

**MINUTES OF THE
REGULAR MEETING OF DECEMBER 14, 2010**

WATER COMMISSIONERS PRESENT:

Mr. Robert L. Burnham, Chairman
Mr. William R. Erickson, Water Commissioner
Mr. John S. Lovewell, Water Commissioner

EWD STAFF PRESENT:

Mr. Shane A. Ben David, Foreman
Mr. Fred R. Domont, Water Superintendent
Mrs. Pia Webster, Administrative Assistant

OTHERS PRESENT:

Mr. Paul E. Cote, P.E., Tata & Howard Incorporated
Mr. Peter Shemeth, Edgartown Fire Chief

MEETING CALLED TO ORDER:

The Board of Water Commissioners of the Town of Edgartown held their Regular Meeting on Tuesday, December 14, 2010, at 4:00 p.m. at the offices of the Water Department located at 24 Machacket Road, Edgartown, Mass. At 4:00 p.m., Chairman Robert L. Burnham called the meeting to order.

APPROVAL OF MINUTES:

There were no meeting minutes ready for approval.

OLD BUSINESS:

UPDATE: WINTUCKET CONTROL CENTER PROJECT.

Engineer Paul E. Cote of Tata & Howard Incorporated reported that the Wintucket Control Center project was “coming along quite nicely... They’re planning to be done next week.” He added that the workmen were applying the final coats of interior paint and finishing up the floor in the office section of the structure. The garage section would be done, he said, “in the next day or so.” Chairman Burnham observed that despite the numerous delays, Mr. Cote appeared to be pleased with the contractor, Barbato Construction Co., Inc. “He’s been really good to work with,” agreed the engineer.

Mr. Cote continued that he and Water Superintendent Fred R. Domont had discussed with Barbato Construction the prospect of doing some additional work – for instance, the Supervisory Control and Data Acquisition (SCADA) system installation – attaching the new assignments to the original contract as change orders instead of doing separate contracts. The Chairman noted that it was to the contractor’s credit that there had been so few change orders associated with the project. *And*, Mr. Cote pointed out, they were still not back up to the original number Barbato had offered in its first presentation to the Board before it had whittled down the project expenses.

“I’m impressed,” echoed the Superintendent. “The workmanship’s been top-notch... I can’t say enough good things [about the contractor].” Mr. Cote also mentioned the site work carried out by Foreman Shane A. Ben David and his crew. “It looks spectacular,” he commented.

NEW BUSINESS:

DISCUSSION/VOTE: ADDITIONAL ANTENNA AT STANDPIPE.

Since Fire Chief Peter Shemeth had arrived, Chairman Burnham opted to take out of order the agenda item concerning an additional antenna installation at the standpipe. *[For background on the antenna/standpipe matter, see pages 3-5 of the Minutes of the Regular Meeting of August 10, 2010; pages 2-3 of the Minutes of the Regular Meeting of September 14, 2010; page 3 of the Minutes of the Regular Meeting of October 12, 2010; and page 4 of the Minutes of the Regular Meeting of November 9, 2010.]*

Chief Shemeth greeted the Commissioners and the Superintendent and admitted that he had been “lagging back” a bit with the business of applying for the installation. But recently he had checked with Police Chief Antone Bettencourt, who had assured him that their antenna had in fact eliminated dead spots. Chief Shemeth continued that his Department wished to utilize their antenna for the ambulance service. Moreover, after reprogramming, they would be able to do a Fire Department band, after installing still another antenna. “According to the Police Department, it’s fantastic,” he said.

“What’s the status of the second antenna?” asked Chairman Burnham, referring to a second, unapproved antenna atop the standpipe that had appeared in addition to the first, approved antenna belonging to the Police Department. “It’s still there,” answered Superintendent Domont. Chief Shemeth interjected, “We would be using *that*.” “My concern is that the second was done without permission from the Department of Environmental Protection,” said the Chairman. Chief Shemeth explained that there had been “a mess-up with communications with [installer] Doug Bardwell.”

Superintendent Domont related that he had spoken to the Fire Chief to find out what had been going on. When he had discovered that the second, unapproved antenna belonged to the Fire Department, “I took it upon myself to say, ‘Leave it up,’ instead of incurring

additional costs.” The Superintendent then showed the Board plans with the positioning of the second antenna on the standpipe. “I will call the DEP for verbal approval tomorrow,” he said, “and I’ll fill out the application.”

Superintendent Domont then recommended that the Commissioners approve the existing second antenna for Emergency Medical Services, subject to verbal approval by the Department of Environmental Protection; and further that the Commissioners approve the installation in the future of another antenna, this for the establishment of a Fire Department radio band, this, too, subject to the necessary State approvals.

Administrative Assistant Pia Webster wondered if heating the electric vault – something they had not done in the past – would drive up the NSTAR bill associated with the standpipe. Messrs. Domont and Shemeth agreed that if there were any significant increase in electric expense, the monthly invoice could be split. Water Commissioner John S. Lovewell confirmed with the Superintendent that there was existing conduit on the site, so no excavation was necessary. He also wanted to know if the Commissioners were approving a generator at this point. The Superintendent replied no.

Water Commissioner William R. Erickson moved that the Commissioners approve the existing second antenna for Emergency Medical Services, subject to verbal approval by the Department of Environmental Protection; and further that the Commissioners approve the installation in the future of another antenna for use by the Fire Department for their radio band, also subject to the necessary DEP approvals. Mr. Lovewell provided a second, and the motion carried unanimously by voice vote.

DISCUSSION: WATER MANAGEMENT ACT PERMIT.

Next, the Commissioners took up the business of the pending Massachusetts Water Management Act Permit application from the Water Department. Superintendent Domont explained that the permit was something the Department had to apply for every 20 years and that it had been the Edgartown Water *Company* that had acquired the last WMA Permit. (The Water Management Act authorizes Mass DEP to regulate the quantity of water withdrawn from both surface and groundwater supplies.)

Mr. Domont continued that the State was pushing for more conservation, as well as more tightly controlled surface-water withdrawal. As the Commissioners were aware, he said, the gallons-per-day average was “problematic” for a seasonal community like Edgartown. “It’s been set,” he stated, referring to the per-day limit, “but we can apply for it to be changed... They’re looking at an *average*.”

The Superintendent remarked that he and Mr. Cote felt “pretty comfortable” with the numbers assigned to Edgartown, because the average in the rest of the Commonwealth was 64 gallons per person per day. Mr. Cote pointed out that the amount allowed for Cape and Islands was 84 gallons per person per day. He noted that he and Mr. Domont had submitted the permit application by the November 30 deadline. It was possible, he

added, that DEP staff could come back with some questions and directives. For instance, a questionnaire included in the application asked about water audits and leak detection. So it would not surprise him if such actions were recommended by the DEP.

Mr. Lovewell inquired if Mr. Cote was saying that a leak detection survey was definitely in the offing. The engineer answered that it likely would be. One of the things such a study would take up, for example, would be how much water was being pumped between two and three in the morning. Mr. Domont related how the surveyor had to walk his equipment to every hydrant and every gate valve in the system and listen. "And the State requires that it be done by *its* formula," stressed Mr. Cote.

The Superintendent said that there were standard forms to be filled out while executing such an audit and that the Department had the equipment necessary. "The question is, do we have the manpower?" he wondered. The discussion wound down.

DISCUSSION: NUNNEPOG LAND PLAN.

Mr. Domont related that Commissioner Lovewell had requested a plan showing the Water Department's jurisdiction around the Nunnepog Well and Pump Station, especially in view of recent plans by the Selectmen to install solar panels in that area. *[For background on the solar panel matter, see pages 5-7 of the Minutes of the Regular Meeting of October 12, 2010; and page 2 of the Minutes of the Regular Meeting of November 9, 2010.]*

The Superintendent had brought with him what he described as a "very preliminary" plan that showed the following: the five-acre parcel near the Sandy Valley subdivision to which a Conservation Restriction attached to the Katama Airfield area had been moved; the 12 acres set aside for solar panels; and Lot 2, the only parcel now under EWD control.

Mr. Domont also pointed to the strip of land along Twenty-Second Street South, where the Wastewater Department planned to install a leaching system related to the sewerage of Ocean Heights. Currently, he said, that land was under the jurisdiction of the Board of Selectmen.

The Superintendent's concern was that he and Town Administrator Pamela M. Dolby had agreed that a piece of that strip was to have been sold off, with the proceeds going to the Water Department. This transaction had been proposed to repay the Water Department the \$160,000 from its MTBE Fund that it had advanced to the Selectman for the completion of the North Water Street Project.

The bottom line, emphasized Mr. Domont, was that so long as the Department was reimbursed the \$160,000, and so long as the Wastewater Department did nothing on that parcel to jeopardize the quality of the groundwater, he had no objection to the latter Department's plans.

WATER MANAGEMENT ACT LETTER AGREEMENT.

Engineer Paul Cote of Tata & Howard Incorporated explained that in fact there was no need to sign a letter agreement for the work he had done on the Water Management Act Permit application. [See pages 3-4 of these minutes.] Although he had earlier sent down such a contract with the amount of \$4,000 attached, the deadline had come and gone, and he had billed only \$2,312.52 for the job. It was possible, he said, there would be more work when the recommendations from the Mass DEP came down sometime before February 28, 2011.

ANNUAL TOWN MEETING WARRANT ARTICLE.

The Commissioners accepted the Warrant Article the Superintendent had prepared for the April 2011 Annual Town Meeting, which read as follows:

To see if the Town will vote to authorize the Water Department to transfer the sum of \$60,000.00 from the Department's surplus account to the water expense account for improvements necessary for the town's water system, including the installation, replacement, cleaning and relining of water mains and appurtenances; the installation and replacement of water service lines and water meters, construction equipment, construction and restoration of pump stations, wells, water treatment, office, standpipe, and other structures, buildings, facilities and grounds, water quality improvements, and for costs incidental and related thereto for Fiscal Year 2012. This article will have no impact on water users' charges or tax rate. Water surplus funds will finance the purpose.

Mr. Domont said that there was one other possible Article, this for a new pickup truck. He was still working on the FY12 Operating Budget, he added, and they would hold a Special Meeting later in the month to consider that.

OTHER BUSINESS:

THANKS FROM MR. LOVEWELL.

Water Commissioner Mr. Lovewell noted that he had never formally thanked the Board for naming the entry road to the Nunnepog Well and Pump Station after him. "I want to state my appreciation," he said.

PAYROLL FORMS:

The Commissioners signed payroll forms.

ADJOURNMENT:

There being no further business, Chairman Burnham asked for a motion to adjourn. Mr. Erickson made a motion to adjourn, seconded by Mr. Lovewell. The motion carried unanimously by voice vote, and Chairman Burnham adjourned the Regular Meeting at 4:47 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

**BOARD OF WATER COMMISSIONERS
TOWN OF EDGARTOWN**

Robert L. Burnham, Chairman

William R. Erickson, Water Commissioner

John S. Lovewell, Water Commissioner