



# Town of Provincetown

## Meeting of the

### WATER & SEWER BOARD

Thursday, December 10, 2015

Veterans Memorial Community Center, Multi-Purpose Room  
2 Mayflower Street, Provincetown

**Board Members Present:** Moe Van Dereck, Acting Chair; Sacha Richter; Kathleen Meads and Bill Worthington

**Board Members Absent:** Jonathan Sinaiko, Chair; Mark Collins and Kevin Kuechler

**Other attendees:** Anna Michaud, Sherry Prada, Morgan Clark and members of the public.

**Recorder:** Susan Leonard

**Call to Order:** Mr. Van Dereck, acting chair, called the meeting to order at 2:30 p.m.

### Agenda Item 1 – Water Bill Abatement [Full Board]

Water & Sewer Board  
Water Abatement Applications

12/10/2015

Acct#	Property Address	Applicant	Usage	Bill Amount	Avg Usage	500% Rule Usage	Avg Bill Amt	500% Rule Amount	Staff Recommendation
<i>Peak Bill - Fall 2015</i>									
0004214	12 1/2 Mechanic St	12 1/2 Mechanic St Condos	177,000	\$ 2,214.50	24,333	121,667	\$ 145.00	\$ 725.00	Abate \$1,489.50 Undeground leak.
0019735	18 Miller Hill Rd #1	Michelle Lohr	61,000	\$ 614.50	21,667	108,333	\$ 207.50	\$ 1,037.50	Deny. Usage returned to normal. No leak found. Meter tested for accuracy and found to be <u>under-reporting</u> by 8%.
9900357	125 Shore Rd #2	Mark Iannazzi	34,000	\$ 217.50	11,667	58,333	\$ 58.33	\$ 291.67	Deny. Usage returned to normal. Does not meet 500% rule.
0018707	4 Miller Hill Rd #7-9	Bradford Garden Condos #7-9	21,000	\$ 120.00	25,000		\$ 150.00		Deny. Does not meet 500% rule.
9005102	642 Shore Rd	Little Skipper Condos	378,000	\$ 5,446.50	133,333	666,667	\$ 1,515.83	\$ 7,579.17	Deny. Does not meet 500% rule.
0009612	466 Commercial St rear	Sally O'Brien GS Ptown LLC							Deny. Toilet leak. Does not meet 500% rule.
0007715	422 Commercial St #1-7	East End Condos	278,000	\$ 3,830.50	93,667	468,333	\$ 910.50	\$ 4,552.50	Deny. Does not meet 500% rule.
0015911	25 Standish St	Kathryn Olsen	170,000	\$ 2,102.50	63,000	315,000	\$ 538.50	\$ 2,692.50	Deny. Does not meet 500% rule.
0005208	12 Commodore Ave	Klara Mueller	83,000	\$ 778.50	27,000	135,000	\$ 195.50	\$ 977.50	Deny. Does not meet 500% rule.

#### Discussion:

Since the property owner, Michelle Lohr of 18 Miller Hill Rd #1 was present, Ms. Michaud asked the Board to consider her water abatement request first. Ms. Michaud explained that there had been a significant water usage increase at the property. Town Staff inspected the service and tested the meter and found that the meter, at the time of the inspection, was actually under reporting by 8% and no leaks were found. Ms. Michaud does not know of any instance when a meter has over-read water usage.

Ms. Lohr said she cannot explain the increase in usage. It is a small house, she lives alone and she did not have any extra people or guests staying with her during that time. She praised the thoroughness of the Water Dept technician and commented on his diligence in trying to find an explanation to the problem.

Frank, the meter technician reports that, although a new meter has been installed, prior to its installation the old meter began reading accurately again. A small toilet leak was detected after the new meter was installed, however the meter reading returned to normal usage in September.

Ms. Michaud recommended denying the request because it does not meet the 500% Rule. Mr. Van Dereck asked if some adjustment was possible and Ms. Michaud replied that Exemptions are only given to the Elderly. If water goes through the meter then the property owner is responsible for it.

Mr. Van Dereck suggested that the bill could be abated by half after a plumber's bill is presented for repairing the toilet leak. Ms. Michaud stated that amount would be slightly more than the average bill. She added that the new meters allow for detection of continuous or intermittent leaks.

Ms. Meads asked for a note to be placed in the owner's file stating that Ms. Lohr is a long time owner and there is no way to determine the leak source.

**Motion:** *To abate the water bill by 50% with a note regarding the property's water use history and the inability to ascertain the leak source; that a plumber's bill be presented for the toilet repair and that monthly monitoring be done by DPW staff.*

**Motion: Kathleen Meads                      Seconded: Sacha Richter                      Vote: 4 – 0 - 0**

Ms. Michaud briefly explained the remaining water abatement requests. She recommended an abatement for 12 ½ Mechanic St for an underground leak with a note that it be monitored monthly for a year. The rest of the requests she recommended denying because they do not meet the 500% Rule.

**Motion:** *To accept the recommendations as presented by staff.*

**Motion: Moe Van Dereck                      Seconded: Sacha Richter                      Vote: 4 – 0 - 0**

**Discussion:**

0009898	30 West Vine St	Gale Force Condos	412,000	\$ 5,706.20	23,333	\$ 323.17	Deny. Hand watering for new plantings. Sewer regulations require 100% of water consumption figures for sewer usage fees.
0009900	22 West Vine St	Gale Force Condos	180,000	\$ 2,493.00	2,000	\$ 75.00	Deny. See above.
0009899	26 West Vine St	Gale Force Condos	170,000	\$ 2,354.50	6,667	\$ 92.33	Deny. See above.

Ms. Michaud requested that the Board next consider the sewer abatement request for Gale Force Condos, 30 West Vine St, 22 West Vine St, and 26 West Vine St. The association representative, Laurie Ferrari from Peters Property Management, was present.

Ms. Michaud informed the Board that new landscaping was installed this summer and it was being watered three times a day. Ms. Ferrari told the Board that the watering had been done by hand only, using outside metered faucets. The condo association has incurred a \$10,500 water bill for water that had not entered the sewer system.

At this point in the discussion, Ms. Meads informed the Board that she thought she had a conflict of interest in this case and she should recuse herself. Ms. Meads is a member of a condo association that uses Peters Property Management and she is personally responsible for writing the checks to the management company for their services. Ms. Meads apologized to Ms. Ferrari because she had no idea that Peters Property Management would be representing Gale Force at the meeting.

It was decided that a conflict did exist. This left the Board without a quorum and consequently, the request would have to be heard and the next scheduled Water & Sewer board meeting.

### **Agenda Item 2 – Discuss Applications/Re-appointments to Water & Sewer Board**

#### *Discussion:*

Ms. Michaud presented the Board with the resumes of two individuals interested in filling the upcoming vacancies in January 2016. The final approval of the candidates will be made by the Board of Selectmen.

Ms. Michaud also pointed out that Ms. Meads and Mr. Van Dereck both are eligible for reappointment to the Board and she hoped that they are willing to serve another term

### **Agenda Item 3 – Statements from the Board [Board as it applies to subject matter]**

No statements were made.

### **Agenda Item 4 –Unanticipated business that may legally come before requiring Board immediate action:**

#### *Discussion:*

Ms. Prada rose to thank Mr. Richter and Mr. Sinaiko for their service on the Board for the past several years. The Board joined in thanking them, as well.

### **Agenda Item 5 –Approval of Minutes for October 29, 2015 [Board as it applies to subject matter]**

#### *Discussion:*

The Board reviewed the minutes for October 29, 2015. There were no comments or corrections made.

**Motion:** *To accept the minutes for October 29, 2015 as presented.*

**Motion:** Kathleen Meads

**Seconded:** Sacha Richter

**Vote:** 4 – 0 – 0

# Agenda Item 6 –Sewer Bill Abatements [Provincetown Board]

## Water & Sewer Board SEWER Abatement Applications

12/10/2015

Acct#	Property Address	Applicant	Usage	Bill Amount	Avg Usage	Avg Bill Amt	Staff Recommendation
<i>Peak Bill - Fall 2015</i>							
0007508	7 Standish	Patti Brainard	28,000	\$ 387.80			Abate \$312.80. Abate to \$75.00 minimum. Not hooked up to sewer until 9/24/14
0007715	422 Commercial St #1-7	East End Condos	278,000	\$ 3,850.30	93,667	\$ 1,297.28	Abate \$2,553.02 Underground leak. Repaired.
0008607	88 Commercial St	Helen Valentine	136,000	\$ 1,883.60	49,667	\$ 687.88	Abate \$1,195.72 Underground leak. Repaired.
0018707	4 Miller Hill Rd #7-9	Bradford Garden Condos	21,000	\$ 290.85	25,000	\$ 346.25	Deny. Peak period 2015 charge is less than 3 year average.
0009898	30 West Vine St	Gale Force Condos	412,000	\$ 5,706.20	23,333	\$ 323.17	Deny. Hand watering for new plantings. Sewer regulations require 100% of water consumption figures for sewer usage fees.
0009900	22 West Vine St	Gale Force Condos	180,000	\$ 2,493.00	2,000	\$ 75.00	Deny. See above.
0009899	26 West Vine St	Gale Force Condos	170,000	\$ 2,354.50	6,667	\$ 92.33	Deny. See above.

### Discussion:

Ms. Michaud explained the remaining sewer abatement requests to the Board. She recommends the following abatements: 7 Standish St because the property was connected to the sewer at mid-cycle; 422 Commercial St #17 for an underground leak that has been repaired; and 88 Commercial St for an underground leak that has been repaired

The property at 4 Miller Hill Road #7 -9 is not recommended because the peak period 2015 charge is less than the 3 year average.

**Motion:** *To accept the sewer abatement recommendations of staff.*

**Motion:** Sacha Richter

**Seconded:** Kathleen Meads

**Vote:** 3 – 0 – 0

## Agenda Item 7 Request for Waiver of Sewer Regulations, Section 7, Part C, - Grease Trap [Provincetown Board]

### Discussion:

Ms. Clark, Director Dept. of Health and the Environment presented the grease waiver request to the Board. The request was made by the Beach Market, 144 Bradford St Ext., which is a limited facility serving sandwiches and light foods. The Board of Health recently established a license specifically for this class of food establishment. The property recently connected to the sewer and it has been determined by all pertinent departments that an external grease trap is not necessary. An under-sink grease catchment device is sufficient.

**Motion:** *To approve the grease trap waiver for the Beach Market based on staff recommendations.*

**Motion:** Moe Van Dereck

**Seconded:** Kathie Meads

**Vote:** 3 – 0 - 0

**Agenda Item 8 Sewer Flow Revisions [Provincetown Board]**

***Discussion:***

Ms. Prada presented one flow revision request.

Due to a change in use, 4 Conant St will be giving back 330 gallons of its assigned gallons. This is equivalent to 3 bedrooms.

**Motion:** *To approve the flow revision for 4 Conant Street as recommended by staff.*

**Motion:** Kathleen Meads

**Seconded:** Sacha Richter

**Vote:** 3 – 0 - 0

**Adjournment:**

Mr. Van Dereck, Acting Chair, adjourned the meeting at 3:25