



CITY OF DOVER

DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type: Regular Meeting
Meeting Location: Conference Room – 271 Mast Road, Dover, NH 03820
Meeting Date: **Monday, June 18, 2007**
Meeting Time: **4:15 PM**

Members Present: Acting Chairman, Gary Green, Donald Andolina, Art Hoffman, Patrick Bowen, Jay Stephens, Rick Hebbard

Members Absent: Patrick Bowen, Roland Belhumeur

Staff Present: Bill Boulanger, Utilities System Supervisor, Sharon Lucey, Water Meter/Backflow Prevention Coordinator, Doug Steele, Community Services Director, Jamie McCulloch, Secretary

Others Present: Nancy Bryant, Peter & Melissa Leblanc

1. APPROVAL OF MINUTES

A. May 21, 2007

Amendment: Hoffman stated that he did not make the statement on page 5 “Hoffman stated that the board is referring the matter to the City Council as we do not feel we have the authority to grant blanket waivers”. The board agreed that since the person who made the statement was unknown the statement was not pertinent to the motion and should just be deleted.

Motion: Hoffman made the motion to approve the minutes with the amendment.

Second: Andolina seconded the motion.

Vote: U/A.

2. ABATEMENTS

A. Nancy Bryant on behalf of her parents Donald & Eleanor Bryant – 7 Arch Street

Applicant: Ms. Bryant was present to speak on behalf of his request.

Ms. Bryant handed out her supporting documents for her request. (See file). Ms. Bryant stated that she was not disputing the 3rd quarter bill, just the timing of the billing by the City. Ms. Bryant stated that they understand the toilet is their responsibility and when they found out there was a leak, they fixed the problem. Ms. Bryant stated in her hand out the following: If the City of Dover had sent out their utility bills in a timely manner, we could have been alerted to the problem much sooner, saving at least two months of water and sewer waste. Given the long record of modest water usage at 7 Arch Street, the third quarter bill was astronomical and unusual, and she would argue that the City owed them better notice than the 2 ¼ month delay on receipt of the bill. We assume full responsibility for the third quarter water problem. We did not detect the leak because the toilet was in the basement and was never used. We appeal to the City of Dover to take responsibility for the late billing, which she understands is due to staffing issues for which we are not responsible. The City of Dover failed to practice due diligence by waiting two months to alert us to an astronomically high utility bill; this failure should be corrected through a fair abatement in the amount of \$619.00. Ms. Bryant stated that the average bill is \$101.00 versus the \$720.00 they were billed and the difference is the \$619.00, the amount of the request.

Staff & Applicant Discussion: Andolina stated that the billing system should have a mechanism to alert customers when usage is way out of line and give the customer a chance to remediate the problem.

Motion: Andolina made the motion to grant an abatement in the amount of \$619.00.

Second: Hebbard seconded the motion.

Discussion: Hoffman asked Lucey if the new meter reading system allowed the meter readers to have a previous reading accessible to them while in the field. Lucey stated no. She added that the meter readings were completed on time and were not late, there was a lack of staffing in the Water & Sewer Billing Office and that is why the bills went out late. Hebbard stated that the policy needs to be changed. Lucey explained the re-read sheets and how the employees pull the bills with high and low readings, and leave tags on the doors of those residences to get in and investigate. Green asked what the normal expectation would be for the bills going out if there were no staffing issues. Steele stated that he would have to check with the Finance Office.

Lucey stated that she and her crew spend a month reading meters and then the billing office sends the bills out. Andolina stated that it shouldn't be the customer's responsibility for the City's staffing, adding that that makes a good reason for granting the abatement. Stephens asked if the same process Lucey had mentioned was used, a tag would have been left on the door. Lucey stated yes.

Motion: Andolina made a motion to move the question.

Second: Hebbard seconded the motion.

Vote on abatement: 3-2 – Hoffman and Stephens opposed.

Hoffman stated that he wanted the Chairman to draft a letter to the City Manager relaying this problem and past problems we have had with help going back and forth between the Tax Office and the Water and Sewer Billing Office. He added that the letter could be drafted and reviewed at the next meeting.

B. Peter and Melissa Leblanc – 189 Central Avenue, Units A, B, C, D

Applicant: Peter and Melissa Leblanc were present to speak on behalf of the request.

Mr. Leblanc stated that the letter they submitted as part of the board's packet detailed their situation pretty well and they would be happy to answer any questions the board may have. Ms. Leblanc stated that she and her husband love Dover and they are not looking to make a buck. She went through some of the expenses that they have incurred that they are not asking for with the board. (See file for documents).

Staff & Applicant Discussion: Andolina asked why their insurance agency only paid \$35,393.42. Ms. Leblanc went through a few of the items that were ruined that the insurance company will not pay for such as two five-year old furnaces that must now be brought up to code, the extensive landscaping due to several two-foot sinkholes in their lawn and walkways, as well as various other exterior items that they will not cover. Andolina asked how long they went before finding out there was a leak. Mr. Leblanc stated that they received a call from the Dover Fire Department at about 4:00 AM that there was five-feet of water in the basement. Boulanger stated that their fire service line broke. Andolina asked how much they were looking for from the board. Ms. Leblanc stated \$14,224.04.

The board reviewed and discussed the abatement documents, including the list of items to be replaced.

Boulanger stated that with 100-pounds of pressure there was no way his crews could have saved the basement. Mr. Leblanc stated that the response time was fantastic, adding that he sent letters to the Mayor, etc., expressing how happy they were with the City. Stephens stated that he does not feel comfortable issuing anything since it went through the City's insurance company. He suggested making a recommendation through the City Council. Boulanger stated that it's an iron service from the curb stop to the house. He explained that he referred the applicant's to a contractor to conduct the needed work to their water line and explained to them that once they have that completed he would have a crew go out and fix the sidewalk. Andolina asked for a copy of the correspondence from the applicant's insurance agency. Ms. Leblanc stated that she would forward that to McCulloch. Boulanger stated that the line was a two-inch copper fire line feeds the building and was installed in 1986. He stated that the saddle at the main rotted away and let go. He stated that the crews shut down the main and worked 15-20 hours through the frost to fix the line and put it back in service. He stated that the fire line was bedded in sand and the water ran around the foundation wall flooding the basement, and eventually pouring out the bulkheads.

Motion: Andolina made the motion to recommend to the City Council that they approve the Leblanc's \$14,224.04 on the condition that the \$35,393.42 is the number that the insurance company has committed to.

Second: Hebbard seconded the motion.

Vote: U/A.

3. REPORTS

A. Abatement Review Team

McCulloch stated that there is one applicant that will be coming before the board next month.

B. Utilities Report

See file for Utilities report.

As part of his report Boulanger stated that staff is conducting water shut off's for non-payment. Andolina asked if that was in accordance with the City Council. Boulanger stated in accordance with policy. Hebbard asked what the response has been from the shut off's. Lucey stated unhappy customers. Boulanger stated that staff has had three irate phone calls and five people shut off right now. Andolina asked if the shut off's were being conducted in accordance with the City Attorney. Lucey stated that even though we are not bound by the Public Utilities Commission we try to follow their policies. She added that they put out numerous notifications, door hangers on the door, notification to every tenant, in some cases phone calls also. Hebbard stated that staff is doing what the board has asked of them in the past. Andolina was wondering if anyone had run that policy by the City Attorney. Boulanger stated no. He stated that the policy has been their past practice. He stated that based on what information the board has given us as far as direction is what we have been doing. Andolina stated that if the board gets in trouble we are going to go to the City Attorney and if he says he doesn't know anything about it we are not only in trouble, we are in deep trouble.

Motion: Andolina made the motion to check with the City Attorney on the City's authority of shutting off water in case we get into trouble.

Seconded: Hebbard second the motion.

Hebbard suggested conducting shut off's Monday through Wednesday that way customers would have time to get their bill squared away before the weekend. Boulanger stated that he would look into it for the board. Lucey stated that there are five properties with their water shut off right now. She stated that three of those properties have been off for a week and two of them have been off for a day.

Andolina asked if the board wouldn't mind allowing him to go out of order and bring up an item under New Business while Hebbard was still present. All the members were okay with this.

Andolina stated that George Maglaras is upset with a situation regarding his meter. He stated that crews went out last fall to the gas house that Maglaras owns to change his water meter and the City did not put the heat wrap back on around his meter. He added that Maglaras stated that a CS employee went to repair the meter and they said they had to replace the bottom of the meter and he didn't know why. Lucey stated that how she recalled the situation was that the meter in the gas house froze and Maglaras was charged \$98.00, adding that the meter has frozen before as it is not kept in a warm environment. Boulanger stated that he would pull the records and review it. Andolina stated that Maglaras mentioned to him meter replacement costs and a water bill almost \$1,000.00. Stephens stated that he felt this item should go through the abatement process, adding that the board was taking up time on issues that haven't been brought forward. Green stated that he would like to hear from Maglaras through the normal process.

4. **OLD BUSINESS - Recessed**
A. **DUC Rules & Regulations**

5. **NEW BUSINESS - Recessed**
A. **Michael Dwyer – 543 Sixth Street – Request for a sewer waiver.**

Items 4 & 5 were recessed until the July 16th meeting due to the lack of voting members as two members had to leave the meeting.

6. **ADJOURNMENT**

Motion: Hebbard made the motion to adjourn.

Second: Stephens seconded the motion.

Vote: U/A.

Nancy Bryant asked that the following be part of the public record: She thanked the board and the Utility Department for their staff time, adding that the two meter employees that came out to her parent's property were wonderful and very professional, and she hopes that the City can increase the staffing.

Respectfully submitted, *Jamie McCulloch*, Dover Utilities Commission