



TOWN OF EDGARTOWN

WASTE WATER DEPARTMENT
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TOWN OF EDGARTOWN BOARD OF WASTE WATER COMMISSIONERS

MINUTES OF THE REGULAR MEETING OF JULY 21, 2022

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
Mrs. Pia Webster, Administrative Assistant

OTHER TOWN OF EDGARTOWN STAFF PRESENT:

Ms. Reade Konje Milne, Building Inspector

OTHERS PRESENT:

Mr. Osvaldo Olimpio Dias Alves, Jr., GP Construction
Mr. David J. Brennan, 26 Cormorant Circle
Ms. Jean C. Brennan, 26 Cormorant Circle
Mr. Peter Gearhart, Sr Project Manager, Sullivan + Associates Architects
Ms. Anne Tamer Hajjar, Hajjar Management Co., Inc.
Mr. Louis Lisboa, Principal Designer Architect, VL Architects
Mr. David Newhall, Sr Project Engineer, Crocker Design Group
Mr. Daniel O. Roop, Project Engineer, Tighe & Bond
Mr. David Rosenberg, Founder & CEO, Sawyer Realty Holdings, LLC

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, July 21, 2022, at 3:00 p.m. in the Program Room on the first floor of the Edgartown Public Library, 26 West Tisbury Road, Edgartown, Mass. At 3:00 p.m. Chairman Glen S. Searle called the meeting to order. Also present from the Board were Waste Water Commissioners Scott Ellis and Walter A. Morrison.

OLD BUSINESS.

REPORT: DANIEL O. ROOP OF TIGHE & BOND – CAPITAL PROJECTS.

Daniel O. Roop, Project Engineer at Tighe & Bond (T&B), reported that the contractor for the **SCADA Systems Upgrade Project** was still waiting for the PLC and much of the larger equipment. Tighe & Bond and Department Staff had had an onsite preconstruction meeting with Lawrence Lynch Corp. regarding the **Rapid Infiltration Bed Rehabilitation Project**; they were tying up loose ends as to the issuance of the performance bond.

A. Mr. Roop related that the day before, bids had been opened for the Dewatering Sludge Pump Hydraulic Pack & Control Panel Replacement (Contract No WW-22-05). The two bids received had been from: Pride Environmental & Construction, Inc. of Berkley, \$33,655; and Fall River Electrical Associates of Fall River, \$131,361. Having done due diligence, T&B had issued a formal recommendation to move forward with awarding the project to Pride Environmental. Commissioner Ellis made a **motion to accept the bid of \$33,655 from Pride Environmental & Construction, Inc. for the Dewatering Sludge Pump Hydraulic Pack & Control Panel Replacement**. Commissioner Morrison provided a second, and the motion carried unanimously by voice vote.

B. The next project to address, said Mr. Roop, was the Wastewater Asset Management Program and an issue raised by the Department's receiving a 60 percent grant from the Town. A vote was required that recognized the power of the Town Administrator to sign and file the necessary documents on behalf of the Town. Then Facilities Manager Burke would be designated the contact person for the project. Commissioner Morrison made a **motion to allow the Town Administrator to sign and file documents with Mass DEP on behalf of the Waste Water Department for the Edgartown Wastewater Asset Management Program**. Commissioner Ellis offered a second, and the motion carried unanimously by voice vote.

NEW BUSINESS:

DISCUSS/VOTE: 27 CORMORANT CIR – STOP WORK ORDER, EXT STAIRWAY.

Oswaldo "Junior" Alves of GP Construction, who was the builder for the 27 Cormorant Circle guest house (Map 28 Lot 108), introduced himself and explained that the owner of GP Construction, Gelso Pereira, was detained in Boston. Asked by the Chairman what his plans were for the guest house, Mr. Alves said there would be a normal basement and two bedrooms, with the attic just for storage.

Chairman Searle Chairman commented on the inappropriateness of the exterior stairway to the attic, which he felt should come down. Told by Mr. Alves that the homeowner intended to store supplies for her cleaning business in the attic, the Chairman expressed doubt that so much room would be needed for cleaning supplies. Chairman Searle made reference to some photographs of the interior of the main house showing rooms in the basement with numbered doors and multiple sets of bunkbeds.

Commissioner Morrison observed that although the proper purview of the Board was wastewater flow and the number of bedrooms, if upon inspection of the finished structure, Department Staff were to find too many bedrooms, what was finished would have to be unfinished. He pointed to the plan and asked Building Inspector Reade Milne about the number of bedrooms in each of the houses. Four in the main house, two in the guest, she said. She had walked through the main house with the Fire Department and the Board of Health due to complaints from neighbors of overcrowding. She had found, she said, two rooms in the basement apparently being used as bedrooms that did not meet code; these were subsequently removed.

Chief Operator Joseph Rock expressed concern that with a standard E-One 70-gallon tank, if the volume of wastewater flow from the property were too substantial, a surge flow could overwhelm the capacity of the pump and back up into the house. Mr. Burke explained that the E-One capacity was 17 to 19 gallons per minute. A surge flow would be like opening up a bath tub and discharging a washing machine at the same time. The extra wear and tear on the pump meant the Department would have to replace it sooner rather than later.

A discussion among the Commissioners and the Building Inspector ensued regarding a solution. The builder could drop the collar ties in the attic to below seven feet, thereby rendering that space uninhabitable; remove the exterior stairway; install an interior hatch for entry to the attic; and remove the two closets on either side of the mechanicals room in the basement. These were measures that would result in a two-bedroom house rather than the four-bedroom one that the plan before them was moving toward.

Commissioner Morrison told Mr. Alves that what the Board wanted was for him to consider their recommendations and return to them with amended plans for a two-bedroom house. Ms. Milne said she would hold the Stop Work Order until the Commissioners had approved an amended plan for the guest house.

Chairman Searle made a **motion to continue this discussion to the August 25 Regular Meeting, when an amended set of plans for the guesthouse would be presented**, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

OLD BUSINESS [Continued]:

DISCUSS/VOTE: 19 MAIN ST – ADD’L FLOW REQUEST, WORKFORCE HOUSING

AND

DISCUSS/VOTE: 254 UPPER MAIN ST – ADD’L FLOW, WORKFORCE HOUSING.

Peter Gearhart, Senior Project Manager of Sullivan + Associates Architects, said he was there with Anne Tamer Hajjar of Hajjar Management Co., Inc., owners of 19 Main Street. They were waiting, he said, to hear back from the Board about restrictions on the apartment tenancies in the plans presented in the June Regular Meeting. Chairman Searle said he wished to address at the same time the applicant for 254 Upper Main Street, where there was also a request for additional wastewater flow, allowing for workforce housing.

The Chairman went on that he wanted to continue any discussion of either project to the October Regular Meeting, at which point the Board and Staff would have preliminary findings from the Comprehensive Wastewater Management Plan (CWMP), since at present Mass DEP was

directing the Department not to assign additional flow to commercial properties. Facilities Manager Burke remarked that workforce housing was a key concern of the Town's Master Plan Steering Committee, and rather than have a hodgepodge of rules from different departments, it was hoped that a single umbrella policy could be formulated.

Responding to a query from David Rosenberg of Sawyer Realty Holdings, owner of 254 Upper Main Street, Mr. Burke clarified the difference between the CWMP and the Master Plan. A discussion ensued regarding the need for greater wastewater capacity. Mr. Burke explained that although the Plant did have some additional capacity, the State had determined that the Department had not been doling out the capacity properly, having devoted too much volume to the commercial areas and not enough to the residential.

Mr. Rosenberg spoke at some length about the difficulties encountered in his efforts to provide housing for his workers. At the last meeting he had encouraged the Commission and Staff to come up with a way to bind the property owner legally to using the new units as presented in his proposal, he said. That's what he thought today's discussion would be about. Mr. Burke pointed out that the primary limitation of using a legal instrument to ensure a particular use of a property was the lack of a statutable enforcement mechanism. Mr. Rosenberg might have the best of intentions, Mr. Burke said, but they might not be shared by subsequent owners of the property.

Mr. Rosenberg said that he was so intent upon providing housing for his workers that he was willing to build houses and equip them with septic systems until a time when they could tie in to the sewer system. But in the case before them at 254 Upper Main Street, sewer was already onsite. Moreover, Mr. Rosenberg went on, this housing would be year-round and would not be profitable for him; it would be created simply to fill a need.

The discussion continued, turning to the number of bedrooms that would be allowed on the lot if wastewater-flow assignments were no longer as restricted. Commissioner Morrison argued, though, that the Commission's hands were tied and the assigning of flows at this point would be tantamount to writing checks when they didn't know what was in the register. After still more discussion, Commissioner Morrison made a **motion to continue the discussion until after the preliminary results of the CWMP were available**; the Chairman provided a second, and the motion carried unanimously by voice.

NEW BUSINESS [Continued]:

DISCUSS/VOTE: 28 SOUTH SUMMER ST – ADDITION OF GARDEN HOUSE.

Mr. Louis Lisboa, Principal Designer Architect of VL Architects, explained that an eight-bedroom house at 28 South Summer Street had been torn down. The new house had five bedrooms, and the annex for which he was requesting approval would make it a total of six bedrooms on the lot.

Admin Assistant Pia Webster related that the Revised Residential Sewer Permit had been granted in 2015, but financial issues and a death in the family had delayed the project. She added that Department had not inspected the property before the teardown; so the original bedroom count of eight could not be verified; the Assessor's records had the number at six. Mr. Lisboa said he had plans of the original house, which did have eight bedrooms.

Following some discussion, Commissioner Morrison made a **motion to allow the addition of the Garden House to 28 South Summer Street as the sixth bedroom**, seconded by Chairman Searle. The motion carried unanimously by voice vote.

OTHER BUSINESS:

FACILITIES MANAGER'S REPORT.

Mr. Burke stated that the Comprehensive Wastewater Management Plan would have been underway already; but in its oversight of regulations governing wastewater and sewer systems, Mass DEP was engaging in a regulatory review effort to update wastewater rules and protocols. Since these revisions could affect the elements and organization of the CWMP, a Zoom meeting was planned for August 11 that would include Mass DEP, Mr. Burke, Town Administrator James M. Hagerty, Mr. Roop of Tighe & Bond, and others. With the update setting the process back about a month, Mr. Burke expected preliminary results from the CWMP in six to eight months.

The Facilities Manager also reported that Edwin Ortiz from the Highway Department had been working on the weekend cleaning up the Plant grounds. The Gap 3 Energy Grant Program deadline had been July 15, and Mr. Burke had been working with the Cape Light Compact to get some Penn Valley pumps replaced with pneumatic pumps in the Pre-Treatment and Post-Treatment Buildings. After some detours and mishaps, they did make the deadline, and on a preliminary basis, they had been approved for \$135,000.

In addition, the Town had gotten \$132,000 in Green Community Funds. If the Town were willing to take \$30,000 of that and combine it with the Gap 3 Energy Grant funds, the State would pick up 80 percent of the cost. So the around \$462,000 project would ultimately cost the Town about \$92,000, reported Mr. Burke.

CHIEF OPERATOR'S REPORT.

Chief Operator Joseph Rock reported that the crew had replaced several parts on the Belt Filter Press. Also, having responded to a number of Visitors Center alarms, they had concluded that with the installation of low-flow equipment with the upgrade, the ratio of toilet paper to water was favoring the former, to the detriment of the system. The toilet paper was balling up into a blockage that was settling on the low-level float, setting off an alarm and shutting down the pumps. It appeared that the weights he and Safety Officer Sebastian Corwin had placed on the power line for the low-level float might continue to handle the problem. Mr. Burke said that part of the problem was that the station down there needed a new PLC.

FINANCIAL REPORTS.

Admin Assistant Webster noted the \$42,000 left to collect from the Annual Sewer User Charges at the close of FY22 was the smallest amount she had seen since Munis software had come online in FY13. Referring to the Draft FY22 Income and Expense Summary, she pointed to the \$425,000 deficit and the distance to be traveled before a switch to an Enterprise Fund could be

considered. And the series of annual reports on Uncommitted Revenue revealed growth from 64 total sewer permits in FY18 to 109 in FY22.

APPROVAL OF MINUTES.

On a motion by Commissioner Ellis, seconded by Commissioner Morrison, the **Minutes of the Special Meeting of June 9, 2022** were approved unanimously by voice vote. On a motion by Commissioner Ellis, seconded by Chairman Searle, the **Minutes of the Regular Meeting of June 23, 2022** were approved, with Commissioners Ellis and Searle voting aye and Commissioner Morrison abstaining because he had not attended that meeting.

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 voice vote. The Regular Meeting adjourned at 4:11 p.m.

Respectfully submitted,



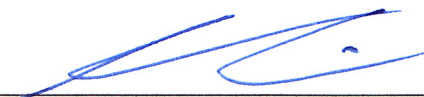
Pia Webster
Administrative Assistant

APPROVED:

BOARD OF WASTE WATER COMMISSIONERS
TOWN OF EDGARTOWN



Glen S. Searle, Chairman



Scott Ellis, Commissioner

Walter A. Morrison, Commissioner