

Town of Provincetown

Meeting of the WATER & SEWER BOARD

Thursday, January 24, 2008
Grace Gouveia Building, 26 Alden Street, Provincetown

Members present: Jonathan Sinaiko (Chair), Sacha Richter, Moe Van Dereck

Members absent: Kathleen Meads (excused)

Other attendees: Health Agent Jane Evans; Attorney Chris Snow; Water Superintendent Carl Hillstrom; DPW Staff Dana Faris, Ron Gamella, and Anna Michaud; members of the press and public.

Call to Order

Mr. Sinaiko called the meeting to order at 3:15 p.m.

Appeal of Health Agent's Order to Install Grease Trap – 274 Commercial St.

Mr. John Cicero, owner of 274 Commercial St., was present to appeal a decision by the Health Agent that he install a grease trap at the aforementioned property. Ms. Evans stated that she had spoken with Brian Dudley from DEP, who proposed that effluent in the buffer tank be tested—even though said tank serves more than the subject property—and that, if the test measures grease of 100 mg/liter or less, the property owner be granted a waiver of the requirement to install a grease trap. Mr. Sinaiko moved, seconded by Mr. Van Dereck, to grant a waiver subject to testing of effluent. The motion carried by a vote of 3-0.

Appeal of Sewer Betterment – 25 Winthrop St.

Based on documentation indicating the likelihood that the unit owner at this property who requested a sewer connection probably did not have sole authority to bind the condominium association, Mr. Sinaiko moved, seconded by Mr. Van Dereck, to vacate the sewer betterments assessed on the subject property. The motion carried by a vote of 3-0. Attorney Snow, representing one of the unit owners, thanked the Board for its consideration.

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
11-3-100	304 Commercial St.	264	374	110	\$8,891.52	\$12,596.32	\$3,704.80	Revision in accordance with determination by Health Agent, following 12/4/07 inspection, that property has 3 bedrooms.
11-3-016-0-00H	291 Commercial St., #H	1,063	563	(500)	\$35,801.84	\$18,961.84	(\$16,840.00)	Revision to reflect further surrender of discontinued-use gallons in accordance with Section 6200-3 of the Zoning By-Law.

Mr. Sinaiko moved, seconded by Mr. Richter, to revise the flow and betterment for these properties. The motion carried by a vote of 3-0.

Abatements

Mr. Gamella presented the following applications for abatement of sewer usage charges:

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
8109	102A Bradford St.	Elizabeth Brooke		\$2,645.50	Property connected on 5/29/07 part way through billing cycle. Recommend abatement to \$2,423.50 based on reading at time of connection
9102	44 Commercial St.	Warren Lefkowitz		\$240.50	Not connected; abate to \$0.

Mr. Sinaiko moved, seconded by Mr. Richter, to accept the staff recommendations. The motion carried by a vote of 3-0.

Ms. Michaud then presented the following applications for abatement of water or water/sewer usage:

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
1709	41 Bradford St.	Patricia Brooks	500,000	\$7,357.50	Leak from loose fitting next to meter perhaps caused by sewer construction. Fitting replaced. Does not meet 500% rule.

Ms. Brooks, who spoke for the application, stated that she believed that the source of the leak was caused by sewer construction in the street. Therefore, Mr. Van Dereck moved, seconded by Mr. Sinaiko, to abate to \$2,397.50. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
8218	119 Commercial St.	Mike Minore	192,000	Water - \$2,429.50 Sewer - \$3,553.00	Possible fixture-related leak; does not meet 500% rule.

Mr. Sinaiko moved, seconded by Mr. Richter, to abate the water to \$789.50 and the sewer to \$1,214.83. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
16511	274-276 Commercial St.	Giovanni Cicero	115,000	Water - \$1,197.50 Sewer - \$2,127.50	Allegedly two fixture-related leaks; does not meet 500% rule

Mr. Cicero spoke for the application saying that the meter had immediately been replaced. The Board inquired as to whether the old meter had been tested to verify that it was functioning properly and was advised that it had not been. Therefore, Mr. Sinaiko moved, seconded by Mr. Richter, to deny the water abatement and to abate the sewer bill to \$1,214.83. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
7703	484 Commercial St.	Rick Mirkin	182,000	Water - \$2,269.50 Sewer - \$3,367.00	Undetected leak; does not meet 500% rule.

Mr. Sinaiko moved, seconded by Mr. Richter, to abate the water bill to \$1,462.50 and to abate the sewer bill to \$783.17. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
2802	86R Atkins Mayo Rd.	John Eder	192,000	\$261.50	Clerical error. Recommend abatement to \$177.50
8015	9 Johnson St.	K. Fruhman	157,000	\$1,869.50	Undetected leak; recommend abatement to \$1,490 in conformance with 500% rule.
11701	122 Bradford St. Ext	Edward Malone		\$6,077.50	Account inactivated; recommend abatement in full.
9643	141 Commercial St.	Chris Snow	83,000	Water - \$2,029.50 Sewer - \$3,089.50	Meter change-out recorded incorrectly. Recommend abatement of water to \$753.50 and sewer to \$1,535.50
					Cubic-foot meter. Recommend abatement to

7610	5 Conwell St.	Robert Silva	53,000	\$393.50	\$92.
3603	5½ Masonic Pl.	DPW on behalf of Pitzner	140,000	Water - \$1,597.50 Sewer - \$2,590.00	Stuck meter; bad reading; bills for prior 3 years read correctly. Recommend abatement of water to \$297.50 and sewer to \$832.50

Mr. Sinaiko moved, seconded by Mr. Van Dereck, to accept the staff recommendations for the above applications. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
5513	657 Commercial St.	Burt Wolfman	519,000	Water - \$7,661.50 Sewer - \$9,601.50	Undetected leak; meets 500% rule; leaked water did not go into sewer

Mr. Sinaiko moved, seconded by Mr. Van Dereck, to abate the water bill to \$775.00 and abate the sewer bill to \$155.00. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
9012709	263 Shore Rd.	Georgia Foley	317,000	\$4,429.50	Undetected leak; meets 500% rule; recommend abatement to \$1,355.00
9901	MacMillan Wharf	DPW		\$8,957.50	Back out use for private floats and Harbormaster's office, which are billed separately. Recommend abatement to \$3,101.50

Mr. Sinaiko moved, seconded by Mr. Van Dereck, to accept the staff recommendation. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
2103	505 Commercial St.	Pat DeGroot	145,000	Water - 1,667.50 Sewer - \$2,682.50	Fixture-related leaks; elderly taxpayer with hearing problem; water meets 500% rule; sewer does not.

Mr. Van Dereck moved, seconded by Mr. Sinaiko, to abate the water bill to \$648.00 and the sewer bill to \$931.00. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
8015	50 Nelson Ave.	Susan O'Neil	490,000	\$7,197.50	Undetected leak; meets 500 rule; recommend abatement to \$812.50

Mr. Sinaiko moved, seconded by Mr. Richter, to accept the staff recommendation. The motion carried by a vote of 3-0.

Acct#	Property Address	Applicant	Usage	Bill Amount	Staff Recommendation
6006	3 Holway Ave.	Pat Ferreira	79,000	\$705.50	No leak; it appears that outside spigot was used by R B Our over the course of at least one month to wet down road during sewer construction work. No recommendation.

Based on the absence of any evidence of a leak and the report that R. B. Our used customer's water to wet down road during sewer construction, Mr. Sinaiko moved, seconded by Mr. Van Dereck, to abate the bill to \$60.00. The motion carried by a vote of 3-0.

Deferrals of Water and Sewer Use Charges

Mr. Faris presented the following applications for deferral of water and/or sewer usage charges. All applicants qualify for and have executed a deferral and recovery agreement.

	Address	Service	Amount Deferred
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Acct#			
2909	3 Webster Pl.	Water	\$50.00
2909	3 Webster Pl.	Sewer	\$129.50
2812	130 Commercial St.	Water	\$50.00
3808	16 West Vine St.	Water	\$50.00
106	5 Alden St.	Water	\$50.00
106	5 Alden St.	Sewer	\$240.50

Mr. Sinaiko moved, seconded by Mr. Van Dereck, to grant the deferrals. The motion carried by a vote of 3-0.

Application for Water Service – 389 Shore Rd., North Truro

Mr. Faris presented an application for new water service at the above address and advised that, in accordance with the IMA, both the Truro Board of Health and Truro Board of Selectmen had previously voted to support the application. Mr. Sinaiko moved, seconded by Mr. Van Dereck, to grant the application. The motion carried by a vote of 3-0.

Approval of Minutes

Mr. Sinaiko moved, seconded by Mr. Richter, to approve as printed the minutes of the meeting of November 1, 2007. The motion carried by a vote of 3-0.

Other Business

Jim McGowen, an owner at 421 Commercial St., a red-dot delay property that recently connected to the sewer, questioned the requirement to fill in abandoned septic systems and suggested that, in the future, property owners be provided with a checklist of requirements. Mr. McGowen also stated that it would be helpful if water bills could show usage over several previous billing periods. Finally, reflecting on the numerous abatement applications involving significant water leaks, Mr. McGowen suggested that more frequent billings would cause significant leaks to be discovered and corrected more quickly than with the current eight- and four-month billing cycles. Mr. Sinaiko moved, seconded by Mr. Van Dereck to recommend to staff that, in the future, property owners be given a checklist of responsibilities regarding sewer hook-ups. The motion carried by a vote of 3-0. Mr. Sinaiko moved, seconded by Mr. Van Dereck, that staff look into the feasibility of using a third-party billing service and lock box in order to implement monthly billing once all accounts have been outfitted with radio read devices. The motion carried by a vote of 3-0.

Astrid Berg, of 371-373 Commercial St., inquired regarding the requirements for red dot delay properties to connect to the sewer. The Board advised it had issued a clarification to the building commissioner explaining that replacements in kind and minor repairs should not require hook-up. It was recommended that Ms. Berg, who anticipates doing some work to her property in order to comply with Chapter 91, should present her plans to the building commissioner. If she disagrees with the building commissioner's decision, she may then appeal to the Board.

Adjournment

There being no further business, Mr. Van Dereck moved, seconded by Mr. Richter, to adjourn the meeting. The vote carried by a vote of 3-0, and the meeting was adjourned at 4:55 p.m.

Respectfully submitted,

Sacha Richter, Clerk