



CITY OF DOVER

DOVER UTILITIES COMMISSION - MINUTES

Meeting Type: Regular Meeting
Meeting Location: 271 Mast Road, Dover, NH
Meeting Date: **Monday, May 16, 2011**
Meeting Time: **6:00 pm**

Members Present: Chair Otis Perry, Vice Chair Jay Stephens, Mark Moeller, Marty Coyle, Ed Spuler

Members Absent: Dana Leggett, Mike Earley

Alternate Member Absent: Ted Mortner

Staff Present: Doug Steele, Director of Community Services, Bill Boulanger, Superintendent of Public Works and Utilities, Jennifer Bretz, Recording Secretary

1. Call to Order

Meeting was called to order at 6:06 pm.

2. Approval of Agenda

Motion: Moeller made the motion to approve the agenda, Spuler seconded.

Vote: U/A

3. Approval of Minutes of April 18, 2011

Motion: Stephens made the motion to approve the minutes, Moeller seconded.

Vote: U/A

4. User's Forum

5. Abatement Requests

A. Cornerstone Crossing

Motion: Stephens made the motion to remove from the item from the table, Moeller seconded.

Vote: U/A

Applicant, Paul Gibbons President of the Cornerstone Crossing Home Owners Association (HOA), reiterated his reasoning for the abatement.

Perry asked if anyone had any questions regarding the e-mail that the Finance Director, Dan Lynch, sent. (In file)

Stephens stated that he was unhappy with the response.

Boulanger stated that at the last meeting, the DUC wanted to know if the investment fees could be rolled into the loan that the HOA was taking out.

Perry asked who the loan would be with.

Gibbons stated that the HOA met with Dan Lynch to talk about financing the additional work that would be required to bring the sewer in. His understanding is that the loan would be with the City directly.

Boulanger stated that the landfill association designed the sewer for the landfill. There's a gravity sewer going up through Cornerstone Crossing. The landfill paid to have the additional design done for them. The City received a cost estimate from SUR Construction to see what the additional cost would be to



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get the sewer in for them. The HOA met with Dan Lynch. The issue before the Board is that each house has to pay the sewer investment fee.

Gibbons stated that he's trying to get everything in place before receiving anything official.

Perry stated that if they were getting a loan from a bank, you could include the investment fee in the loan amount.

Stephens stated that that's why he disagrees with the e-mail from Dan Lynch. The rules say that the cost of the fee has is based on the application. The Board can make a recommendation that payment of the investment fee be spread out over a number of years. Since it's based on when they apply, the investment fee won't change over the period of the loan.

Perry stated that he doesn't understand why, as part of an accommodation, they couldn't include the investment fee within the loan if you're receiving a finance package from the City. It's the HOA that's making the deal not individual residents.

Gibbons stated that the \$3,000.00 is a potential roadblock especially where all of the homeowners are very eager to be on board with this project. They will, essentially, be receiving a second sewer bill along with this mandate.

Perry stated that they'll be receiving a user's fee for using the sewer system instead of the septic system. Presumably, you've been putting money aside for capital repairs to the septic system as part of the HOA. Some of that could be used as part of this.

Gibbons stated that there's other money that they want to earmark to go towards the financing. In the third phase, there's some paving money that their due. It's a small amount that's not enough to cover the connection fees. They want to put as much towards this as they can.

Perry stated that they have two decisions to make. The first one is the abatement. The second one is whether or not the investment fee can be determined on X date and then paid over time.

Steele stated that he spoke to Dan Lynch this morning. Lynch's concern with financing the investment fee portion was that he doesn't feel that it complies with the language in the rules. Also, his concern was if this would create a precedent, for the future, for others that come in and want to finance the fees.

Perry stated that he doesn't think that it's up to the DUC to have an opinion about financing the fees.

Stephens stated that what they've done, in the past, was recommend to the Finance Department that they develop a payment schedule that's reasonable for the people involved. Especially where the investment fee is somewhat of a surprise and it's benefitting the City. The whole reason it's going out there is it's cheaper to go that way than to go across further back and tie into the pump station. He wants to work with the HOA because they've worked with us. The way to work with them is to spread out the payment schedule.



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Motion: Coyle made the motion to deny the abatement request, Spuler seconded.

Amendment: Stephens amended the motion to say that as part of the denial, the Finance Department work out a payment schedule for the HOA to pay the investment fees, Moeller seconded.

Vote on the amendment: 3-2, Spuler and Perry opposed. Amendment passed.

Perry asked for a vote on the motion with the amendment.

Vote: U/A

6. Reports

A. Abatement Review Team Report-None

B. Utilities Report

The report was reviewed and discussed by Staff.

C. Finance Report

The report was reviewed and discussed by Staff.

Motion: Stephens made the motion to approve the reports, Coyle seconded.

Vote: U/A

7. New Business

A. Budget Discussion

Steele went over the Community Services budget proposals for water, sewer and the WWTP.

B. Proposed Water & Sewer Rates

Steele went over a handout on the proposed water & sewer rates.

Motion: Moeller made a motion to accept what was recommended, Coyle seconded.

Vote: U/A

8. Old Business

9. Areas of Concern

10. Adjournment

Motion: Moeller made the motion to adjourn at 7:25 pm, Coyle seconded.

Vote: U/A