



Town of Provincetown

Meeting of the

WATER & SEWER BOARD

Thursday, January 14, 2016

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

Board Members Present: Moe Van Dereck, Acting as chair, Kathleen Meads, Mark Collins, Bill Worthington and Zoe Babe

Board Members Absent: Kevin Kuechler and Gary Palmer

Other attendees: Rich Waldo, DPW Director; Cody Salisbury, Water Superintendent Staff: Anna Michaud and Sherry Prada

Recorder: Susan Leonard

Call to Order: Mr. Van Dereck, acting as chair, called the meeting to order at 2:45p.m.

Agenda Item 1 – Selection of New Chair [Full Board]

Discussion:

Ms. Meads nominated Moe Van Dereck for chairman of the Water and Sewer Board. The motion was seconded by Mr. Collins. There was no additional nomination made.

The motion passed unanimously by a vote of 5 – 0 - 0

The Board agreed to take Agenda Item 8 next, out of order.

Agenda Item 8 – Sewer Bill Abatement Requests [Provincetown Board]

Discussion:

Ms. Michaud explained that **Gale Force Condominiums, #30 West Vine, #22 West Vine and #26 West Vine** is seeking an abatement of a large sewer bill due to the hand watering of newly installed landscaping over the Summer.

Ms. Michaud provided the Board members, as a reference, a copy of **Section 10. Sewer Usage Fees**. Ms. Michaud stressed that any water that goes through the meter must be billed for water and sewer.

Part A states “*Sewer usage fees shall be based upon 100 percent of water consumption figures. The Water and Sewer board shall not provide separate metering of water usage and sewer usage and any post-meter measuring by property owners that does not enter the sewer system shall not be considered by the Water and Sewer Board in calculating usage fees.*”

Laurie Ferrari from Peter’s Property Management presented the request on behalf of Gale Force Condominiums. She pointed out that the condos are new on the sewer system. Her crews hand watered the new landscaping three times a week during the dry summer using the outside faucet only. They are asking for an abatement because they did not use the sewer for the water used; it went into the ground and plantings.

Ms. Michaud added that the Water Department made note of the unusually large water use and notified Peter's Property Management of it several times. At the time, she did not inform them of the impact it would have on the sewer fees.

Mr. Collins stated that, although he understands the pain of such a large bill, he does not see there is any way the Board can allow abatements under these circumstances. The regulation is very clear.

Mr. Van Dereck said the Board cannot set a precedent and write new rules. He feels as a general rule, the Board does everything it can to be lenient and in this case its hands are tied.

Ms. Babe added that in preparation for being on the Board, she read the rules and it is very clear to her. She likes the idea of consistency and is looking for that and appreciates it

Motion: To deny the request for abatement of the Sewer Bill for Gale Force Condominiums.

Motion: Moe Van Dereck Seconded: Mark Collins Vote: 3 – 0 - 1

Water & Sewer Board								1/14/2016
SEWER Abatement Applications								
Acct#	Property Address	Applicant	Usage	Bill Amount	Avg Usage	Avg Bill Amt	Staff Recommendation	
<i>Peak Bill - Fall 2015</i>								
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.	
0018707	4 Miller Hill Rd #7-9	Bradford Garden Condos	18,000	\$ 290.85	9,000	\$ 124.65	Abate \$166.20. Service discontinued in May, 2015. This is the final portion of an underground leak abatement granted for prior off-peak period.	

Discussion:

Ms. Meads recused herself from consideration of the sewer bill abatement request because of a previously disclosed conflict she has with Peter's Property Management.

Ms. Michaud introduced the next abatement request for **4 Miller Hill Road #7-9, Bradford Gardens Condos**. At the previous Board Meeting she had recommended the denial of the request based on the average use. They had a massive underground leak and were abated for the bulk of it last year. However, they discontinued the service in May. She had compared usage of a month and a half to six months usage. By doing a monthly reading comparison of that period for the past three years they can be awarded an abatement of \$124.30.

Motion: To recalculate the sewer bill abatement for 4 Miller Hill Road #7-9 as recommended.

Motion: Moe Van Dereck Seconded: Zoe Babe Vote: 4 – 0 - 0

Agenda Item 2 – Water Bill Abatement Requests [Full Board]

Water & Sewer Board									1/14/2016
Water Abatement Applications									
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>									
0070183	8-10 Atlantic Ave Unit E	Rita Speicher	55,000	\$ 442.50	18,000	90,000	\$ 100.00	\$ 500.00	Deny. Toilet leak. Even if eligible, does not meet 500% rule.

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>									
0070183	8-10 Atlantic Ave Unit E	Rita Speicher	55,000	\$ 442.50	18,000	90,000	\$ 100.00	\$ 500.00	Deny. Toilet leak. Even if eligible, does not meet 500% rule.

Discussion:

Ms. Michaud recommends that the Board not to abate the water bill for #8 -10 Atlantic Ave, Unit E. The water usage was due a toilet leak which the Board does not abate; also it does not meet the 500% Rule threshold. There was some confusion with the account because the radio reads were reversed. This does not affect the fact that it was a toilet leak.

Ms. Meads asked if there was visual identification of the toilet leak. It was confirmed visually.

Motion: To deny the water bill abatement request for #8-10 Atlantic Ave, Unit E based on the 500% Rule and the fact that it was fixture related.

Motion: Kathleen Meads Seconded: Bill Worthington Vote: 5 – 0 - 0

Agenda Item 3 – Statements from the Board [Board as it Applies to Subject Matter]

Discussion:

Ms. Meads formally welcomed Zoe Babe as the new member of the Water and Sewer Board.

Agenda Item 4 - Approval of Minutes [Board as it Applies to Subject Matter]

Discussion:

The Board reviewed the minutes for the December 10, 2015 meeting.

Motion: To accept the minutes of the December 10, 2015 meeting, as written.

Motion: Kathleen Meads Seconded: Bill Worthington Vote: 5 – 0 - 0

Agenda Item 5 – Staff Administrative Updates from Water Superintendent and DPW Director

Discussion:

Mr. Salisbury brought to the Board’s attention the upcoming February 8th Joint Truro – Provincetown Board of Selectmen Meeting. The annual water system update will be presented and Mr. Salisbury recommends that the Water and Sewer Board chairman attend.

A resident of Provincetown, Barbara Rushmore has written a letter to the Board asking it to consider reducing the service fees to a flat rate of \$50/ semi-annually. Currently, the rate is based on meter size. This issue has come before the Annual town Meeting in the past as an article asking for the elimination of the fee altogether.

Mr. Salisbury stressed that this would have a significant impact on the revenue that the department relies on to cover fixed costs. He estimates that it would amount to \$200,000 annually. Once all the data has been compiled, he will come back before the board with a real dollar amount for an across the board flat fee for all users. The bottom line is the lost revenue from the service fee would have to be made up somehow.

Ms. Meads asked if the FY 2017 budget has been developed and approved by the Selectmen. She would like to know the impact this would have on the budget and the reserve funds for future projects. She does not

want to dismiss the request out-of-hand without a fair analysis of impact it would have on the overall operations of the department.

At the annual budget review by the Board of Selectmen, the possibility of removing the cell tower rent from the Water & Sewer Department was raised. Mr. Salisbury was quite clear that this would destabilize the Water Enterprise Fund. These towers are located on assets owned by the Water Department. Repairs to the assets are funded by the Water Enterprise Fund.

The revenue would be about \$100,000 once the additional carriers are located at the sites. Ms. Meads would like to show the specific costs of water tank maintenance over the last 10 years and the benefits the cell phone tower fees had over the years. The department fought very hard to have an Enterprise Fund several years ago so it can operate independently. This assures the residents of the Town of Truro that the money it puts into the system is being held separately and the Enterprise Fund sustains itself with the cell tower revenues. We still have long-term goals with Truro for redundant water sources and should be building up our Enterprise Fund. We are maintaining and providing the platform for the cell tower; the funds belong to the Water Department.

Mr. Van Dereck asked what other towns do? Do they keep the funds from cell towers in their Enterprise Funds? Mr. Waldo replied that is generally how it is done. It is crucial to the health of the Water Enterprise Fund. This is a strong argument that the money belongs in our Enterprise Fund.

Mr. Waldo informed the Board that T-Mobile had a successful bid to install its towers on the two water tanks. It will be brought to the Board of Selectmen for execution of the contract. Then the Water department would like to rescind the contract for the tower at the Water Treatment Plant, making room for expansion of the facility.

Mr. Waldo stated there are a couple critical things coming up. The treatment plant is in a state of limited capacity with just 8% of capacity available to allocate to the public. In July a contract with the engineers to develop expansion concepts was executed. They will probably present the possible expansion options and costs to the Selectmen in late February or early March. We will most likely need more frequent meetings and a couple joint meeting with the selectmen to discuss the direction the Town wants to go in.

Ms. Meads wants to make sure there will be capacity for future failures and accommodating individuals versus economic development gallons.

Mr. Waldo acknowledged that the Town of Truro has its own concerns about waste water, especially in the Beach Point area, and one of the most extensive options investigated takes this into consideration.

Agenda Item 6 – Unanticipated Business that May Legally Come Before the Board Requiring Immediate Action [Board as it Applies to Subject Matter]

There was no other business raised.

Agenda Item 7 – Schedule Public Hearing on Extending 41C Exemption Eligibility for Water Charges to Sewer Charges, as well.

Discussion:

Ms. Michaud explained to the Board that the proposed 41C exemptions, if approved, would only total about \$800. This is a small impact on the department, but would make a big difference to the eligible elders connected to the sewer system. A public hearing could be scheduled soon.

Mr. Collins stated that the Board has the duty to protect the interests of the elderly with low income. This would go a long way to let people know their voices are being heard. It is the type of thing we should be doing. He wants to make sure that the people who are eligible are made aware of this exemption.

Motion: To have a public hearing as soon as possible on the 41C Sewer Exemption, the date to be determined by staff.

Motion: Kathleen Meads

Seconded: Mark Collins

Vote: 4 – 0 - 0

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Agenda Item 9 – Request for Waiver of Sewer Regulations, Section 7, Part C, - Grease Trap [Provincetown Board]

There were no requests for a waiver.

Agenda Item 10 – Sewer Flow Revisions [Provincetown Board]

Discussion:

Sherry Prada explained the following four flow revisions:

30 Montello Street – Add One Bedroom

It has been determined by the Health Department that there are 5 bedrooms not 4 bedrooms as previously determined.

1 Winthrop Street - Return 90 gallons

Gallons previously assigned to a barber shop “chair”, now a 1 bedroom residence

293 Commercial Street Unit C – Add 98 gallons; 7 additional seats

There was an adjustment for a previous error and 7 seats have been added.

Motion: *To approve the flow revisions for 30 Montello Street, 1 Winthrop Street and 293 Commercial street, Unit C as presented by staff.*

Motion: Moe van Dereck

Seconded: Zoe Babe

Vote: 4 – 0 - 0

Ms. Babe abstained from voting on 52 Ship’s Way. The property owners are her employers.

52 Ship’s Way – Add 3 bedrooms

Economic Development Gallons assigned for year-round employee housing with the agreement that it reverts back to original bedroom count if use is changed

Motion: *To accept the flow revision for 52 Ship’s Way with a note to be placed in the property file denoting the conditional approval by Economic Development of the gallons.*

Motion: Kathleen Meads

Seconded: Moe Van Dereck

Vote: 3 – 0 - 1

Adjournment:

Mr. Van Dereck adjourned the meeting at 4:10 pm.