



Town of Oak Bluffs  
**WASTEWATER DEPARTMENT**  
17 Pennsylvania Avenue  
P.O. Box 1526  
Oak Bluffs, Ma. 02557  
Phone 508-693-0343 Fax 508-696-6035

### **Commissioner's Meeting Minutes**

January 25, 2023

#### **Call to order:**

A monthly commissioner's meeting of the Oak Bluffs Wastewater Department was called to order at 3:00 PM, on January 25, 2023 by Gail Barmakian, Chairperson.

#### **Oak Bluffs Wastewater Commissioners present:**

Gail Barmakian, Commissioner

Bill Alwardt, Commissioner

#### **Oak Bluffs Wastewater Treatment Facility Employees Present:**

Patrick Hickey, Facilities Manager

Bridget Palmieri, Administrative Assistant

#### **Guests in attendance:**

**Via Zoom :** Chuck Sullivan, Anne Marie Corrado, John Neuhoff, Abigail Rosen, Charles Hajjar, Christopher Hajjar, Paula Altman, Lisa Cheistie, David Hobart, Sherry Countryman

**In Person:** Marc Drainville (GHD), Peter Gearhart (Sullivan Associates Architects), Michael Santoro

#### **Business:**

#### **Agenda Item #1: 53 Pequot Avenue - John Neuhoff**

#### Exhibits:

1. Commissioner's Meeting Agenda Request Form - Extension Request
2. Oak Bluffs Wastewater Commission Meeting Minutes - November 18, 2020



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Recap:

See Oak Bluffs Wastewater Commission Meeting Minutes dated 11/18/20 and 11/3/21 (when completed).

Discussion:

Gail Barmakian began by remarking that John Neuhoff has been renewing this extension every year and the commission has been granting an approval. However, there comes a certain point in time that the work must be done, as it has been since at least 2014 and flow cannot be held up. Gail Barmakian asked John Neuhoff if he had a plan to which he replied yes. John Neuhoff explained due to COVID and to date he has had trouble securing installers to do the work, however the four bedroom construction has been done. Gail Barmakian said the commission would grant an extension approval and if he still has trouble having an installer do the work to put that on his next application.

Motion: A motion was made by Bill Alwardt to extend the approval for 53 Pequot Avenue for (1) one more year. The motion was seconded by Gail Barmakian.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian -Aye

**Agenda Item #2: 42 Pennacook Avenue - Paula Altman**

Exhibits:

1. Commissioner's Meeting Agenda Request Form - Sewer Tie In Request
2. Service Connection Application for Residential Application
3. 42 Pennacook Avenue Floor Plans

Discussion:



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Gail Barmakian began that this is a sewer tie in request and that the property is an infill lot. Paula Altman clarified that she is under contract to purchase the property and is set to close on it next week. She continued that the intent is to hook up to sewer as soon as possible after closing. Gail Barmakian wanted to clarify that the current owners (Debra and Cheryl Martel) were aware of this request and the approval will be for the owner of the property, so both they and Paula Altman will be on it in case the closing doesn't happen in time.

Discussion continued regarding the number of bedrooms. Patrick Hickey confirmed the property was allocated for (5) five bedrooms of flow. The property currently has a house with (5) five bedrooms and a cottage with a bedroom and kitchenette. Paula Altman confirmed the intent is to hook up both the house and the cottage. Patrick Hickey added that a 1st floor bedroom will be converted into a home office, so the total bedrooms will be (5) five.

Discussion moved on to the logistics of the hookup. Patrick Hickey explained that there was a cesspool between the two structures (house and cottage), so an injector pump will be installed in its place. The injector pump will bring the water to the existing pump that is already piped into the system. Parker Septic and Kane Araujo will be doing the installation work. Gail Barmakian wanted to make it clear that the department is not responsible for any collections after the wastewater pump. Patrick Hickey said Paula Altman is aware and that Parker Septic is working with the Oak Bluffs Board of Health.

Gail Barmakian continued that a Deed Restriction will be needed and requested that a detailed floor plan for the guest cottage be included.

Motion: A motion was made by Bill Alwardt to approve 42 Pennacook Avenue for a sewer tie in for (5) five bedrooms with a deed restriction to be signed off on. The motion was seconded by Gail Barmakian.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian -Aye

**Agenda Item #3: 16 Chapman Avenue (Ocean View Restaurant) - Sullivan Associates Architects**

Exhibits:

1. Commissioner's Meeting Agenda Request Form



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2. Wastewater Commission Application for Change of Use or Flow
3. Ocean View Restaurant Floor Plans

Discussion:

Gail Barmakian began that the proposed floor plans submitted were quite good and that the applicant had already computed the exchange of flow. The proposed plan is to build (5) five bedrooms on the 2nd and 3rd floors, totaling (10) ten bedrooms. Peter Gearhart (Sullivan Associates Architects) added the calculations of flow they used were; the restaurant has 8940 GPD (gallons per day) and of that, 6300 GPD is attributed to seating (180 seats on record). So with 35 GPD for each seat, this would reduce the seating to 148 in order to reallocate 1,110 GPD to the (10) ten bedrooms. Gail Barmakian said 32 seats will need to be removed.

Gail Barmakian continued that we do not do any enforcement after an approval is made, however a liquor license is supposed to have a seating plan, so this approval will be conditional on that your liquor license will have a seating plan that reflects the modified seat count.

Motion: A motion was made by Bill Alwardt to accept the proposal as presented on the condition the seats are reduced to 148 and a restriction of (10) ten bedrooms and that a seating plan will be filed with the Oaks Bluffs Board of Health. The motion was seconded by Gail Barmakian.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian -Aye

**Agenda Item #4: CWMP Design Update Discussion - Marc Drainville**

Exhibits:

1. Oak Bluffs WWTF Cash Flow Projection

Discussion:

Marc Drainville of GHD began the discussion with an update on the department's application to the SRF (State Revolving Fund) loan Program. He said they received very minor comments on documents pro-



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vided that will need to be addressed. Also, that they are waiting for the Southeast region of DEP (Department Environmental Protection) to issue a permit on the project, as they are backed up.

Marc Drainville continued that GHD is creating a base project/list that they feel can be done for the budget. They are being conservative to pull out items that could be added back in as money is available. Discussion continued regarding the Sludge Dewatering System (top item on list).

Discussion continued on timing and Marc Drainville confirmed they are targeting March 1st to advertise the project for contractor bidding. The bid phase would be March, April, May and June, with a contractor signed up in July. Marc Drainville confirmed there are 4 good contractors who have submitted pre-qualifications.

Gail Barmakian asked about the (0) zero percent funding to which Marc Drainville responded that initially we will not get that, as some things need to get done first before the loan is finalized. So, we may need to sign off on something like a 2% rate. You do not start paying on the loan until the project is done, so the rate would be changed before then. Gail Barmakian added it is something similar to a bridge loan, where we are fronting the money and then being reimbursed, that the rate is changed before the real loan is finalized. Marc Drainville replied yes, it is like cash flow, each month you have a bill, you pay the bill and then get reimbursed when it is submitted. Gail Barmakian remarked that the town would need to front a significant amount of money on any given month. Marc Drainville replied that the reimbursement process is quick.

The group reviewed the Oak Bluffs WWTF Cash Flow Projection list provided. Marc Drainville remarked it might get fine-tuned in the next few months, as something will need to be submitted to the SRF Program. The project projection is set at 3 years. Marc Drainville added that electrical equipment will be the biggest delay because of the supply chain issues. Discussion continued around the first month benchmark of responding to questions. Marc Drainville confirmed GHD is the Construction Supervisor.

Discussion continued to the funding from the Cape Cod and Islands Water Protection Trust Fund (CCIWPF). Marc Drainville replied first we will provide you with a draft CWMP (Comprehensive Wastewater Management Plan) in the next 30 days and do a public presentation/hearing to the town. NEPA (National Environmental Policy Act) will have a 30 day review of the draft and provide comments. Then they will provide a NEPA certificate for the CWMP project.

Gail Barmakian said we need to find out the actual process for getting into the Cape Cod and Islands Water Protection Trust and does the raising of the 2.75% lodging tax need to be voted at town meeting or through the Select Board and when can you start collecting it. Gail Barmakian added we need to collect/contribute one year's worth of the 2.75% tax to CCIWPF before they do an award (can be retroactive) and the award amount is reflective of what is contributed. The finance committee also needs to be



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involved. Gail Barmakian continued we need to know what the CCIWPF will contribute (usually 25%) and the SRF funding over the next 3-5 years, before we can know how much to borrow. So, first is the NEPA certificate, then the 2.75% vote at town meeting and then acceptance into CCIWPF.

Marc Drainville presented a Construction based contract for services, which is mostly comprised of state requirements. It is a draft and once the state responds it will be revisited. Also, a letter was sent that may need to go to the town attorney to be looked at regarding bidding documents. Gail Barmakian asked for a copy, which she will send to Deborah Potter (Town Administrator) for legal.

Discussion moved onto I.A. (Innovative Alternative) systems and the requirements. Marc Drainville confirmed the target is 11 milligram per liter systems (which is not yet approved) and it is a more expensive CWMP plan with a 19 milligrams per liter system (approved). Gail Barmakian remarked we need a back-up if they don't measure to 11 milligrams per liter in time, as it would require more sewerage.

#### **Agenda Item #5: Discussion of Proposed Title 5 & Watershed Permit Comments**

##### Exhibits:

1. Email from Anastasia Rudenko to Gail Barmakian dated Thursday, January 19, 2023

##### Discussion:

Marc Drainville began the discussion regarding the proposed changes to the Title 5 regulations. If you comment on an item in a permit, you reserve the right to then test it or negotiate on it. GHD's suggestion on these regulations is for the town to comment on items, to reserve your rights if you want to later negotiate, as the state is becoming open to the option of negotiating. Gail Barmakian said she is not as concerned, as if there is an item to negotiate, we should be able to do it at the time of. Marc Drainville clarified that it really is just reserving your rights. So if you want to do this, add the comments to town letterhead and email it by Monday. Gail Barmakian agreed and added we will send it to Deborah Potter first.

Discussion continued regarding the watershed regulations involving I.A. systems.

#### **Agenda Item #6: ATM23 Warrant Article Submission Discussion**

##### Exhibits:

1. Proposed Article worksheet from Patrick Hickey



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Discussion:

Gail Barmakian began by reiterating that we are not going to include all of the articles, as we do not want to deplete the retained earnings. Patrick Hickey responded that he trimmed down the SCADA article, however it is needed for a backup system. Gail Barmakian remarked that MVP (Municipal Vulnerability Preparedness Grant Program) should stay in as we planned for it. Patrick Hickey said we can trim down the Equipment Repair and Replacement (by \$35,000) and Gail Barmakian agreed. Discussion continued regarding the hospital pump agreements, reimbursement and future needs.

Patrick Hickey discussed the Lake Ave. article explaining that when the project was started it incorporated a backup panel which sat and is now not up to standard. Also, there are repairs to the walking path, as the project was estimated years prior to the path being put in. Discussion continued and it was agreed to remove the ARPA fund article.

Motion: A motion was made by Bill Alwardt to approve the warrant articles as modified. The motion was seconded by Gail Barmakian.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian -Aye

**Agenda Item #7: Facility Manager Update**

Patrick Hickey began that the only update was regarding the hospital pump. We had an SSO (Sanitary Sewer Overflow) which was called in and it was proposed to shut down shell fishing in Lagoon Pond until it can be tested. Discussion continued as to what could have caused the line break and who would be responsible for payment.

**Agenda Item #8: Commissioners Update**

No Commissioners Update.



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Motion:

The motion to adjourn the meeting was made by Gail Barmakian. The motion was seconded by Bill Alwardt.

Roll Call Vote:

All commissioners voted to approve the motion.

Bill Alwardt -Aye

Gail Barmakian -Aye

Meeting was adjourned at 5:30pm.