

TOWN OF PROVINCETOWN — WATER & SEWER BOARD

MEETING — WEDNESDAY JULY 14, 2004

GRACE GOUVEIA BUILDING, 26 ALDEN STREET, PROVINCETOWN

Chairman Sinaiko called the meeting to order at 4:10 p.m. noting the following attendees:

Members present:

Anne Lord, Jonathan Sinaiko, Sacha Richter

Members absent:

John Ciluzzi (unexcused), Terry Siegal (unexcused)

Other attendees:

DPW Deputy Director Sandra Turner; DPW Staff Dana Faris, Ron Gamella, Ryk Tyszka; Environmental Partners Group Staff Joy Ursillo; members of the public and press.

Ms. Turner introduced Mr. Faris to the board. She indicated that, owing to the backlog of minutes, staff will in the future be transcribing minutes of WSB meetings for approval at subsequent meetings.

Public Statements

Mr. Sinaiko opened the meeting to public statements and asked that speakers limit their remarks to five minutes or less.

Susan Rand Brown, re 478 Commercial St. Ms. Brown read a letter she had sent to the board. She requests a fair review of her sewer usage bill. She had a leak. While she paid for the water wasted in the leak, she feels she should not have to pay sewer usage charges on water that clearly leaked into the ground, and not into the sewer.

Lauren Richmond, re 36 Commercial St. Ms. Richmond read a letter she had sent to the board. She requests an abatement of her sewer usage charge because the bill is much “higher than she was lead to believe it would be,” e.g, \$150 every two years for pumping, not every six months. She asked how the sewer rate was derived and questions the assumption that “all water coming in also went out.” Ms. Turner explained that everyone is paying the same rate at this point, regardless of the hook-up date and that, as an enterprise fund, the rate is based on the costs of operating the entire system.

Alexandra (“Sandra”) Smith, re 528 Commercial St. Ms. Smith spoke regarding her water bill for peak season 2003. Sometime between March and June 2003 usage increased dramatically and then settled down to normal. She feels the meter “went haywire” and then returned to normal. Ms. Smith says these are exceptional costs resulting from exceptional circumstances, and would like more relief than is provided under the 500% policy.

Edward Gage, re 19 Berry lane. Mr. Gage spoke regarding his water bill for peak season 2003. The water usage was triple the normal volume despite his efforts to conserve water and use it carefully. He observed a test of the meter that was successful. He cannot explain the surge in volume, but would like more relief than is provided under the 500% policy.

Fred Sateriale III, re multiple properties. Mr. Sateriale questions the 500% rule with respect to commercial properties. For example, if the water bill is normally \$10,000 for a business account, which is at the highest rate tier, the bill would have to exceed \$50,000 before any relief could be obtained no matter the circumstances. He feels this is not fair.

Provincetown Art Association & Museum. Barbara Rushmore and Salvatore DelDeo both spoke regarding a sewer connection at the property located 460 Commercial St. Mr. Sinaiko thanked Ms. Rushmore and Mr. Del Deo for their comments but reminded them that, in the absence of any

representatives of the PAAM board, any discussion of a sewer connection was out of order.

Abatement Applications

Based on staff recommendations Mr. Richter moved, seconded by Ms. Lord, to grant the following water usage abatements listed on a warrant dated June 23, 2004. The motion carried 3-0.

8208	Bradford East Cd.	208 Bradford St.
3806	D&D Joseph Real Estate Trust	9B Carnes Ln
107	10A Bradford Street Cd.	10A Bradford St.
8706	Bradford Heights Cd.	177 Bradford St.
257	Melissa Schwartz	24 Berry Ln
9013	Alexandra Smith	528 Commercial St.
3505	Conwell Lumber	21 Conwell St.
6618	Edward Stuart	342B Commercial St.
6216	Southpoints Mashpee Realty Trust	205 Commercial St.
15008	Elise M. Cozzi	61B Commercial St.
7306	Nelson Hitchcock	351A Commercial St.
5208	Klara Müller	12 Commodore Ave.
214	Mark Cohen	32 Pleasant St.
12215	Green Shamrock	49 Bradford St.
9000365	Dorothy Feld	125 Shore Rd #H, Truro
825	Jennifer Garbiel	3 Bayview Ave.
9404	William Fitts	38 Nelson Ave.
6112	Fred Sateriale	6 Winston Ct.
3409	Harlan Streib	22 Brewster St
9115	Edward Gage	19 Berry Ln
2913	Lesley Gerould	470 Commercial St
606	Taylor-Zemo Realty Trust	165 Commercial St

Based on staff recommendations Ms. Lord moved, seconded by Mr. Richter, to deny the following water usage abatements. The motion carried 3-0.

1508	Elise M. Cozzi	61B Commercial St
9000396	Fred Sateriale	104 Shore Rd, Truro
7113	Fred Sateriale	698 Commercial St
4605	Marcia Basine	262B Bradford St
13615	Bear Oak Cd.	18 Howland St
6003	Shaun Pfeiffer	288A Bradford St
6608	Yvonne Colligan	9 Conant St
7312	Mark Becker	24 Pleasant St
8415	John Thompson	2 Carver St
7915	Bradford Fowler	26 Montello St
49883	W. Jacob Murray	3 Race Rd
4217	Muriel Coill Revocable Trust, H. Lewis, Ttee	308 Commercial St

Based on staff recommendations Mr. Sinaiko moved, seconded by Mr. Richter, to grant the following sewer usage abatements listed on a warrant dated June 23, 2004. The motion carried 3-0.

8109	Gabriel Brooke	102A Bradford St
3203	Paul Anderson	518 Commercial St
493	Paul DeRuyter	237 Commercial St
9874	Bernard Phillips	105 Commercial St

1818	ESP Realty Trust, E. S. Polay Ttee.	225 Commercial St
4714	David Mayo	610 Commercial St
34512	Angel's Group Cd. Trust	353B Commercial St
7302	Seamen's Savings Bank	221-223 Commercial St

Based on staff recommendations Mr. Sinaiko moved, seconded by Mr. Richter, to deny sewer usage abatements for the following accounts. The motion carried 3-0.

7815	Lauren Richmond	36 Commercial St
7117	Martin Huey	525 Commercial St
5213	Donald Murphy	56 Commercial St
4201	Harbor House Cd.	531 Commercial St

Role of the Water & Sewer Board As It Relates to the Board of Selectmen

Mr. Sinaiko moved, seconded by Ms. Lord, to have staff obtain an opinion from town counsel regarding the purview of the Water & Sewer Board, what powers the board has, what matters it can decide, and how it should determine when to defer to the selectmen. The motion carried 3-0.

460 Commercial St - Review of Rationale for Not Granting a Sewer Connection During Technical Review Process

Mr. Sinaiko noted that 460 Commercial St never "opted in" for a sewer connection. Ms. Turner reminded the board that, inasmuch as legal representative of the Provincetown Art Association and Museum was not present, no action could be taken on this item.

Laundromat Proposals

Ms. Turner presented the board with copies of the single proposal received. Mr. Sinaiko expressed a desire that the permit specify that noncommercial users be given priority. It was also suggested that the contract should specify hours for public use, hours for commercial use, review and modification criteria, and possibility of renewal/renegotiation at end of initial term. Mr. Sinaiko then moved, seconded by Mr. Richter, that staff combine these concerns into a recommendation to be presented to the board of selectmen. The motion carried 3-0.

Other business

Mr. Faris noted that two members of the board have been absent without notice for three or more consecutive meetings and that, under the town charter, they were no longer eligible to be members of this board. Ms. Turner will write a memo to the appointing authority, the Board of Selectmen, informing them that there are two open positions on the board.

Ms. Turner advised the board that she had learned from Michelle Jarusiewicz that the Town has received a CDBG grant for \$747,000 for rehabilitation and security enhancements for Mt. Gilboa.

Ms. Turner also advised the board that the North Truro Air Force Base will become the "true" emergency backup, after the Town develops another well field for our regular supply. Thus far, North Union Field is looking like a viable option. A meeting scheduled for July 19, 2004 with the Boards of Selectmen from Provincetown and Truro.

Ms. Lord discussed publication of declaration of a state of water emergency in order to inform the public of water use restrictions, especially with respect to lawn watering and car washing.

Adjournment

There being no other business to come before the board, Mr. Richter moved, seconded by Mr. Sinaiko, to adjourn the meeting. The motion carried 3-0, and the meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Sacha Richter, Clerk