



LISBON WATER DEPARTMENT

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Paul A. Adams, General Manager

William A. Bauer, Chairman, & Commissioners Stanley Doughty Jr. & Kenneth R. Wells

Commissioners' Meeting Minutes for June 14, 2010

Members Present: Bill Bauer, Stanley Doughty Jr., and Ken Wells

Staff Present: Shellie Reynolds

Audience: Tom and Amanda Wrobel

Meeting called to order by Mr. Bauer, at 6:30pm.

I. WARRANTS

- A. Warrant 21 for May 26, 2010- Approved
- B. Warrant 22 for June 2, 2010- Approved
- C. Warrant 23 for June 9, 2010- Approved

II. AUDIENCE PARTICIPATION

A. 9 Davis Street Meter Issue

1. Mr. Bauer asked Mr. Wrobel to confirm the minutes at the last meeting that concern the discussion about 9 Davis St. Mr. Bauer read the discussion and Mr. Wrobel stated that the minutes were correct.
2. The Commissioners and Mr. Wrobel discussed the issue.
 - a. Mr. Bauer asked if Mr. Wrobel checked with his closing company to see if the closing company was negligent in recognizing the issue with the water service.
 - i. Mr. Wrobel stated that he did not realize that the Commissioners had asked this of them and that he had not checked with the closing company.
 - b. Mr. Bauer asked Mr. Wrobel where things stood with the water service. Mr. Wrobel stated that the water is now on, but that he had to pay \$56.24 for parts along with the \$45 turn-on fee. Mr. Wrobel felt that he was not responsible for the \$56.24 as this should have been part of the same meter issue.
 - i. Mr. Bauer stated that Mr. Wrobel said earlier that he already had a meter horn. Mr. Wrobel confirmed that he did but it was ice damaged and couldn't be used.
 - ii. Mr. Wrobel quoted some Maine Revised Statutes stating that all final costs were to be sent to the closing company, and he showed a copy of the final reading form that the Water Dept. had sent to the closing company. He said that there were no costs for the meter replacement on that form. He said that the rules allow 6 years to pursue the previous owner for any other costs. He quoted that charges from a previous owner may not be required to be paid by the new owner in order to receive service. He felt that Mr. Adams denied him service because of the previous owner's issues. He said that the rules state that he was supposed to receive, in

writing, an explanation of why service was not established when he requested it.

- iii. Mrs. Reynolds clarified that the meter costs were not on this form because the Water Dept. was not certain at the time of closing if the meter was missing. She said that a letter was sent to the closing stating that the Water Dept. was not able to do an inspection prior to closing and that we could not guarantee that the location met the Water Dept. requirements. She said that the Water Dept. had tried to contact the previous owner to do the inspection, but no-one would accommodate that, therefore the Water Dept. could not verify the status of the meter and service at the time of the final reading process.
- a. Mr. Wrobel didn't dispute the inspection process, but he feels that the Water Dept. should pursue the costs against the previous owner within the next 6 years.
 - b. Mr. Bauer said that even so, if Mr. Wrobel were to have purchased a new home, he would have had to purchase a new meter and appurtenances. Mr. Wrobel stated that the PUC Rules state that the cost of the meter and installation shall be bourn by the utility. Mr. Bauer stated that there are other provisions in place that allow the Water Dept. to charge for the meter and installation. Mrs. Reynolds explained that some utilities charge and some do not, but the PUC has not prevented those utilities that charge from recouping the cost of the meters.
 - c. Mr. Wrobel stated that the utility has to adhere to the schedule of the charges that are posted with the PUC, and the meter is not one of the charges listed. Mr. Bauer asked if he was referring to the Terms & Conditions. Mr. Wrobel was not sure. He said that he used to be able to see the schedule on the Water Dept. website on the Town's website, but he could not find it today. Mr. Bauer said that there is a provision for the ability to charge in the Terms & Conditions, which is approved by the PUC.
 - d. The Commissioners discussed the costs associated with the meter. They agreed that there is a labor charge of \$50, meter \$70.32, parts \$56.24, miscellaneous equipment fee \$15, and the reconnection fee of \$45.
 1. Ms. Wrobel was upset that the costs being discussed were only \$70.32, as she was told that she would need to pay over \$200. Ms. Reynolds explained that some of the costs of the \$233.56 had already been paid such as the \$45 reconnection fee and the \$56.24 in parts. She said that they did not need the misc. equip. as it was still in place at the location. The remaining charges of \$120.32 in question to be paid were for the meter for \$70.32 and the \$50 in labor.
 2. Mr. Doughty Jr. asked if there had been another house that everything was missing and how we handled it. Mrs. Reynolds stated that there was another case in May 2009 and the customer paid for the replacement of everything.
 3. Mr. Bauer recommended that the Water Dept. absorb the remaining costs in order to split the total expense with Mr. Wrobel.

4. Mr. Wells asked how much time we normally have to do the inspection. Mrs. Reynolds explained that the times vary based on when the closing company calls for a final reading. She stated that this is the only time the Water Dept. is alerted that the property is for sale. She stated that most of the time we are able to do the inspections and any issues found are usually resolved prior to closing. This is the first time this meter issue has come up. Mr. Wells stated that he did not want this resolution for this problem to create a slippery slope for every issue. He said that his main objective would be to do the inspections to reveal any issues prior to closing. Mrs. Reynolds assured him that the standard procedure included the inspection prior to closing.
 5. Mr. Doughty Jr. made a motion not to charge the Wrobel's the cost of the meter and labor. Mr. Wells 2nd the motion followed by an affirmation from Mr. Wrobel to accept the costs he has paid as paid in full. Mr. Wrobel accepted the offer. The motion was followed by a positive unanimous 3/0 vote.
 - e. Mr. Wrobel expressed his concern with the new services that will be installed on Ridge Rd and who would be paying those costs. The Commissioners assured Mr. Wrobel that all new customers, that did not have contaminated wells, would be paying all the expenses to get water service from the curb stop to their house including the meter costs. Mr. Bauer reiterated that the Terms & Conditions cover those charges.
- B. Kate Cote of 5 Poplar Circle
1. Mr. Bauer stated that Ms. Cote was expected to attend the meeting, but she has not shown up yet.
 - a. Mrs. Reynolds stated that Ms. Cote had come to the Water Dept. with a little baggie that held two screens from two faucets in her home. She was upset that the dirt in her water had ruined a faucet in her upstairs bathroom that had to be replaced. She asked if she could get reimbursed for the cost of the faucet. Mrs. Reynolds stated that Ms. Cote had spoke with Mr. Adams regarding the issue and he stated that he could not approve that, but she was welcome to attend a Commissioners' meeting to make her request.
 - b. The Commissioners discussed the issue and stated that they apologize for the inconvenience, but that they could not afford to fix every plumbing issue due to dirty water from flushing. They discussed that the Water Dept. does put notice out to the public regarding the flushing so that the customers can take precaution to prevent damage from the dirty water that is stirred up when we are flushing.
 - c. Mrs. Reynolds stated that there were a lot of customers with the same complaint with this rotation of flushing, especially regarding the loss of white laundry.
 - i. Mr. Doughty Jr. asked if the Water Dept. supplied customers with Iron Out. Mrs. Reynolds stated that we used to have some on hand to sell to the customers, but we haven't had any for quite awhile.
 - ii. Mr. Doughty Jr. asked if it was getting better with the hydrant flushing. Mrs. Reynolds said that the hydrant flushing has been done for a while and Ms. Cote's complaint was after the flushing was completed. Mr.

Doughty Jr. asked if we were going out to flush again to try to resolve the issue and Mrs. Reynolds did not know for sure.

iii. Mr. Wells suggested that Ms. Cote may want to put a filter in her service line to help prevent this problem. Mrs. Reynolds stated that Mr. Adams did make some recommendations for Ms. Cote.

iv. The Commissioners reiterated that they could not afford to take on these expenses.

C. Mrs. Johnston's Boiler Issue from 8 Zamore St.

1. Mrs. Reynolds presented the documentation regarding the boiler issue at 8 Zamore St. and what the customer is requesting for compensation.

a. Mrs. Reynolds stated that Mr. Brunelle needed fix the curb stop and had used the customer's hose to flush loose debris from the self draining curb box. The customer claimed that after the water operator flushed the curb box, their boiler got plugged and they could not get hot water. They were told that it would be \$1,100 to repair. Mrs. Reynolds said that Mr. Adams had discussed the issue with the customer and had gone to the property to inspect the damage, but the customer refused Mr. Adams access to the boiler. Mr. Adams had also asked for the repair estimate from the boiler repair company and they refused to give it to him. He also asked the plumber, but he said that he would not put his finding in a written quote for the Water Dept.

b. The Commissioners discussed the information presented and decided that they would need more proof. They said to tell the customer, if they call back regarding the issue, that the Water Dept would like to know the age of the boiler, the condition of the boiler prior to the curb box repair, pictures of the damage to the boiler, a copy of a quote for a repair from a qualified boiler repair company and the repair invoice if they one.

c. Mr. Bauer will send an e-mail to the Town Manager updating him on the status of the complaint.

III. OLD BUSINESS

A. Reading and approval of minutes:

1. Minutes from May 24, 2010

a. Mr. Wells made a motion to accept the minutes as written for May 24, 2010. Mr. Doughty Jr. 2nd the motion followed by a positive 3/0 vote.

B. Upland Rd and Route 9 Projects

1. Standpipe Information

a. Mrs. Reynolds presented the last standpipe evaluations information that Mr. Adams left for the Commissioners.

b. The Commissioners decided to table the issue to the next meeting so that they could review the information.

C. Bond Management

1. Mrs. Reynolds stated that Mr. Adams had sent e-mails to the Town Manager and the Finance Director to find out the account information and how the bond money for the Water Dept would be handled. She stated that Mr. Adams had not received all the information he requested. She also pointed out pertinent information in the bond documents and the Water Dept. Charter. She showed information that specifically addresses how monies for the Water Dept. are to be handled. She also stated that Mr. Adams discovered that the designated amounts outlined in the bond documents do not add up to the \$1.2 million that the Water Dept. has reported to the PUC as debt in the documents filed for the pending rate case. She stated that Mr. Adams is confident that

this will be an issue with the PUC if we do not get the full amount we stated in the rate case filing.

2. The Commissioners discussed the issue and decided that Mr. Wells and Mr. Bauer will arrange a meeting with the Town Manager tomorrow to resolve the issues.

D. Wellhead Protection

1. Mr. Bauer stated that Mr. Adams had attended the last Planning Board Meeting and the meeting centered around Gendron's Gravel Pit on Ferry Rd. They also touched a little on the Dragon Pit but another meeting would be scheduled to discuss the Wellhead Protection Ordinance further. The next meeting will be Thursday, June 24, 2010 at 7pm at the Town Office. Mr. Adams just wanted the Commissioners to know the date incase they wish to attend.

E. Pay Raises

1. Mrs. Reynolds wanted the Commissioners to be aware that they would need to make a decision soon if they were going to issue pay raises for July 1st.
2. The Commissioners discussed the issue and decided to schedule a workshop for June 21st at 5:30pm to review the information.

F. Customer Complaint Log

1. 10 Poplar Circle
 - a. Mrs. Reynolds stated that, outside the complaints discussed in Audience Participation, that there was one additional complaint from a customer at 10 Poplar Circle. The customer complained that their water had a sulfur smell and it was an orange/red color. They said that they have inline filters that are supposed to last 3 months, but they have to replace them every two weeks. They would like to know if there is anything we can do or anything else they can do.
 - b. The Commissioners discussed the issue and Mr. Doughty Jr. suggested flushing the area again to see if that helps. He also suggested checking to see if it is primarily the hot water or if it is the cold water as well. He said that if a hot water heater goes bad then you can have sulfur issues.

G. Rate Case

1. Mr. Bauer stated that Mr. Adams was told that there was no petition filed against the rate case and that things were expected to proceed with the increase.

H. Angelo's Request to Purchase Property at the Corn Shop Location

1. Mr. Bauer asked if we had the evaluation information and Mrs. Reynolds stated that she did not. She said that Mr. Adams would have more information when he returned for the next meeting.

I. Route 9 and Upland Road Main Extensions Taps and Meters

1. Mrs. Reynolds stated that there was a question about charging for the tap and meter installation for new customers on the main extension projects. She said that Mr. Adams had spoken with Stephanie Morancey with the PUC and she said that you can not charge some customers and not charge others. She said that the Water Dept. Commission had voted NOT to invest on 11/15/1989; therefore the costs associated with customer services will be forwarded on to the customer.
2. The Commissioners discussed the issue and decided that they have to charge for the taps. They stated that because the excavation is already happening for the installation of the water main that the cost should be reasonably less than expected. The Commissioners decided to table the issue until the next meeting to discuss the costs with Mr. Adams.

J. Payment to Dirigo Engineering

1. Mrs. Reynolds stated that Mr. Adams wanted the Commissioners to know that the Town has not requested any reimbursement from the Water Dept. for the Dirigo Invoices that they have paid.
- K. Tabled Items
1. Wellhead Protection-Tabled
 2. Dragon Property- Tabled
 3. Pay Increases- Tabled
- L. Other Old Business
1. Mrs. Kirsch's Tap Request
 - a. Mr. Doughty Jr. asked if the issue was resolved with the trailer tap for Mrs. Kirsch. Mrs. Reynolds stated that she did not think it had been resolved.
 - b. The Commissioners discussed the issue and decided that they would place the tap for the trailer pad on the new main as there was an existing tap for it on the old main.
 - c. Mr. Doughty Jr. made a motion to replace all existing services for the Kirsch property on the new main at no cost to the customer. Mr. Wells 2nd the motion followed by a positive unanimous 3/0 vote.
 2. Standpipe Options
 - a. Mr. Wells asked to have standpipe engineering estimates put on the agenda, but it was not listed so he is inquiring about it under Other Old Business. He asked if the board wanted to send out requests for quotes for the new standpipe engineering study.
 - b. The Commissioners discussed the issue and decided to pursue the idea when Mr. Adams returns.
 3. Water Workshop at the Last Town Council Meeting
 - a. Mr. Wells stated that he attended the water workshop after the last Town Council Meeting. Mr. Bauer stated that he was not able to attend and Mr. Doughty Jr. was not able to attend. The Commissioners did not like that there was not better communication with the Water Dept. about this workshop.
 - b. Mr. Wells stated that the workshop did not necessarily pertain to the Water Dept. He said that it was primarily to discuss how the Town was going to proceed with the contaminated wells. He stated that the Council wanted communication and to give direction for Mr. Leighton, the Town Engineer, to proceed with resolving the problem wells.
 - c. Mr. Bauer stated that the Town Council meetings are broadcast on Great Falls TV. Mrs. Reynolds stated that they are on there for 30 days and then they are dropped.
 4. Kevin Partridge Request for Water Service
 - a. Mr. Wells asked if we had heard from Mr. Partridge about water service. Mrs. Reynolds stated that they have not had confirmation from Mr. Partridge yet.

IV. NEW BUSINESS

- A. General Manager's Report
 1. None
- B. Other New Business
 1. Malcolm Horton's Passing Away
 - a. Mrs. Reynolds wanted to mention that the Water Dept. was notified that Malcolm Horton, with Horton McFarland and Veysey, the Water Dept.'s primary auditor had passed away.
 - b. Mr. Bauer stated that he contacted the Auburn Water District to see how they were proceeding. The Auburn Water District was told that Nick Henry, with

