

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF DECEMBER 4, 2014**

WASTE WATER COMMISSIONERS PRESENT:

Mr. Scott Ellis, Acting Chairman
Mr. Sean E. Murphy, Commissioner

WASTE WATER COMMISSIONER ABSENT:

Mr. Glen S. Searle, Chairman

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 4, 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 4:02 p.m. Scott Ellis, acting as Chairman, called the meeting to order.

OLD BUSINESS:

DISCUSSION/VOTE: FY16 OPERATING BUDGET.

As he had in the previous meeting, Facilities Manager David Thompson explained that he had broken down the proposed FY16 Operating Budget Expenses into “Large” and “Small” categories. *[See pages 4-5 of the Minutes of the Meeting of November 13, 2014 for the opening discussion of the budget.]* He wanted, he said, to talk once again about the cost of managing solid waste, expenditures for which had risen by 28 percent because of increased septage-receiving volume.

“We got into kind of a squeeze at the end of June,” Mr. Thompson related, having pushed the cost of three FY14 containers into FY15 when the Synagro plant closed temporarily. And though the figure of 1.7 million gallons of septage received in FY14 had taken everyone by

surprise, more remarkable still had been the drawing out of this trend into FY15. “We used to do 35 to 40 containers a year,” said Mr. Thompson. So at the rate things were going, he went on, they could expect to be \$11,561.00 short for FY15. This would, he added, perhaps be an appropriate request for a Warrant Article if there were to be a Special Town Meeting before the Annual Town Meeting next April.

Commissioner Sean E. Murphy suggested that the Facilities Manager wrap in these facts when discussing the FY16 Operating Budget and Annual Town Meeting Warrant Articles with the Financial Advisory Committee in early January. He encouraged Mr. Thompson to emphasize that the Department had to have an Operator up at the station all day with the haulers, who were dumping more often. Before the PortALogic system was installed in 2011, Mr. Thompson pointed out, “[w]e weren’t babysitting them [the haulers] all the time.” He reiterated that the Solid Waste Removal budget line had gone up by 28 percent.

The Facilities Manager continued that the Department’s Electricity budget line was “not going to get whacked like everyone else’s.” Responding to a question from Commissioner Murphy, Administrative Assistant Pia Webster confirmed that in FY15 the Equipment Hire budget line had, for the first time, been broken into two lines: Equipment Hire and Solid Waste Removal.

With an allowance for a two-and-a-half-percent increase over the previous fiscal year’s budget; and with \$2,237.00 of that allowance still unassigned, Mr. Thompson asked the Board members where they would rather have those funds go: Equipment Maintenance or Special Services. Commissioner Murphy and Acting Chairman Ellis agreed on Equipment Maintenance.

Commissioner Murphy then made a motion to approve the Waste Water Department’s FY15 Budget as amended, seconded by Acting Chairman Ellis. The motion carried unanimously by voice vote.

NEW BUSINESS:

FY15 SEWER CHARGES ABATEMENT REQUESTS.

Admin Assistant Webster went over the fundamentals of the abatement process, as spelled out in the document titled “Processing Waste Water Billing Adjustments – FY14 Audit.” Mr. Thompson mentioned that the total of sewer charge abatements was now well under control, especially when compared to the period before 2012. Mrs. Webster referred the Board members to a chart at the bottom of the page listing the abatement requests, where she had laid out for the Fiscal Years 2013 through 2015 the total amount of the abatements requested; the amount of the total Commitment for each fiscal year; and what percentage of the Committed Charges the total of the Abatements that year constituted.

George Bean and Jean Riskin Bean, 50 Gaines Way, Map 20B, Lot 97 (Acct S1174).

Mrs. Webster related that the Beans’ house had been demolished on or about September 24, 2014, as verified with the Building Department and by site inspection. Per the contractor, the expected date of the new structure’s completion was July 1, 2015. The property was not tied

into the Town water system. In view of the preceding, Mrs. Webster recommended that the Board abate off 75 percent of the FY15 Sewer Charges. Commissioner Murphy made a motion to abate off 75 percent, or \$918.00, of the FY15 Sewer Charges of \$1,224.00 for 50 Gaines Way. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

Robert A. Bown and Jill A. Bown, 9 High Street, Map 29B, Lot 10 (Acct S0299). The house at 9 High Street had been put up on blocks for a major renovation in mid-September 2014, and the Town water supply had been shut off on October 29, 2014. The contractor had provided an estimated date of completion of July 1, 2015. Commissioner Murphy made a motion to abate off 75 percent, or \$612.00, of the FY15 Sewer Charges for 9 High Street. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

Thomas J. Folliard IV and Mary B. Folliard, 29 S Water Street, Map 20D, Lot 325 (Acct S0166). Commissioner Murphy recused himself from any consideration of the Folliards' request because this application involved a client of his. It was agreed the request would be heard at the next meeting of the Board, after Chairman Searle's return.

Benjamin L. Hall, 21 Oliver Street, Map 20C, Lot 3 (Acct S0333); 40 Main Street, Map 20D, Lot 198 (Acct S0688); and 15 Simpson's Lane, Map 20D, Lot 225 (Acct S0174). (a) The three properties in question have had no water consumption in a number of years, as verified by Water Department consumption reports. (b) According to EWD staff, the water has been shut off at the street main at all three properties. (c) Waste Water Department staff have visited the properties to check that they are unoccupied. Commissioner Murphy "reluctantly" made a motion to abate in full the FY15 Sewer Charges of \$544.00 for 21 Oliver Street; \$136.00 for 40 Main Street; and \$612.00 for 15 Simpson's Lane. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

Adam S. Helfant and Sheila J. Helfant, 2 Field Club Drive, Map 36, Lot 102.15 (Acct S1163). The house at 2 Field Club Drive currently had no fixtures and had had no fixtures since tying into the waste water system in June 2014, as confirmed by Operator Matthew Parker. Per the regulations of The Field Club, the house's exterior was complete, and the landscaping was maintained. Construction workers used the PortaPotty onsite. The contractor, when queried, said he expected all work to be completed by February or March 2015. According to Admin Assistant Webster, the owner offered to pay half of the \$1,836.00 bill. Commissioner Murphy made a motion to abate off 50 percent, or \$918.00, of the FY15 Sewer Charges for 2 Field Club Drive. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

James E. Joyce, 9 Green Avenue, Map 20D Lot 14 (Acct S0228). Mr. Joyce wrote to the Department to say that the property at 9 Green Avenue had eight OTDs and not the nine for which he had been charged. A drain count on November 5, 2014 had proven Mr. Joyce correct. Commissioner Murphy made a motion to abate off the cost of one OTD, or \$68.00, from Mr. Joyce's bill for 9 Green Avenue. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

New Moon Property LLC, 44 Main Street (Bookstore), Map 20D, Lot 196 (Acct S0024); and New Moon Property LLC, 46 Main Street (Café in Rear Bldg), Map 20D, Lot 191.1 (Acct S0435). Mrs. Webster explained that here was a case of two accounts having been mixed up with one another. The plumber who had pulled the permit (apparently) to expand the café portion of the bookstore in March 2014 had not put down the correct map and lot and thus did not make it clear to Waste Water Department staff that the café was, in fact, moving to a separate building behind 44 Main Street that had its own map and lot and its own address: 46 Main Street.

As a result, in FY15 – on the incorrect assumption that it still contained both bookstore and café – 44 Main Street was charged for one BOD Flat Charge and 20 OTDs, when it ought to have been charged for just eight OTDs. The café building (46 Main Street), on the other hand, was charged for only three OTDs, when it should have been billed for one BOD Flat Charge and eight OTDs. The same person owned both properties but leased them to different businesses. Taken together, this constituted a net overcharge of seven OTDs, since there ought to have been only 16 OTDs between the two and one OTD Flat Charge.

Mrs. Webster explained that correcting the situation required that the Commissioners simply vote to abate off the charges for seven OTDs, or \$476.00, from Acct S0024 for 44 Main Street. The rest could be handled with how the owner did her check-writing in paying the bills for the two properties. In any event, the total owed after abatement – \$2,513.00 for 16 OTDs and one BOD Flat Charge – would be correct. The accounts would then be fixed before the FY16 bills were run, with 44 Main Street having eight OTDs and 46 Main Street, eight OTDs and one BOD Flat Charge.

Commissioner Murphy made a motion to abate off the charges for seven OTDs, or \$476.00, from the FY15 Sewer Charges for 44 Main Street. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

Peter Pistorino, *et alii*, 206 Upper Main Street, Map 20C, Lot 31.1 (Acct S0528). Admin Assistant Webster related that 206 Upper Main Street was the site of the former Fresh Pasta Shoppe and was now a dormitory for employees of the Harborside Inn Condominium Trust. Due to an oversight by staff, necessary changes to the account had not been made, and the customer had overpaid his FY15 Sewer Charges by four OTDs, or \$272.00.

In the matter of Account S0528, Commissioner Murphy made a motion to abate off the BOD Flat Charge of \$1,425.00; to abate off four OTDs at \$68.00 each for a total of \$272.00; and to refund Mr. Pistorino the \$272.00 he had overpaid. Acting Chairman Ellis provided a second, and the motion carried unanimously by voice vote.

Kenneth A. Schoenberg, 6 Whistling Swan Circle, Map 28, Lot 191 (Acct S1022). In this case the customer had been charged for three OTDs that would have been added if a permitted renovation project had been completed. Upon inspection by Waste Water Department staff, it was discovered that the property had even fewer OTDs (seven, in fact) than believed earlier. Therefore, the cost of four OTDs had to be abated from the FY15 bill.

Commissioner Murphy moved to abate off the cost of four OTDs, or \$272.00, from the FY15 Sewer Charges for 6 Whistling Swan Circle, with Acting Chairman Ellis providing a second. The motion carried unanimously by voice vote.

DISCUSSION/VOTE: FORWARDING (OR NOT) UNUSED VACATION DAYS.

Facilities Manager Thompson reported that the question of whether to forward Operator Dale Morgan's seven unused vacation days into his next employment year was moot. According to Human Resource Coordinator Marilyn Wortman, those days "cannot be touched."

OTHER BUSINESS:

FINANCIAL REPORTS.

Admin Assistant Webster reported that as of December 3, Town Collector Melissa Kuehne has taken in \$771,823.75 (67.5 percent) of the FY15 Sewer Charges Commitment of \$1,144,195.50.

Mrs. Webster then went over the details of a comparison she had drawn up between Cumulative Septage New Revenue Year-to-Date for FY15 and FY14. The figures showed FY15 to be essentially in line with the previous fiscal year's. To date, total billed in FY15 was \$201,188.74, in FY14, \$201,635.08; and total collected in FY15 was \$203,106.08, in FY14, \$203,067.63. As for total septage volume, to date in FY15 the figure was 918,858 gallons, in FY14, 904,626 gallons.

Turning to the Operating Budget Expenditures Report as of November 30, 2014, Facilities Manager Thompson noted that the spending in the Expenditures and Capital Outlay sections of the budget, at an average of 43.0 percent spent, was outpacing the rate of Salaries and Wages – 36.5 percent – a rate they should be nearer to. Part of the puzzle, he reminded the Board, was that the cost for transporting three of the solid waste containers had been pushed into FY15 because of Synagro's closing for a few weeks, as well as the costs of handling the burgeoning volumes of septage received at the Facility.

NITROGEN MITIGATION REPORT TO SELECTMEN.

The Facilities Manager explained that Chairman Arthur Smadbeck of the Board of Selectmen had requested a nitrogen mitigation report after he had spoken in support of Shellfish Constable/Marine Biologist Paul Bagnall's oyster propagation program in Sengekontacket Pond. The contents of that report were including in that day's meeting binder.

Responding to a question from Commissioner Murphy, Mr. Thompson said that it took two years for an oyster to reach full maturity. "Once they're out of the pond, the nitrogen goes with them," he said, explaining that the nitrogen was a component of the protein.

Answering another query from Commissioner Murphy, Mr. Thompson related that the Mass Department of Environmental Protection did not want the propagation program to be

privatized. What Mr. Bagnall was asking for was \$20,000 a year for another part-time Shellfish Warden.

The Facilities Manager also discussed the Total Maximum Daily Loading (TMDL) of Edgartown Great Pond and Sengekontacket Pond. There were ways, he said, that mitigation in one watershed could balance the loading requirements in the other watershed. He also mentioned how the Mass Estuary Program had stated that if there were full mitigation of the Trapp's Pond and Major's Cover sub-watersheds, the TDML for Sengekontacket ought to meet the threshold loading.

ADJOURNMENT

The Board members agreed they would meet next on Thursday, December 18, at 4 p.m.

There being no further business, the Acting Chairman asked for a motion to adjourn. Commissioner Murphy offered a motion to adjourn, with the Acting Chairman providing a second. The motion carried unanimously by voice vote. Acting Chairman Ellis adjourned the meeting at 5:06 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN

Scott Ellis, Acting Chairman

Sean E. Murphy, Commissioner