

**Utility Advisory Board
April 13, 2016 5:30 P.M.
City Hall Council Conference Room**

MEMBERS PRESENT

Dan Peterson, Chairman

Shawn Libby

Thomas H. Willis, Jr

OTHERS PRESENT

Councilor Peter Lachapelle

John B. Storer, PE Director of City Services

Mary Caplette & Llew Millette, 463 Portland Street

Mr. & Mrs. Peter Edmonds, 26 Lambert Court. Alan Hodgkins, 27 Cross Road

William Sabins, 14 Moose Lane

Brian Burns, 3-5 Walnut Street

MINUTES

1. Call to order:

Chairman Peterson called the meeting to order at 5:33 PM.

2. Appeals -

2.1 463 Portland Street, Caplette

The appellant, Mary Caplette was present with her son in-law Llew Millette. Mr. Millette stated that Mrs. Caplette is 90 years old and that she is a long time resident of Rochester that she forgot to pay her water bill. Mrs. Caplette stated that when she got the pink disconnect notice she went and found her invoice and she put it in the mail a few days later. Mrs. Caplette said she had used the envelope supplied and that it had an address for the lockbox payment processing center in Boston, MA. Mrs. Caplette stated she did not realize that it would take longer to process. She said she mailed it on March 4th and they came to her house to turn her off on March 8, 2016. She stated if the City processed their own payments here in town the mail would have made it in time. Mr. Peterson empathized with Mrs. Caplette but stated that per ordinance the fee is charged when the technician goes out to the house to shut off the service. Mrs. Caplette stated that the technician was very nice and did not turn the water off.

Chairman. Peterson made a motion deny the abatement request. Mr. Libby seconded the motion. The motion passed unanimously.

2.2 26 Lambert Court – Mr. & Mrs Edmonds

The appellants Mr. & Mrs. Edmonds were present. Mr. Edmonds summarized the significant difficulties he had in communicating with his tenant. He stated that the tenant had assured him that she had filed an appeal on the November invoice and it wasn't until the February invoice was received that he realize she had not. He stated

when he finally was allowed in, he did find a running toilet and repaired it. Mr. Edmonds stated that he did not believe that was the only cause of such a high bill. He stated that he find where any other leaks or problems had occurred. Mr. Edmonds said that the water department had been very helpful and took additional readings to make sure the usage had gone back to normal. Mr. Willis asked if there was a security deposit that could be used to help offset the costs. Mr. Edmonds stated that this was a difficult situation with much more damage done to the property. Chairman Peterson stated that per the ordinance the November invoice could not be considered for abatement as it was outside the permitted time limits. Chairman Peterson also stated that where the water had been used and that it had entered the sewer system the fees would have to stand. Mr. Libby suggested a long term payment arrangement is available should Mr. Edmunds need it. After discussion the board decided the following.

Mr. Willis made a motion for a hardship abatement of 25% of the above average sewer costs on the February invoice, 28 units of sewer at \$6.24 each for a total of \$174.72, plus all accrued interest. Mr. Libby seconded the motion. The motion passed unanimously.

2.3 27 Cross Road – Alan Hodgkins

The appellant was present for the meeting. He he had a leak leak in his toilet and that the toilet had a strange closed tank system. He was new to the water system and was very surprised when he received his first bill. Mr. Hodgkins stated that he immediately changed out the toilet. Chairman Peterson stated that the Board is unable to abate his invoice as the water was used and it did enter the sewer system..

Chairman Peterson made a motion to deny the requested abatement. Mr. Libby seconded the motion. The motion passed unanimously.

Mr. Storer stated that the water department would go out and confirm reasonable usage at 27 Cross Road.

2.4 8 Blair Street – Joseph Doyle

The appellant was present for the meeting. Chairman Peterson stated that this appeal had been tabled in order to establish a usage history on this new home and mentioned that per the October 2015 meeting minutes it appeared that a soaker hose had been run. Mr. Doyle stated that this was the first time he has ever been on a metered water system and that he was unaware of the implications of using a soaker hose.

Mr. Willis made a motion to abate the above average sewer costs, 35 units of sewer at \$6.24 each for a total of \$218.40 plus all accrued interest. Mr. Libby seconded the motion. The motion passed unanimously.

2.5 14 Moose Lane – William Sabins

The appellant was present for the meeting. Mr. Sabins summarized the appeal. He stated that he had notice that his water use was running higher than he thought it should and then it spiked significantly. He state he had a friend look underneath his

mobile home and they found a leak. They repaired it immediately.

Chairman Peterson made a motion to abate the above average use, 23.75 units of sewer at \$6.24 each for a total of \$148.20 plus all accrued interest. Mr. Willis seconded the motion. The motion passed unanimously.

2.6 3 – 5 Walnut Street – Brian Burns

The appellant was present for the meeting. Mr. Burns stated that his tenant had a leaking hot water valve and that communication and repair had taken extreme measures including turning off the hot water to the apartment for several weeks. Chairman Peterson stated that the water had been used and that it did enter the sewer system so the board could not credit that costs incurred. Mr. Libby suggested a long term payment arrangement is available should Mr. Burns need it. After discussion the board decided the following.

Mr. Willis made a motion for a hardship abatement of 25% of the above average sewer costs, 25 units of sewer at \$6.24 each for a total of \$156.00, plus all accrued interest. Mr. Libby seconded the motion. The motion passed unanimously.

2.7 3 Church Street – Paul Dumont

The appellant was not present for the meeting. The Committee reviewed the appeal which was the second appeal for the same issue that continued into a second billing cycle. The Committee reviewed the recommendation from the Director of City Services.

Mr. Willis made a motion for a hardship abatement of 25% of the above average costs, Total above average costs \$176.80 x 25%, abatement of \$44.20, plus all accrued interest. Mr. Libby seconded the motion. The motion passed unanimously.

2.8 29 Park Street – Courtney Morgridge

The appellant was not present for the meeting. The Committee reviewed the appeal which stated that the furnace had broke and caused a 4” flood in her basement. The appeal also stated that she had just purchased the home. The Committee reviewed the recommendation from the Director of City Services and made the following motion.

Mr. Willis made a motion to table the appeal until the September 2016 meeting in order to establish a usage history. Chairman Peterson seconded the motion. The motion passed unanimously.

2.9 6 Franklin Heights – Denise Cheeseman

The Appellant was not present. The Committee reviewed the appeal as submitted. The appeal stated that there had been a burst water pipe in the outside area that had flooded the patio of this condominium.

Mr. Libby made a motion to abate the sewer charges for the above average use, 44 units of sewer at \$6.24 each for a total of \$274.56 plus all accrued interest. Mr. Willis seconded the motion. The motion passed unanimously.

3.10 2 Beaudoin Avenue – Akua Sika & Victor Jobarteh

The appellant was not present for the meeting. The Committee reviewed the submitted appeal which stated that they had pipes freeze and burst in the basement. The appeal stated that the water did not enter the sewer sytem. The Committee reviewed the recommendation from the Director of City Services.

Mr. Willis made a motion to abate the above average sewer use, 219.5units @ \$6.24 each for a total of \$1,369.68, plus all accrued interest. Mr. Libby seconded the motion. The motion passed unanimously.

3. Approval of the February 22, 2016 minutes

Chairman Peterson requested an action on the minutes from last meeting.

Mr. Willis made a motion to accept the February 22, 2016 meeting minutes as presented. The motion was seconded by Mr. Libby. The motion passed unanimously.

4. Monthly Invoicing

The board briefly discussed the monthly invoicing issue and all were in agreement that as demonstrated here tonight, monthly billing is optimal, especially in cases of rental properties and necessary leak detection. The Committee members were all in agreement that the costs attributed to monthly billing would be too significant.

5. Periodic Abatements

Mr. Storer briefly discussed periodic and one time leak abatements. He referenced the example of Exeter's policy that was included in the packet. Councilor Lachapelle was present and participated in the discussion. It was suggested that Mr. Storer draft a policy for the Public Works Committee to recommend to the Codes and Ordinance Committee. All were in agreement that codifying the rules for abatement would be the best solution.

6. Adjournment:

Chairman Peterson made a motion to adjourn at 7:00PM. The motion was seconded by Mr. Willis. The motion passed unanimously.

Minutes respectfully submitted by Lisa Clark, City of Rochester Office Manager.