

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Meeting Convened: 4:00

Sewer Advisory Board Present: Jeff Kristal, Josh Goldstein, Jeff Pratt, Melinda Loberg, Dan Seidman, and Tomar Waldman

Audience Present: Michael Alberice (WW), Bob Rafferty (EP), Jon Snyder (Town Treasurer), Mark Clark (51 Evelyn Way), and Ray Tattersall (DPW)

Approval of July 18, 2018 Meeting Minutes:

Postponed until next meeting October 10

MA Labor Board – OSHA corrective action update:

Mike Alberice: OSHA came through and we went through plant and told us all the things we need to do for safety (netting, marking, confined space signs, machinery guard, etc.).

Josh Goldstein: I assume all work is done?

Mike Alberice: Yes.

Melinda Loberg: At what point is he returning?

Ray Tattersall: The one thing that Paul said was that the guy doesn't respond.

Dan Seidman: But you sent him the correction were – then it's accepted.

Josh Goldstein: Doesn't look like anything cost us an arm and a leg.

Mike Alberice: No.

Jeff Pratt: As long as you have a documented plan of correction and follow through with that plan, then it's for the file. It only becomes a problem, if it ever becomes a problem.

Replacement parts: costs and who pays?: (replacement part price sheet distributed)

Mike Alberice: We're at the point where we are replacing people's pumps that are wearing out on the system and these are the costs to replace the major components. Every 10 -12 years you have to buy the list of items – I think we bought 10 or 12 pumps this year which is \$15K which is worth it, but this is for the new district, can we work it into their . . .because we're basically paying for these replacements . . .

Ray Tattersall: We do a little of both Mike. That's why we do the \$50 every quarter to try to cover these costs to try to carry these costs. \$26K a year that's what you base your budget on to cover these costs. We have been saving a lot in overtime by changing pumps. My question is why are we putting that on the user's costs when we've already done that once. We have enough money to cover doing this.

Dan Seidman: We're not charging any hourly rate to do this?

Mike Alberice: No, we are not charging for labor.

Dan Seidman: I think we should charge for some labor. We could have the reserve pay for the equipment, but I think their time should be compensated.

Jeff Kristal: There's a consultant in the room that deals with other towns, how do they deal with it?

Bob Rafferty: There's 2 ways, one is if the town owns the original pumps and they maintain them, they have enough in their O & M fee to cover the replacement of the pumps. Cohasset is going around replacing all the pumps and then saying we don't own them anymore. Falmouth, the town supplied the pumps originally, but the users own the pumps. Others have negotiated a

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

good price but the owner has to get the maintenance agreement and it actually goes on the deed. You expect to replace all your pumps within 20 years.

Melinda Loberg: So what is the comparative advantage of the town owning the pumps and being responsible for replacing them or maintaining them – is there one?

Bob Rafferty: It makes more sense on the Island because the maintenance companies are not on the Island. Anywhere else the company that supplies the pumps, maintains them – unless you can find a vendor that can do that for you.

Melinda Loberg: We can renegotiate a better price if we get a bigger quantity? The way we have been doing it now has not failed us yet but we are more aware of what we are doing.

Ray Tattersall: You've only replaced the ones that are having real problems?

Mike Alberice: Yes, 15-20% of the properties.

Dan Seidman: I think they should be getting paid by the person for the labor – it should be offset.

Josh Goldstein: Why are they getting paid? It's their job.

Jeff Pratt: If we are looking for more people to participate, we don't want to keep throwing costs on top of them. Is there some form of ability to tell if the system is being abused or not used correctly by the property owner and that is the reason the pump is worn out?

Bob Rafferty: That is a great point – there are places that put that in the regulations, if there is neglect or abuse then the person would pay for the pump.

Dan Seidman: I think that's a great idea.

Jeff Kristal: Can I make a motion to recommend that so we can move off of that point?

Melinda Loberg: How are we going to prove if there's been abuse?

Ray Tattersall: Do you ever feel that when you go out to replace a pump because it's something they did.

Mike Alberice: No, they're just usually worn out. It might be the difference if it runs 5 or 6 years or less.

Ray Tattersall: If it runs a lot?

Mike Alberice: Yes, it will run out faster.

Jeff Pratt: Motion to develop & implement a policy protecting us from user abuse.

Jeff Kristal: I'll 2nd.

Melinda Loberg: I'd just like to add a comment – typically these pumps are expected to last is 10 years – another way to develop the policy is to say you are entitled to one of these every 8-10 years. If you need replacement more frequently because of exceptional use or whatever, you may have to pay for it. Just a suggestion.

Jeff Pratt: Make sure there is some protection for the user in case there is some default of the manufacturer.

Mike Alberice: There's a 5 year warranty.

Bob Rafferty: One thing you can negotiate is the warranty from the manufacturer.

Jeff Kristal: How many do we have on hand?

Mike Alberice: We have 6.

Jeff Kristal: How many do we have of the original construction?

Mike Alberice: Maybe half?

Josh Goldstein: 60+ pumps?

Ray Tattersall: We're looking to surplus those old Myers pumps.

Melinda Loberg: We have a **motion on the floor to develop and implement a policy that says the town will be responsible for these pumps.**

Josh Goldstein: unless there's neglect - the town also needs to show us a maintenance plan.

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Melinda Loberg: For today, we are just looking for a policy that we can see. Calling for a vote. All in favor?

Unanimously approved.

Mark Clark – request for inclusion in State Road Sewer District (21 Evelyn Way):

Mark Clark: I have a commercial building on Evelyn Way (100 yards from main road). I'm up for septic system inspection and in the event, though I want to tie in either way, I don't want to spend \$15K on a new septic then to just tie in when it's available. I could probably just pump it and treat it. I wanted to come here and find out what the costs are, the betterment fees are, if I'm responsible to get the pipe up from the main road, how it all works.

Jeff Kristal: We have been wrestling with these questions and are going to be announcing 2 public meetings with everybody on the State Road Sewer District.

Jeff Pratt: Mark, do you know if any of your neighbors are interested in doing this?

Mark Clark: I think so, I'm not really sure but there's quite a few people on that street that could benefit from it.

Melinda Loberg: For Mark the answer is, you are going to be on the sewer ultimately.

Mark Clark: How long until I'll be able to hook into?

Melinda Loberg: Request for funding is Town Meeting (April 2019) then construction, then we have to bid it.

Jeff Pratt: With the BOH because the State Road Sewer District is a municipal initiative and your system had a correctable but not long-term capability to handle the waste. You can work with the BOH to get it pumped and having it looked at to nurse it along.

Mark Clark: What are the costs that are incurred by doing it?

Melinda Loberg: The only thing that this committee has determined now is that they will recommend to the town that the infrastructure/capital cost will be split – half to the people who will be using it and half to the rest of the town on the taxpayer's tax bill. So your cost would be determined as a betterment – a 50% of the total cost of putting the pipes in the ground – all the pipes – the betterment was based in the past on the size of your Title V septic.

Jeff Pratt: If the user is off line by 300 feet, if they're in the sewer district is getting the pipe to their property going to be part of the total price?

Bob Rafferty: Yes, to their property.

Melinda Loberg: It can become part of your tax bill.

Mark Clark: Is there an upfront cost too?

Melinda Loberg: Pretty much on your tax bill. We have not yet determined other costs like actual house hookup.

Bob Rafferty: Once the pipe goes in front of their house, they are accessed a betterment whether they connect or not.

Melinda Loberg: The other part is we've already built the plant.

Jeff Goldstein: Which means your costs are going to be a lot lower than mine were.

Mark Clark: What was the average cost last time around . . . 4 baths and a kitchen . . .

Dan Seidman: I know in Edgartown it was \$15K . . .

Mark Clark: Then that's spread out across a bunch of years?

Jeff Pratt: Those are questions that I think we should be prepared to address.

Melinda Loberg: Another agenda item to put together. Mark, are you comfortable with what you learned today?

Mark Clark: Yes, it was great.

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Schedule of Dates for State Road District meetings/agenda:

State Road Sewer District – cost sharing, tie-in policies: continued discussion:

Melinda Loberg: I'm distributing a letter which is to be sent to all the property owners in the new district. Two meeting dates evening 27th & morning 28th and have commitment from Bob &/or Mark to be at both of those meetings to make a presentation first and then be available to answer any questions. If you see any errors let me know now, it's going out tomorrow.

Dan Seidman: People are going want to be knowing about costs.

Josh Goldstein: Are we ready to give them those answers in 3 weeks?

Melinda Loberg: Why don't we talk about questions that will help us organize our thoughts. I know Bob & Mark have already made presentations about our town, status of the wastewater planning is then into how the sewer system is going to work for them. We want to get a range of costs.

Dan Seidman: The 1st question is going to be "what is this going to cost me?"

Josh Goldstein: Bob, are you able to answer all the questions that Mark (Clark) just asked? What's it going to cost?, when is it coming?, do I have to hook up?

Jeff Kristal: What if I don't want to do it? What can I do to my property? Can I add housing?

Jeff Pratt: Bob, you calculated the district flow but didn't you have an expansion number in line allowing for increased flow within the defined district?

Bob Rafferty: The next phase of the expansion plan.

Jeff Pratt: If property owners want to expand, do we have the flow to offer them?

Bob Rafferty: Currently, no.

Jeff Pratt: But we have plans in the works to be able to do so.

Josh Goldstein: We have the physical space to increase the size of the plant.

Bob Rafferty: Each property at this point has the allotted flow of what their existing Title V system is sized for.

Jeff Kristal: Website update on Letter – TISBURYMA.GOV –

Melinda Loberg: Good catch (letter edit). We have not come to a conclusion about how we would make a timespan for people to tie into the system once it's been built.

Jeff Pratt: Are we saying you have to pay the betterment fee but don't have to hook up to the flow? Or do you have to do both?

Jeff Kristal: Can we task Mr. Pratt with finding out how many people have done their septic in the last 5 years within the State Road corridor. That way we could go in the meeting with that info. Can we could go back to existing Main Street and require a hookup date from them?

Dan Seidman: I think they do have to hook up when they fail or change ownership

Melinda Loberg: We have 2 different reasons why we built each system. 1st one was to prevent fecal coliform in the Harbor and if you had a functioning septic system, you were doing that. Now, we are doing it for 2 other reasons – nitrogen & phosphate loading (which is part of our comprehensive plan) & growth. I think we have a good rationale for saying we need to have everyone on this. The question is if they have just invested in the last 5/10 years in a system, do we give them a break or make them do it right away?

Bob Rafferty: Of the 67 properties we have records of 45 with dates – ½ of those are over 20 years old. But we are missing 30 records and if we don't have a date we have to assume they are old.

Melinda Loberg: We know Little House just put one in.

Jeff Goldstein: There are 21 people paying betterment fees that aren't connected.

Jeff Kristal: Do we know how many are empty lots? Can we put this on the next agenda – See how we want to address the non-hooked up ones?

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Melinda Loberg: Yes.

Jeff Kristal: If we're gonna take heat from the State Road people let's take it from everybody and get everyone hooked up.

Melinda Loberg: We're going to put this discussion on the next agenda.

Jeff Goldstein: If the pipe runs by your property you are required to hook into the system within "X" amount of time – it is irrelevant what type of advanced system you have or want to have. You will be paying a betterment fee and you have "X" amount of years before you are required to hook up.

Melinda Loberg: We were even talking about the town funding only the pipe that goes to State Road . . . we're cancelling that whole idea – we have to build a whole system.

Jeff Pratt: The taxpayer of the town has a moral responsibility to contribute to the environment as a whole.

Jeff Kristal: What if these guys get together and say "this is a private road"?

Bob Rafferty: Our plan at this point is only to sewer public right of ways.

Ray Tattersall: Evelyn Way is not a town accepted road – there was talk of taking it over since it's a public access road.

Jeff Pratt: As we prepare for the public meeting we might want to be prepared to answer – if it is a private road, how far down would the State Road District go? Any precedent?

Bob Rafferty: If Evelyn Way is a private road the only other one is Colonial Drive. The only place the sewer's going is State Road.

Josh Goldstein: So he's not getting sewer unless he pays for that pipe to go down road – if we have the capacity.

Jeff Kristal: He can charge the others if he pays for it and it goes by their house and they want to hook in.

Ray Tattersall: I think they all own to the center line.

Dan Seidman: Let's pull the deed and see who owns what on Evelyn.

Melinda Loberg: If it's not a town owned road can we put infrastructure through it?

Ray Tattersall: We must be able to Evelyn Way has a pipe through it.

Bob Rafferty: When you do that you are setting a precedent through the rest of the sewer district. There's a stack of offices on Surveyors that may also want access – if town is paying for Evelyn.

Jeff Kristal: Can I make a recommendation for the 27th & 28th meetings, that we meet 15 minutes before and get some answers on Evelyn Way and post it for an open meeting?

Melinda Loberg: Great.

Infrastructure forum: late October:

Melinda Loberg: Different Departments are going to be talking about their projects and timelines. Sewer, Water, all departments – not scheduled yet and we may be asked to participate.

Next Meeting – October 10, 2018@4pm: approved

Lagoon Pond Sewer Tie-In:

Mike Alberice: There is a house on Lagoon Pond Road but they are past where the sewer main bends – before the museum. The sewer line takes a right down the dirt road going to the field and they are the house after that on the left hand side– I don't know if they are outside of the district #68. The Museum and the Marina are tied in.

Ray Tattersall: 68 is not in it. The Marina built their own.

Jeff Kristal: It would have to be approved at Town Meeting to be added to the sewer system.

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Melinda Loberg: They would need to let us know so that we could write a warrant article for that. There would be an entry fee.

Ray Tattersall: If we allow that, how would we hook them up, can we tap into one of that lines that go by them?

Melinda Loberg: It depends, because the Museum was going to tap into the Marina but they didn't – they are running their own.

Bob Rafferty: They could T into the main line.

Jeff Kristal: At their cost.

Bob Rafferty: Quick update: Final sub bids on H&V and electrical and the final bids are going to come in on Wednesday. They were extremely high. We got 1 electrical bid and I think it's completely bogus. Nobody is on-island because they have to be De-cam Certified. Our electrical estimates were \$35K their bid was \$105K . . .mechanical – I double our subs estimate and made it \$120K the lowest bid is \$230K and the next one was \$311K. We may get more money or cut out some things. There's a lot of H & V work here which the general contractor can take. We can call the State to see if we could toss out the electrical bid also, then go to general contractor hold additional money for electrical work and reduce the scope and have to rebid the contract. We will cut some scope out and talk to the USDA. There will be a plan by Friday.

**Motion were made to adjourn at 5:15 by Jeff Kristal, 2nd – Josh Goldstein
Unanimously approved.**

This document is the official Minutes of Tisbury Sewer Advisory Board held on
September 12, 2018. These minutes were presented and duly voted and approved by
the Advisory Board at the Open Meeting held on

Chairperson

Date

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018

Town of Tisbury
Sewer Advisory Board
Open Meeting Minutes
Wednesday, September 12, 2018