

**MINUTES OF THE
REGULAR MEETING OF JULY 11, 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

MEETING CALLED TO ORDER:

The Board of Water Commissioners of the Town of Edgartown held their Regular Meeting on a special day at a special time – Monday, July 11, 2011, at 2:00 p.m. – at the offices of the Water Department located at Fifty-Eight Kavanagh Way, Edgartown, Mass. At 2:06 p.m., Chairman Robert L. Burnham called the meeting to order.

APPROVAL OF MINUTES.

The Commissioners took up the **Minutes of the Regular Meeting of June 16, 2011**. “I have no problem with them,” remarked Water Commissioner John S. Lovewell. Then Water Commissioner William R. Erickson made a motion to approve those minutes as written, seconded by Mr. Lovewell. The motion carried unanimously by voice vote.

Referring to a topic mentioned in the penultimate paragraph on page 7 of the June 16 minutes, Superintendent Fred R. Domont related that he had approached the Edgartown National Bank and the Martha’s Vineyard Savings Bank about the possible issuance of a credit card for the Department. Such a service was not available, he said. *[The sentence in the aforementioned minutes read, “Mr. Lovewell wondered why Mr. Domont did not apply for a card with the Edgartown National Bank.”]*

OLD BUSINESS:

**UPDATE: SUPERINTENDENT ON VARIOUS PROJECTS,
INCLUDING THE SCADA SYSTEM.**

Mr. Domont reported that engineer Paul E. Cote of Tata & Howard Incorporated had not been able to make it to the meeting that day. He then explained that recently he had been quite “active in spending” from the contingency funds of the USDA-RD Loan II account (65029007/ 585000) in anticipation of the actual closing on the permanent borrowing on July 27. Among the items he had ordered were: a refrigerator for the control center’s kitchen; a tractor; and a new pickup. “And the SCADA system is being installed as we speak,” he said, adding, “I got the FCC license today.”

Looking over some SCADA-system plans, Mr. Lovewell commented that he saw only drawings of pump houses but nothing related to the standpipe. “That isn’t final,” cautioned the Superintendent, “it’s a schematic.” The Chairman reminded Mr. Lovewell that the Board had given Mr. Domont and Foreman Shane A. Ben David the authority to make all decisions with regard to the SCADA system. [See pages 3-4 of the Minutes of the Regular Meeting of June 16, 2011.] “You’ll see the actual thing,” the Superintendent assured Mr. Lovewell.

Chairman Burnham wanted to know if the Department had until July 27 to reconcile the USDA Rural Development Loan II account. “It’s done,” replied Mr. Domont. “We’re financially close enough... I can assure the Commissioners to feel confident about the closing.” He added that the signing had been set for later that afternoon because the Board of Selectmen did not meet every week in the summer.

NEW BUSINESS:

VOTE/SIGNING: \$760,000 USDA LOAN DOCUMENT.

The Board appointed Chairman Burnham as Acting Clerk of the Board for the purpose of the reading into the record and the signing of a document titled “Vote of the Board of Water Commissioners” certifying that the Board had met and had approved the sale of a 4.25 percent bond of the Town dated July 27, 2011 in the amount of \$760,000.

Mr. Erickson made a motion that Acting Clerk Burnham read into the record and then sign the document titled “Vote of the Board of Water Commissioners.” Mr. Lovewell provided a second, and the motion carried unanimously by voice vote. Then Acting Clerk Burnham read the statement into the record, which statement read as follows [italics added].

VOTE OF THE BOARD OF WATER COMMISSIONERS

I, the clerk of the Board of Water Commissioners of the Town of Edgartown, Massachusetts (the “Town”), certify that at a meeting of the board held July 11, 2011, of

which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official records of the board in my custody:

Voted: that with respect to the sale of the following 4.25 percent bond of the Town dated July 27, 2011 (the "Bond"),

\$760,000 Water Bond dated July 27, 2011 and payable in annual principal installments of \$19,488 on July 27 of each of the years 2012 through 2049, inclusive, and \$19,456 in the year 2050 with interest thereon calculated from July 27, 2011,

to the United States of America, acting through the Rural Utilities Service, USDA, the board hereby covenants with the registered owner from time to time of the Bond that the Town shall maintain rates and charges for the use of the Town's water system in an amount sufficient, with other income of the Town's water works, to pay all costs of operating the system and the entire principal of and interest on the Bond and all other indebtedness of the Town incurred for municipal water purposes as they become due. The Bond shall nevertheless be a general obligation of the Town, payable from any of its available revenues, including revenues derived from ad valorem taxes levied in accordance with the law upon all property within the Town which is lawfully subject to such taxes.

I further certify that the vote was taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bond were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: July 11, 2011

*Clerk of the Board of Water
Commissioners*

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Acting Clerk Burnham then signed the document.

OTHER BUSINESS:

DISCUSSION: OPEN HOUSE FOR WINTUCKET CONTROL CENTER.

Financial Advisory Committee Representative Barbara G. Shriber reiterated her wish that the open house for the new Wintucket Control Center take place during the warm season, when second-home owners were on-Island. [*Ibid.*, p. 8.]

Superintendent Domont pointed out that the center was located in a residential area. Moreover, he stressed, one nearby neighbor had been opposed to the construction of the center at the Wintucket site.

Was this a seasonal person? inquired Mrs. Shriber. Yes, answered the Superintendent, who elaborated that this person had attended the Planning Board hearings regarding construction of the center. The issues of traffic and noise had been points of contention during those hearings, related Mr. Domont, who added, "I really want to be sensitive to the neighbors." "I can certainly understand that," said Mrs. Shriber.

The Superintendent then remarked, "I don't think it's so important to have an open house myself." Mrs. Shriber argued that seasonal residents got "hit up" more and more for funds that ultimately benefited the year-round population, portraying the open house as a good-will gesture to the community. Chairman Burnham pointed out that the majority of the Water Department's customers are second-home owners who are only on-Island in the summer." "Anyone can come," said Mr. Domont.

Chairman Burnham suggested serving refreshments at the event, and Mrs. Shriber thought that offering tours of the facility was a good idea.

The discussion returned to scheduling. Some present thought that many people on the Island were too busy during the summer to attend such an event. The Chairman suggested that the open house be held in mid-September. "That's all right, you know best," said Mrs. Shriber.

Chairman Burnham commented, "I personally would like to have an open house." "Does that mean the Commissioners will be there?" asked Mr. Domont. Yes, answered the Chairman. His only concern, the Superintendent repeated, was the neighbors.

Confirming the date of the September Regular Meeting (Tuesday, September 13), Chairman Burnham proposed that the Department hold the open house from one until four that day, followed by the Regular Meeting. If they wanted to serve liquor, noted the Superintendent, they would need a permit. "No liquor," said Mr. Erickson. "And no bottled water!" said Mrs. Shriber. "And we'll let the crew hang around," added Mr. Erickson. "If nothing major's going on," cautioned Foreman Shane A. Ben David.

It was agreed that the open house would take place on Tuesday, September 13, from one until four. The Chairman requested that the Department place advertisements in the local newspapers, as well as notices in Stop & Shop, at Town Hall and on the Town Web site.

SHURTLEFF LAND.

In view of the fact that the Sheriff's Meadow Foundation had expressed interest in using the buildings at the defunct Shurtleff Well and Pump Station, Mr. Lovewell wanted to know if the Department had moved all its belongings out. "It's all out," replied the Superintendent, who added that the foundation's Executive Director, Adam Moore, would be attending the August Regular Meeting to address this subject. So this is in the discussion phase, Mr. Erickson confirmed with Mr. Domont.

ITEMS FOR THE AUGUST AGENDA.

The Superintendent stated that he wanted to place on the August agenda the creation of the position of Assistant Superintendent. Specifically, he said, he would be asking the Board for a vote to put the position as an article on a Special Town Meeting Warrant or the Annual Town Meeting Warrant. The Chairman wanted to know if Mr. Domont was creating an additional position as opposed to upgrading the position of Foreman. This would be a *new* position, replied the Superintendent.

A brief discussion ensued, during which the subject of funding for the position arose. The Superintendent explained that he could handle that by not hiring a new Foreman right away.

Another item he wanted on the August agenda, continued Mr. Domont, was a discussion and possible vote on the restoration of the name "Edgartown Water Works." "It's a nitpicking thing," he said. "... [B]ut it's part of our history and heritage."

PAYROLL:

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 2:40 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