

Town of Provincetown
Meeting of the WATER & SEWER BOARD

Wednesday, June 1, 2005
Grace Gouveia Building, 26 Alden Street, Provincetown

Members present: Jonathan Sinaiko, Chair; Anne Lord; Sacha Richter

Members absent: None

Other attendees:

Austin Knight; DPW Director David Guertin; DPW Staff Dana Faris, Ron Gamella, and Ryk Tyszka; members of the public

Call to Order

Mr. Sinaiko called the meeting to order at 3:12 p.m.

Minutes

Ms. Lord moved, seconded by Mr. Sinaiko, to approve the minutes of the meeting of April 27. The motion carried 3-0.

Appointment of New Members

Mr. Faris presented an application for membership from Austin Knight and explained that, under the terms of Section 3-1-2 of the Town Charter, the Board is currently empowered to fill any vacancies that have existed since the beginning of the current calendar year. Therefore, Ms. Lord moved, seconded by Mr. Sinaiko, to appoint Austin Knight as a regular member of the board for a term expiring December 31, 2006. Roll call vote: Mr. Sinaiko – yea; Ms. Lord – yea; Mr. Richter – yea. The motion carried 3-0. Following the vote, Mr. Knight joined the other board members at the table.

Review of Situation at 180 Commercial St.

In connection with a water abatement application at this property, Mr. Faris explained that he had just learned from Deputy Water Supt Albert Robinson that in early December 2004 Water Dept. personnel discovered a "sizable leak" underneath the porch at the property where it could "not be heard by anyone living in the house." Once this leak was fixed, it was ascertained that there were other, fixture-related leaks at the property. Mr. Robinson stated in his report that he is confident that the majority of the water usage at this property is attributable to the underground leak. Because the new information places the Board in a position to grant the property owner some relief, Ms. Lord moved, seconded by Mr. Richter, to apply the 500% rule and grant an abatement of \$7,804, thereby leaving a balance due of \$3,377.50. The motion carried by a vote of 4-0.

Flow Revisions

Mr. Faris presented further flow revisions for the following properties, explaining that, owing to a clerical error, the previous revisions had not been based on the condominium master deed:

| Map # | Property Addr | Area (sf) | Prior Revised Flow | Revised Flow | Prior Betterment | Revised Betterment | Net Change |
|----------------|-----------------------|-----------|--------------------|--------------|------------------|--------------------|------------|
| 12-2-056-0-001 | 406 Commercial St, #1 | 883 | 52 | 66 | \$ 1,751.36 | \$ 2,222.88 | \$ 471.52 |
| 12-2-056-0-002 | 406 Commercial St, #2 | 1006 | 69 | 75 | \$ 2,323.92 | \$ 2,526.00 | \$ 202.08 |

Mr. Sinaiko moved, seconded by Mr. Richter, to approve the flow and betterment revisions. The motion carried by a vote of 4-0.

Request for Sewer Connection – 5 Pearl St.

Ms. Lord recused herself from the discussion of this agenda item.

A previous previous owner of this property filed a request to connect several months after the deadline. The current owner appeared before the Board on February 16 to formally request a sewer connection. The Health Agent stated at that time that the property can accommodate a Title 5 on site. The Board agreed at that time to take the matter under advisement. As part of the recent lifting of the Notice of Noncompliance, DEP stated that, apart from correcting

obvious clerical errors and connecting other Phase I and so-called “red dot delay” properties, the Town may not increase flow into the existing system for a period of two years. Given the DEP stipulation, the Board felt that it would not be appropriate at this time to consider any other connections. Therefore, Mr. Sinaiko moved, seconded by Mr. Richter, to deny this request without prejudice. The property owner may reapply after the two-year period has run. The motion carried by a vote of 3-0.

Status of Delinquent Sewer Connection Properties

Mr. Faris advised the Board that, notwithstanding the imposition of fines in the amount of \$50/day, which fines have been accruing since January, there were some 20-odd properties that have yet to connect to the sewer. The Board asked whether Town Counsel could advise on what further remedies are available to compel these owners to connect. After some discussion, Ms. Lord moved, seconded by Mr. Knight, to send a final letter to the property owners in question that would (1) advise them of the current amount of fines owed, (2) offer to abate the fines in full if the property is connected within 45 days from the date of letter, and (3) state that no further extensions will be granted. The motion carried by a vote of 4-0.

Revised Laundromat RFP

Mr. Guertin presented a draft revised RFP for a laundromat facility and explained that it had already been favorably reviewed by the Board of Selectmen. Mr. Sinaiko and Mr. Knight both expressed concern that the operating hours be sufficient to accommodate those working people who often work two or three jobs during the summer season. Mr. Sinaiko moved, seconded by Ms. Lord, to approve the RFP with the stipulation that the proposer be required to offer extended operating hours at least one day per week during the summer season. The motion carried by a vote of 4-0.

Request for Water Connection

Mr. Faris presented a request for water connection at 595 Shore Road, a single-family dwelling in North Truro. The Truro Board of Health and Board of Selectmen having already approved the request, Mr. Sinaiko moved, seconded by Mr. Richter, to grant the connection request. The motion carried by a vote of 4-0.

Water Abatements

Mr. Tyszka presented applications for abatements of water usage. Mr. Sinaiko moved, seconded by Ms. Lord, to grant the following applications.

| Acct# | Property Address | Bill Amount | Reason | Disposition |
|-------|--------------------|-------------|--|----------------|
| 9901 | MacMillan Pier | \$ 9,757.50 | Adjust master meter. Deduct private usage at float spaces. | Abate 3,184.00 |
| 210 | 21 Pleasant Street | \$ 1,741.50 | Error in change-out readings | Abate 1,699.50 |
| 6409 | 174 Commercial St | \$ 3,645.50 | Misread | Abate 1,760.00 |

| | | | | |
|-------|-----------------------|-------------|---|----------------|
| 19932 | 89 Race Point Rd, #1 | \$ 155.00 | Meter wired to wrong account--wires crossed between two meters | Abate 105.00 |
| 1119 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1120 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1121 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1122 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1123 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1124 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 1125 | 34 Conwell Street | \$ 50.00 | Not connected | Abate 50.00 |
| 8010 | 324 Bradford Street | \$28,477.50 | Meter calibrated in cubic feet | Abate 7,344.00 |
| 8010 | 324 Bradford Street | \$ 4,825.00 | Meter calibrated in cubic feet | Abate 1,296.00 |
| 484 | 81 Shank Painter Rd. | \$ 175.00 | Meter calibrated in cubic feet | Abate 55.00 |
| 484 | 81 Shank Painter Rd. | \$ 1,117.50 | Meter calibrated in cubic feet | Abate 376.00 |
| 484 | 81 Shank Painter Rd. | \$ 175.00 | Meter calibrated in cubic feet | Abate 55.00 |
| 484 | 81 Shank Painter Rd. | \$ 837.50 | Meter calibrated in cubic feet | Abate 252.50 |
| 484 | 81 Shank Painter Rd. | \$ 174.50 | Meter calibrated in cubic feet | Abate 62.00 |
| 484 | 81 Shank Painter Rd. | \$ 460.50 | Meter calibrated in cubic feet | Abate 168.00 |
| 484 | 81 Shank Painter Rd. | \$ 174.50 | Meter calibrated in cubic feet | Abate 62.00 |
| 484 | 81 Shank Painter Rd. | \$ 570.50 | Meter calibrated in cubic feet | Abate 184.00 |
| 484 | 81 Shank Painter Rd. | \$ 174.50 | Meter calibrated in cubic feet | Abate 62.00 |
| 484 | 81 Shank Painter Rd. | \$ 490.50 | Meter calibrated in cubic feet | Abate 168.00 |
| 484 | 81 Shank Painter Rd. | \$ 245.00 | Meter calibrated in cubic feet | Abate 84.00 |
| 2411 | 63 Mayflower Ave. | \$ 182.00 | Change-out readings error | Abate 132.00 |
| 8916 | 83 Commercial Street | \$ 50.00 | Municipal agreement--hydrant on private propt | Abate 50.00 |
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| 102 | 5 Webster Place | \$ 1,005.50 | Qualifies under 500% policy--hidden leak under building | Abate 252.00 |
| 19821 | 523 Commercial Street | \$ 245.00 | Qualifies under 500% policy--leaks in unoccupied building discovered after freeze | Abate 155.00 |

Mr. Sinaiko moved, seconded by Mr. Knight, to defer taking action on an application for 308 Commercial Street. The motion carried by a vote of 4-0. In addition, Mr. Sinaiko moved, seconded, by Ms. Lord to deny the following application. The motion carried by a vote of 4-0.

| Acct# | Property Address | Bill Amount | Reason | Disposition |
|-------|--------------------|-------------|--|-------------|
| 2602 | 11 Winthrop Street | \$ 856.00 | Cause of excess usage unknown; valid reread taken 12/9/04; plumber-owner sees no movement on meter | Deny |

Sewer Abatements

Mr. Gamella presented the following abatements of sewer use charges.

| Acct# | Property Address | Usage | Bill Amount | Reason | Disposition |
|-------|-------------------|--------|-------------|--|---|
| 19821 | 523 Commercial St | 50,000 | \$ 925.00 | Excess usage due to underground leak at unoccupied building discovered by property manager after freeze. | Abate to \$425.50 in accordance with 500% policy. |
| 4302 | 419 Commercial St | 28,000 | \$ 518.00 | Clerical error. | Abate to \$518.00. |

Mr. Sinaiko moved, seconded by Ms. Lord, to grant these abatements. The motion carried by a vote of 4-0.

The Board once again expressed concern about the inequity that currently exists whereby sewer users are charged for water that has leaked into the ground and did not enter the wastewater system. The Board directed staff to study the issue and present recommendations that would address the inequity.

In addition, the Board directed Mr. Tyszka to contact the water/sewer billing software vendor to determine whether an update is available that would enable ratepayers to read their own radio-read meter and, if so, the cost of that update.

Sewer Use Deferrals

Mr. Gamella presented the following deferral of sewer use charges:

| Acct# | Property Address | Applicant | Bill Amount | Amount Deferred |
|-------|------------------|--------------------|-------------|-----------------|
| 1903 | 91 Bradford St. | Isabel D'Entremont | \$ 92.50 | \$ 92.50 |

Mr. Sinaiko moved, seconded by Mr. Richter, to grant the deferral. The motion carried by a vote of 4-0.

Town-Wide Goals

Mr. Guertin advised the Board that the Water Department had proposed to the Selectmen a goal that would seek to further reduce unaccounted-for water by requiring an inspection of a property's water service prior to transfer and, where the inspection discloses substandard components, by mandating replacement of the water connection. Mr. Sinaiko moved, seconded by Ms. Lord, that the Board support the policy directive. The motion carried by a vote of 4-0.

Adjournment

There being no further business, Mr. Sinaiko moved, seconded by Ms. Lord, to adjourn the meeting. The vote carried by a vote of 4-0, and the meeting was adjourned at 4:47 p.m.

Respectfully submitted,

Sacha Richter, Clerk