



**CITY OF DOVER**

## DOVER UTILITIES COMMISSION - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 271 Mast Road, Dover, NH  
Meeting Date: **Monday, November 19, 2012**  
Meeting Time: **6:00 pm**

**Members Present:** Chairman Otis Perry, Vice Chair Jay Stephens, Dana Leggett, Chris Berg

**Alternate Member Present:** Ted Mortner

**Members Absent:** Mark Moeller, Dennis Munson

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

### 1. Call to Order

Meeting was called to order at 6:02 pm

### 2. Next meeting

December 17, 2012

### 3. Approval of Minutes of October 15, 2012

**Motion:** Stephens made the motion to approve, Leggett seconded.

**Corrections:** Leggett stated that on page 1, section 5A, years needed to be added after 1 ½. Page 3, the needed to be taken out after in.

Page 4, medications needed to be changed to modifications.

Page 5, a period needed to be added into 1.5 parts per billion.

**Vote:** U/a with corrections.

### 4. User's Forum – N/A

### 5. Abatement Requests

#### A. 4 Maple Street-not present

Richard Jenkins, applicant, was not able to be present due to his job.

Perry stated that it's been the boards practice that if the person applying for the abatement is not present that they deny the abatement, in this case perhaps they could postpone it to a date that he could be present.

Boulanger stated that they've been holding off on it for a few months because of his schedule. If the board would like to review, he's sure that the Board will recognize that action could be taken on the abatement this evening.

Boulanger stated that the applicant is requesting an abatement for \$546.28 of interest. The bills were going to the management company hired by the applicant. They fired the management company but the bills were still going to them. The city has made numerous attempts to mail the bills.

Perry stated the applicant is not contesting the bills, he's contesting the interest on the bills because the arrangements he made did not work.

Steele stated that he terminated the management company. After termination, they were not forwarding his bills to him.



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Boulanger stated that in the DUC Rules & Regulations 3-1.6, Notice and Communication, states “*All communications from the Water and Sewer Departments shall be mailed to the current Customer’s address as listed in City records. Failure of the Customer to notify the Water and Sewer Billing Office of mailing address changes shall not be considered as an affirmative argument for the Customer to claim abatements. Customers are responsible for the payment of charges incurred during ownership even if the property is transferred to a subsequent owner.*” The Board made this change during the last update for this reason. They were running into people selling homes and not notifying the City. It’s under the same class. The applicant had a management company that he asked us to mail the bills to and failed to notify the City on the change.

Perry asked Boulanger what the granted abatement of \$13.81 was based on.

Boulanger stated that the \$13.81 of interest was within the 180 day window. The rest of the requested amount was beyond the 180 days. Once the applicant took over the bills, he came back in line with where the billing was supposed to be. The only one who can waive the back interest is the board.

Stephens asked when section 3-1.6 was changed.

Boulanger stated June 2010.

Stephens stated it was after the applicant’s problems started but before he filed the abatement. It must have been updated because the Board was trying to close a loophole. The only way he would be willing to consider any change would be from 2009 up to when the new rules went into effect.

Perry stated that it’s always said that the homeowners are responsible for their property and bills.

Boulanger stated that someone had bought a house. They incurred the bill from the previous owner. When the Board had their rules changed, they incorporated that into them. In the previous rules, section 2.1, “*A change in ownership will not relieve the premises from payment of back bills; in case of forfeiture, the provisions of Section 2-8 shall be initiated.*”

Leggett stated that it also says, “*The failure of a customer to receive bills (or late receipt) does not relieve the customer of the responsibility of making prompt payment.*”

**Motion:** Leggett made the motion to deny the abatement based on previous regulations, Stephens seconded.

**Vote:** U/a

### 6. Reports

#### A. Abatement Review Team Report

The report was reviewed and discussed by Staff.

#### B. Utilities Report

The report was reviewed and discussed by Staff.

#### C. Finance Report

The report was reviewed and discussed by Staff.

### 7. New Business



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### 8. Old Business

### 9. Areas of Concern

### 10. Adjournment

**Motion:** Stephens made the motion to adjourn at 6:35 pm, Leggett seconded.

**Vote:** U/a