



CITY OF DOVER

DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type: Regular Meeting
 Meeting Location: Conference Room – 271 Mast Road, Dover, NH 03820
 Meeting Date: **Monday, December 10, 2007**
 Meeting Time: **4:15 PM**

The meeting began at 5:00 PM

Members Present: Chairman, Gary Green, Art Hoffman, Don Andolina, Jay Stephens

Members Absent: Roland Belhumeur, Vice Chairman, Rick Hebbard

Staff Present: Doug Steele, Community Services Director, Jamie McCulloch, DUC Secretary, Sharon Lucey, Meter Backflow Foreman

Residents Present: Chris Stevens, Michael Dwyer, Michael Earley

1. **APPROVAL OF MINUTES**
 A. **October 15, 2007**

Motion: Hoffman made the motion to approve the minutes.

Second: Stephens seconded the motion.

Corrections: On page one under Item 5A, the second to the motion should read "Belhumeur seconded ~~them~~ the motion". On page two, first paragraph, it should read "Boulangier stated that he thought the sewer line should be ~~dup~~ dug up and capped, as an annual inspection, trying to track that, someone will miss it".

Vote: U/A

2. **SUMMARY OF AGENDA**

3. **ABATEMENTS**

A. Chris Stevens – 6 East Street – Mr. Stevens was present at the meeting to speak on the request.

Mr. Stevens stated that he went to the rental property and found a leaking spigot outside of one of the units and that he replaced all the toilet fixtures as the city workers stated that it is a common problem. Lucey stated that she walked the perimeter of the property and did not notice any water running. Lucey stated that a tenant told her that there was a toilet leaking badly in one of the units. Mr. Stevens stated that he was informed by one of the tenants that there was an issue on the 9th. Mr. Stevens stated that he shut off the spigot inside and capped the pipe so it can no longer be used. Mr. Stevens stated that even after he replaced all the toilet fixtures, the meter was still running, so he felt that it was due to the spigot. Andolina asked what Mr. Steven's average usage was and Mr. Stevens stated 28-30 units. Stephens stated that Mr. Stevens fixed one of the two issues and should be granted an abatement on at least half of the amount he was requesting.

Motion: Stephens made the motion to grant an abatement for half the amount Mr. Stevens was requesting for a total of 91-units (\$394.94) on sewer only.

Second: Andolina seconded the motion.

Vote: U/A.

MOTION TO SUSPEND THE RULES

Motion: Stephens made the motion to suspend the rules and move to item 5E as Mr. Dwyer was present to speak on behalf of his request.

Second: Hoffman seconded the motion.

Vote: U/A.

5. **NEW BUSINESS**

5E. Michael Dwyer – 543 Sixth Street

Green explained the requirement to hook up to city sewer if a building is 100-feet from a sewer line and also that the board would be discussing and voting on his request for a waiver from hooking up.

Mr. Dwyer asked how the city is going to void the line on Longhill Road? Steele stated that the line he was referring to was water only and it was not a sewer line therefore, there is no hook up requirement. Mr. Dwyer stated that he feels everyone should be treated equally. Green stated that everyone must hook up or ask for a waiver. Mr. Dwyer asked what happens after the 5-years if a waiver is granted and the system is still working properly. Stephens stated that the State frowns upon open ended waivers. Mr. Dwyer asked what the board looks at to grant or deny a waiver. Stephens stated that the board would look at the condition and age of the septic system and look at how far the building is from the sewer line. Stephens stated that the State says a septic system can last 20-25 years, and the board usually grants 5-year waivers with the condition that if the system fails prior to the end of the 5-years that is a cause for automatic hook up. Mr. Dwyer stated that he bought his house in 2003 and the home inspector said he would not have any problems with the septic system for at least 10 years. Green stated that if the system fails or the property is sold, the person must be hooked up. Mr. Dwyer stated that he had two realtors come down here and they were never told of an "assessment" on the property. Stephens stated that if the waiver is granted, that changes the time of when the connection must be made, it does not speak to the assessment/lien. Green explained to Dwyer that this waiver prevents the city from forcing you to hook up.

Motion: Stephens made the motion to grant a waiver for up to 5 years with the conditions that if the property is sold or the system fails, the property must be hooked up to city sewer, and that the waiver be recorded at Strafford County Registry of Deeds.

Second: Hoffman seconded the motion.

Discussion: Andolina wanted to be sure that Mr. Dwyer understood that the waiver does not in any way grandfather him from the current investment fee. Steele explained that with this particular project on Sixth Street the assessment/lien was greater than the investment fee so the residents are only required to pay the assessment/lien fee, not the investment fee. Stephens stated that his motion is only to grant the waiver and it does not talk about the assessment/lien.

Vote: U/A.

4. REPORTS

A. Abatement Review Team

Green asked why the abatement for Tammy Mason was not either issued or credit to her account even though she was on a payment plan for her assessment/lien. Staff stated that the homeowner of 11-13 Durrell Street will be coming before the board in January. Green asked that a report of who will be appealing be put on the Abatement Review Team minutes.

B. Utilities Report

See file for Utilities report. Green asked Steele if he felt the drainage work that was completed at the McConnell Center remedied the problem. Steele stated that staff found a collapsed drainage pipe and repaired it and the problem is solved.

Motion: Andolina made the motion to accept the reports.

Second: Stephens seconded the motion.

Vote: U/A.

5. OLD BUSINESS

A. Leonard Small – 18A Roberts Road

Steele stated that he spoke with Jacqueline Small and they still have a problem signing the waiver, as they want the work done correctly before they sign. Andolina stated that the staff and board provided the specs etc., of what was going to be done and used for the project. Steele stated that the job cannot be done until the spring at this point and we might not have the same contractor as their price may not hold and we would have to go back out to bid for the job. Green stated that he feels that the board has bent over backwards and have done what we can do. Green stated that he does not entertain doing the work and then letting them sign the waiver. Andolina stated that a letter should be sent to the Small's for final resolution. Steele stated that he has sent a few letters and talked to both Leonard and Jacqueline Small and they feel very uncomfortable. Andolina stated that the contractor cannot hold the price, adding that a final letter should be sent.

Stephens stated that the Small's concern is that the job is done right. Stephens asked how can the city assure that the work will be done properly. Steele stated that the city would inspect the job as we explained to them. Andolina stated that the city must have it in writing that they will not be held liable for future breaks, adding that we must have the waiver signed.

Motion: Andolina made the motion to place the item on the table until spring.

Second: Stephens seconded the motion.

Vote: U/A.

B. Rules & Regulations

The members went over the yellow highlighted areas within the rules and regulations. Green stated that if the board felt that they needed more time to go over the rules we could always use the special meeting option. Hoffman stated that he would be in favor of having a special meeting. Stephens stated that the heading on Appendix C needed to be changed as the State does not have regulations for investment fees. The members agreed to have a special meeting on Tuesday, January 8, 2007 at 4:00 PM.

C. North End Water Pressure

Steele explained that the city is having Earth Tech look at a property that is about 23 acres on Parsons' Lane for the water tower as the homeowner is looking into having the city purchase his land.

There was some discussion. The item will remain on the agenda for future discussion.

6. OLD BUSINESS

A. Abatement Review Team

Green stated that this item was on the agenda as requested by member Hebbard. Green stated that he believed Hebbard was questioning the authority of the Community Services Department as far as handling abatements. Stephens stated that his recollection was that the intent of the Abatement Review Team was to not over burden the board with simple things that the Community Services Director could take care of. The members reviewed the supporting documents.

B. Capital Improvements Projects

Steele handed out the list of C.I.P. projects for the upcoming years. See file for copy.

There was some discussion.

4. REPORTS

C. Finance Report

Green stated that he missed item 4C while going over the agenda and wanted the members to review the handout from Dan Lynch, Finance Director. See file for copy.

There was some discussion.

7. AREAS OF CONCERN

Hoffman stated that he was watching a City Council meeting where someone asked the City Manager where the money was coming from for the sewer line for the new fire station and the City Manager stated that the \$80,000.00 would be split between the Fire Department and the Sewer Department. Hoffman stated that he had a huge problem with that and did not agree that the Sewer Department should have to pay any of the cost. Steele stated that he was not aware of that split in the cost of the sewer line but that he would look into it.

Green stated that the meeting time for the DUC needed to be discussed. Andolina stated that while he has compassion for the staff, the board has been having issues meeting a quorum for sometime now and the meeting time needs to be looked at. Stephens stated that he did not have a problem with changing the meeting time. Hoffman stated that 4:15 PM was convenient for him as it was on his way home. Green stated that in speaking to individuals interested in becoming members the start time of 4:15 PM has become an issue. After some discussion it was agreed that the board would give a new meeting time a trial run and have the January 28th meeting start at 5:30 PM and see how that works.

8. ADJOURNMENT

Motion: Andolina made motion to adjourn at 6:30 PM.

Second: Hoffman seconded the motion.

Vote: U/A.

Respectfully submitted, **Jamie McCulloch**, Dover Utilities Commission