

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS
MINUTES OF THE
REGULAR MEETING OF MARCH 17, 2022
CONDUCTED VIA ZOOM TELECONFERENCE**

WASTE WATER COMMISSIONERS PRESENT:

Mr. Glen S. Searle, Chairman
Mr. Scott Ellis, Commissioner
Mr. Walter A. Morrison, 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. David Bouck, Watershed Outreach Manager, Great Pond Foundation
Mr. Ian B. Catlow, PE, Vice President, Tighe & Bond
Mr. Stuart Franks, 4 Quail Path
Mr. Mark C. Hess, General Manager, Edgartown Golf Club
Mr. Brook Katzen, VP, Katzen Companies, Mad Martha's (7 North Water St)
Ms. Cammie Naylor, Garden Designer, Donaroma's Nursery
Ms. Claire B. O'Hare, Co-owner, 55 Cottage Street
Mr. Thalysson Ribeiro, JR Construction (55 Cottage Street)
Mr. Robbie Robinson, Waterfront Builders Inc.
Mr. Daniel Roop, PE, Project Engineer, Tighe & Bond
Mr. James Shane, Mad Martha's (7 North Water St)
Mr. Stephen C. Sjurset, 4 Quail Path
Ms. Julia Tarka

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 Post-Emergency Bill of June 16, 2021; 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, March 17, 2022, 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 and New Business sections, the Chairman announced. Also present from the Board were Waste Water Commissioners Scott Ellis and Walter A. Morrison.

OLD BUSINESS:

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

Regarding the **SCADA System Upgrade Project**, work continued largely offsite on tasks like panel fabrication and the acquisition of system equipment, reported Ian B. Catlow of Tighe & Bond. The mobilization of Fall River Electrical Associates to the site would be discussed in an onsite meeting on March 21; and shortly thereafter, some demolition work would commence.

As for the **Rapid Infiltration Beds Rehabilitation Project**, there had been no written word yet from Mass DEP about the Beneficial Use Designation for the soil that would be removed from the beds. But Tighe & Bond had heard verbally that they would not get a Beneficial Use Determination, but that the material would be allowed to be disposed of with some minor limitations. Having waited a long time for a written response, Mr. Catlow had decided with Facilities Manager William G. Burke to finalize the bid documents and put the project out to bid with a few modest restrictions on where the material could go. The relocation of the material to some possible sites near the Plant would be discussed during the upcoming onsite meeting, to which Highway Superintendent Allan DeBettencourt had also been invited.

The third update concerned the **Schwing Pump Project** (2021 ATM Article 66, \$230,000), for which T&B was putting together the Chapter 30B Proprietary Pre-Procurement Package for the hydraulic power pack and control panel, as well as starting to prep their construction documents into which the Pre-Procurement Package would get rolled. A Schwing Pump manufacturer's rep had brought to light one possible snag: a 40-to-50-week delay from signed purchase order to delivery on the new hydraulic power pack.

REQUEST FOR TIE-IN: 55 COTTAGE STREET [Continued].

Thalysson Ribeiro of JR Construction said the owner of 55 Cottage Street (20B-86.1) wished to tie in to the gravity line that ran down Cottage Street to the tennis courts. Chairman Searle wanted to know if the new construction would constitute an increase in the number of bathrooms on the lot. The old house has four, said Mr. Ribeiro, and the new one would have six. Why is there one in the basement? asked the Chairman. It's going to be a finished game room for the children, said Mr. Ribeiro. Commissioner Morrison remarked that he looked at the basement room as being a weekend project away from being another bedroom, particularly in view of there being a shower down there and multiple means of egress. The other members of the Board

agreed, plus Commissioner Ellis noted that he counted seven bathrooms, not six. Mr. Ribeiro accepted the correction.

Chief Operator Joseph Rock was not worried about the number of bathrooms, he said, but about the number of bedrooms, which was the basis of wastewater flow regulation. And although these particular owners might indeed intend to use the basement room as a game room, who was to say what the next owners would do with that space? Claire B. O'Hare, co-owner of the property, stated that if the Board felt strongly about having a half bath in the basement instead of the full one, she would be happy to support that. At Commissioner Ellis's prompting, Mr. Ribeiro corrected the number of bedrooms in the current house to three; the new house would have four, which was, as the Chairman noted, the maximum allowed.

Commissioner Morrison made a **motion to allow for four bedrooms on the 55 Cottage Street lot; and further, to require that the plans be amended to include a half bathroom in the basement instead of a full one.** Commissioner Ellis provided a second, and the motion carried unanimously by voice and show of hands.

NEW BUSINESS:

DISCUSSION: MEETING MATERIAL SUBMISSION DEADLINES.

Chairman Searle stated that although he was raising the topic of meeting material submission deadlines at the behest of Commissioner Morrison, he was firmly in agreement with the idea. Commissioner Morrison said that he believed the Zoning Board of Appeals had a two-week deadline for materials submissions by applicants, and it seemed this provided adequate time to study building plans and project proposals, instead of trying to cram everything in at the last minute. Admin Assistant Webster asked if this lead time would apply to all meeting materials. All, answered the Chairman. What about staff materials like the Chief Operator's Report, asked Mr. Rock. They could let that slide, said Commissioner Morrison, adding that he had been thinking about sets of plans, that kind of thing.

Commissioner Morrison then made a **motion to have a two-week lead time on the distribution of applicant submissions for meetings,** seconded by Commissioner Ellis. The motion carried unanimously by voice and show of hands.

REQUEST FOR TIE-IN: 23 OLIVER STREET.

Alexander Serge, co-owner of 23 Oliver Street (Map 20C Lot 4.21) was not online; nor was there anyone present to represent him. The Chairman moved on to the next agenda item.

REQUEST FOR ALLOTMENT OF SECOND PUMP: 4 QUAIL PATH.

Stuart Franks introduced himself as well as Stephen Sjurset, his business partner in the 4 Quail Path property (37-52.42). Mr. Franks said he wanted to recertify that if the land were to be subdivided, each of the two newly created lots would be eligible for tie-in to the sewer system. In January 2018 previous owners had been granted that right, which had expired after one year. Commissioner Ellis confirmed that there was no wastewater connection at present.

When Commissioner Morrison sought clarification, Admin Assistant Webster explained that the 4 Quail Path lot was listed on The Katama Project Plan developed out of the Memorandum of Understanding with Mass DEP from June 2004. In January 2018 an agent for the then-owners had approached then-Facilities Manager David Thompson to request a second pump – in addition to the pump already assigned to the lot – if the lot were to be subdivided in two. The Board of Waste Water Commissioners had so voted in their Regular Meeting of January 18, 2018, adding a one-year expiration date to their decision.

After ascertaining that the partners had not yet developed a definite subdivision plan or a sewer main design layout, Commission Morrison thought it was premature to be granting the partners' request until they had done more preparation, lest any permissions granted again expire. Commissioner Ellis agreed that the Board should hold off until the partners had all their ducks in a row. After a brief discussion, **it was agreed to postpone discussion for six months.**

REQUEST FOR RE-ALLOCATION OF FLOW: 7 NORTH WATER STREET.

Brook Katzen, a co-investor in Mad Martha's, was requesting that he be allowed to re-allocate the flow at the 7 North Water Street property (20D-315) by reducing the number of seats in the food-service operation on the first floor and building a three-bedroom apartment on the second. The 1993 sewer connection permit had included 43 restaurant seats, coming to 645 gallons per day; while adding a three-bedroom apartment would add 330 gallons per day. To cut the flow from the food service to 315 gallons per day, he said, the owners would decrease the number of seats from 43 to 21.

Responding to a question from the Chairman, Mr. Katzen's partner, Jim Shane, explained that three areas on the second floor had to be marked "storage" on the plan until the ZBA had approved them for bedrooms. On the first floor, the full kitchen and the bakery had been removed, with no cooking to be done onsite. The area marked "retail" would be for things like T-shirts and hats. Also, a major use of water – the cleaning of the ice cream buckets – was being eliminated through the installation of low-volume, high-speed commercial dishwashers in all of the Mad Martha's facilities. In addition, the apartment would be devoted strictly to employee or year-round housing, as required by the ZBA. Finally, the first floor would have a handicapped-accessible bathroom available to the public, as required by the Board of Health.

Commissioner Morrison made a **motion that prior to the issuance of a Revised Commercial Sewer Permit, a deed restriction be attached to 7 North Water Street stipulating the dedication of the second-floor three-bedroom apartment to employee or year-round housing; and further, that the partners' proposal to re-allocate flow for the three-bedroom apartment by reducing the number of restaurant seats from 43 to 21 be approved.**

Commissioner Ellis offered a second, and the motion carried unanimously by voice and show of hands.

REQUEST TO ADD EMPLOYEE HOUSING: EDGARTOWN GOLF CLUB.

Mark Hess, General Manager of the Edgartown Golf Club, related that the club was proposing to build a duplex for employee housing, which had already been approved by the ZBA. The building would be on club property on Augusta Lane, extending the sewer main that had been

brought in from Curtis Lane to service the maintenance barn and employee apartment. The duplex contained two two-floor units, a three-bedroom and a two-bedroom, with three full baths total and two half baths total. Mr. Hess confirmed with the Chairman that the new building would be to the right of the manager's house. The Chairman verified with Facilities Manager Burke that the Curtis Lane sewer line had the capacity for this addition. All of the Board members agreed on the need for employee housing. Commissioner Ellis made a **motion to accept the proposal by the Edgartown Golf Club to build a duplex for employee housing, as presented**, seconded by the Chairman. The motion carried unanimously by voice and show of hands.

REQUEST TO ADD DRAINS IN SHED: DONAROMA'S NURSERY.

Donaroma's Nursery Garden Designer Cammie Naylor and Robbie Robinson of Waterfront Builders Inc. were online to present plans for a small expansion to the floral department workspace at 270 Upper Main Street (20A-65.2). The additions would comprise a sink, a dishwasher and a grinder pump, said Ms. Naylor, explaining that the pump was shared with Fred Mascolo of 32 Chase Road (20C-75). Mr. Robinson was the contractor, and Charlie Day was the plumber, she added.

Responding to a query from the Chairman, Chief Operator Rock explained that currently the Donaroma's line went directly to Mr. Mascolo's pump at 32 Chase Road. The proposed expansion was not an expansion of flow, he said, but a way of processing flow more quickly; the only expansion was in the number of outlets. Recently, following the failure of the pump chamber and panel, Mr. Mascolo and Mr. Donaroma had split the cost of upgrading the panel and infrastructure, Mr. Rock added.

There being no further questions, Commissioner Morrison made a **motion to approve the small expansion to the Donaroma's floral department workspace, as presented**, seconded by Commissioner Ellis. The motion carried unanimously by voice and show of hands.

Having determined that Alexander Serge was still not online, the Chairman made a **motion to postpone discussion of the tie-in of 23 Oliver Street until the April Regular Meeting**. Commissioner Ellis provided a second, and the motion carried unanimously by voice and show of hands.

OTHER BUSINESS:

REPORT/DISCUSS/VOTE: FY22 SEWER USER CHARGES ABATEMENT NO. 2.

Admin Assistant Webster provided background on the two FY22 Sewer User Charges Abatement Requests. Commissioner Ellis made a **motion to grant a full abatement of FY22 charges to Nancy B. Whipple of 82 North Summer Street**, seconded by Chairman Searle. The motion carried unanimously by voice and show of hands. Chairman Searle made a **motion to approve a full abatement of the FY22 Sewer Charges of Ed and Deb Willoughby of 30 Curtis Lane**, seconded by Commissioner Ellis. The motion carried unanimously by voice and show of hands.

FACILITIES MANAGER'S REPORT.

Mr. Burke related that IT Manager Adam Darack had reached out to the Department for funding of software that would help prevent Zoom-bombing. The Facilities Manager was still working on the Penn Valley pump, as well as the air conditioning and exterior lighting deals from the Cape Light Compact. The following week he would be meeting with Tighe & Bond about the material disposal; since Goodale now charged for accepting sand, depending on how dirty it was, it was imperative they find locations in town for the sand. Junior Operator Troy Vanderhoop would probably be leaving to become a Tisbury or Edgartown Special Officer in the summer.

Commissioner Morrison suggested speaking to Andy Kelly of the Cemetery Commission, an agency that was always looking for fill. Chairman Searle recommended contacting Parks Administrator Jessica McGroarty, who also worked for the Highway and Cemetery Departments.

CHIEF OPERATOR'S REPORT.

Mr. Rock reported on a Sanitary Sewer Overflow of about 10 gallons on Dock Street in early February. Duly reported to Mass DEP, he said, no spillage had gone into the harbor. The pump repair at 32 Chase Road referred to earlier had been a full day's work, he continued. Later in February, a similar situation had arisen with regard to the duplex pump shared by Edgartown Meat & Fish and Granite Hardware. There, an overflowing grease trap had damaged both pumps. Admin Assistant Webster noted that on the last call she had gotten to apply the Graduated Service Visit Charge for the first time, it being the second time a neglected grease trap had wreaked havoc at that site.

Responding to a question from Commissioner Ellis, the Chief Operator described how the business owner responsible for the excessive grease had already made arrangements for more frequent grease trap clean-outs. Mr. Burke explained how the regulations governing the grease traps were set by the Board of Health.

FINANCIAL REPORTS.

Exactly one month earlier, began Admin Assistant Webster, she and Jen Smyth had mailed out the Annual Sewer User Charges Bills, including a notice asking customers who had not already done so to arrange to have their bedrooms and drains counted. In the four weeks since, Ms. Smyth had inspected more than 80 units, with appointments for 40 more in the next few weeks.

The FY22 Operating Budget Expenditures Report showed a surfeit of over \$111,000 in the Expenditures section and one of nearly \$94,000 in Salaries & Wages. Mrs. Webster suggested that the Facilities Manager start spending the former soon in view of current supply-chain shortages and possible slow-ups due to procurement issues.

Turning to the FY22 Capital Accounts Report, the Admin Assistant went over how the funds left in two ATM17 Warrant Articles (Art 65 Pump Alarms, \$49,000; Art 66 Replace Flow Devices, \$38,500) that would be spent toward the SCADA System Upgrade Project had been incorporated into this report. Combined with the funds from ATM18 Article 71, the starting figure would then have been \$3,814,000; the Capital Committed as of Feb 22, 2022 was \$3,211,165.26; and the Uncommitted Capital was \$602,834.74.

ADJOURNMENT

There being no further business, Chairman Searle made a motion to adjourn the Regular Meeting, which Commissioner Ellis seconded. The motion carried unanimously by show of hand and voice vote. The Regular Meeting adjourned at 4:05 p.m.

Respectfully submitted,

Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN

Glen S. Searle, Chairman

Scott Ellis, Commissioner

Walter A. Morrison, Commissioner