

Harwich Water Department

BOARD OF WATER COMMISSIONERS

Meeting on April 26, 2011

Present: Chairman Donald Bates, Vice Chairman Allin Thompson, Clerk Danette Gonsalves, Superintendent Craig Wiegand, Secretary Alexandra Bilek

Chairman Donald Bates called the meeting to order at 8:15 a.m.

The minutes for the previous meeting held on April 5, 2011, were approved with a motion by Clerk Gonsalves and seconded by Vice Chairman Thompson; 3-0-0.

Mr. Ed McGrath of 36 Bank St was present at the meeting and petitioned the Board to abate a portion of his water bill. He said he had a cracked pipe which caused a serious leak in his cellar that was not discovered for two days. Mr. McGrath said the pipe was repaired immediately, but only after an enormous amount of water was consumed. He asked the Board to abate \$200.00 of the total bill of \$564.35. The Board said they would take it under advisement and would notify Mr. McGrath by mail of their decision.

Ms. Peggy Gabour of Realty Executives was present to discuss the recent property transfer of 1012 Route 28. She said she requested a final water reading for this bank owned property. Ms. Gabour said she told Mrs. Bilek the meter had been disconnected. She said Mrs. Bilek said that is considered meter tampering. Ms. Gabour said at this point Wellesley Marsh came into the room and said there is a charge for that. She said she inherited this listing, and the property had been winterized prior to her taking it over. Ms. Gabour said Ms. Marsh said we usually charge for that, but this time we won't. She said she noticed the old meters on the counter, and mentioned that the meter needed to be changed out due to age. Ms. Gabour said Mrs. Bilek confirmed the age of the meter and scheduled it to be changed out. She said the next day she received the final water invoice, and it included the \$100.00 tampering fee. Ms. Gabour said she called the office and spoke with Mrs. Bilek about it. She said Mrs. Bilek told her that she misunderstood. Ms. Gabour said Mrs. Bilek said she would not be charged to change the meter out. She also said Mrs. Bilek told her she was a problem. Clerk Gonsalves said the Department has always taken meter tampering very seriously. Mr. Wiegand told her that it is her responsibility to notify the Department as soon as she notices the bank has winterized the property which includes removing the meter. He said our Rules and Regulations are very clear about meter tampering. Ms. Gabour said it is difficult to work with the banks because they use several different companies to winterize. She said the banks are worried about squatters. Mr. Wiegand said in that case the water would be turned off at the street. Clerk Gonsalves asked if she had encountered this before. Ms. Gabour said this is the first time she has seen a meter removed. Mr. Wiegand said this is not the first time the Department has encountered this with bank owned properties. He said someone has to be accountable for this. Mr. Wiegand said he doesn't feel Ms. Gabour should be responsible for the tampering fee. Vice Chairman Thompson asked Ms. Gabour if she notifies other utilities to shut them off. She said the other utilities are notified. Vice Chairman Thompson said the Department should have been notified as well. He said water is no different from any other utility. Mr. Wiegand asked Ms. Gabour what happened back in June of 2009 at 67 Tupelo Rd West when she denied the Department access to the meter and threatened to sue us. She said she had to get approval from bank for the transfer fee, and they told her the buyer would be responsible. Ms. Gabour said she cancelled the initial transfer until the buyer

brought in a check for transfer. She said she informed the office, but they didn't cancel it and the technician went to the property. Ms. Gabour said the water was turned off, and it wasn't necessary. Mr. Wiegand said if access to the meter is denied the water is turned off. Ms. Gabour said she doesn't have problems like this in other towns. She said the Harwich Water Department continues to have issues and other realtors agree with her. Mr. Wiegand said in the ten years of service he has never heard from any other realtor. Ms. Gabour said they are not coming forward. Mr. Wiegand advised her to put in writing all of the issues she feels the Department needs to correct. Vice Chairman Thompson moved to abate the tampering charge with a second from Clerk Gonsalves; 3-0-0.

Clerk Gonsalves moved to close the regular meeting and open the public hearing with a second by Chairman Thompson; 3-0-0.

Vice Chairman Thompson read the hearing advertisement proposing a water rate increase from \$60.00 to \$65.00 bi-annually effective July 1, 2011. Peggy Gabour was present for the public hearing. She asked why her bill went up from \$60.00 to \$62.00. Mr. Wiegand explained that in March 2010 there was a rate increase that established a new base rate of \$60.00 and water usage billed in addition to that. He said the old base rate of \$60.00 used to include the first 15,000 gallons of water consumed, and now it doesn't. Vice Chairman Thompson explained to Ms. Gabour that the Department has several repairs that need to be made to the water tanks and water mains. He said for years before the Department was an enterprise fund, the water rates were low and no improvements were made. Mr. Thompson said we are trying to catch up for all of the lost years. Ms. Gabour asked if they take into consideration the cost of living of the average tax payer. Mr. Wiegand said taxes are separate. He said the consumer has control over how much water is used. Mr. Wiegand said we are only charging what it costs to produce the water. He said last year we consumed 752 million gallons of water. He said our budget was \$3.6 million and that is what it costs to produce the water. Mr. Wiegand said it costs \$72 per mile to replace water mains and we have over 300 miles of water mains in this town. He said the pipes in Harwichport and West Harwich have been there since 1935. Mr. Wiegand said it will cost \$12 million to upgrade it. He said the Board does take into account when there is a rate increase what the other Towns on Cape Cod are charging. Mr. Wiegand said they ask themselves how much can we generate and how much can we get done in our infrastructure repair and upgrade and still keep it reasonable for the customers. Ms. Gabour asked what the \$5.00 increase would pay for. Mr. Wiegand said it will go into the Capital Needs program. Vice Chairman Thompson said when we borrow money it will be paid back out of Capital Expenditures. Ms. Gabour said you have to pay it back. Mr. Wiegand said yes, and it doesn't come from tax monies it comes from the water rates. Ms. Gabour asked why we only bill twice a year. Mr. Wiegand said because it would require more man power, and it would be costly to mail bills every month.

Vice Chairman Thompson moved to increase the semi-annual billing by \$5 from \$60.00 to \$65.00 with a second by Clerk Gonsalves; 3-0-0.

Vice Chairman Thompson moved to close the public hearing and open the regular meeting with a second by Clerk Gonsalves; 3-0-0.

The Board reviewed the abatement request from Elaine Brown of 18 Lower County Rd in regard to a late fee assessed because she was in the hospital. Upon review and discussion, Chairman Bates moved to deny the abatement request with a second by Clerk Gonsalves; 3-0-0. A letter will be sent to Mrs. Brown addressing the Board's decision.

The Board reviewed the abatement request from the Harwich Water Department for 39 Oak St in regard to an emergency fee charged, but the owner wasn't aware that he would be charged. Upon review and discussion, Clerk Gonsalves moved to approve the abatement request with a second by Vice Chairman Thompson; 3-0-0.

The Board reviewed the abatement request from the Harwich Water Department for 16 Crowell Rd in regard to a late fee charged before an account could be credited. Upon review and discussion, Clerk Gonsalves moved to approve the abatement request with a second by Chairman Bates; 3-0-0.

The Board reviewed the abatement request from the Harwich Water Department for 17 Ocean St in regard to a late fee charged because the office didn't correctly update the mailing address. Upon review and discussion, Clerk Gonsalves moved to approve the abatement request with a second by Chairman Bates; 3-0-0.

The Board reviewed the abatement request from Edward McGrath of 36 Bank St in regard to a bill for excessive water usage due to a leak. Upon review and discussion, Clerk Gonsalves moved to approve the abatement request with a second by Vice Chairman Thompson; 2-1-0. A letter will be sent to Mr. McGrath addressing the Board's decision.

Mr. Wiegand asked the Board to vote on paying for the fire truck. Clerk Gonsalves moved to pay the \$2,000 for the acquisition of the fire truck with a second by Chairman Bates; 3-0-0.

Mr. Wiegand asked the Board for permission to hire Tyler Amato for the summer as a seasonal employee if the Board of Selectmen approves it. Clerk Gonsalves moved to hire Tyler Amato as a seasonal employee with a second by Thompson; 3-0-0.

Mr. Wiegand updated the Board of the union's contract negotiations. He said an agreement was reached and the Department did really well. Mr. Wiegand said there was no cost of living increases, just steps and longevity. He said the boot stipend went from \$150 to \$250, and standby pay went from 2 hour to 3 hour minimum for both treatment and distribution. Mr. Wiegand said there was a skill adjustment for the heavy equipment operator raising his salary \$1.96 per hour, and there was a title change from heavy equipment operator to equipment operator. He said he is allowing them to carry up to 10 vacation days over to the next year if they don't use it. Mr. Wiegand said he was against it, but the rest of the Town has it. Mr. Wiegand said the big item negotiated affects new hires as they will not receive longevity bonuses. He said in two months negotiations for the next year will begin.

Mr. Wiegand gave an update on the Treatment Facility. He said no one showed up to work last week. Mr. Wiegand said he spoke with the project manager and he will have crews out next week to get caught up. He said we are still on schedule, and the vessels are being shipped this Saturday. Mr. Wiegand said the steel for the building should be here next week, and then they can start erecting the building. He said we are a week and half behind schedule, but hopes to be caught up next week.

Mr. Wiegand explained the insurance claim from Safety Insurance. He said right now it is being reviewed by Town Counsel. Mr. Wiegand said John Landry hit a hydrant and a crew had to be sent out to repair it at the cost of \$1,021. He said he didn't understand the verbiage, so he sent it Town Counsel to review and asks the Board to table it until Town Counsel approves it.

Mr. Wiegand informed the Board that Open Cape is looking to install a microwave antenna on the Pleasant Lake Tank. He said it would provide emergency services to the Town during an emergency when all power is down. Mr. Wiegand said he would like to negotiate something in return like free internet. He said either way it is still a benefit for the Town.

Vice Chairman Thompson asked what the SWAP Report is that was referenced in the Department's Annual Report. Mr. Wiegand said it is a report that shows where all of the underground tanks are and where any potential threats are in the Town. Vice Chairman Thompson asked if we test for pharmaceuticals. Mr. Wiegand said no, as there are no established guidelines. He said he would not know what to test for as no limits have been set by the DEP.

The Board will meet again on Tuesday, May 10, 2011.

The meeting was adjourned at 9:45 a.m. with a motion by Chairman Bates and seconded by Clerk Gonsalves; 3-0-0.

Respectfully submitted,

Donald T. Bates, Chairman

Craig Wiegand, Superintendent

Allin P. Thompson, Vice Chairman

Alexandra Bilek, Secretary

Danette Gonsalves, Clerk