

**WATER & SEWER COMMISSION
MEETING MINUTES –March 19, 2013**

6:30 PM – Selectmen’s Meeting Room, 63 Main Street Northborough MA

MEMBERS PRESENT: John Meader
David Pepe
Bryant Firmin

ALSO PRESENT: Dan Nason, Public Works Director
Patrick Blake, West Twenty Inc. d/b/a Coleman House

1. APPROVAL OF MINUTES – DECEMBER 18, 2012 REGULAR MEETING

Commissioner Firmin moved to approve the meeting minutes of the December 18, 2012 regular meeting; Commissioner Pepe seconded the motion; All members voted in favor.

2. REVIEW PROPOSAL FROM WEST TWENTY, INC. d/b/a COLEMAN HOUSE.

The Commission reviewed correspondence regarding the water meter information and the water and sewer bill for the Coleman House located at 112 West Main Street. Due to an incorrect software setting, this account was significantly under billed for 7 ½ years. The Town Accountant re-calculated a new bill to the Coleman House for this period. The new bill was sent to Mr. Blake. A meeting was held with Mr. Blake, the Finance Director, June Hubbard-Ward and Mr. Nason to review this new bill and to address any concerns that Mr. Blake had. Mr. Blake discussed a repayment proposal. Mr. Nason asked that Mr. Blake submit his proposal request to the Water and Sewer Commission to review.

Mr. Blake began by stating that the Coleman House is an elderly care facility. He said because a portion of the facility’s bills are paid by Medicare, he can’t go back to the state to request payment of a portion of this very large bill. Without help from the State, the Coleman House would be forced to pay this bill with no financial assistance. This would cause major staffing cuts and increased fees to their residents.

Mr. Blake wanted the Commission to know that the Town’s Water Department had been out to the property on several occasions to check the meter. He was first notified by the Town last year and is current on his bills, with this bill in dispute.

Mr. Nason stated that Mr. Blake has been very receptive and responsive to the Town.

Commissioner Meader asked if there was a statute of limitations. He wants to be sure that the Town is able to go back 7 ½ years and charge for unbilled usage. With that

being said, he noted that the Commission would not be able to reach a decision this evening.

Mr. Blake referred the Commission to their Regulations and the section that does reference “not to exceed 6 months”. He is questioning if the Town can go back 7 ½ years.

Commissioner Pepe asked if we have an existing policy. Has the Commission set a precedence before?

Commissioner Meader stated that in the past when there was a meter issue, they took the average usage for the similar billing period. However, this is not the case.

Commissioner Meader asked Mr. Nason if there were any rate changes during this period. Mr. Nason responded that there were and the Town Accountant took that into consideration when re-calculating the bill.

Commissioner Firmin asked Mr. Blake if he would like the Commission to discuss his proposal or would he be willing to wait until the Commission has received more information on the statute of limitations.

Mr. Blake replied that he would be willing to meet with the Commission at a later date.

The Commission and Mr. Nason thanked Mr. Blake for coming to the meeting.

3. REVIEW AND EXECUTE WATER AND SEWER BETTERMENT RECORDING DOCUMENTS .

The Commission reviewed the betterments presented for execution.

Mr. Nason stated that he would like to see the betterments listed individually in the minutes. He would actually like to see each betterment listed separately on its own recording document.

1. A water betterment correction document was presented to the Commission to correct the PAGE referenced on a previous recording on October 16, 2012 for 73-79 West Main Street. Commissioner Pepe moved to execute the betterment correction document; Commissioner Firmin seconded the motion; All members voted in favor.
2. A sewer betterment recording document was presented for execution. This document had included a commercial property located at 279 West Main Street and six parcels (land lots only) located on Davis Street. Commissioner Meader wanted to hold off on executing this document as he was concerned with the land lot only parcels. It was his understanding that the land lot only parcels were to be assessed at the time of request for connection to town sewer. Mr. Nason stated that he will look into this.

4. REVIEW DRAINLAYERS APPLICATIONS.

DEMERS CONSTRUCTION CO., INC. 49 Northboro Rd., Marlborough MA 01752

The application from Demers Construction was reviewed by the Commission. Commissioner Pepe moved to approved the drainlayers application for Demers Construction Co., Inc.; Commissioner Firmin seconded the motion; All members voted in favor.

NEXT MEETING:

The next meeting is scheduled for April 16, 2013.

ADJOURNMENT:

The meeting was adjourned at 7:40 pm.

Respectfully submitted,

Lynda LePoer
Administrative Assistant

Documents used during meeting:

1. March 19, 2013 Agenda
2. December 18, 2012 Regular Meeting Minutes
3. Proposal from West Twenty, Inc. d/b/a Coleman House
4. Drainlayers application - Demers Construction Co., Inc.