

# Harwich Water Department

## BOARD OF WATER COMMISSIONERS

Meeting on May 6, 2010

Present: Chairman Donald Bates, Vice Chairman Allin Thompson, Clerk Danette Gonsalves, Superintendent Craig Wiegand, Secretary Alexandra Nidositko, Senior Billing Administrator Wellesley Marsh

Chairman Donald Bates called the meeting to order at 8:17 a.m.

The minutes for the previous meeting held on April 6, 2010 were approved with a motion by Clerk Gonsalves and seconded by Vice Chairman Thompson; 3-0-0.

The Board reviewed the abatement request from Clare Donovan of 12 Harbor View Rd in regard to a late fee assessed due to her missing her mail delivery between traveling. Upon review and discussion, Chairman Bates moved to deny the abatement request with a second by Vice Chairman Thompson; 3-0-0. A letter will be sent to Ms. Donovan addressing the Board's decision.

Senior Billing Administrator Wellesley Marsh presented a second payment plan request from Trina Buck of 1569 Orleans Road. Ms. Marsh informed the Board that the applicant had been granted 2 prior payment plans that she did not keep. Ms. Marsh did not believe there was any reason to believe she would keep this request either. Clerk Gonsalves moved to accept the payment plan with a second by Vice Chairman Thompson; 2-1-0.

Superintendent Wiegand brought the case of 682 Main Street to the attention of the Board. The Owners service let go and were forced to install a new service immediately. They were unable to pay for it in its entirety, and applied for a payment plan. In addition to this they were charged for thousands of gallons of water due to the rupture. They have used their tax refund to pay for the water usage, and are in the process of paying off the new service. Mr. Wiegand feels that if anyone deserves an abatement it is these people as they have not asked us for anything. He believes they should have the opportunity to apply for an abatement of the balance of their water service. The Board agreed that they should have the opportunity. A letter will be sent to the home owners about this.

Mr. Wiegand informed the Board that Sally Mahoney of 74 Birch Drive approached Vice Chairman Thompson at Town Meeting about the late fee that was levied against her account. Ms. Mahoney told him that her payments have never been late and she should not be penalized. She also said that her property had been liened. Upon investigation of her account it was found that she has had several late payments, and had previously applied for an abatement that was denied. It was also noted that Ms. Mahoney said, "She would never pay the late fee". Her account has never been liened. Vice Chairman Thompson said he told her to write a letter to the Board, and the Board would address it. Vice Chairman Thompson told the Board that he wants them to know that he knows a lot of people in Town, and he wants them to know that they are always welcome to call him. However, he tells them they need to contact the Department directly and follow the proper procedures.

Mr. Wiegand raised the issue of collecting taxes and charging interest. He said the only way the Department can do this is to create a by-law, and then it would need to be voted on at Town Meeting. Mr. Wiegand did not feel that there were enough instances to justify a by-law. Clerk Gonsalves moved to rescind the vote of charging 3% interest on water service payment plans with a second by Vice Chairman Thompson; 3-0-0.

Mr. Wiegand addressed the new regulations concerning the Open Meeting Law. Mr. Thompson wanted to know if you could still cancel meetings. Mr. Wiegand said yes as long as the Town Clerk is notified. Clerk Gonsalves asked if you could address an issue if it was not on the submitted agenda. Mr. Wiegand said it could be considered Other Business as long it was not known ahead of time.

Mr. Wiegand discussed the issues that were raised at Town Meeting. He said he feels that the Board as a whole needs to be present at Town Meeting to answer questions and challenge accusations as he is unable to do so. He said several people asked where are the Commissioners and who are they. Mr. Wiegand feels his position at meetings is for technical questions. Mr. Wiegand said that he addressed all of the issues raised at Town Meeting two weeks prior at the informational meeting that was held. Vice Chairman Thompson said that Leo Cakounes did apologize for his comments after he spoke with the Moderator who said the motion was not worded accurately, but the article was. Mr. Wiegand said he did have several people approach him commending the Department's work.

Mr. Wiegand provided the Board with an update on the Water Main Project. He said that the crews are two thirds of the way down the trail and are across Depot Road. He said that there is some work to do at the top of the driveway and on Long Road and Oliver Snow Road. He said the water will loop back around, meeting State requirements. He said they still have to address meeting State requirements at T3, T10 and T11. Mr. Wiegand said that they did not have to cut through the Rail Trail. He said he has to meet with the Rail Trail and Highway Department about how they want the embankment restored.

Mr. Wiegand reviewed backflow prevention. He specifically mentioned Bernard Sykes' property, as we were called out for no water at his property. It was found that the caretaker had shut the valve off, however, while the technician was there he noticed that the well was hooked up to our system, causing a possible cross contamination. Mr. Sykes was told that before we could turn the water on he would have to disconnect it or put in a backflow device. The plumber had it disconnected within the hour.

Mr. Wiegand informed the Board that he had received an email from Town Counsel, who had reviewed the Cell Tower Contracts. Counsel had a couple of questions that needed to be addressed and were sent out to T-Mobile and Verizon Wireless. Mr. Wiegand hopes to have the contracts back in a couple of weeks to be signed. Mr. Wiegand said the revenue from the Cell Towers would be kept in a separate account for tank maintenance.

The Board will meet again on Tuesday, June 1, 2010 and June 15, 2010.

The meeting was adjourned at 9:06 a.m. with a motion by Clerk Gonsalves and seconded by Chairman Bates; 3-0-0.

Respectfully submitted,

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Donald T. Bates, Chairman

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Craig Wiegand, Superintendent

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Allin P. Thompson, Vice Chairman

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Alexandra Nidositko, Secretary

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Danette Gonsalves, Clerk