

Town of Provincetown

Meeting of the WATER & SEWER BOARD

Thursday, September 6, 2007
Grace Gouveia Building, 26 Alden Street, Provincetown

Members present: Jonathan Sinaiko (Chair), Sacha Richter, Kathleen Meads

Members absent: Moe Van Dereck

Other attendees: Selectman Austin Knight, Chris Busa, and DPW Staff Dana Faris and Anna Michaud

Call to Order

Mr. Sinaiko called the meeting to order at 3:00 p.m.

Recommitment of Unpaid Sewer Bills

Mr. Faris presented a list of unpaid sewer charges prepared by the tax collector. Mr. Sinaiko moved, seconded by Mr. Meads, to recommit these charges to the Board of Assessors so that they can be placed on the real estate tax bills. The motion carried by a vote of 3-0.

Phase 2 Betterment Deferrals

Mr. Faris presented the following properties whose owners qualified for deferral of the 50% pre-construction betterment under MGL, ch. 80, §13B.

Property Address	Betterment Amount
16 MONTELLO ST	\$7,425.00
61 FRANKLIN ST	\$12,375.00
37D COURT ST	\$7,425.00
17 COURT ST	\$39,600.00
3 HOLWAY AVE	\$8,502.21

Mr. Sinaiko moved, seconded by Mr. Richter, to grant the deferrals. The motion carried by a vote of 3-0.

Assessment of Sewer Connection Surcharges

Mr. Faris presented the following red dot delay properties on which connection surcharges need to be assessed.

Property Address	Surcharge Amount
43 COMMERCIAL ST, #A	\$8,597.60
43 COMMERCIAL ST, #B	\$8,597.60
43 COMMERCIAL ST, #C	\$8,597.60
43 COMMERCIAL ST, #D	\$4,298.80
164 COMMERCIAL ST	\$34,390.40
421 COMMERCIAL ST, #1	\$8,597.60
421 COMMERCIAL ST, #2	\$8,597.60
421 COMMERCIAL ST, #3	\$12,896.40
421 COMMERCIAL ST, #A	\$4,298.80
421 COMMERCIAL ST, #B	\$4,298.80
421 COMMERCIAL ST, #C	\$4,298.80
421 COMMERCIAL ST, #D	\$4,298.80
421 COMMERCIAL ST, #E	\$4,298.80
421 COMMERCIAL ST, #F	\$4,298.80
421 COMMERCIAL ST, #G	\$4,298.80
421 COMMERCIAL ST, #H	\$4,298.80
605 COMMERCIAL ST	\$30,091.60

Mr. Sinaiko moved, seconded by Ms. Meads, to assess the connection surcharges. The motion carried by a vote of 3-0.

There was some discussion about comments made at the August 27 joint meeting with the Selectmen concerning the recent sewer rule changes expanding the conditions under which the red delay properties would be required to connect to the sewer. However, in the absence of an order from the Board of Selectmen directing the Water & Sewer Board to hold a public hearing for the purpose of further amending its rules, the Board decided to take no action other than to direct staff to obtain from the building commissioner a list of those types of work that would not require a building permit.

Sewer Surcharge Deferrals

Mr. Faris presented the following sewer surcharge deferrals:

Bill#	Address	Period	Amount Deferred
RD1003	357 Commercial St., #9	FY 2006	\$497.87
RD1003	357 Commercial St., #9	FY 2007	\$482.15

Mr. Sinaiko moved, seconded by Mr. Richter, to grant the deferrals. The motion carried by a vote of 3-0.

Application for Water Service – 232 Bradford St.

Mr. Faris informed the Board that the applicant, Richard Wrigley, had withdrawn his application after being advised by the water superintendent that the property was precluded from connecting to Town water because it had been constructed in accordance under the exemption in Section 6200.6(c) of the zoning bylaw.

Abatements

Ms. Michaud presented the following abatement applications:

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
5011	529 Commercial St.	Judith Tripp	122,000	\$1,309.50	Defective meter, which has been replaced. Charge for average use for period over past 3 years. Recommend abatement to \$50.00. Applicant did not file an abatement application. First called Water Dept. on 2/7/07 – three weeks after the 1/17/07 abatement deadline. Department checked for leaks and got readings 5 times. No leaks found. All readings within normal parameters. Meter was bench tested and found to be accurate within a 1% tolerance. Recommend denial because, in the absence of a timely abatement application, Board has no authority to grant relief. Dept did visual check of meter. No leak identified. Does not meet 500% rule. Recommend denial.
5114	650 Commercial St.	Chris Busa	85,000	\$777.00 – water \$1,572.50 - sewer	
9009669	121 Short Rd., North Truro	Pamela & Michael Coelho	60,000	\$315.00 – water	

Mr. Busa spoke for his application and offered no excuse for his failure to file a timely abatement application. Ms. Meads moved, seconded by Mr. Sinaiko, to accept the recommendations of staff. The motion carried by a vote of 3-0.

Approval of Minutes

Mr. Sinaiko moved, seconded by Mr. Richter, to approve the minutes, as printed, of the meeting of July 12, 2007. The motion carried by a vote of 3-0.

Ms. Meads moved, seconded by Mr. Sinaiko, to approve the minutes, as printed, of the August 27, 2007 joint meeting with the Board of Selectmen. The motion carried by a vote of 3-0.

Executive Session: Discussion of Pending Litigation

At 3:50 p.m. Mr. Sinaiko moved, seconded by Mr. Meads, to go into executive session for the purpose of discussing pending litigation. The motion carried by a vote of 3-0. At 3:55 Ms. Meads moved, seconded by Mr. Sinaiko, to come out of executive session. The motion carried by a vote of 3-0. Following the executive session, Mr. Sinaiko moved, seconded by Mr. Richter, to annul and vacate the betterment assessments on the 62 Franklin Street Condominium Trust. The motion carried by a vote of 3-0.

Other Business

Following a discussion of the pending USDA grant application to pay for the Seashore Point sewer betterment, Ms. Meads requested that staff determine whether the general fund can loan money to the wastewater enterprise fund and what the mechanism would be for repaying such a loan.

Mr. Faris reported that, in the absence of any action by the Visitor Services Board on the Water & Sewer Board's request for public restroom signs, staff had placed an order for six of the signs.

Adjournment

There being no further business, Ms. Meads moved, seconded by Mr. Sinaiko, to adjourn the meeting. The vote carried by a vote of 3-0, and the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Sacha Richter, Clerk