



TOWN OF EDGARTOWN

WASTE WATER DEPARTMENT
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TOWN OF EDGARTOWN BOARD OF WASTE WATER COMMISSIONERS

MINUTES OF THE REGULAR MEETING OF JUNE 26, 2014

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

OTHERS PRESENT:

Mr. Peter Rosbeck, Jr., Rosbeck Builders Corporation

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, June 26, 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 Glen S. Searle called the meeting to order.

OLD BUSINESS:

UPDATE: RESULTS OF BIDS FOR SLUDGE CAKE TRANSPORT.

Chairman Searle filled in Commissioner Scott Ellis on the vote taken in the Special Meeting of June 19 to award the contract for the "Transportation of Dewatered Sludge Cake to Disposal Facility" to Howland Disposal Services of Plymouth, Mass. at a cost of \$1,270 per container. *[See pages 1-2 of the Minutes of the Special Meeting of June 19, 2014.]*

Facilities Manager David Thompson reported that he had contacted parties at Howland, as well as the Steamship Authority, and that Howland had already arranged for one trip each week through the month of July, with an extra trip in the works. The contract

documents had gone out the previous Friday via Federal Express, and in fact he had been expecting the signed paperwork to be returned that day.

The Chairman related that his and Commissioner Sean E. Murphy's motion to approve had also authorized Mr. Thompson to take appropriate emergency measures to arrange for sludge cake transportation if the arrangement with Howland did not work out. The Facilities Manager expressed confidence that R.M. Packer Co., Inc., the previous sludge cake hauler, would be willing to pick up the slack, should some sort of emergency arise. Chairman Searle said he would like the Board to send a letter of thanks to Ralph Packer for his many years of dependable service. Commissioners Scott and Murphy agreed.

NEW BUSINESS:

DISCUSSION: ENHANCED SYSTEM DISCOUNT PROPOSAL.

Chairman Searle announced that Health Agent Matthew Poole would not be able to attend the meeting that day to discuss his enhanced-system discount proposal. So his visit to the Board would be postponed until the Board's Regular Meeting on July 17.

Facilities Manager Thompson asked the Commissioners if they were familiar with the basics of enhanced systems. He explained that some residents live in areas where they cannot have regular systems. Mr. Poole's concerns, he said, centered about the maintenance costs, which ran to around \$1,500 annually. Additionally, if testing proved the system had not been performing well, it had to be pumped out, incurring further costs.

Mr. Thompson remarked that he was "not thrilled about having another category" of waste to account for at the Facility. He could picture, he said, assigning these loads the same Waste Type ID as Failed System, creating a Failed System/Enhanced System category. What he feared, though, was stepping onto the same slippery slopes the Department had struggled with when there were two sets of rates – one set for Edgartown and another for everybody else. The Facilities Manager described how until that system had been eliminated and the permit system standardized for all six Towns, the overwhelming preponderance of pump-outs had – unsurprisingly – come from Edgartown.

Commissioner Murphy pointed out that often homeowners installed the enhanced systems as a requisite to adding a bedroom or bedrooms. Administrative Assistant Pia Webster commented that this observation put the matter in an altogether different light. The Chairman noted again that Mr. Poole would be invited to the July 17 Regular Meeting to discuss this subject.

**REPORT: WASTEWATER ISSUES AT POST OFFICE SQUARE
APARTMENT COMPLEX AT TRIANGLE.**

Commissioner Murphy recused himself from the discussion of the Post Office Square Apartment Complex, since he represented the applicant. Chairman Searle asked if the construction of the new apartments would require the installation of a bigger sewer line.

No, replied the Facilities Manager. Because if it did, said the Chairman, we shouldn't have to pay for it. "The capacity is there," said Mr. Thompson, who related that he had studied the situation and gone over the details with engineer George Sourati.

Facilities Manager Thompson continued that the project lay in the B1 Zoning District; so the Department had no control over the number of bedrooms allowed. "We don't have a dog in that fight," he said. As for the aspect that did concern the Department, Mr. Thompson pointed to the flow calculation he had included in one of his e-mails to the Board, which read: "The flow calculation based on current Title 5 is 16BR x 110 gallons/day for 1760 gallons/day additional for the project. A smidge less than 0.9% of our yearly flow, equivalent to four 4 bedroom houses with year round occupancy."

The Facilities Manager continued, "It's not on a scale that's going to screw anything up." Chairman Searle pointed out that another condominium project was in works behind the Santander Bank site. That would be on the same line, said Mr. Thompson.

**REPORT/DISCUSSION: INSTALLATION DEFICIENCIES AT
BAD MARTHA FARMER'S BREWERY.**

Commissioner Murphy recused himself from any discussion or deliberation in the matter of the Bad Martha Farmer's Brewery installation deficiencies, as he represented the owner. Peter Rosbeck, Jr., whose firm, Rosbeck Builders Construction, had built the brewery, was introduced.

Facilities Manager Thompson recounted how on May 28, 2014 he had inspected the brewery and found six shortcomings in the design and execution of the brew waste tank and its accoutrements, despite mutual consultation and planning with the Department. In summary, the deficiencies included: the interval timer's not being set; insufficient voltage; improper breakers; the alarm float's not being installed; the presence of a substandard discharge bracket; and the alarm circuit's being disabled.

Then on June 20, two of the Waste Water Department crew had discovered by chance that (a) the operation had begun the brewing process some time before without a final inspection; and (b) the official opening of the business was set for the following day. Most critically, none of the deficiencies enumerated by the Facilities Manager on May 28 had been addressed.

Mr. Thompson explained that since it took three to four days to get a batch through the brewing process, the machinery had been operating for at least that long. He then went into some detail about what steps had been taken immediately to address the worst shortcomings, as well about what would be done "in the medium term." For instance, the voltage was that very day finally at the proper level.

"I *will* stay on top of that," the Facilities Manager said, adding that what he found really annoying was that he and the Commissioners had expended considerable time finding a way for the brewery to operate in this community while adhering to local regulations, and then the business had opened without a proper permit.

Mr. Thompson's question for the Board was, did they wish to consider punitive action against the owner? Administrative Assistant Pia Webster asked if any Department funds had been spent on overtime in addressing the emergency. Mr. Thompson nodded. When she had worked for the Water Department, Mrs. Webster said, the owner would be charged for whatever the Department had had to pay out to the crew in overtime. She distributed to those present a list of the crew members and their overtime rates.

The Facilities Manager responded that this was too complicated and that the money would just go to the Town (General Fund) in any case. The Admin Assistant pointed out that the overtime was not paid directly by the owner but charged as a fee; and further, the charging of the fee made a statement to the owner about his having flouted the regulations and inconvenienced staff.

In his defense Mr. Rosbeck stated that he did not think anything had been done maliciously nor had he known that a final inspection of the pumps was required. "It's on the permit," said the Facilities Manager. Mr. Rosbeck stressed that he thought he had always tried to do the right thing. He recalled an incident on the Fourth of July two years earlier, when a line he had been told to hook up to had grown roots through it. Although he had not done anything wrong, he and the Department crew had worked through the night and into the next day to right the situation. No one had done anything wrong intentionally, but they had worked together to fix it.

Mr. Rosbeck concluded that he would not do anything that would be damaging and that he totally agreed with Mr. Thompson's recommendations about the timer and so forth. The biggest mistake had been, obviously, not having the final inspection. Fair enough, said the Facilities Manager.

When Chairman Searle asked Commissioner Ellis what he would like to do, the latter tossed the question back to the Chairman, who suggested sending the owner a warning letter. Commissioner Ellis agreed and noted that the brewery was a unique project and probably unlike anything Mr. Rosbeck had built before.

Chairman Searle made a motion to send a letter to Mr. Rosbeck (and not to Bad Martha Farmer's Brewery) warning him that the next time a violation of the Department's Regulations occurred, there would likely be a fine. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

DISCUSSION/POSSIBLE VOTE: FY15 SEPTAGE RATES.

Admin Assistant Webster summarily went over the basics of the Department's FY15 Projected Income and Expenses. Sewer and Septage Collections would probably amount to roughly \$1.5 million. On the Expenses side were: Annual Operating Budget (\$1,000,000), Debt Service (\$841,000), Town portion of medical insurance (\$110,000), and worker's compensation insurance (\$14,000), totaling \$1,965,000; and Warrant Articles amounting to \$277,500, for a total of \$2,242,500. In other words, the Waste Water Department was able to pay for about two thirds of what it cost to maintain it.

Moving on to the Operating Budget, Mrs. Webster went over a chart that laid out in detail how since FY11 the budget had grown by an average of only 1.245 percent annually. The Septage Collections had seen healthy growth in FY14, with collections at \$384,294.62 that day and year-end volume expected to be more than 1.7 million gallons.

The Admin Assistant then enumerated the categories and current rates included under Septage Billing: Grease/Sludge (0.39/gal); Septage (0.24/gal); Porta-Potty (0.14/gal); Tight Tank (0.14/gal); Failed System (0.14/gal); Emergency Pump-out Fee (\$100.00); and Small Batch Hauler Discharge (\$5.00 Flat Fee). The last change in rate had been voted for the FY13 rates, she said, when the Septage rate had been lowered from \$0.28/gallon to \$0.24/gallon.

The last chart was one showing expected FY15 volumes in the four major waste categories and the expected Total Septage Billed Revenue produced under FY14 rates (\$381,990), as well as under Septage category rates of \$0.20, \$0.22, \$0.26 and \$0.28 per gallon (\$327,590; \$354,790; \$409,190; and \$436,390, respectively). Mrs. Webster explained that the only waste category whose price manipulation had any significant effect was Septage, since its volume was almost eight times that of the next largest category (Tight Tank).

The Admin Assistant concluded that in view of the healthy growth, her recommendation would be to leave well enough alone. ("If it ain't broke, don't fix it.") Turning to the Facilities Manager, Commissioner Murphy suggested that the issue was really the need for an expanded Operating Budget rather than for higher rates. Mr. Thompson explained that every six dollars earned in Septage Billed Revenue cost the Department one dollar in Operating Budget Expenditures. Yet the Collections from that Revenue were not reflected in any significant expansion of the Operating Budget.

Admin Assistant Webster agreed and suggested that next fall was the time to report on the growth in Septage Billed Revenue numbers, as well as in Sewer Revenue, to the Financial Advisory Committee.

Commissioner Murphy asked about where the discharged waste came from. From all over the Island, answered Mr. Thompson, who noted that the Failed System rate was available only to Edgartown residents.

Commissioner Murphy wanted to know about rates in Tisbury and Oak Bluffs. Mrs. Webster replied that Tisbury charged 20 cents a gallon for septage but as far as she knew, they were a very small facility compared to Edgartown's and accepted no waste from outside. Mr. Thompson confirmed that the Tisbury plant facility's capacity was quite limited.

Commissioner Murphy commented that if he was going to raise a rate, it would be the Failed System category. Mrs. Webster explained that the Health Agent and his Assistant seemed to view that rate as a break for residents who were being required to upgrade to a new system. In one case she knew of, the resident's tank was pumped three or four times while he was getting together the money for a new system.

The discussion wound down. Commissioner Murphy made a motion to keep the FY15 Septage Rates as they had been in FY14, as follows: Grease/Sludge, \$0.39 per gallon; Septage, \$0.24 per gallon; Porta-Potty, \$0.14 per gallon; Tight Tank, \$0.14 per gallon; Failed System, \$0.14 per gallon; Emergency Pump-out Fee, \$100.00; and Small Batch Hauler Discharge Fee, \$5.00. Commissioner Ellis provided a second, and the motion carried unanimously by voice vote.

**DISCUSSION/POSSIBLE VOTE: FURTHER CONSIDERATION OF
FY15 SEWER AND OTHER RATES.**

Admin Assistant Webster went through the categories included under the FY15 Sewer and Other Rates, the discussion of which had begun in the previous Regular Meeting. *[See pages 3-4 of the Minutes of the Regular Meeting of May 15, 2014.]* The rates had last been raised the year before, she said.

Following a brief discussion, Commissioner Murphy moved to keep the FY15 Sewer and Other Rates as they were in FY14, to wit, \$68.00 per Outlet to Drain; BOD Basic Annual Charge, \$1,425.00; BOD Annual Seat Charge, \$14.25 per seat over 25 seats; House Visit Fee, \$50.00; Residential Hookup Fee, \$100.00; and Commercial Hook-up Fee, \$250.00. Commissioner Ellis offered a second, and the motion carried unanimously by voice vote.

The Board members discussed the possibility of eventually establishing a separate, higher flat visit fee for commercial establishments, since it did not seem that fifty dollars was nearly enough to compensate the Department for the trouble caused by these more complex waste producers.

The Facilities Manager said that the visit fee was relatively new to the Department and that as they became more familiar with its use and ramifications, this was something they could consider.

**DISCUSSION: LETTER TO EDGARTOWN SCHOOL PRINCIPAL
RE: GENERATOR MAINTENANCE.**

Next, the Board members considered a letter for their signature to Principal John W. Stevens of The Edgartown School regarding a 33-year-old backup generator that the Waste Water Department staff continued to maintain for the school at the EWWD's considerable expense. The letter described the availability of grants from agencies like MEMA and EPA Department of Energy to replace the generator, which served an area designated as an alternate emergency shelter. In addition, the letter urged Mr. Stevens to join with Director of Emergency Services Peter Shemeth in pursuing those avenues of funding.

Commissioner Murphy requested that Mrs. Webster delete the following line from the second paragraph: "It takes little or no reflection to see that Dave's suggestion makes unassailable sense." Chairman Searle and Commissioner Ellis agreed with the change. Commissioner Murphy then made a motion to send the letter as amended, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

REPORT/DISCUSSION: GHD PLANT ASSESSMENT/ASSET MANAGEMENT.

Facilities Manager Thompson reported on a four-page Proposal for Professional Services dated May 27, 2014 from GHD Inc. of Hyannis, Mass. regarding a Condition Assessment of the Edgartown Waste Water Treatment Facility. He related that sometime back he had been asked to approach someone to do an asset assessment and one of the persons mentioned had been Marc Drainville, Senior Manager at GHD, who had done work for Oak Bluffs. Mr. Thompson had sent him “an outline of what we’d be looking for and what our old stuff is ... and the assessment of the Facility going forward.”

The Facilities Manager explained that the Facility’s permit was supposed to be renewed in 2015 but that the Mass DEP had pushed that to 2020. Reading from the Mass DEP’s application materials, he laid out how the renewal required an engineering report which “outlines in sufficient detail what modifications (if any) to the facility or other changes are required to insure that the facility can remain in compliance with its GWDP¹ and other applicable requirements through the next 5-year permit term ... and beyond ...”

Commissioner Murphy wondered if this contract had to go out to bid. Admin Assistant Webster mentioned the engineering contract exemption in Chapter 30B. Chairman Searle requested that a copy of the proposal go the the Office of the Selectmen. Commissioner Murphy reminded those present that the Selectmen’s concern had been getting the Facility’s state and needs evaluated. Shouldn’t we shop around? suggested Commissioner Ellis.

“I trust GHD,” Mr. Thompson stated, adding that it was a multi-national company with a solid reputation. There were asset management seminars available, he continued, that cost far less and show staff how to do the evaluation. Also, Wright-Pierce was an environmental engineering firm that had done some work for Oak Bluffs; so Mr. Thompson could check them out as well.

The conversation turned to the price of the proposed contract, which at \$90,000 was double what staff had approximated for the FY16 Warrant Article to pay for this service. Commissioner Searle recommended that Mr. Thompson send the Selectmen a letter stating that he had obtained the estimate for the evaluation as they had requested and that this was what the firm was asking. “I’ve held up my end,” said Mr. Thompson. “Great,” said Chairman Searle. Commissioner Ellis agreed.

REPORT: FIXED-RATE OFFER FROM VINEYARD PROPANE/AMERIGAS.

Chairman Searle reported that Cliff Karako of Vineyard Propane had offered the Department a fixed rate on propane of \$2.09 per gallon. (The Department currently paid \$2.30481.) Since Mr. Karako was away on vacation and Mrs. Webster had been unable to get this offer in writing, the Chairman was postponing any discussion of this subject

¹ *Ground Water Discharge Plan.*

until the next Regular Meeting on July 17. The Facilities Manager noted that the annual budget for propane was \$25,000.

OTHER BUSINESS:

MAY FACILITIES MANAGER'S REPORT.

Mr. Thompson reported that he had performed many E-One final inspections and service calls in the month of May. He had also "got the Synagro thing out of the way," referring to the renewal of the three-year sludge incineration contract. Farrissey Tele-Comm had helped the Department with the broken valve replacement on the Carousel system. In addition, the new tie-ins on Bennett Way were "in business now."

The Facilities Manager mentioned that earlier in the day he had received a "Preventive Maintenance Renewal Contract Proposal (Revised)" from Alert Scientific, for which he would be seeking the Board's authorization to sign in their July Regular Meeting.

FINANCIAL REPORTS.

Admin Assistant Webster pointed to the Septage Billed Revenue numbers – \$384,294.62 on 1,689,188 gallons as of that day – which had exceeded even her "very optimistic" forecast of May 15. FY14 Sewer Billing Collections stood as follows: The Adjusted Committed Billing of \$1,097,371.83 (Committed Billing of \$1,104,753.75 reduced by Abatements of \$7,381.92) tallied with \$1,073,113.31 in Collections, leaving Receivables of \$24,258.52 (37 accounts), or 2.2 percent of the Adjusted Commitment.

As for Operating Budget Expenditures, Facilities Manager Thompson characterized the Department as "hanging by a thread." "I think we'll be okay," commented Mrs. Webster.

APPROVAL OF MINUTES.

The Commissioners considered the **Minutes of the Executive Session of May 1, 2014**. Admin Assistant Webster related that the Board had two versions of the minutes before them, the first being the version that Assistant/Operator Shelley G. Reed had e-mailed to them and the second being the same text having been reformatted by Mrs. Webster to conform to Department standards. Within the text itself, she assured them, not a word had been changed from the original.

There being no discussion or comment, Commissioner Murphy made a motion to approve as written, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

Next, the Board took up the **Minutes of the Regular Meeting of May 15, 2014**. There was a question from Commissioner Murphy about the utility truck that was up for bid, which Mr. Thompson answered. There being no further discussion or comment, Commissioner Ellis made a motion to approve as written, seconded by Commissioner Murphy. The motion carried unanimously by voice vote.

The Board moved on to the **Minutes of the Special Meeting of May 22, 2014**. There being no discussion or comment, Commissioner Ellis made a motion to approve as written, seconded by Chairman. The motion carried by voice vote, with Commissioners Ellis and Searle voting aye and Commissioner Murphy abstaining because he had not attended that meeting.

Lastly, the Commissioners considered the **Minutes of the Special Meeting of June 19, 2014**. With no discussion forthcoming, Commissioner Murphy made a motion to approve as written, and Chairman Searle provided a second. The motion carried, with Commissioners Murphy and Searle voting aye and Commissioner Ellis abstaining because he had not attended that meeting.

ADJOURNMENT

There being no further business or comment, the Chairman asked a motion to adjourn. Commissioner Murphy offered a motion to adjourn, with Commissioner Ellis providing a second. The motion carried unanimously by voice vote. Chairman Searle adjourned the meeting at 4:55 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