

**TOWN OF EDGARTOWN
BOARD OF WASTE WATER COMMISSIONERS**

**DRAFT MINUTES OF THE
REGULAR MEETING OF APRIL 20, 2023**

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. Curtis Robart, Junior Operator
Mrs. Pia Webster, Administrative Assistant
Ms. Cristina Zghibarta, Department Assistant

OTHERS PRESENT:

Ms. Carol M. Grant
Mr. Daniel O. Roop, PE, Project Manager, Tighe & Bond

MEETING CALLED TO ORDER:

The Board of Waste Water Commissioners of the Town of Edgartown held their Regular Meeting on Thursday, April 20, 2023, at 3:00 p.m. in the Program Room 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/DISCUSS/VOTE: CAROL GRANT CLAIM RE: 07/21/22 BACKUP INCIDENT.

The first order of business was the claim of Carol M. Grant of 79 South Summer Street (Map 29B Lot 9), where a backup had occurred in the lateral, which ran 14 feet from the property line in the street. The Chairman stated that he had checked with a number of people and that he himself had concluded that the Department was not responsible for the cost of repairs to Ms. Grant's lateral, where the July 21, 2022 backup had caused about \$16,000 in damage for which she'd already been billed, with another \$14,000 worth of work still to be done. Chairman Searle pointed out that what had happened in the case on High Street in 2014 had not been brought before the Commission members then seated but had come down as a direct order from the then-Town Administrator to the then-Facilities Manager.

Commissioner Ellis said he was afraid that if the Department did pay for the damage, customers with lateral damage in the future would point to this instance and demand coverage. And as the Chairman had noted, the Commission in the earlier instance had not been part of the decision to pay for the repairs on High Street. Commissioner Morrison made a **motion that the Commission deny paying any portion of the cost for the damage; and further, that Department Staff help in any way possible to facilitate and expedite the job in terms of providing odd parts or calling in the Highway Department to help with street repair; and further, that if it was discovered there were problems with the street main itself at the site, this would be addressed by the Department at the same time; and further, that if new, relevant information regarding this matter was uncovered during the repair, the issue could be revisited.**

Facilities Manager William G. Burke mentioned that a company called Truax which had recently come to the Island to clean lines and catch basins also lined 4-inch laterals and actually would come to the Vineyard to assess Ms. Grant's job. This would be a cheaper alternative to the work being proposed by Tim Creato at the cost of \$14,000. Commissioner Ellis provided a second for Commissioner Morrison's motion, and the motion carried unanimously by voice vote.

**REPORT/DISCUSS/VOTE: LIMA HOLDINGS – REQUEST FOR SIX ADD'L BEDROOMS
56 NORTH SUMMER STREET (Map 20D Lot 107).**

Chairman Searle stated that having given the 56 North Summer Street proposal much thought, he had concluded this application should be treated like the restaurants in the business districts: the applicant should wait until after the Comprehensive Wastewater Management Plan was done. Commissioner Morrison clarified with Daniel O. Roop of Tighe & Bond that although the CWMP document might be completed in the fall, it would take time for the Commissioners and Staff to digest it, a comment period was required, and the plan would have to be accepted by the Town.

There followed some clarification regarding what the exemption of this project from the Amendment to the Bedroom Regulation in the Regular Meeting of March 16, 2023 had meant, specifically, that the 56 North Summer Street proposal could still be considered for six additional bedrooms even though an entirely new applicant with a four-bedroom residence in the same district on a lot of the same size would not be considered under the Amended Bedroom Regulation.

Facilities Manager Burke argued that the Commissioners had the right to allocate flow. In other districts the number of bedrooms allowed had been determined by square footage. But in the B-I and B-II Districts no applicant was entitled to anything unless the Board of Waste Water Commissioners decided to allocate it to the applicant, whether it was a residence or a restaurant. Just because there were no restrictions on the number of bedrooms did not mean that the Board had to grant them unlimited bedrooms, in the same way that a restaurant could not ask for unlimited seats.

Commissioner Morrison said that nonetheless the Board had agreed that they would work with the applicant's contractor, Robbie Robertson, on an equitable solution. Having said that, there was also a wide swath of Edgartown – for instance, Ocean Heights – that had long needed access to the sewer system and had long been denied it. So the completion of the CWMP had to come first, he concluded.

After some discussion, the Commissioners agreed that **unless there was any new business the applicant wished to bring up, the Board would not return to the 56 North Summer Street proposal until the CWMP had been produced and had been digested by Staff and Commission.**

To be clear, they would not continue to meet to rehash the same issues. Admin Assistant Pia Webster confirmed that this was Commissioner Morrison’s motion, and Commissioner Ellis provided a second. The motion carried unanimously by voice vote.

UPDATE: DANIEL O. ROOP OF TIGHE & BOND ON CIP PROJECTS.

Regarding the **SCADA Upgrades Project**, Mr. Roop of Tighe & Bond said that Fall River Electrical Associates and ITS were down to the last couple of big Punch List items and were a few weeks away from a Notice of Substantial Completion. The hydraulic lines for the **Schwing Pump Project** were in; the cards would be in in another week or two. As for the **Asset Management Planning Project**, the capacity analysis for the Treatment Facility itself as well as future flow potential were being looked at. Vice President and Technical Director Ian Catlow would be taking the lead on the **CWMP** for the next month or so while Jessica Cajigas-Smith was on leave and would be meeting with Mass DEP Cape & Islands Wastewater Management official Andrew Osei in the near future.

Next, the Commissioners considered an **agreement with Tighe & Bond titled “Proposal for Engineering Design Services – Edgartown Wastewater Treatment Facility Dewatering and Plant Water Systems Upgrades Project” in the amount of \$199,000**. Mr. Roop explained that this project had grown out of the Asset Management Plan and would be covered by a recently voted warrant article. Commissioner Ellis made a motion to approve the agreement, with Commissioner Morrison providing a second. The motion carried unanimously by voice vote.

Mr. Roop also reported that the **bid opening for the Sludge Pump Replacement Project** (installment) had occurred earlier that day, with a single bid of \$338,928 from Fall River Electrical Associates Co., Inc. The pumps had been ordered, would be shipped out early the following week and would be onsite by May 10. Substantial completion was required by June 30 if they were to receive the grant funds from the Cape Light Compact. FREA’s bid was about \$30,000 to \$40,000 over what they had hoped for. Mr. Burke said that the Town would have to put in about \$88,000, which would come from the CIP Account.

Chairman Searle made a **motion to accept the bid of \$338,928 for the Sludge Pump Replacement Project from Fall River Electrical Associates**, seconded by Commissioner Ellis. The motion carried unanimously by voice vote. Chairman Searle made a **motion to allocate \$90,000 of CIP Account funds toward the Sludge Pump Replacement Project**, seconded by Commissioner Ellis. The motion carried unanimously by voice vote.

NEW BUSINESS:

REPORT/DISCUSS/VOTE: FY23 SEWER USER CHARGES ABATEMENT NO. 3.

Admin Assistant Webster provided background on three Abatement Requests from Benjamin L. Hall, Jr., including confirmation from the Water Department Assistant that the water service at all three properties had been turned off since at least 2014. Commissioner Morrison made a **motion to abate off the entire FY23 sewer bills of \$711 for 15 Simpsons Lane; \$632 for 21 Oliver Street; and \$158 for 40 Main Street**, with a second from Commissioner Ellis. The motion carried unanimously by voice vote.

After listening to details of an Abatement Request from Nils G. Leaf, Commissioner Morrison made a **motion to abate off the cost of one drain – \$79 – from the FY23 sewer bill for 284 Upper Main**

Street, with a second from Commissioner Ellis. The motion carried unanimously by voice vote. Lastly, the Board heard about a request to abate the cost of three drains from the bill of Samuel Sherman. Commissioner Morrison made a **motion to abate off the cost of three drains – \$237 – from the FY23 sewer bill for 82 Martha’s Road**, with a second from Commissioner Ellis. The motion carried unanimously by voice vote.

OTHER BUSINESS:

FACILITIES MANAGER’S REPORT.

Mr. Burke reported that he had gone to the Kelley House with Department Assistant Cristina Zghibarta and had discovered the project to be less complete than expected. They had not been able to count drains and were surprised to find a retail space there because the plan presented with the permit application did not have such a space. This was the space, said Commissioner Morrison, where he was told there would be zero wastewater flow, yet there was a bathroom in that retail space. In any event, said the Facilities Manager, until the project was done, it would be hard to tell what was there. Chairman Searle clarified that The Pelican Club down at Dock Street was going to serve drinks and burgers and be open to the public.

Mr. Burke continued that the Andritz technician had come to the Plant and worked on the Belt Filter Press, with Junior Operator Curtis Robart helping. Synagro had offered the Plant a one-year probationary contract, and provided the Plant could meet their solids standard of 19 percent, would extend it to three years. Mr. Burke was looking at other options for sludge disposal.

In addition, the Facilities Manager spoke of plans to have Pride Environmental work on the Septage Holding Tank, replacing the old air manifold with a new one equipped with air diffusers on both sides installed in the center of the tank. Finally, going forward once the Septage Receiving Station reopened, Mr. Burke suggested forgoing the acceptance of large grease loads altogether since this type of waste stressed the system in general and, in particular, blinded the belt, reducing the solids in the sludge product.

FINANCIAL REPORTS.

On the “FY23 Operating Budget Expenditures as of April 17, 2023” report, Admin Assistant Webster pointed to the \$79,600 in “surplus unspent” Expenditures funds, which as of the April 24 posting would be down to \$67,700. With more big invoices were being processed through the Operating Budget, this amount would diminish rapidly, and she and Mr. Burke had discussed the possibility of resorting to a Chapter 77 Transfer from the Salaries & Wages portion, if necessary. There would be three opportunities to do that – May 1, June 1 and July 1 – and they would just take it week by week.

APPROVAL OF MINUTES.

On a motion by Commissioner Ellis, seconded by Commissioner Morrison, the **Minutes of the Regular Meeting of February 23, 2023** were approved unanimously by voice vote. On a motion by Commissioner Ellis, seconded by Chairman Searle, the **Minutes of the Special Meeting of March 9, 2023** were approved unanimously by voice vote. And on a motion by Commissioner Morrison, seconded by Commissioner Ellis, the **Minutes of the Regular Meeting of March 16, 2023** were approved unanimously by voice vote.

ADJOURNMENT

There being no further business, the Chairman made a motion to adjourn the Regular Meeting, which Commissioner Morrison seconded; the motion carried. The Regular Meeting adjourned at 3:44 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