this nature by the Department had to be reconciled. At the time the HMGP application was in the works, the MVC's updated Hazard Mitigation Plan had not yet been finalized. (Its prior pre-disaster plan for the Island was expiring on May 13, 2013.) So some fast and furious coordination had to be facilitated to meet the posted deadlines.

Mr. Catlow passed around a photograph of the Dock Street area where the station was situated, as well as a schematic of the existing facilities showing the 100-year base flood elevation of 14 feet, as well as 10-year, 50-year and 100-year still water elevations. With the hatch cover at 10.2 feet elevation, the 100-year base flood would be "well up over the top of the station," observed the engineer. Next, Mr. Catlow distributed a sheet of color photographs showing equipment in the interior and on the exterior of the pump station, in addition to another schematic of the station.

The essence of the project, Mr. Catlow explained, was to swap out the present pumps for two dry-mounted submersible pumps and to replace much of the switch gear at the site with a variety that could stand up to a soaking. The engineer said, "This would harden the station enough ... so that even if the dry-well side flooded ... you could wait 'till it subsided, then flip the switch..." He stressed that the project was basically a "mechanical upgrade."

Chairman Searle wanted to know when the work would commence. Facilities Manager Thompson said that the first step was to prepare a bid package. Mr. Catlow noted that the total cost of the project would be in the area of \$525,000. This would include replacing the pumps and most of the valving; altering the vents to raise them; swapping out the control panels for

submergible ones; tearing out some arbor vitae at the site to make room for the work; installing radio telemetry between Dock Street and the plant; and moving some controls to a site behind Town Hall.

Other than a couple of trees, the excavation would be fairly limited? inquired Commissioner Sean E. Murphy. Right, answered Mr. Catlow. Did the Conservation Commission have to review the project? asked Commissioner Murphy. *[See below for the answer.]*

Responding to a query from the Chairman, Mr. Catlow related that under the program the Department had three years to complete the project. "Obviously, you want to do it in the off season," he said. "The whole Town runs into that," noted Mr. Thompson, adding, "Hopefully, after Columbus Day." After the *Derby*, stressed the Chairman.

Mr. Catlow informed the Board that the letter agreement between the Department and Tighe & Bond for his work as project manager was being finalized and would be available for their perusal shortly. Commissioner Murphy reposed his question about the Conservation Commission. "We would go to the ConCom before the bidding," replied Mr. Catlow. The Facilities Manager pointed out that the grant approval packet required an environmental review performed by the State (Attachment H). After scrutinizing this report, the ConCom could decide whether they wished to review the project.

B. SECONDARY CLARIFIER DRIVE REPLACEMENTS.

Mr. Catlow described the secondary clarifier drives as "coming up on 20 years old ... with some oil leakage." When looking at replacement, he said, one had to consider one, condition and two, criticality. Fred Ford of Ovivo USA, LLC (formerly Eimco Water Technologies) had toured the plant with him last December 6, the engineer went on, and as to condition, the former had concluded that "you're not at the point where you're skipping teeth, but there're shavings in the oil."

In terms of criticality, Mr. Catlow continued, the Board had to consider the 12-to-16-week lead time required to secure the drives, which were sized very precisely for the particular plant. Significant mobilization and demobilization costs added another element to weigh. *[For background on the secondary clarifier drive replacements project, see pages 2-3 of the Minutes of the Regular Meeting of November 14, 2013; and pages 2-3 of the Minutes of the Special Meeting of November 21, 2013.]*

Admin Assistant Webster pointed out to the Board members that the copy of the secondary clarifier design services proposal in their binders was identical to the one dated November 6, 2013 submitted last fall to the Board by Mr. Catlow; the first page had simply been re-dated April 17, 2014. What she wanted to know from Mr. Catlow was when the Commissioners could see a set of reworked figures for the construction costs, with the \$4,000.00 Misc. Painting & Prep item removed; the set of costs they had before them was from November 6.

Mr. Catlow responded that he would draw up a revised set and get that to them. Mrs. Webster clarified with the engineer that if he would get a clean, updated copy of the proposal to her by the following week, the Board could vote to accept and sign it in their May Regular Meeting.

As for timing, Facilities Manager Thompson said he hoped the project would be awarded by early September. The work had to be done after the high season, a time when both secondary clarifiers had to be run.

Mr. Catlow spoke for a few minutes about Tighe & Bond's experience with a type of self-guided asset management program, which was, in fact, an EPA process. It was a way of organizing data about the plant's infrastructure that could be useful in planning future capital purchases. "For a lot of this stuff," noted Mr. Catlow, "we rely on the plant operators."

DISCUSSION/VOTE: ARTICLE IX, SECTION VIII HARDSHIP EXEMPTIONS.

Admin Assistant Webster began the session on Hardship Exemptions by pointing out that in their next Regular Meeting, the Board needed to vote on a rewording of the final sentence of Section VIII, Article IX of the Sewer Rules and Regulations to reflect the introduction of the MUNIS accounting system. Mrs. Webster then provided background on the three Hardship Exemption cases before them – Constance Scott of 42 Martha's Road, Evelyn Simpson of 42 Pinehurst Road and Peter Van Tassel of 119 South Water Street – all of which had been approved by the Board of Assessors, the first two on March 31 and the last on April 1.

Commissioner Ellis made a motion to grant Constance Scott, Evelyn Simpson and Peter Van Tassel the Hardship Exemption Rate of \$50 per year for their FY14 Sewer Bills and to grant them abatements accordingly. Commissioner Murphy offered a second, and the motion carried unanimously by voice vote.

REPORT/DISCUSSION: SYNAGRO SLUDGE MANAGEMENT CONTRACT RENEWAL; CONSULT WITH TOWN COUNSEL.

Facilities Manager Thompson explained that Synagro Northeast LLC was the firm that incinerated the plant's sludge cake after R.M. Packer transported it to New Bedford and ABC Disposal Service then took it to the incineration facility in Woonsocket, R.I. The last contract the Department had signed with Synagro was a three-year agreement dating from 2011 which stated that at a point no less than six months prior to expiration, the Department had to commit, or not, to signing for another three years. Since Mr. Thompson had not been aware of this arrangement, he had not given the required notice.

Further, continued the Facilities Manager, Synagro staff had referred him to a solid-waste exemption from the terms of Chapter 30B. However, as the Procurement Officer had confirmed, sludge is "exempt from the exemption." Moreover, the Inspector General had declared that an automatic renewal clause of this sort was not allowed under Chapter 30B. Chairman Searle requested that Mr. Thompson take the Synagro contract to Town Counsel Ronald H. Rappaport, declaring that the Town would not be "held hostage" by the incineration outfit.

The Chairman then made a motion that the Facilities Manager consult with Town Counsel regarding the legality of the Synagro contract and whether it had to be bid out, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

Mr. Thompson said that he had another matter to discuss with Mr. Rappaport, namely, a contract for transporting the sludge cake off-Island, which up until now had been assigned to R.M. Packer

& Co., Inc. without any Chapter 30B bidding process. In addition, the Facilities Manager said he wanted to get some advice about obtaining reimbursement from Hawkeye for damage inflicted during the installation of the new poles on the West Tisbury Road. The Board members agreed.

DISCUSSION/VOTE: SEWER REGULATION AMENDMENTS.

After some discussion, on a motion by Commissioner Murphy, seconded by Commissioner Ellis, the Board voted to amend the Town of Edgartown Sewer Rules and Regulations as follows [*quoted regulations in italics*]:

ARTICLE IV, BUILDING SEWERS AND CONNECTIONS, SECTION 2(c) PERMIT FEE shall now read in its entirety: *"A permit and inspection fee of one hundred dollars (\$100.00) for a residential sewer permit and two hundred and fifty dollars (\$250.00) for a commercial building sewer permit shall be paid to the Town at the time the application is completed and approved."*

A sentence shall be added to the end of ARTICLE IV, SECTION 9, INSPECTION OF BUILDING SEWER CONNECTION which shall read, *"Subsequent requested inspections of the building sewer or residential sewer pump are subject to a service charge of fifty dollars (\$50.00) per visit."*

ARTICLE VIII, PENALTIES, SECTION 4, VIOLATION OF SEPTAGE ACCEPTANCE POLICY shall read in its entirety: *"Any person/company discharging or contracting for discharge at the facility found violating any provisions of ARTICLE XV (SEPTAGE PRE-TREATMENT FACILITY), ARTICLE V, SEC. 3 (PROHIBITED WATERS OR WASTES) or SEC. 4 (PROHIBITED SUBSTANCES), such as but not limited to discharging waste into the collection system without prior approval or discharging waste from another town without prior approval, shall immediately be subject to the following penalties: lose the ability to use the Edgartown facility for a period a thirty (30) days for the first offense, as well as incur a one thousand dollar (\$1,000.00) fine; lose access for ninety (90) days for the second offense, with a two thousand five hundred dollar (\$2,500.00) fine; and lose access for one hundred eighty (180) days for the third offense, with a five thousand dollar (\$5,000.00) fine. Violations beyond this and violations that occur during a suspension shall result in criminal charges being brought against such individual or company."*

ARTICLE IX, USER CHARGE SCHEDULE, SECTION 5 b) Dishwashers shall be amended as follows: *"b) **Dishwashers**: One user charge per commercial kitchen unit. No user charge for residential unit already tied to kitchen sink drain."*

To ARTICLE IX, SECTION 5, WEIGHING OF DRAINS, add a new section as follows: *"h) **BOD Charge per business and per seat**, as set and published annually by the Board of Waste Water Commissioners, applied to every food or beverage retail or production facility."*

ARTICLE XV, SEWAGE PRE-TREATMENT FACILITY, SECTION 4(b) COMPLIANCE shall now read in its entirety thus: *"Generally, all septage to be treated at the Edgartown Wastewater Treatment Facility must comply with the provisions set forth in ARTICLE V, SEC. 3 and 4, inclusive of these rules and regulations. Penalties for failure to comply are set forth in ARTICLE VIII, SEC. 4 (VIOLATION OF SEPTAGE ACCEPTANCE POLICIES)."*

And

ARTICLE XV, SECTION 5(b) RESPONSIBILITIES OF THE DRIVER shall now read as follows: *“(b) The driver shall provide the operator with accurate and complete pumpout information on the discharge permit. The driver shall ensure that the discharge complies with the provisions of ARTICLE V, SEC. 3 (PROHIBITED WATERS OR WASTES) and SEC. 4 (PROHIBITED SUBSTANCES). Penalties for failure to comply are set forth in ARTICLE VIII, SEC. 4 (VIOLATIONS OF SEPTAGE ACCEPTANCE POLICIES).”*

OTHER BUSINESS:

OUTSIDE CONSULTANT FOR INDEPENDENT FACILITY ASSESSMENT.

Facilities Manager Thompson had brought to the meeting an assessment report on “a humongous plant in California,” though he expressed doubts as to whether this had much relevance for the subject at hand. Admin Assistant Webster pointed to the re-ordered Past and Planned Warrant Articles list she had typed up, with the \$45,000 item for the Independent Evaluation of Capital Needs moved to Fiscal Year 2016.

It had been her impression at the Financial Advisory Committee meeting in the fall, Mrs. Webster went on, that Town Administrator Pamela Dolby and members of the FinCom wanted such an evaluation done before the Department ventured into much more capital spending. So it would behoove them, said the Admin Assistant, to come up with some possible candidates. Chairman Searle thought that the staff ought to have some kind of proposal by September or October. Mrs. Webster said that she would ask former Chairman James K. Carter for the name of the independent consultant who had done work for Oak Bluffs.

Facilities Manager Thompson mentioned that additional funds for the coating replacement of the odor-control silos should be added as a warrant item under FY16. Another approach, he said, would be to bid the project out as a soda-blasting job for removal of the old coating and then have the in-house crew themselves paint the structures. “Put it on the table and see if anyone bites,” Mr. Thompson said.

MARCH FACILITIES MANAGER REPORT.

At 3,523,669 gallons, reported Facilities Manager Thompson, the effluent flow for March was down about 28 percent from a year ago, with at least some of the difference attributable to the flow meter calibration issues the previous year. The total nitrogen numbers were “great,” he said, at 2.35 milligrams per liter and 1.8 milligrams per liter for the two monthly submissions to the Department of Environmental Protection.

Mr. Thompson related that the Department had been “hammered” with repair expenses on a few items over the winter, but with those items now paid for and some double payments credited to the expense accounts, he now knew where they stood. A new SOP for Bills Payable had been proposed and implemented.

On March 11, Mr. Thompson had heard from Synagro about the sludge contract extension, and when he received the contract text, he had passed it on to the Procurement Officer. The progress

by Fenner Construction on the Road to the Plains project had been nothing short of "amazing," he said.

The end of March brought more equipment woes. Three backup generators were down, and the school generator had died. "We're hemorrhaging money keeping things alive," the Facilities Manager commented.

MARCH FINANCIAL REPORTS.

Admin Assistant Webster emphasized the healthy collection rate for the FY14 Sewer Billing, which stood at \$1,056,051.64, or 96.2 percent. In addition, she showed the Commissioners a sample of the third notices that had been mailed on April 5 to the 62 customers who had still not paid.

Mrs. Webster pointed out that the Town Accountant had increased the Total FY14 Receipts Projected for Septage Billed to \$345,000.00, up from \$310,000.00. This was a good thing because (a) it meant the folks in Town Hall were reading the reports she e-mailed over; and (b) the Department was certain to hit that projection by June 30. Overall, fiscal year cash receipts stood at 112.7 percent of year-end projections.

Moving to the Operating Budget Expenditures report, Mrs. Webster reported that over the past six weeks she had recovered about \$17,000 for the budget by tracking undeposited checks, arranging for vendors refunds and untangling vendor accounts. Facilities Manager Thompson noted that on March 31 Total Operating Budget Expenditures stood at 73.4 percent.

For the benefit of Commissioner Murphy, who was new to the Board, Admin Assistant Webster went over the basics of the Septage Billed Reconciliation, which included tracking the payments for every load dumped at the facility.

UPCOMING AGENDA: FY15 SEWER, SEPTAGE AND PERMIT RATES.

Admin Assistant Webster pointed to the materials in the meeting binders related to the setting of sewer and septage rates for FY14. She reminded the Commissioners that the FY15 rates had to be voted by July 30 and that it was the Board's custom to begin discussion of the new rates in the May Regular Meeting. She suggested that in the meantime they try to get feedback from Town Hall on the direction, if any, those parties felt they ought to take.

APPROVAL OF MINUTES:

Mrs. Webster noted that on page 1 of the **Minutes of the Regular Meeting of March 13, 2014**, she had added the courtesy titles of "Mr." and "Ms." in the section "Others Present." Otherwise, the text was exactly as it had been in the version she had e-mailed to them.

Commissioner Ellis made a motion to approve the Minutes of the Regular Meeting of March 13, 2014 as written, seconded by Chairman Searle. The motion carried, with Commissioners Searle and Ellis voting aye and Commissioner Murphy abstaining, because he was not on the Board at the time of that meeting.

ADJOURNMENT

Before adjourning, Chairman Searle offered new Commissioner Sean Murphy a warm and hearty welcome to the Board. Commissioner Ellis extended his good wishes as well, as did staff.

There being no further business or comment, the Chairman asked for a motion to adjourn. Commissioner Ellis offered a motion to adjourn, seconded by Commissioner Murphy. The motion carried unanimously by voice vote, and Chairman Searle adjourned the meeting at 5:18 p.m.

Respectfully submitted,



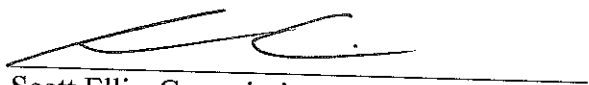
Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN



Glen S. Searle, Chairman



Scott Ellis, Commissioner



Sean E. Murphy, Commissioner