



CITY OF DOVER

## DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type:	Regular Meeting
Meeting Location:	Conference Room – 271 Mast Road, Dover, NH 03820
Meeting Date:	<b>Monday, June 16, 2008</b>
Meeting Time:	<b>5:30 PM</b>

**Members Present:** Chairman, Gary Green, Vice Chairman, Rick Hebbard, Art Hoffman, Otis Perry, Jay Stephens, Michael Earley  
**Staff Present:** Jamie McCulloch, DUC Secretary, Bill Boulanger, Utilities System Supervisor, Sharon Lucey, Meter/Backflow Coordinator, Doug Steele, Community Services Director, Sharon Lucey, Water Meter Backflow Foreman  
**Others Present:** Eric Latour, John Dell Isola Sr., John Dell Isola Jr., Roger T. Williams

### 1. ROLL CALL

Green asked everyone to take a moment of silence in memory of Bobby Keays.

Green stated that the DUC Appendix B & D will be added to the agenda under item 5C.

### 2. APPROVAL OF MINUTES A. May 19, 2008

**Motion:** Perry made the motion to approve the minutes.

**Second:** Hoffman seconded the motion.

**Corrections:** Stephens mentioned that Rick Skarinka's name should be spelled the same throughout the entire document. Page 3 , 3<sup>rd</sup> paragraph, 8<sup>th</sup> sentence should read "Hebbard explained that he has a farm with a service to his house and that if he wanted to put another service in to wash water his cows he would be required to pay the entrance fee". Page 4, 5<sup>th</sup> paragraph, 2<sup>nd</sup> sentence should read "Steele stated that he talked to Jackie Small before the meeting and she does not want to pay sign off on the release for the entire job upfront and referenced that when a homeowner has siding installed they pay for ½ now and ½ later.

**Vote:** U/A (As amended)

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### 3. CITIZENS FORUM – None.

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### 4. ABATEMENT APPLICATIONS 4A. Edwin & Elizabeth Fowler – 334 Washington Street

**Motion:** Perry made the motion to table the item until the end of the meeting as the owners were not present.

**Second:** Stephens.

**Vote:** U/A.

### 4B. Eric Latour – 28 Cornerstone Drive

Mr. Latour was present to speak on behalf of his abatement. See file for handout given to the board by Mr. Latour. Mr. Latour had pictures of his home and lawn showing just a small area to water. Green asked Mr. Latour how the pictures related to his request. Mr. Latour stated that it showed the size of the lawn for watering and usage. Mr. Latour stated that he moved into the home on about 8/20/2007. Lucey stated that there was no final done when Mr. Latour purchased the home and the construction company could have been watering. Lucey stated that when the water crew went to the property in 12/2007 there wasn't enough water going through the meter to move it so they left a work card and when we finally got in the meter read 108 and at that point a new transponder was installed. Lucey stated that she shipped the meter off to Badger and they said the Orion Meters in that batch had exceptional moisture. Lucey stated that if a final had been done the contractor probably would have been responsible. Lucey clarified with Mr. Latour that meters cannot be set back to zero only new meters start at zero. Hebbard asked when the original meter was installed. Lucey stated 8/2007. Hebbard expressed that the contractor would be responsible. Lucey agreed but added that with no final being done the bill stays with the property. Stephens stated that he suspects most of the use was from the contractor but the board doesn't have any way of going back on them, adding that maybe Mr. Latour could.

Perry questioned that the meter was put in 8/7/2007 and Mr. Latour moved in almost a week later. Lucey stated that the toilets and fixtures might not have been set but that from 8/7/2007 to 12/2007 when we got in the reading showed a usage of 108. Boulanger clarified that when a final is done on the property that the process transpires through the owner and the contractor.

There was some discussion.

Green asked Mr. Latour if he had approached the contractor. Mr. Latour stated yes, adding that the contractor assured him that he didn't use any water. Hebbard asked Mr. Latour what he was looking for in an abatement. (On Mr. Latour's abatement application he was requesting \$343.12 on water and \$426.71 on sewer).

**Motion:** Hebbard made a motion to approve an abatement on sewer only in the amount of \$426.71.

**Second:** Perry second them motion.

There was some discussion on where the water went or how it was used by the contractor. Stephens stated that he would be inclined to support this approach. Green stated that Mr. Latour could proceed to the contractor for the water portion if he chose to.

**Vote:** 5-1 Michael Earley abstained as he was not present at the beginning of the discussion.

#### 4C. John Dell Isola – 95-98 Henry Law Avenue

John Dell Isola Sr. & John Dell Isola Jr. were present to speak on behalf of the request.

Mr. Dell Isola Sr. stated that for several months they were getting bills for 40, 50, 60, 65 units, then the usage rose to 81 and they knew they had a leak but didn't know where. He stated that come to find out the leak was between the buildings which let go completely and the usage of 81 went to 436 and they received a bill for \$1,092.00. He stated that they did not have any negligence as they had no idea of the underground pipe, adding that they had Martel dig a trench to find and fix the problem. He stated that they would be willing to pay the 81 units that they had been charged previously. He stated that previously they had received an abatement of \$1,495.00 for the sewer, adding that they are not looking for a free ride but they do not want to pay 100% of the water that was not used. Mr. Dell Isola Jr. stated that you could not see the water but we knew there was a leak as it went to the foundation and could have been running down the street underground when the pipe burst.

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There was some discussion on the usage of 81 and 436 and that the buildings were 12 feet apart and the pipe in question runs under the driveway.

Mr. Dell Isola Sr. stated that they knew some issues were occurring due to the climb in usage but that it could have been from the fixtures, they just didn't know. Hebbard asked about the top of the meter being removed. Mr. Dell Isola Jr. stated that the City's Maintenance Mechanics have been to the property on numerous occasions. Mr. Dell Isola Jr. stated that it was either a mattress or a bicycle that hit the meter and took the top off of it. Hebbard mentioned that this was the second time the top of the meter had been removed. Green referenced a letter from Steele dated 4/2/2007 to the Dell Isola's explaining the second occurrence of the meter top being removed. Green asked if it was possible for an object to hit a meter top and knock it off. Lucey stated that with the older meters it is possible. Stephens asked why if a sewer abatement was issued back in October 2007 that we are hearing about the water abatement now? Mr. Dell Isola Sr. stated that they are asking for the water portion and the interest. Stephens stated that the original request should have included the water portion, adding that the price of water will go up if we keep issuing abatements on water no matter the usage.

**Motion:** Stephens made the motion to deny the abatement.

**Second:** Hebbard seconded the motion.

**Discussion:** Mr. Dell Isola Sr. stated that he understands the water went through the system and someone needs to pay but if we keep that mind set there is no reason to appear before the DUC as the water went through the meter. Stephens stated that if the water went through the meter it must be paid. Hebbard stated that from the curb stop to the meter is the customer's responsibility.

There was some discussion. Boulanger suggested weekly visits to the property to record high or low bills. Hebbard moved the question.

**Vote:** U/A.

#### 4D. Roger Williams – 18 Constitution Way

Mr. Williams was present to speak on behalf of his request. Mr. Williams was requesting the \$295.00 that he was charged for the City employee to come out to his home to address a water issue. Mr. Williams stated that his maintenance person drained the meter and shut off the water to winterize it. He stated that a few days later the valve failed and water was streaming all over the street and the police called and the City crew came out to fix it.

Boulanger stated that this is a private park and the entire service is private. Mr. Williams stated that the maintenance guy put a new valve in and the City showed up 3 hours after the call. Mr. Williams stated that the City employee did not even look at the meter and was there only 10 minutes. Stephens questioned that the maintenance person took the meter out and was that allowed? Boulanger stated no, only City employees are allowed to remove meters. Boulanger stated that a letter was sent to the owner and the park manager explaining that the maintenance guy cannot take the meters out. Boulanger stated that he was the one called out to the property and the curb box was under 1 foot of snow so he decided to fix it in the spring. Boulanger reiterated that the City needs to be taking out all meters if requested.

**Motion:** Perry made the motion to deny the request.

**Second:** Hoffman & Hebbard seconded the motion.

**Vote:** U/A.

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#### 5. REPORTS

##### A. Abatement Review Team Report – None.

##### B. Utilities Report

Boulanger read through his utility report.

**Motion:** Perry made the motion to accept the reports.

**Second:** Stephens seconded the motion.

**Vote:** U/A.

##### C. Finance Report

Green stated that Appendix B & D of the DUC Rules Regulations have already been approved by the City Council reiterating that the board had approved them at their last meeting. Boulanger stated that Appendix C is for miscellaneous users that may come in for service and this document gives us a standard baseline for three bedrooms.

**Note:** On Appendix B delete the year 2001 from the second footnote during next year's go around of document review.

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#### 6. OLD BUSINESS

Steele stated that procedurally he didn't do something correctly and wanted to inform the board. He stated that recently the City Council had a Sewer Use Ordinance before them for Industrial Pre-treatment and it should have come before the board prior to CC approval. He stated that it was just a housekeeping issue but wanted to let the board know.

Otis asked the status with the booster pumps. Boulanger showed the board the book he had ordered called the Standards for Water Systems which speaks to booster pumps. Perry asked how the conflict between the Water Department and the Plumbing Division would be resolved as the inspector is requiring certain pressure at the fixtures. Stephens stated that the City needs to adopt an amendment to the Plumbing Code. Boulanger stated that nothing is being done about the houses that have installed the booster pumps except require them to have a better backflow device. Perry requested that Chris Parker or Steve Bird come to speak to the board on this issue. Boulanger stated that he would talk to the Plumbing Inspector.

**7A. NEW BUSINESS – MASTER PLAN**

Stephens hadn't had a chance to review the Master Plan that Boulanger had sent him so it would be discussed at the next meeting.

**Motion:** Hebbard made the motion to table the item until the July meeting.

**Second:** Perry seconded the motion.

**Vote:** U/A.

**7B. NEW BUSINESS – WATER & SEWER INTER-CONNECTIONS**

Boulanger passed out the summary pages of the Seacoast NH Mutual Aid study on inter-connections that was conducted by Woodard & Curran. (See file).

**4A. Edwin & Elizabeth Fowler – 334 Washington Street**

**Motion:** Hebbard made a motion to table the item.

**Second:** Perry seconded the motion.

**Vote:** U/A.

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**8. AREAS OF CONCERN**

Hebbard asked for an update on the Small situation. Steele stated that the Purchasing Agent will be contacting the contractor and seeing if they can do the job for the same price as last time, adding that he will check with her and they should know by next week.

Hebbard asked about item 4C and why the board did not know about this before. Steele stated that the applicant came to Mast Road on a number of occasions but the abatement applications never came back to our office.

Hebbard stated that whoever installs a meter should be responsible for those charges. Hebbard stated that when the first reading comes out the individual that installed the meter is responsible, adding that perhaps a section could be added to the rules to indicate that. Boulanger suggested a \$500.00 deposit for each meter until the property changes hands, that way the City has a mechanism to cover the new owner if any charges were incurred before they moved in. There was some discussion that whoever comes in to have the water turned on is responsible for the bills. It was noted that Boulanger and Hebbard would get together to come up with wording to add to the rules and regulations regarding finals and who is responsible.

Hebbard asked where the Water Department was as far as the 10-year meter check. Boulanger stated that they received a list from the Finance Office of all meters over 10 years old but the staff has not had a chance to go through all of it yet. Lucey stated that at some point they will be going through the list and organizing it, adding that the Maintenance Mechanics change out the bottom of the meter if it is 10 years old.

Hoffman stated that he talked to Jody Connor of the E.P.A. and the washing of boats is recommended but no soaps or chemicals of any kind should be used.

**9. ADJOURNMENT**

**Motion:** Hebbard made motion to adjourn at 7:20 PM.

**Second:** Perry seconded the motion.

**Vote:** U/A.

Respectfully submitted, *Jamie McCulloch*, Dover Utilities Commission

Document Created by: Jamie McCulloch	2008.06.16_DoverUtilitiesCommission.Minutes.doc
Document Created on: July 15, 1008	4 Pages