

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF OCTOBER 15, 2020
CONDUCTED VIA ZOOM TELECONFERENCE**

WASTE WATER COMMISSIONERS PRESENT:

Mr. Glen S. Searle, Chairman
Mr. Scott Ellis, Commissioner
Mr. Sean E. Murphy, Commissioner

EWWD STAFF PRESENT:

Mr. William G. Burke, Facilities Manager
Mr. Joseph Rock, Chief Operator
Ms. Jennifer Smyth, Department Assistant, Meeting Host
Mrs. Pia Webster, Administrative Assistant

OTHER TOWN OF EDGARTOWN EMPLOYEES PRESENT:

Mr. James M. Hagerty, Town Administrator
Mr. Matthew E. Poole, Health Agent

OTHERS PRESENT:

Ms. Elizabeth G. (Libby) Baldwin, PE, Tighe & Bond
Mr. Ian B. Catlow, PE, Vice President, Tighe & Bond
Mr. Peter Gearhart, Senior Project Manager, Sullivan + Associates Architects
Mr. Douglas R. Hoehn, Principal, Schofield, Barbini & Hoehn, Inc.
Mr. William C. (Chuck) Sullivan, AIA, Principal, Sullivan + Associates Architects
Mr. Martin V. Tomassian, Esq.

PREFATORY REMARKS

This being a teleconferenced meeting, Admin Assistant Pia Webster read into the record a prepared statement titled "Introduction to Teleconference," which outlined the governor's Executive Order and the current State of Emergency declared in the Commonwealth due to the Coronavirus Pandemic; and included cautionary words about the public nature of the video conference, as well as the means by which those listening in could obtain copies of the materials being discussed.

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, October 15, 2020, at 3:00 p.m. via the Zoom teleconference app. At 3:01 p.m. Chairman Glen S. Searle called the meeting to order and read into the record a written statement titled "Telecon-ference Meeting Ground Rules." Public comment would be allowed in this meeting during the New Business section, the Chairman announced.

OLD BUSINESS:

REPORT/DISCUSS: SEPTAGE COST-BENEFIT ANALYSIS/TIMEFRAME FOR EDGARTOWN MAINTENANCE PUMPOUTS.

Ian B. Catlow, Vice President of Tighe & Bond, screen-shared tables taken from the "Edgartown WWTF Septage Cost Benefit Analysis" memorandum dated October 15, 2020, written by Mr. Catlow and colleague Austin Weidner, and delivered a report, following the process by which they had evaluated the cost benefit of accepting septage at the Plant.

Mr. Catlow asked for questions. Town Administrator James M. Hagerty wanted to know more about the way septage acceptance accelerated the physical depreciation and shortened the life span of the Plant's equipment; more details on why the Plant had stopped accepting the volume of septage than it customarily had; and a more definitive explanation of the maintenance costs incurred by the septage operation. Also, Mr. Hagerty recommended that the Facilities Manager write up the justifications for limiting the septage acceptance to three percent of the inflow. The Facilities Manager added some comments of his own.

UPDATE: IAN B. CATLOW ON PROGRESS OF CIP PROJECTS.

Mr. Catlow said he had an Executive Summary on the **Rapid Infiltration Beds Project** that he had not had the chance to forward yet. He reported that he and Mr. Burke had discussed setting the cost of the project at about \$180,000.

DISCUSS/POSSIBLE VOTE: CONSTRUCTION PHASE SERVICES CONTRACT.

Shortly before the start of the Regular Meeting, Mr. Catlow had e-mailed to Facilities Manager Burke a third amendment to Tighe & Bond's Capital Improvement Program Upgrade Design & Construction Phase Services contract. After a brief discussion, it was agreed that Mr. Catlow would deliver a rundown of the services in Amendment No. 3, which he did. The \$357,000 total, he said, was generally in line with industry standards apropos its relative proportion to construction costs.

Facilities Manager Burke related that he had talked over the contract in detail with Mr. Catlow that morning, and he agreed that the costs were within normal range. He did not see anything objectionable to it, he added. Commissioners Scott and Murphy had no objections. Commissioner Murphy made a motion to approve the **Construction Phase Services Contract (Amendment #3)** with Tighe & Bond as presented. Commissioner Ellis provided a second, and Chairman Searle conducted a Roll Call Vote, with the results as follows: Mr. Murphy, Aye; Mr. Ellis, Aye; Mr. Searle, Aye.

DISCUSS/POSSIBLE VOTE: POLICY ON CHARGES FOR GARBAGE GRINDERS.

Mr. Burke pointed out that garbage grinders added more TSS and BOD; so they did actually add a load to the Plant. After some questions and clarifications, Commissioner Murphy made the following motion: To authorize the counting of garbage grinders as OTD Units in accordance with Article IX Section 5(g) Weighing of Drains of the Town of Edgartown Sewer Rules and Regulations when Department Staff is doing inspections associated with Initial and Revised Residential and Commercial Sewer Permits, as well as inspections associated with Drain and Bedroom Count Requests. Commissioner Ellis provided a second, and Chairman Searle conducted a Roll Call Vote: Mr. Murphy, Aye; Mr. Ellis, Aye; Mr. Searle, Aye.

DISCUSS/VOTE: POLICY ON GRADUATED CHARGES FOR SERVICE VISITS.

Facilities Manager Burke provided background on the policy, and after questions and clarifications, Commissioner Ellis made the following motion: That after written notification to all sewer customers with the FY21 Sewer User Charges Invoices, and notification to all new sewer customers thereafter, the following schedule of graduated charges shall be activated with regard to Service Visits by Waste Water Department Operators that occur after alarms and/or equipment failure deemed by the Facilities Manager or the Chief Operator to have been caused by that particular customer's or his/her tenant's negligence, such as the disposal of grease or baby wipes into the system or by seasonal power disconnection: (a) the first Service Visit will incur a charge of \$150.00 per pump; (b) the second Service Visit will incur a charge of \$300.00 per pump; and (c) the third Service Visit and all subsequent visits while the property continues to be under the ownership of the party responsible for the first and second infractions will incur a charge of \$450.00 per pump; and further, that if/when the property comes under new ownership, the next Service Visit caused by the owner's or his/her tenant's negligence at that property will incur a charge of \$150.00 per pump, as if it were the first such incident.

Commissioner Murphy provided a second, and Chairman Searle conducted a Roll Call Vote, with the results as follows: Mr. Murphy, Aye; Mr. Ellis, Aye; Mr. Searle, Aye.

DISCUSS/VOTE: POLICY ON LIMITS ON E-ONE ELECTRICAL PANEL SERVICE.

The Chairman deferred this discussion until the November Regular Meeting.

OTHER BUSINESS:

FACILITIES MANAGER'S REPORT.

The Facilities Manager provided updates on Old Septage Shed rehabilitation, the GIS Program, the Plant cleanup, and stump-pulling over the Influent Beds.

CHIEF OPERATOR'S REPORT.

Chief Operator Rock pointed out a couple of highlights from the September ChOp Report, including the repair of a sewer main leak at the roadside of the Harborside Management Building on the

Edgartown-Vineyard Haven Road; and a review of the Belt Filter Press Operation with the Operators because they had some issues the previous month with sludge case dryness.

FINANCIAL REPORTS.

Admin Assistant Webster reported on the editing of customer accounts in Munis in preparation for the Annual Sewer User Charges Billing in February; on Septage Revenue (down 43.9 percent) and Septage Volume (down 40.9 percent); on the good state of the Operating Budget (Expenditures at 25.4 percent spent); and on the prospect of there being plenty of cash to transfer downward from Salaries and Wages via Chapter 77 in the spring.

APPROVAL OF MINUTES.

Admin Assistant Webster pointed to a typo in the first paragraph, third line on page 5 of the Minutes of the Regular Meeting of September 17, 2020: the “4” in the phrase “Article IX Section 4(g)” should be changed to a “5”. Commissioner Ellis made a motion to approve the **Minutes of the Regular Meeting of September 17, 2020** as corrected, seconded by Commissioner Murphy, subject to the part of the meeting for which he had recused himself. Chairman Searle conducted a Roll Call Vote, with the results as follows: Mr. Ellis, Aye; Mr. Murphy, Aye; Mr. Searle, Aye. Commissioner Murphy stated that he had to recuse himself from the last two items on the agenda. He then left the meeting. The time was 4:06 p.m.

NEW BUSINESS:

REPORT/DISCUSS/POSSIBLE VOTE: EXPANSION OF BEDROOMS AT 60 NO WATER STREET (THE EDGARTOWN INN “BARN”).

Peter Gearhart, Senior Project Manager, and William C. (Chuck) Sullivan, AIA, Principal, both of Sullivan + Associates Architects, were in attendance to represent the Edgartown Inn. Mr. Gearhart explained that 60 North Water Street (Map 20D Lot 228) was the five-bedroom building in the rear behind the Carnegie that had been used as part of the Edgartown Inn “for years.” The applicant was looking to replace that building with one of about the same size with the same five guestrooms, plus two bedrooms for employees. The new building, he added, would not be any bigger than what was there currently. He then pointed to the schematic site plan, which included parking for the inn on the 10,000 sq ft lot.

Department Assistant Jennifer Smyth, who had visited the site, clarified for Chairman Searle how the use of the building had varied over the years. Admin Assistant Webster stated that what the applicant proposed now was to replace the building with five inn bedrooms and two employee bedrooms. Referring to her memorandum dated October 9, she said that the building was situated in the R-5 Residential District and that the use of this building as part of an inn and bed-and-breakfast – a Use Code 302R – had long been established.

The Admin Assistant referred the Commissioners to Section 9 of the Bedroom Regulation. The issue was whether the two bedrooms exceeding the five grandfathered ones were a benefit to the town. She had checked with the Office of the Town Assessor to confirm the use of this property as part of the Edgartown Inn as far back as their records went.

The Chairman said he had no problem with the proposal. Commissioner Ellis suggested that the Board deal with the Hob Knob Inn Expansion Proposal first before voting on the Edgartown Inn proposal. After a brief discussion, Commissioner Ellis moved to postpone a decision on the 60 North Water Street proposal until the November Regular Meeting, seconded by the Chairman. Chairman Searle conducted a Roll Call Vote, with this result: Mr. Ellis, Aye; Mr. Searle, Aye.

DISCUSS/ VOTE: EXPANSION OF HOB KNOB INN AT 124 & 128 UPPER MAIN STREET.

Douglas R. Hoehn, Principal, Schofield, Barbini & Hoehn, Inc., summarized the proposal to expand the current Hob Knob Inn building at 128 Upper Main Street and to use the lot at 124 Upper Main Street for a second building. Three rooms would be added to the 17 rooms at 128 Upper Main Street. Across Tilton Lane at 124 Upper Main Street, at the property currently owned by Attorney Martin V. Tomassian, there were, as Mr. Hoehn counted them, a total of eight bedrooms. The applicant wanted to add seven inn bedrooms, plus four employee rooms, for a total of 19 bedrooms.

Mr. Hoehn said that Mr. Tomassian had had a sewer line installed a while back, although he had never tied in to the system. Concerning the residential zone question, Mr. Tomassian said the Hob Knob was in a residential zone, as was the Ashley Inn and the Point Way Inn. And after the proposal left this Board, it could go to other boards, and its status could certainly be changed.

Mrs. Webster said that because it was in the R-5 Zone, it was subject to the Bedroom Regulation. Also, the other inns predated the 2009 Bedroom Regulation. Mr. Tomassian said that he did not believe the Waste Water Commission had the authority to grant the room count.

What the Commissioners had to look at, said the Admin Assistant, was the Bed Regulation and the capacity of the Plant to handle the extra flow. Mr. Hoehn said that the applicant was appealing to the Board to look at the project's benefit to the Town as a reason to exceed the limits of the Bedroom Regulation, for example, the increased revenue to the Town from the expansion of the current inn and from the new development across Tilton Way; the provision of onsite employee housing; and offering additional hotel rooms in the downtown area.

Commissioner Ellis asked about the flow in the area. Facilities Manager Burke said there was adequate flow at that location, and the additional bedrooms would not impact the flow capacity of that pipe.

Chairman Searle suggested they vote on the main hotel proposal first. A discussion ensued. Chairman Searle said his problem was that the properties were located in a residential neighborhood. He reiterated his concern about 19 rooms in the new property, putting forward 14 as a better number. Responding to a comment from Commissioner Ellis, Mr. Tomassian explained what would be happening to structures on the 124 Upper Main Street site and what the footprints of any new buildings would be.

Commissioner Ellis said that personally, because the flow was there, he was in favor of what the applicant was asking. He then made a motion to accept the proposal to add three bedrooms to the Hob Knob Inn at 128 Upper Main Street, seconded by the Chairman. Chairman Searle conducted a Roll Call Vote, with this result: Mr. Ellis, Aye; Mr. Searle, Aye.

Commissioner Ellis then made a motion to approve the proposal to turn 124 Upper Main Street into an expansion of the Hob Knob Inn, with 15 guest bedrooms and four employee bedrooms, conditional upon the applicant receiving the appropriate permits from other boards. Chairman Searle provided a second, then conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye.

ADJOURNMENT

There being no further business, the Chairman made a motion to adjourn the Regular Meeting, which Commissioner Ellis seconded. Chairman Searle conducted a Roll Call Vote, with this result: Mr. Ellis, Aye; Mr. Searle, Aye. The Regular Meeting adjourned at 4:29 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN

Glen S. Searle, Chairman

Scott Ellis, Commissioner

Sean E. Murphy, Commissioner