

**MINUTES OF THE
REGULAR MEETING OF JUNE 16, 2011**

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

OTHER TOWN BOARD MEMBERS PRESENT:

Mrs. Barbara G. Shriber, Financial Advisory Committee

OTHERS PRESENT:

Karen Achille, Vice President, Martha's Vineyard Center for Living
Olga Church, Martha's Vineyard Center for Living
Leslie Clapp, Director, Supportive Day Program, Martha's Vineyard Center for Living
Kristen Fauteux, Director of Stewardship, Sheriff's Meadow Foundation

MEETING CALLED TO ORDER:

The Board of Water Commissioners of the Town of Edgartown held their Regular Meeting – rescheduled to a special day due to posting issues – on Thursday, June 16, 2011, at 4:00 p.m. at the offices of the Water Department located at Fifty-Eight Kavanagh Way, Edgartown, Mass. At 4:01 p.m., Chairman Robert L. Burnham called the meeting to order. The Chairman requested that the Commissioners take up the agenda item pertaining to the reorganization of the Board first.

OTHER BUSINESS:

VOTE: ANNUAL REORGANIZATION OF THE BOARD.

Water Commissioner William R. Erickson made a motion to appoint Robert L. Burnham to another term as the Chairman of the Board of Water Commissioners up through the next Town Election. Water Commissioner John S. Lovewell offered a second, and the motion carried unanimously by voice vote.

NEW BUSINESS:

REQUEST: SHERIFF'S MEADOW TUTHILL PRESERVE TRAILS.

The Chairman skipped ahead to a proposal by Adam R. Moore, Executive Director of the Sheriff's Meadow Foundation, to lay out two new trails in the foundation's Tuthill Preserve, one of them in the area of the Lily Pond Well and Pump Station. In Mr. Moore's stead was Kristen Fauteux, Director of Stewardship for the foundation, who had brought with her color aerial photographs indicating both existing and proposed trails as well as the Lily Pond Well Zone One Area of Contribution.

The concern here, noted Chairman Burnham, was that the Department leased the land in the preserve owned by the foundation. He asked Water Superintendent Fred R. Domont what restrictions there were with regard to land use around the well. The Superintendent replied that the Commonwealth allowed passive activities in the Zone One. For instance, he said, there could be no dirt biking. "There *are* a lot of activities in there," noted Ms. Fauteux. Mr. Domont responded, "We may have to do some deterrence, drop some trees..."

The Chairman said that he had no objections, so long as the foundation worked with the Superintendent. Mr. Lovewell asked if this would be a brand-new trail. (There would be two new trails, and one of them would pass through the Lily Pond Well Zone One.) Yes, answered Ms. Fauteux, adding that it would connect to Beach Road.

While he was on the subject of Sheriff's Meadow, interjected Mr. Domont, he wanted to mention his conversation with Mr. Moore regarding the possibility of the foundation leasing the buildings at the decommissioned Shurtleff Well and Pump Station site. Mr. Lovewell requested that the Sheriff's Meadow Executive Director lay out his proposal on paper.

The Chairman suggested that the Water Department arrange for some sort of swap involving the Lily Pond lease and the Shurtleff buildings. "Adam [Moore] wants to come back to talk to you," said Ms. Fauteux, referring to the foundation's Executive Director.

The Superintendent concluded, "I told him we can't go into a long-term lease because we'll sell the land eventually."

APPROVAL OF MINUTES.

The Commissioners turned to the **Minutes of the Regular Meeting of April 26, 2011**. Referring to the fourth paragraph on page 4, Mr. Lovewell wanted to know if the Water Department had the radio license application for the SCADA system yet. No, answered the Superintendent. Continuing with material in the same paragraph, Mr. Lovewell asked Mr. Domont for further details about how the crew at EII, Inc. would remove the telemetry at a particular pump station site, install the SCADA system there, then move on to the next station. The Superintendent clarified the procedure to be followed.

Mr. Lovewell then made a motion to approve the Minutes of the Regular Meeting of April 26, 2011 as written, seconded by Chairman Burnham. The motion carried by voice vote, with Messrs. Burnham and Lovewell voting aye and Mr. Erickson abstaining. *[Mr. Erickson had not attended the April Regular Meeting.]*

Moving on to the **Minutes of the Regular Meeting of May 10, 2011**, Mr. Lovewell made a motion to approve the minutes as written, seconded by Mr. Erickson. The motion carried unanimously by voice vote.

OLD BUSINESS:

UPDATE: WINTUCKET CONTROL CENTER, INCLUDING SCADA SYSTEM.

Superintendent Domont reported that what was holding up the installation of the SCADA system was the issuance of the license. "There's not much you can do without the license," he remarked.

Mr. Domont spoke about some of the costs of the SCADA installation, particularly an invoice from EII, Inc. for \$123,000 that he was expecting soon. He explained that he and engineer Paul E. Cote of Tata & Howard had been trying to reconcile the expenditures out of the second phase of the USDA Rural Development loan in preparation for the loan closing in July.

There was some discussion about alarm systems and who made decisions about such matters. Mr. Lovewell made a motion that Superintendent Domont and Foreman Shane A. Ben David be positioned in charge of the SCADA system, with the power to adjudicate when questions arose about changes in procedure, settings and so forth. Mr. Erickson provided a second.

Returning to the subject of alarms, the Superintendent related how the Department would be integrating smartphones into the system and that in the beginning they would “concentrate on the important alarms, like power outages.” The Commissioners then voted on Mr. Lovewell’s motion, which carried unanimously by voice vote. Mr. Lovewell then added, “And let’s have the Commissioners look at it and understand it before you go ahead.”

NEW BUSINESS [Continued]:

USAGE CHARGE ABATEMENT REQUEST: LOIS M. TOWNE (028-520).

Administrative Assistant Pia Webster presented an abatement request from Lois M. Towne, a second-home owner with a house at 4 Hye Lane (EWD Acct 028-520). Mrs. Towne’s fall and spring bills had been higher than expected, and when she checked the house in the spring, she had discovered a leaky toilet, the source of the higher usage. (The tenants who rented from Mrs. Towne had said nothing about the leak.) In any event, once detected by the owner, the problem was remedied promptly.

Mrs. Webster went on that according to Section 18, “Metered Service,” of the Edgartown Water Department’s *Rates, Rules and Regulations*, a customer wishing to seek an abatement had to make this request in writing, which Mrs. Towne had.

Also per Section 18, the highest allowable abatement of the usage charge was 30 percent, which was what Mrs. Towne was hoping for. A 30 percent abatement of her usage charge of \$210.25 for the period of October 16, 2010 through April 15, 2011 would amount to \$63.08 and would reduce the usage charge to \$147.17, the Admin Assistant concluded.

Chairman Burnham asked a few questions, and following a brief discussion, Mr. Erickson made a motion to grant Lois Towne (EWD Acct 028-520) a 30 percent abatement of her April 15, 2011 usage charge of \$210.25, thus reducing it by \$63.08 to \$147.17. Chairman Burnham provided a second, and the motion carried unanimously by voice vote.

REPORT: RECONCILIATION OF USDA II LOAN PRIOR TO CLOSING.

Superintendent Domont related that he, Paul E. Cote of Tata & Howard, Lisa M. Dickinson, Senior Vice President at UniBank, Town Accountant Sharon M. Willoughby, and Admin Assistant Webster had been working on sorting out the activity in the USDA Loan II account (MUNIS 65029007/582000). Their purpose was to ensure that the last piece of the loan (about \$760,000) for the second phase of lending had been spent as the Town prepared to borrow permanently on that portion of the loan.

UPDATE/DISCUSSION/POSSIBLE VOTE: THE MV COUNCIL FOR LIVING.

The time was 4:34 p.m., and Karen Achille, Vice President of the Martha's Vineyard Center for Living arrived at the Regular Meeting, having been held up by an accident on Barnes Road. As Chairman of the center's home site committee, Ms. Achille had spoken to the Board in March about the possibility of leasing and renovating the Water Department's former office building on Machacket Road to house the center's day program for frail and isolated elderly people. *[Refer to pages 2-4 of the Minutes of the Regular Meeting of March 8, 2011.]* Ms. Achille re-introduced herself to the Board and passed out copies of a written proposal.

Reading from said text, Ms. Achille outlined the bare bones of the center's request: permission from the Board to "construct a facility to house the Supportive Day Program and the office of the nonprofit Martha's Vineyard Center for Living on land owned* by the Edgartown Water Company *[sic]*." The word "owned" was asterisked, she said, because according to the Building Inspector, there was some question about under whose jurisdiction the property in question fell. "That is of concern to us," Ms. Achille said, adding that a legal determination of ownership would seem to be in order.

"Obviously we need to clear that up," observed Chairman Burnham. But Superintendent Domont stated, "No, it *is* clear. The Building Inspector is incorrect. It's in black and white in the Massachusetts General Laws." "We need to see that in writing," responded Ms. Achille.

"We feel your site is very good for us," Ms. Achille continued, adding that it was a relatively passive use of the area. The Superintendent pointed out that the Department had to maintain its Zone One Area of Contribution around the Machacket Well and Pump Station but that the plan looked feasible. "If we can give two acres, we will," he said.

The Superintendent explained that the Machacket Well and Pump Station had to remain part of the public water-supply system until another such facility was in operation and the Commonwealth had approved its decommissioning. Until then, though, the Water Department and the Center for Living could "share the use, so it's not a change of use."

Next, Ms Achille described the changes her group planned to make to the Machacket structure if their proposal were accepted. To start, she said, the old building would be "taken down to the deck." Incorporating the footprint of the old building and then adding to it, they would construct a 5,400-square-foot structure based on a design by architect Carol Hunter. The interior space would include a social room; a quiet room; two handicapped-accessible bathrooms; a staff bathroom; an office for the director; and storage. Exterior space needs would include a handicapped-accessible ramp; eight parking spaces for staff and visitors; and a drop-off loading zone for The Lift.

Chairman Burnham said he thought that the Board was willing to offer “provisional acceptance pending permitting.” Ms. Achille wanted to know what the Board “would be comfortable with in terms of the cost and length of the lease.” “Bring a proposal to us,” responded the Chairman. Superintendent Domont said that he would look into the issue of whether the matter of the lease agreement was subject to a Town Meeting vote. Mr. Erickson suggested that Ms. Achille bring a preliminary drawing of the proposed structure with her the next time she met with the Board.

Mr. Lovewell asked if the Department would be subdividing the land in question. “No, it’s a *shared use*,” answered Chairman Burnham, adding, “There’s no change in use... It’s just a lease.”

Directing her query to Ms. Achille, Financial Advisory Committee Representative Barbara G. Shriber wondered if the property then would be leased but the structure would owned by the Center for Living. “Yes,” replied Ms. Achille, “and they [the Department] would store things there.” “What is the funding?” inquired Mrs. Shriber. Ms. Achille related that the center’s nonprofit fund-raising arm was conducting a capital campaign and that no taxpayer funds would be used.

TOWN REQUEST: FUNDS FOR MUNIS PROGRAMMING AND TRAINING.

Mr. Domont related that Town Administrator Pamela M. Dolby had approached him about a financial bind the Town had found itself in. Ms. Dolby was requesting that the Water Department contribute funds toward the purchase of the modular and training for the MUNIS Utility Billing Customer Information System. The Superintendent explained that although he did not want the program himself, it was important that the Wastewater Department – currently in financial disarray – change over to the system as soon as possible.

Mr. Domont continued that he had heard “so many negative things” from other water-service entities about the MUNIS utility billing program. He had, in fact, asked IT Manager Adam Darack for a list of MUNIS customers using the utility program. But he had been unable to break out which ones were not public works departments. It seemed, the Superintendent said, that independent water departments and districts (as opposed to public works departments) preferred to stay away from the MUNIS utility program.

Chairman Burnham wanted to know if Mr. Domont wished to provide the funds the Town Administrator was seeking. “Will it benefit the Water Department?” asked Mr. Erickson. Mr. Domont replied that the installation would allow the Water Department to share its billing data with other Town Departments. “We can’t make a decision at this meeting anyway,” he said, adding, “It won’t be until September.” Chairman Burnham tabled the discussion.

DISCUSSION/VOTE: POSSIBLE NEW CHARGE FOR “NO SHOWS.”

The Superintendent described the problem encountered by field crew from time to time of plumbers, excavators, caretakers or customers themselves not showing up for appointments. The issue before the Board was whether or not the person responsible or the customer should be charged for the call anyway, even though the work order had not been executed. “Charging them would get them to pay more attention,” observed Mr. Domont.

A discussion ensued regarding how much to charge. Admin Assistant Webster suggested that the simplest approach would be to charge for a service call – \$25.00. Chairman Burnham wanted to know if Foreman Ben David agreed that there ought to be a charge for no-shows. “Absolutely!” Mr. Ben David declared. “It’s frustrating to us. We lose time and money.”

The conversation continued, at the conclusion of which Chairman Burnham recommended that when an agent or customer missed an appointment, the customer (and not the plumber or agent) be charged \$45.00 (and not \$50.00) when the appointment did, in fact, take place. Messrs. Burnham and Erickson suggested that a notation be added to the invoice so the customer would understand why the charge for the service was higher than usual.

Chairman Burnham made a motion to charge \$45.00 for a service call when the first appointment for the call was missed, with a notation on the bill explaining the higher charge. Mr. Erickson provided a second, and the motion carried unanimously by voice vote.

OTHER BUSINESS [Continued]:

VOTE: AUTHORIZATION FOR BUSINESS CREDIT ACCOUNT.

The Superintendent explained that the only reason he was asking for the Board’s authorization to sign up for a Department credit card was that it was a “great convenience” when ordering online. He said he would also have to check with the Town Administrator about doing this. Mr. Lovewell wondered why Mr. Domont did not apply for a card with the Edgartown National Bank. The Superintendent continued that the card issuer, Bank of America, needed a financial statement and minutes documenting a vote of the board authorizing the card.

Mr. Erickson made a motion to authorize Mr. Domont to apply for a business credit account with Bank of America, seconded by Mr. Lovewell. The motion carried unanimously by voice vote.

DISCUSSION: OPEN HOUSE FOR WINTUCKET CONTROL CENTER.

“Anytime!” said Mr. Lovewell about the proposed open house for the Wintucket Control Center. Mr. Domont thought that the Department ought to wait until the fall. “Agreed!” said the Chairman. “When the grass is nice,” remarked Mr. Erickson. Mrs. Shriber preferred that the open house take place in the summer, when second-house owners were on-Island. It was agreed that the discussion would be continued in the July Regular Meeting.

SHURTLEFF LAND.

“I’m glad to see it on the agenda,” said Mr. Lovewell.

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 5:12 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