



# Town of Provincetown

## Meeting of the WATER & SEWER BOARD

Thursday, August 23, 2012

Grace Gouveia Bldg., 26 Alden Street, Provincetown, MA

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**Board Members Present:** Jonathan Sinaiko (chair), Kathleen Meads, Moe Van Dereck and Shannon Corea.

**Board Members Absent:** Mark Collins, Kevin Kuechler, Bill Worthington

**Other attendees:** DPW Staff David Guertin, Sherry Prada, Anna Michaud, Brian Carlson, Health Agent and members of the public.

**Call to Order:** A quorum was established and Mr. Sinaiko, acting as chair, called the meeting to order at 3:32 p.m.

### **Water Abatement Requests: Full Board Discussion**

**Ms. Michaud** presented the list of abatement requests. There are 3 requests.

The first is the **Bradford House, 41 Bradford Street**. There was an underground leak. They have replaced the service. Based on the 500% Rule in the past 3 like years, the abatement totals \$230.00.

The **property owner** stated she does not have a problem with being billed, however no one red-flagged it when there were 150,000 more gallons used than the last bill. Other properties have been red-flagged at 5,000 gallons or whatever. Years ago, they just shut off the water and fixed it. Nobody knew there was a leak until I called here. Something like this should be caught.

**Ms. Michaud** stated that they did not know about the leak. We do try to red-flag them, but there are 3,600 accounts. We have changed the way we look at the reading so we can compare it to the last year. Going forward this should not be an issue.

**The property owner** asserted that she doesn't feel that she should be penalized for your doing something different.

**Ms. Michaud** explained that based on the legal requirements she can only recommend the \$230.00 abatement. There was some additional usage after April 15. You can deal with that at

the board meeting after the next billing period because there was about a month that was affected. We can probably figure that out.

**Mr. Sinaiko** asked if anyone would like to weigh in on this?

**Ms. Meads** stated that there is nothing we can do about the 500% Rule; that is straight across the board for everybody for anything underground. I don't see negligence as being a factor here. She brought it to your attention as opposed to you red-flagging it and it being ignored. I would suggest, this is not going to be a vote today this is something to think about, that she come back when the peak season bill comes in and if it hasn't gotten to the 500% we can do some consideration at that time to your average for the previous 3 years. I am willing to entertain it. So it doesn't affect your second billing period as much. We have to wait and see what your bill really looks like.

**The property owner** explained that she had asked that the water be shut off and it wasn't shut off for probably a week. It was a Friday the day the bill came and I was willing to shut the water down. It was leaking at a high rate, I don't recall how many gallons they told me it was, but it was a lot of usage.

**Ms. Michaud** stated that she did not know that.

**Mr. Sinaiko** suggested that we could consider the gallonage leaked between Friday when she called and when they shut the water off and give her at least that credit.

**Ms. Meads** explained that wouldn't show up until the next bill.

**Motion:** *Move to accept the abatement and abate as directed and to make note in the minutes that we have asked her to come back after the peak bill comes out.*

**Discussion:**

**Ms. Michaud**, in response to questions by the property owner, requested that she come in to see her when the next bill comes out and we'll work it out.

**Mr. Sinaiko** asked that Ms. Michaud look at the records to determine what the difference is so we can take that completely off.

**Mr. Guertin** stated that we will look at the call records in the interim.

**Motion:** Kathleen Meads                      **Seconded:** Jonathan Sinaiko                      **Vote: 4 – 0**

**Ms. Michaud** stated the next two requests we are filing on behalf of following customers:

**290D Bradford** had a 5/8” meter; they were charged a basic service fee for service of a 3/4” meter for 6 billing cycles. So, that’s the abatement of \$39.60

**143 Bradford Street** that’s a flow meter and it is a clerical error on my part. The abatement is \$45.00

**Motion:** *Move to accept these as recommended by staff.*

**Motion:** Jonathan Sinaiko      **Seconded:** Moe Van Dereck      **Vote: 4 - 0**

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
<b>Peak Bill – Fall 2011</b>					
0001709	41 Bradford St.	Patricia Brooks	260,000	\$2030.00	<b>Abate \$230.00.</b> Underground leak. Service replaced.
<b>Other Billing Periods</b>					
0002013	290 D Bradford St., #1	DPW on behalf of Lori Wein			<b>Abate \$39.60.</b> Overcharged Basic Service Fee by \$6.60 for 6 billing cycles.
0002004	143 Bradford St.	DPW on behalf of 143 Bradford St. Condominiums	0	\$45.00	<b>Abate \$45.00.</b> Clerical error.

**Review Minutes for July 12, 2012**

**Motion:** *Move to accept said minutes*

**Motion:** Kathleen Meads      **Seconded:** Moe Van Dereck      **Vote: 4 -0**

**Recommitment of Delinquent Water & Sewer Bills**

**Ms. Michaud** explained that these are the liens for unpaid water and sewer bills and betterments. I checked to see that none of these people were elderly or low income.

**Motion:** *Move to accept as recommended by staff.*

**Motion:** Jonathan Sinaiko      **Seconded:** Kathleen Meads      **Vote: 4 -0**

## **Unanticipated Business That May Legally Come Before The Board Requiring Immediate Action**

None

### **Sewer Betterment Assessment**

**Ms. Michaud** stated this is a sewer betterment assessment notice that you already signed. It is about some land court information that was never filed by Kopelman and Page. We got a signature from one of you but the Land Court will not accept stamps so I need original signatures from three of you and one of you to go to Town Hall to have it notarized.

The necessary signatures were obtained.

**Mr. Carlson** offered that he is here to notarize it.

The signatures were notarized.

### **Sewer Betterment Abatements (Provincetown Board)**

**Ms. Michaud** said that she has 2 of these.

The first one is for **10 Cudworth Street**. We misread her form she does not want a sewer connection. So, we are taking her off.

**Mr. Sinaiko** asked if she still has the stub?

**Mr. Guertin** added that no, actually she doesn't.

**Ms. Michaud** mentioned that the next one is another abatement. He opted out of it because he was the only one on **Thistlemore Road** who reserved. It would have been cost prohibitive. We allowed him to do that.

**Motion:** *Move to accept these abatements as recommended by staff.*

**Motion:** Jonathan Sinaiko

**Seconded:** Moe Van Derek

**Vote:** 3 -0

### **Sewer Betterment Revision**

**Ms. Michaud** stated that this is sewer betterment revision to reflect Board of Health approval on July 19, 2012 of an historic bedroom designation, top water-side unit, **225 Commercial Street**, to increase bedroom count from 2 to 3. It is an increase of \$3700.00.

**Mr. Carlson** offered an explanation of the historic bedroom designation. This is something that happens occasionally. Folks come before the Board of Health and have their property walked through to see if a particular room has historic use as a bedroom. Of course, code was changed over time; ceiling heights and configurations and allowed space have changed. The board has granted, in the past, bedrooms to structures that had bedrooms which can be proved that go back.

**Mr. Guertin** asked that they don't necessarily have to have a door or ceiling height?

**Mr. Sinaiko** asked if it also could also be a passage through?

**Mr. Carlson** responded that he doesn't know if they have done one of those yet. They could come to the Board ask for that.

**Ms. Corea** asked what the benefit of that would be? Can they rent more bedrooms? Does it allow them more sewerage?

**Mr. Guertin** explained that it is a marketing issue.

**Mr. Sinaiko** said he always encourages people to ask for as many bedrooms as they can. For \$2,600.00 for a bedroom... the value of a bedroom in this town is about \$100,000.

### **Closing Statements From The Board**

There were none

### **Adjournment**

There being no further business, Mr. Sinaiko moved and the motion was seconded by Kathleen Meads to adjourn the meeting. The motion carried and the meeting was officially adjourned at 3:50 p.m.

Respectfully Submitted,  
Susan Leonard

**Approved by \_\_Water & Sewer Board 4-0-1\_\_ on \_\_January 17\_ , 2013**