

**MINUTES**  
**Dover Utilities Commission**  
**Public Works Facility Conference Room – 271 Mast Road**  
**Monday, June 7, 2006 @ 4:15 p.m.**

**Members Present:** Roland Hofemann, Arthur Hoffman, Roland Belhumeur, Donald Andolina

**Members Absent:** Jay Stephens, Dan Ayer, Patrick Bowen

**Staff Present:** Jamie McCulloch, DUC Secretary, Bill Boulanger, Utilities System Supervisor, Doug Steele, Community Services Director

**Others Present:** Resident Diana Post

1. **APPROVAL OF MINUTES**
  - A. April 17, 2006

**Motion:** Belhumeur made the motion to approve the minutes. Andolina seconded the motion. Vote U/A.

2. **ABATEMENTS**

None.

3. **REPORTS**
  - A. **Utilities Report**

**Sewer:**

One weekly max coliform violation due to high flows at WWTP. Durham Road Sewer replacement ongoing and on schedule. Varney Brook force main replacement has been awarded to Waterline Industries \$836,777. Ela and Pearl Street sewer replacement has been awarded to Mick Construction and has started \$121,835. SCADA installation is continuing at the WWTP. Had raw discharges to Cocheco and Bellamy Rivers during flooding the week of May 15<sup>th</sup>.

**Water:**

No bacteria problems. Smith and Cummings wells are back on line with weekly testing occurring for MTBE. North end water line design and water pressure study has been awarded to Earth Tech \$49,900. Ireland well has been cleaned and repairs completed. Well is back on line.

Steele also stated that with regards to the budget, the water could go up 5.4% and go from \$2.96 to \$3.12 per unit and the sewer could go up 5.1% and go from \$4.13 to \$4.34 per unit.

**Motion:** Andolina made a motion to accept the reports. Belhumeur seconded the motion. Vote U/A.

**B. Abatement Review Team**

None of the applicant's have chosen to appeal to the DUC as of yet.

4. **OLD BUSINESS**

Bill Boulanger stated that there were only about 18 meters left to change out.

5. **NEW BUSINESS**

- A. **Diana Post – 10 Spring Street** – Request for a waiver or reduction of the water and sewer investment fees, which have already been paid for the unit she added to her property.

Diana Post was present to speak on behalf of the request. Ms. Post asked why she would be charged this fee. It was explained to Ms. Post that the fees are for a per unit amount, for future water and sewer expansion. Ms. Post asked if she could be allowed to pay the fee over a period of time, adding that she recently refinanced and used every cent she had on this addition. She stated that she was under financial hardship. Hoffman asked if the investment fees were paid and Ms. Post stated yes. Ms. Post stated that the contractor did not tell her about this fee and that he did not

know anything about it either. She stated that she wanted to be on a payment plan and pay a very small amount each month as she is unemployed and on disability. She stated that she is over committed financially right now.

Hofemann asked Ms. Post if she was made aware of the fees. Ms. Post stated no. Hofemann stated should she have been, and answered the question with yes. Boulanger stated that with new construction, in past years, the fees have been paid first before the property was hooked up. He stated that now, he is hooking people up thinking that the fees have been paid at the Water & Sewer Billing Office, however that doesn't always happen. Hofemann asked if the property was a duplex. Ms. Post stated that it was a barn and it was converted into a 1-person 400-square foot apartment. Steele stated that Jeff Harrington stated that the DUC had to approve the payment plan in order for Ms. Post to start one. Hoffman asked how a payment plan could be done if the fees were already paid? Ms. Post stated that \$1,900.00 was a lot of money to her, adding that she was being sued by the contractor and can't afford that either. Andolina stated that there is a hardship and we shouldn't be penalizing and then assisting Ms. Post adding that the issue should not go further.

Hoffman stated that the concern he had was if a multi unit complex comes in and says they didn't know about the investment fees.

**Motion:** Andolina made the motion to refund the \$1,900.00 Water and Sewer Investment Fees. Hofemann seconded the motion. Vote 3-1. Hoffman opposed.

There was some discussion about the following wording being added to the paperwork that is handed out by the Building Inspector's Office with regards to water and sewer fees.

At the bottom of the building permit requirements it will state:

***NOTE: IF YOU ARE BUILDING A NEW HOME OR ADDING A UNIT TO YOUR EXISTING HOME THERE ARE WATER AND SEWER INVESTMENT FEES THAT MUST BE PAID. IF THESE FEES ARE NOT PAID A CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED. PLEASE CALL 516-6028 FOR MORE INFORMATION.***

At the bottom of the building permit Certificate of Occupancy sign off sheet it will state:

**\*Note: If building a new home, or adding a unit to your existing home, a Certificate of Occupancy will NOT be issued if the water and sewer investment fees are not paid.**

It was stated that no property should be hooked up to water or sewer prior to the Water and Sewer Investment Fees being paid.

#### **B. William Hopkins – 51 Back River Road – Discussion**

A letter from Mr. Hopkins was handed out to the board. Mr. Hopkins had been to the DUC at their April 17, 2006 meeting and was granted an abatement, however, he wanted his abatement reconsidered for an additional amount. Hoffman stated that the only way the item could be discussed was if a board member wanted to bring it up as New Business. Hoffman stated that he would like to have a ruling from the City Attorney as to whether an abatement can be reconsidered once the meeting where a decision by the DUC was rendered is over. There was some discussion as to what the DUC Rules and Regulations state as far as the appeal process for applicants. It was stated that the rules stated that the applicant could appeal to the City Council if the board committed any errors with regards to the law.

**Motion:** Andolina made the motion to not rehear the case and direct the applicant to the City Council. Belhumeur seconded the motion. Vote U/A.

#### **6. ADJOURNMENT**

**Motion:** Belhumeur made the motion to adjourn at 5:00 PM. Seconded by Andolina. Vote U/A.

Respectfully submitted, *Jamie McCulloch*, Dover Utilities Commission