



Town of Provincetown

Meeting of the WATER & SEWER BOARD

Thursday, October 22, 2009
Grace Gouveia Building, 26 Alden Street, Provincetown

Water & Sewer Board Members Present: Jonathan Sinaiko (chair), Mark Collins, Kathleen Meads, Sacha Richter, Moe Van Dereck

Members Absent: None.

Other attendees: Water Superintendent Carl Hillstrom, Assistant Town Manager David Gardner, DPW Staff Anna Michaud and Dana Faris; members of the public.

Call to Order

Mr. Richter called the meeting to order at 3:10 p.m.

Abatements

Ms. Michaud presented the following abatement application:

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
8807	97 Bradford St.	Stanley Klein			Cubic foot meter installed in 2003 discovered during routine inspection.

Ms. Michaud explained that state law imposes a two-year limit on correcting clerical errors but that the Board was free to grant whatever abatement it deemed appropriate. [Mr. Sinaiko arrived during the discussion.] Because the amount of overcharge calculated by Mr. Klein did not tally with the calculation done by staff, Ms. Meads moved to grant an abatement to refund any overcharge during the six-year period the cubic meter was installed, provided that all parties were able to agree on the amount. Mr. Collins seconded the motion, which carried by a vote of 5-0. Subsequent to the meeting, Mr. Klein agreed that staff's calculation of \$5,946.75 was the correct amount.

Ms. Michaud then presented the following abatement applications:

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
9000528	482 Shore Rd.	A Seaside Inn on Cape Cod Bay		\$42.15 water	Inactivated account. Recommend abatement in full.
4201	531 Commercial St.	Cheryl Bready		\$189.05 water	Inactivated account. Recommend abatement in full.
9001712	462 Shore Rd.	Norman Cousins	43,000	\$273.50 – water	Non-fixture leak identified and repaired. Recommend abatement to \$250.00
1214	7 Conant St.	Helen Carter	87,000	\$801.50 – water	No leak identified at house or in rental cottages. Even if there had been a leak, it would not qualify for 500% rule. Recommend denial.
9012709	263 Shore Rd.	Kathy Foley	42,000	\$261.50 – peak \$631.00 – off peak	Estimated reading for peak period. Possible leak prior to water service being turned off in October 2008. Reading in Sept. 2008 showed use of 123,000 gals. Actual reading in spring 2009. If leak, not eligible for 500% rule. No history of calls for turn-on/turn-off. Recommend denial.

Mr. Collins moved, seconded by Mr. Richter, to accept the staff recommendations. The motion carried by a vote of 5-0. Ms. Meads suggested that the Water Department do some follow-up with the owner of 7 Conant St., who is a senior citizen.

Flow Revisions

Mr. Faris presented the following flow revisions:

Map & Parcel	Address	Orig Flow	Rev Flow	Net Chg	Original Betterment	Revised Total Betterment	Net Betterment Increase (Decrease)	Reason for Change
07-2-019-2-004	34 Pleasant St., #4	110	220	110	\$4,932.40	\$9,864.80	\$,932.40	Per Health Agent inspection report dated 8/11/2009 increasing bedroom count from one to two.
12-2-049	398 Commercial St.	276	414	138	\$9,295.68	\$15,483.60	\$6,187.92	Revision to reflect additional bedroom and principal use artist studio per Health Agent inspection 10/14/2009.

Mr. Sinaiko moved, seconded by Mr. Richter, to approve the flow revisions. The motion carried by a vote of 5-0.

Application for Water Service

Ms. Michaud presented an application for water service at 471-473 Shore Road, Truro, and confirmed that the application had received the requisite approvals of the Truro Board of Health and Truro Board of Selectmen. Mr. Hillstrom stated that he was satisfied with the plans submitted by the applicant. Ms. Meads moved, seconded by Mr. Van Dereck, to grant the application. The motion carried by a vote of 5-0.

Appeal of Decision of the Water Superintendent.

Mr. Hillstrom stated that the property at 476 Commercial Street, a multi-family dwelling, is currently served by a single water service and that the prospective purchasers of the property plan to convert it to six residential condominiums. Sections 5.10 and 6.9 of the Water Regulations require that the water service be separated to have one service per dwelling unit. Ms. Rose Kennedy, who was representing the prospective purchasers, stated that she had been unaware of the requirement to separate the water service when converting to condos and that her clients found that requirement to be financially burdensome and asked the Board for a waiver. Noting that Section 2.2 of the Water Regulations vests approval of changes to water service with the Water Superintendent, members of the Board indicated that they did not intend to interfere with this procedure and recommended that the parties meet and work out a solution. Ms. Meads moved, seconded by Mr. Sinaiko, that the Board take the matter under advisement and asked that the Water Superintendent report back that the plans submitted for this property met with his approval. The motion carried by a vote of 5-0. Given Ms. Kennedy's statement that she had been unaware of the requirement to separate the water service when converting to condominiums, the Board suggested that staff advise both the Building Commissioner and local realtors of the provisions of the Water Regulations.

Approval of Minutes

Ms. Meads moved, seconded by Mr. Van Dereck, to approve the minutes of the July 29, 2009 meeting as printed. The motion carried by a vote of 5-0.

Adjournment

There being no further business, Mr. Sinaiko moved, seconded by Mr. Van Dereck, to adjourn the meeting. The vote carried by a vote of 5-0 and the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Sacha Richter, Clerk