

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF MAY 20, 2021
CONDUCTED VIA ZOOM TELECONFERENCE**

WASTE WATER COMMISSIONERS PRESENT:

Mr. Glen S. Searle, Chairman
Mr. Scott Ellis, 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

OTHERS PRESENT:

Mr. Bill Courtney, Executive Chef, Seafood Shanty
Mr. David Bouck, Great Pond Foundation
Mr. Ian B. Catlow, PE, Vice President, Tighe & Bond
Mr. Alex Elvin, DRI Coordinator, M.V. Commission
Mr. Peter Gearhart, Senior Project Manager, Sullivan + Associates Architects
Mr. Benjamin L. Hall, Jr., Owner, 11 South Summer St.
Mr. George Sourati, P.E., Principal, Sourati Engineering Group

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, May 20, 2021, at 3:00 p.m. via the Zoom teleconference app. At 3:00 p.m. Chairman Glen S. Searle called the meeting to order and read into the record a written

statement titled “Teleconference Meeting Ground Rules.” Public comment would be allowed in this meeting during the Old Business and New Business sections, the Chairman announced. Also present from the Board was Waste Water Commissioner Scott Ellis.

The Chairman called for a moment of silence to remember the recently deceased Waste Water Commissioner Sean E. Murphy and former Town Administrator Peter O. Bettencourt.

OLD BUSINESS:

REPORT: IAN CATLOW ON PROGRESS OF CIP PROGRAM PROJECTS.

Ian B. Catlow, Vice President of Tighe & Bond, reported that over the past month Robert B. Our Co. had not made a ton of progress, having finished up a few things with regard to some HVAC work and done some preliminary electrical work at the Dunham Road site. Also, L & L, the miscellaneous metalwork subcontractor, was there putting in ladders and rail. The holdup had been the delay on a couple of pumps for the Chase Road site that had finally arrived on May 19; and at the Dunham site they had been waiting for a couple of fittings needed before setting the pumps in place. The following day the temporary bypass pumps would be started up at Chase Road in anticipation of the pump replacement early the following week or over the weekend. Mr. Catlow invited questions about the station upgrade projects and about the revised Wastewater Capacity Assessment; there were not any.

NEW BUSINESS:

REPORT/DISCUSS/VOTE: SHANE TANK – REQUEST FOR INCREASED FLOW DUE TO CHANGE OF USE AT ONE MARINERS LANDING, UNIT A.

Shane Tank of Premier Chef Services, who was slated to speak to his request for increased flow at One Mariners Landing, Unit A, was not present. Chairman Searle made a motion to move the discussion of Mr. Tank’s request to the June Regular Meeting, seconded by Commissioner Ellis. The Chairman conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye.

REPORT/DISCUSS/VOTE: JAMIE LANGLEY (CMW GROUP) – PROPOSED GRAB-AND-GO RESTAURANT AT 11 SOUTH SUMMER STREET (MAP 20D LOT 190).

Benjamin L. Hall, Jr., owner of 11 South Summer Street, where Jamie Langley planned to establish a grab-and-go restaurant, was in attendance to present the project. Ms. Langley was proposing up to 30 non-table-service seats, 12 inside plus 4 stools at the coffee bar and 24 outside. The building had been a food-service establishment from 1993 to 1998 and once had as many as 16 seats, though the side of the building toward Main Street had never been used. Food preparation on the site would be minimal, with the majority of it done in a commissary kitchen at the M.V. Airport. Service would be to-go; trash would be contained on the site with a disposal receptacle right outside the front door. Mr. Hall also spoke of flow expectations for such an enterprise under Title 5.

Chairman Searle asked if there would be public bathrooms in the building. Mr. Hall said there was a bathroom onsite that could be used by employees and/or the public. Responding to

another question from the Chairman, Mr. Hall clarified where the four two-top tables would be located outside on the left side of the building after relocating a compressor unit; and there would be two four-tops on either side of the entryway, for a total of 24 outside seats. Inside there would be two four-tops in either window, two two-tops behind each one of those and a coffee bar in back on the right side with four stools.

The Chairman asked Facilities Manager William G. Burke what he thought of the project. Mr. Burke said this was a gravity connection that just went around the corner down Main Street to Dock Street; there was not a problem with capacity in the sense that you would have with an E-One pump. Chief Operator Joseph Rock stated that Ms. Langley had not provided specifics about seating; so he had been unable to prepare ahead of time a report for a flow analysis of the building. Also, for a project like this, he said, they were looking at 15 or 20 gallons per seat, depending on the type of food service. A discussion ensued regarding Title 5 flows and the type of food service being offered. Mr. Hall stressed that this was not a new connection but an existing one.

Commissioner Ellis made a motion to put off any decision on the proposal until the June Regular Meeting after the flow issues could be worked out; there was no second. The Chairman told Mr. Hall that he and Ms. Langley would be hearing from staff.

REPORT/DISCUSS/VOTE: PETER GEARHART – REQUEST FOR INCREASED SEATING AT THE SEAFOOD SHANTY, 31 DOCK ST (MAP 20D LOT 305).

Peter Gearhart, Senior Project Manager at Sullivan + Associates Architects, and Bill Courtney, Executive Chef at the Seafood Shanty, addressed a proposal to expand the seating at the Seafood Shanty. For the past 15 years, said Mr. Gearhart, Sullivan + Associates had been involved in incrementally adding to the outdoor space at the site, bringing the official seating through 2019 to about 300. In 2020, due to Covid, they had added 32 more outdoor seats, bringing the total to 332. And in adding to the outdoor space, they now had room for about 410 seats, he said.

Chairman Searle said he had no information about this proposal. Mr. Gearhart said the Building Department had an exact seating plan. The Chairman said that the Board and staff were going to need that plan. Mr. Burke pointed out that in going back and forth over the seating, the Department's numbers did not jibe with Mr. Gearhart's. Moreover, staff had been given no plans, and the Town had issues with parking in the area.

Commissioner Ellis made a motion to table the Sea Shanty proposal until the June Regular Meeting so they could have more information, seconded by Chairman Searle, who conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye.

REPORT/DISCUSS/VOTE: SOURATI ENGINEERING GROUP – KELLEY HOUSE COMPLEX, REQUEST FOR INCREASED SEATING, ADDITIONAL ROOMS.

George Sourati of the Sourati Engineering Group explained that the Kelley House properties consisted of four separate lots: 1. the Kelley House, the Garden House and the current swimming pool (20D-301); 2. the Edgar, right on Dock Street (20D-302); 3. The Wheel House, the Shack, Chappy House and Mizzen Top (20D-298.1); and 4. the Court House and the Carriage House

(20D-300). An architect had produced floor plans of all of the buildings; and Waste Water Department staff had accompanied Mr. Sourati recently for a bedroom and fixture count. Guest bedrooms totaled 68; staff bedrooms, 13; offices, 5; retail space, 1. Existing wastewater flow for the entire complex was 15,141.2 gpd. The complex was currently being invoiced for 175 restaurant seats.

The proposed renovation entailed a net increase of four bedrooms, continued Mr. Sourati. In their proposal, he stressed, they did not include the seating for guests, only restaurant seating for the public. So they were proposing a net increase of 37 seats, to 212 seats, with another 88 seats for hotel guests. Four office spaces and the retail space would be eliminated. Mr. Sourati noted that the full details of the seating, as well as the location and dimensions of the guest rooms, were included in the plan. The total expected flow after the renovation would be 16,782.3 gpd.

Chairman Searle wanted to know if the renovation plans would include the Wave Bar. Yes, it included everything, replied Mr. Sourati, who went through some of the details of the plan. Asked by the Chairman what he thought of the plan, Commissioner Ellis remarked that again, he thought that the Board might want to hold off on any decision until the Plant's flow issues had been resolved. Mr. Burke thought that the 1,600 gpd increase requested was "quite a bit" in view of what was anticipated in the coming summer. Obviously, the Department had obligations to people in residential areas that they could not turn away. He said he would like to get through the summer and then see where they stood before they approved any substantial increase in flow.

Chief Operator Rock requested that Mr. Sourati send him information on how the Kelley House would segregate the seats that were for hotel guests only from those that were available to the public. Mr. Burke noted that a seat was a seat as far as the Department was concerned. Mr. Sourati was firm that the pool area would not be used by the public.

Chairman Searle made a motion that any discussion on the Kelley House proposal be tabled until the September Regular Meeting. Mr. Sourati asked if the Board could vote on just the increase in the guestrooms. A discussion followed. Mr. Burke concurred with the Chairman that the Board postpone any decision on the request until the September Regular Meeting.

After more discussion, the Chairman said he did not want to consider the Kelley House proposal piecemeal and would be more comfortable holding off until September. The Chairman added to the motion he had already made that Department Assistant Jen Smyth or Admin Assistant Pia Webster would get in touch with Mr. Sourati with the date and time of the September meeting. Commissioner Ellis offered a second, and the Chairman conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye.

Next, Commissioner Ellis amended his motion regarding the Seafood Shanty, moving that the Board delay any decision on the proposal until the September Regular Meeting. The Chairman amended his second, then conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye.

REPORT/DISCUSS/VOTE: FY21 SEWER USER CHARGES ABATEMENT NO. 4.

Admin Assistant Webster pointed to some suggested changes she had made in purple print to Article 9 Section 8 of the *Rules and Regulations* that would make the text consistent with the current billing and abatement request schedule. Another aspect of Section 8 that needed to be

addressed was highlighted in yellow. The wording implied, she said, that the military veterans and their families included under Clause 22 of M.G.L. Chapter 59 Section 5 would automatically be given the Department's Hardship Exemption, when this had not, she believed, been the intention of the Board that voted for the Exemption in 2012. So for FY21 she would not object to going ahead as they always had and excluding Clause 22 candidates, voting on the set of exemptions that included applications by residents with low income. Then in the June meeting when rates were considered, she said, the Board could vote to insert a reworked paragraph on Hardship Exemptions and possibly exemptions for veterans. A discussion followed.

Chairman Searle made a motion to approve the second version of FY21 Sewer Billing Abatement No. 4, consisting only of Hardship Exemptions and totaling \$2,106.00, seconded by Commissioner Ellis. The Chairman conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye. The Chairman made a motion to appoint Mr. Burke to look further into the Chapter 59 Abatements, seconded by Commissioner Ellis. Roll Call: Mr. Ellis, Aye; Mr. Searle, Aye.

OTHER BUSINESS.

FACILITIES MANAGER'S REPORT.

Mr. Burke reported said he had received a commitment letter as to the rebuilding of the three RAS pumps, scheduled for right after the summer; total project cost was just under \$17,000, and more than \$12,000 was coming from the Cape Light Compact. At the end of April, the Department had had some jetting done, including a cleaning of the septage storage tanks at the Plant. The pandemic had slowed down the delivery of some of the fittings needed for the Dunham Road Station generator.

The Department was behind in getting rid of the stump pile and pulling the last of the trees; so the Town Accountant had provided them with a way they could pay Highway Department staff to do this work out of the Waste Water Salaries Overtime Account. The Vineyard Golf Club had sent a bill for \$16,000 to replace a carpet following an alarm failure; the Town Administrator had been provided with a copy of the Department's agreement with the Golf Club. No applications for Operator positions had been received. The Commissioners stated they had no objections to Highway Department staff working to clean up the Plant grounds on weekends.

CHIEF OPERATOR'S REPORT.

Chief Operator Rock pointed out that the total nitrogen for the first monthly sample was 1.4 mg/L and the second was 1.35 mg/L; while the total nitrogen monthly limit was 10.0 mg/L. The Truax vactor truck had cleaned the septage tanks. The small tank had never, as far as Mr. Rock knew, been cleaned in the course of 15 years; the crew had removed by hand sixty-five 35-gallon barrels of grit from the large one a few years before. In the future putting the small tank on a regular clean-out schedule should prevent any buildup of silt in the large one.

FINANCIAL REPORTS.

Sent out three months earlier, the Annual Sewer User Charges Bills were over 91 percent collected, reported Admin Assistant Webster. Earlier that day, she had run off 152 invoices for

what had not been collected, 113 of those for unpaid sewer fees and the remainder for unpaid interest. Mrs. Webster went over an initial estimate – extrapolated from the number of OTDs added by what had been done of the System-Wide OTD Count since March 1 – of the growth in Sewer User Charge Revenue in FY22 without any rate increase.

The Admin Assistant also reviewed the current surpluses in the FY21 Operating Budget; pointed to the fact that the FY20 Encumbered Funds were practically spent out; and noted the current balances in the Capital Accounts.

APPROVAL OF MINUTES.

Commissioner Ellis made a motion to approve the **Minutes of the Regular Meeting of April 15, 2021**, seconded by the Chairman. The motion carried unanimously by Roll Call Vote.

ADJOURNMENT

There being no further business, Chairman Searle made a motion to adjourn the Regular Meeting, which Commissioner Ellis seconded. The Chairman conducted a Roll Call Vote: Mr. Ellis, Aye; Mr. Searle, Aye. The Regular Meeting adjourned at 4:10 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN

Glen S. Searle, Chairman

Scott Ellis, Commissioner