

**MINUTES OF THE  
REGULAR MEETING OF MARCH 8, 2011**

**WATER COMMISSIONERS PRESENT:**

Mr. Robert L. Burnham, Chairman  
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:**

Ms. Karen Achille, Spokesperson, M.V. Council for Living  
Ms. Olga Church, M.V. Council for Living  
Ms. Leslie Clapp, Director, M.V. Council for Living  
Mr. Paul E. Cote, P.E., Tata & Howard Incorporated  
Ms. Shirley Dewing, M.V. Council for Living  
Ms. Judy Hathway, M.V. Council for Living  
Ms. Carole Hunter, Architect

**MEETING CALLED TO ORDER:**

The Board of Water Commissioners of the Town of Edgartown held their Regular Meeting on Tuesday, March 8, 2011, at 4:00 p.m. at the offices of the Water Department located at 58 Kavanagh Way, Edgartown, Mass. At 4:05 p.m., Chairman Robert L. Burnham called the meeting to order.

**APPROVAL OF MINUTES:**

Chairman Burnham opted to forego a consideration of the Minutes of the Regular Meeting of February 8, 2011, since the Commissioners had just received them at the start of the meeting.

**NEW BUSINESS:**

**KAREN ACHILLE OF THE MARTHA'S VINEYARD COUNCIL FOR LIVING.**

With Karen Achille and other parties associated with the Martha's Vineyard Council for Living already present, Chairman Burnham chose to take their agenda item out of order. Ms. Achille introduced herself and thanked the Commissioners for allowing her to appear. Then she introduced members of the council's home site committee who were also in attendance, including Shirley Dewing, Olga Church and Judy Hathaway, who is also the vice chairman of the Edgartown Council on Aging board of directors. (Leslie Clapp, director of the council, and Carole Hunter, a consulting architect, arrived a few minutes later.)

The council's proposal, continued Ms. Achille, concerned the former Water Department office building on Machacket Road, which the council now wanted to use for a new purpose. Ms. Achille provided some background on her organization, the seeds for which had been sown 24 years earlier when the M.V. Council for Living began to offer a daytime program for frail and isolated elderly people.

It was important to point out, Ms. Achille said, that from the beginning, the Edgartown Board of Selectmen so valued the program that they chose to position the organization under the umbrella of the Edgartown Council on Aging (ECoA). And so it was that the M.V. Council for Living began operations out of the Anchors building, home of the ECoA. But this was, she emphasized, an Island-wide program.

Currently, Ms. Achille related, the council served 30 clients from across the Vineyard, 14 of them on a daily basis, supported by the Dukes County paratransit service known as The Lift. With the program's expansion over the years, the Anchors building could no longer accommodate it. So starting two years ago, the program began to operate two days a week at the Anchors and two days a week at the Tisbury Council on Aging. This, however, had proven confusing for both clients and staff.

From this overriding need had arisen the home site committee before them, Ms. Achille went on. They had explored a number of sites, including the former Hollywood Video store; the Fanny Blair House at the Nathan Mayhew Seminars complex; the Martha's Vineyard Hospital; the Airport Industrial Park; and the old Edgartown School.

Then Nancy Shemeth, chairman of the ECoA board of directors, had overheard at Town Hall a discussion about the Water Department's new building and its vacating of the Machacket Road structure. After some telephone discussions, Superintendent Fred R. Domont had "kindly afforded us the opportunity to come before you with our proposal," she said.

Ms. Achille took pains to explain that she understood the usage issue and that as far as she knew, the Massachusetts Department of Environmental Protection (Mass DEP) would not be objecting, if the matter were approached in the right way. What the council wanted to do was either purchase a piece of the 22-acre Machacket plot or enter into a long-term lease with the Water Department for the use of the small piece that contained the building. The foundation of the building was solid, she pointed out, and with some renovation and an addition, the result would meet the needs of the council's program for the foreseeable future.

"Fred [Domont] suggested that since the Water Commissioners control the land," said Ms. Achille, "we're asking you to think about this kind of use for this building." "We have no immediate plans for it," responded Chairman Burnham.

Water Commissioner John S. Lovewell referred Ms. Achille to the Zone I Area of Contribution, covering an area proceeding 400 feet radially around the Machacket Well; he informed her that nothing could be built there. But, Chairman Burnham and Mr. Lovewell both assured Ms. Achille, there were many permitted uses in the Zone II area. In addition, the Chairman said, if the Department found a site for another well to replace the one at Machacket, the well could be abandoned altogether.

"The Machacket Zone I shouldn't be open for discussion," declared Superintendent Domont. Chairman Burnham picked up the thread of his original thought. "So, long-term use of that property is abandonment."

Ms. Achille laid out the parameters of her organization's interest in the property: Only a corner piece concerned them. It was accessible from the West Tisbury Road, a boon for their Up-Island clients. With a small building added, the structure would meet their organization's needs for the next 20 years. After some discussion, it was concluded that the corner in question measured about two acres.

Chairman Burnham asked how long the lease would run. "That's to be discussed," answered Ms. Achille. Mr. Lovewell stated, "I'm supportive of the project if it's doable." He added that the Department would need a letter from the Mass DEP permitting the use and that the Department would have to remove the equipment and so forth that remained in the building. "There *are* hurdles with DEP," he stressed. "Let's get moving."

The *real* hurdle, said Superintendent Domont, is that the land is a single Article 97 parcel. The question is, Can it be subdivided? On the plus side, the piece in question abutted the Machacket Road wastewater line, so that the sewage produced would pose no environmental threat.

If a lease were signed, continued the Superintendent, he did not believe that a Town Meeting vote was necessary. In addition, in the case of a lease, he did not think there was any question of having to replace the two acres elsewhere. All of this, of course, would have to be checked, he cautioned.

“John [Lovewell] and I are both receptive to your idea,” offered Chairman Burnham, adding that he wanted to wait until the third member of his Board – Water Commissioner William R. Erickson – was present before they took action.

Ms. Achille noted that the Edgartown Board of Selectmen had sent a letter to the other Island Boards of Selectmen, urging them to find a solution to the space problem. As for the Article 97 issue, she was anxious, she said, to have some assurance that the proposed use would be acceptable to Mass DEP. Indeed, the council planned to launch a capital campaign this summer; so certainly they would have to clear up any question about the acceptability of the use before embarking on that.

“What can we do in the meantime to facilitate the process?” inquired Carole Hunter, an architect consulting on the project. The Superintendent suggested that the committee members meet with Town Counsel to find out: (a) the bureaucratic and legal hoops through which they would have to jump to lease the land and use/expand the building; and (b) the hoops they were required to pass through on their way to subdividing and purchasing a two-acre corner piece of the 22-acre parcel.

Chairman Burnham commented, “Logistically, it’s easier to lease.” Superintendent Domont spoke of how it had taken three years to obtain the release of the Department’s Shurtleff land for the purpose of resale. On the other hand, he said, there could be a way to retain a Water Department use in the building, thereby obviating the need to argue for a change of use.

The Superintendent instructed the committee members to ask Town Counsel if the execution of a lease had to go before Town Meeting. Ms. Hunter wanted to know if the committee itself would pay for Mr. Rappaport’s time. Yes, answered Mr. Domont.

Ms. Achille thanked the Board of Water Commissioners for their consideration and voiced the committee’s intention to draft a letter to the Board outlining their plans.

**OLD BUSINESS:**

**UPDATE: CONTROL CENTER, SCADA, OTHER ENGINEERING MATTERS.**

Paul E. Cote, an engineer with Tata & Howard Incorporated, noted that “nothing too significant” had transpired with regard to the Wintucket Control Center in the past month. Mr. Cote turned to the Water Distribution Map project that he had been working on, showing the Commissioners several overlays, each of which emphasized a different

feature. One sheet, for instance, delineated the individual parcels. "I like that feature," remarked Chairman Burnham. Mr. Cote agreed that he liked that best, as did Mr. Domont and Foreman Shane A. Ben David.

Mr. Lovewell indicated two points on one of the maps where he thought the valves at those spots being closed should be indicated. Mr. Cote said he was working on overlays where the materials used in the system and the ages of the lines appeared. Returning to Mr. Lovewell's suggestion, the Superintendent stated that he did not want the final map to indicate whether a valve was closed or open; as soon as the status of the valve changed, the map would be inaccurate.

Regarding the Wintucket Control Center, Mr. Domont reported that the items on the punch list were more or less resolved. The week before, the problems with the heating system had been addressed, and the technicians would be back when it was time to start up the air conditioning.

Returning to the Water Distribution Map project, Mr. Lovewell posed this question: Now that the pipe mileage was known, was it possible to conduct a water audit to detect leaks in the system? "In reality, we know it's tight," responded the Superintendent, who recommended that the Department wait until the Mass DEP ordered them to do a study, something that was bound to happen in the next few years. A discussion ensued about why USDA grant money could not be used to fund such a study.

Mr. Domont also suggested that depending on how busy the Water Department crew was, a water audit was something they could do themselves. "We have the equipment and the capability," he said. Chairman Burnham cautioned, "Provided the State agrees." The Superintendent pointed out there were courses one could take to qualify for such work. He added that much of the work had to be done in the early morning hours or the evening, since traffic noise could interfere with the auditor's ability to hear.

Next, Mr. Cote described as "slow" the progress on the purchase of a supervisory control and data acquisition (SCADA) system for the Control Center. Earlier in the day he and Mr. Domont had met with a second SCADA company representative, and they would hook up with a third the following week. He reminded the Commissioners that the SCADA system work would get done through a Change Order to the contract with Barbato Construction Co., Inc. of Middleboro, Mass.

**NEW BUSINESS: *[Continued]***

**GRANT MONEY: WHAT IS THE PLAN?**

Mr. Lovewell wanted to know what had happened to the items in the letter dated January 13, 2011 drawn up by Mr. Cote and addressed to Ronald M. Koontz, Area Loan

Specialist for USDA Rural Development. In the letter Mr. Cote had, on behalf of the EWD, been seeking Mr. Koontz's approval for the purchase of various furnishings and equipment with so-called contingency funds.

Mr. Lovewell read down the list of items requested, beginning with those for which the Department had had an immediate need at that time, and Messrs. Cote and Domont reported on the status of each item. Mr. Lovewell learned that the telephone system was installed, as were the new computers, additional wiring and new printers. The acquisition of office furnishings and break-room appliances was incomplete.

Moving on to a list of items the Department had been *considering* for purchase back in January, Messrs. Cote and Domont related that the SCADA system, as mentioned earlier, had not been ordered yet. The Superintendent was talking to White Brothers-Lynch Corp. about paving the entrance road to the Control Center. The excavator was delivered and paid for, but the Department had not yet bought the lawn tractor, the dump truck, the pickup truck, the meter test bench, the chlorinator system or the pressure test kit.

Lastly, the USDA had refused to fund the Water Distribution Map project and the Water System Master Plan update. Also, the solar panels were not a priority at this point.

Mr. Lovewell asked Mr. Cote to provide him with some sort of brochure on the SCADA system, as, he said, he had little idea of what the whole thing was about.

#### **REPORT: MEETING WITH AUDITOR.**

Superintendent Domont reported that he and Mr. Lovewell had met with the Town Auditor and Selectmen on February 22. One of the Selectmen in particular continued to insist that the Water Department switch its billing program over to the MUNIS system, he said. Mr. Domont added that the Auditor did seem willing to learn more about the Department's billing system and had agreed to meet with him and the Commissioners in the near future.

#### **OTHER BUSINESS:**

##### **BETTERMENTS.**

At the February Regular Meeting, Mr. Lovewell said, he had requested an "audit reconciliation" of the Edgartown Meadows betterments collection. Had that happened? he asked. No, replied the Superintendent. "Then keep it on the agenda," said Mr. Lovewell. There was some discussion of getting from Town Hall a complete report enumerating which Edgartown Meadows residents owed what with regard to their betterment assessments. Mr. Lovewell was particularly interested in knowing how many of those assessed had chosen to pay the entire amount upfront. There was also concern

expressed that the stream of funds received be properly channeled back to the Water Department.

**SHURTLEFF LAND.**

“Are we out of Shurtleff yet?” inquired Mr. Lovewell. No, answered Mr. Domont, the Department still had inventory and tools there. A brief discussion followed about the status of the Shurtleff Well and Pump Station site.

Mr. Lovewell also wanted to know about the estimated time of completion of the Water Distribution Map. “It’s a work in progress,” said Chairman Burnham.

**PAYROLL FORMS:**

The Commissioners signed payroll forms.

**ADJOURNMENT:**

There being no further business, Chairman Burnham asked for a motion to adjourn. Mr. Lovewell made a motion to adjourn, seconded by the Chairman. The motion carried unanimously by voice vote, and Chairman Burnham adjourned the Regular Meeting at 5:00 p.m.

Respectfully submitted,

Pia Webster  
Administrative Assistant

**APPROVED:**

**BOARD OF WATER COMMISSIONERS  
TOWN OF EDGARTOWN**

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Robert L. Burnham, Chairman

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John S. Lovewell, Water Commissioner