



CITY OF DOVER

DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type: Regular Meeting
 Meeting Location: Conference Room – 271 Mast Road, Dover, NH 03820
 Meeting Date: **Monday, August 18, 2008**
 Meeting Time: **5:30 PM**

Members Present: Chairman, Gary Green, Vice Chairman, Rick Hebbard, Art Hoffman, Jay Stephens, Michael Earley

Members Absent: Otis Perry

Staff Present: Jamie McCulloch, DUC Secretary, Bill Boulanger, Utilities System Supervisor, Sharon Lucey, Meter/Backflow Coordinator, Doug Steele, Community Services Director, Shari Bullen, CS Secretary

1. ROLL CALL
2. REVIEW OF AGENDA
3. APPROVAL OF MINUTES
 - A. July 21, 2008

Motion: Hoffman made the motion to approve the minutes as amended.

Second: Stephens seconded the motion.

Corrections: Page 1, under Item 5A, 2nd to last paragraph, the 2nd sentence should read "He stated that they must have been left in such a place as his daughter and son in law stayed at the house over the winter and didn't get the notices". Under Item 7A, 2nd paragraph the 1st sentence should read "Perry stated that the City needs the letter at some point as if it breaks somewhere other than the easement we are not responsible". Under Item 9, 2nd paragraph, 1st sentence should read "Hebbard stated that that the water and sewer billing history goes back to 1996 and asked if that could be cut down to about 5 years or so as it was a waste of paper".

Vote: U/A.

-
4. **Citizens Forum** – Citizens Forum was opened and closed as there were no residents wishing to speak to the board.

-
5. **Abatement Requests**
 - A. **Robert Fisher – 23 Hillcrest Drive**

Mr. Fisher was not present at the meeting yet so the board voted to move on to item 5B.

Motion: Hoffman made the motion to move to item 5B.

Second: Hebbard seconded the motion.

Vote: U/A.

-
- B. **Edwin Fowler – 334 Washington Street**

Mr. Fowler was present to speak on behalf of his request. Mr. Fowler stated that he believed a 1 ½ ball valve being fed by a 1 ½ polyethylene pipe had water bubbling out of the valve quite heavily for 2 months or so.

Lucey stated that initially the Abatement Review Team voted on the pool credit, which Mr. Fowler did not think was enough so she called and discussed the situation with him. Lucey stated that at the last DUC meeting Mr. Fowler's request was tabled. Lucey stated that she determined that a sewer credit of at least 101-units was in order at the old rate of \$4.34. Stephens asked if anyone mentioned to Mr. Fowler the higher amount was being recommended to the board for approval. McCulloch stated that she explained that to Mr. Fowler prior to the meeting.

Motion: Stephens made the motion to grant the sewer abatement in the amount of \$438.34.

Second: Earley seconded the motion.

Vote: U/A.

Motion: Hoffman made the motion to move back to Item 5A.

Second: Hebbard seconded the motion.

Vote: U/A.

5. **Abatement Requests**
A. **Robert Fisher – 23 Hillcrest Drive**

Mr. Fisher was present at the meeting to speak on behalf of his request.

Green stated that the board members had the results of the meter test in front of them for their review.

Mr. Fisher stated that on February 6, 2008 he bought the new toilet and it was installed in the beginning of March. He stated that his daughter was living there and never saw the notices on the door. He stated that he witnessed the meter test even though he wanted to waive it. He stated that the meter test card gave the option of attending the meter test or not but that staff made him be present. He stated that he saw the test performed and has no problem with that. He stated that the procedures leave a lot left to be questioned, adding that the meter test machine has not been certified since 1997 but the staff wants a taxpayer to trust it. He mentioned that he was asked to sign a form that said he didn't have to attend the meter test. He stated that the water employees stated that the meter was running, yet nothing was on. He stated that as of 8/15/08 the employees said the meter was not running. He stated that he received a \$500.00 bill after the high bill. He stated that 10-years ago he sought an abatement but his name was put in the paper and his family was embarrassed by it and he dropped the case. He mentioned that the Water Department needs to check out their procedures and not tell a taxpayer that they have to be at a meter test when they do not and have a taxpayer see the machine that hasn't been certified since 1997.

Steele stated that back when the DUC Rules were updated the board voted to update the rules to reflect the new wording requiring that either the owner or their representative be present at the meter test. Steele stated that staff has new meter test cards with the updated wording, they were just trying to save money by using up the old cards first. Steele stated that he called the State of New Hampshire, Weights & Measures Division and spoke to Richard Cote. Steele stated that he discussed the fact that the meter test machine had not been certified since 1997 and Cote stated that the unit measures the volume of water and that will never change and as long as it was initially certified that is all that is required by the Weights & Measures Division. Mr. Fisher stated that if you went to court and had Mr. Cote say that to a judge the judge would laugh him out of court. Mr. Fisher suggested that staff take the sign/letter off the meter test tank.

Green wanted to clarify two points of confusion, the sign on the meter test machine and the use of old meter test cards. Mr. Fisher stated that it was not fair to him to pay the two high bills as a taxpayer adding that he changed out the bowl due to the size. Hebbard asked Mr. Fisher if he accepted the meter test. Mr. Fisher stated that the meter tested out properly and that is not in question. Green stated that the bill in question was for \$993.00 but asked why the next bill was for \$510.60. Mr. Fisher stated that so far this quarter he has used 17-units. Hebbard asked Lucey if the meter was stopped at one time when the crew went back out. Lucey went through her memo and all the work cards with the board to show a timeline of events. Mr. Fisher stated that the Water Department has problems as they were reading my meter by computer without notifying me, and saying that on 5/30/08 that their employee was told there were problems with two toilets, adding that that individual was a liar. Mr. Fisher stated that his daughter never told anyone there were issues with toilets.

Lucey went through the work cards from 3/17/08 to 6/5/08 and there was some discussion on the usage.

Mr. Fisher stated that his family does about 5 loads of laundry a week and has a dishwasher. Mr. Fisher stated that back in 2004 he received a bill for 108-units that he paid in good faith. Earley asked Mr. Fisher if he purchased the toilets on 2/6/08, what date were they installed? Mr. Fisher stated that he had a barter deal with a guy and he installed them in February or March. Mr. Fisher stated that he did not install the toilets because they were leaking it was due to the size of the bowl. Earley mentioned that perhaps someone didn't close something when they installed the toilet. Lucey stated that they need to set the water level when installing a toilet. Mr. Fisher stated that his high bill was an act of god and asked that the board charge him what he would normally pay. Mr. Fisher left the meeting at 6:25 so that the board could discuss his request.

Stephens stated that he believed the board should go with what they usually consider, looking at the meter readings and what the meter tested out at when there is no explanation of where the water went.

There was some discussion.

Stephens stated that he will not agree in abating back to a previous bill. Earley stated that he does not see any facts to show him what happened, adding that without facts he leaves it to whoever is responsible. Boulanger stated that staff goes by the meter and what passes through it and also the meter test results. Stephens stated that if the toilets were replaced after 3/17/08 the usage would be reflective in both bills. Stephens stated that he would have to believe the Water Division employees if they say someone said there were toilet issues.

Motion: Stephens made the motion to deny the request.

Second: Hoffman seconded the motion.

Hoffman stated that the bills are based on what the meter says to measure water and sewer and the meter tested out at 100%.

Vote: 4-1 Hebbard opposed.

6. Reports

6A. Abatement Review Team Report – None.

6B. Utilities Report – See file.

Motion: Hebbard made the motion to accept the Utilities Report.

Second: Earley seconded the motion.

Vote: U/A.

6C. Finance Report – Steele stated that the year end financials are not available yet.

7. Old Business

7A. Master Plan

Stephens stated that he has not done anything since the last meeting. He stated that he will in a few weeks though. He stated that he would sit down with Steele and Boulanger to go over the Master Plan.

7B. Jacqueline Small – 18A Roberts Road

Steele stated that Krans will have the letter to the Small's ready tomorrow and he will have Jackie sign it and then the contractor will proceed. He stated that he will e-mail the letter to the board.

7C. New DUC Clerk

Green officially appointed Shari Bullen as the new DUC Clerk.

8. New Business

8A. Booster Pumps

Boulanger stated that he met with Dean Miles, Plumbing Inspector last week to discuss the booster pumps. Boulanger stated that the Plumbing Code conflicts with our code. Boulanger stated that any new homes built in the low water pressure area will have a storage tank and then boost until such time as the City installs the water tank. Boulanger added that the City would request that the homeowner take out the booster pump after. Boulanger stated that according to the Plumbing Inspector the homeowner would need to keep it chlorinated so it does not get stagnant. Steele stated that he would get with the Planning Director and see which low pressure zones would be affected.

There was some discussion.

Hebbard asked about how vacant or build upon lots would be affected. Steele stated that this would affect new construction forward. Hebbard stated that there should be something in the rules that in the future they are not allowed. Boulanger stated that a water tank would cost between \$4,000.00 and \$5,000.00. Boulanger stated that a resolution would have to be written and go before the City Council. Boulanger stated that the Plumbing Codes and State Laws would be referenced in the resolution. Green asked if the members wouldn't mind if he attended the meeting with Steele and the Planning Director. No one objected.

8B. Steele stated that Churchill Realty Trust is looking at adding on two apartment buildings off Granite Way behind Wendy's and they are looking to have water and sewer service from Dover. Steele added that the item would probably be on the next agenda.

There was some discussion on increasing the franchise rates.

9. Areas of Concern

Hebbard stated that his neighbor Janet Mason from the School Department talked to him about a free hook up to City water for a School project and he basically told her fat chance. Boulanger stated that they have to pay the water & sewer investment fees.

Hebbard stated that staff was going to get with him as to who was responsible for water usage prior to the new owner after the contractor sells the property. Boulanger stated that he would contact Hebbard and set up a meeting.

Steele thanked McCulloch for all of her hard work while Secretary for the DUC.

Hebbard asked if anyone would mind if he sat in on the Abatement Review Team meetings. Steele stated that the meetings are fairly quick, the staff makes a recommendation and he usually agrees with the staff's recommendation.

10. Adjournment

Motion: Hebbard made the motion to adjourn at 7:15.

Second: Hoffman seconded the motion.

Vote: U/A.

Respectfully submitted, *Jamie McCulloch*, Dover Utilities Commission

Document Created by: Jamie McCulloch	2008.08.18_DoverUtilitiesCommisisonMinutes.doc
Document Created on: September 3, 2008	4 Pages