

**Water/Wastewater Commissioners’  
Meeting Minutes  
August 6, 2013**

Present: Robert E. Courage, Chairman  
Dale A. White, Vice-Chairman  
Michael E. Putnam, Member  
David Boucher, Director  
Evelyn Gendron

**Call to Order:**

Chairman Courage called the meeting to order at 6:04 p.m.

**Appointments:**

Mr. Aaron Kaplan was present this evening requesting the Board of Commissioners reconsider their June 11, 2013 decision to not abate the \$100.00 water meter tampering fee billed by the Water Utilities Department for the 167 Elm Street bank-owned, vacant property he recently purchased. Mr. Boucher, Director of Water Utilities, gave Mr. Kaplan a copy of the Milford Water Use Ordinance Rules and Regulations relative to water meter tampering. Mr. Kaplan explained he was the second party to submit an offer to the bank for this property and that others had prior access to the property. Prior to purchasing the property he had inquired of the Billing Clerk as to any known concerns regarding the property and “whether anything could come back to” him. He learned there was a credit on the account. He said photographs were taken during his property inspection, however, a crack in the furnace was discovered after he submitted his offer to purchase the property despite his due diligence. He explained the circumstances of having been notified by the Water Utilities Department of the water meter running backwards and of the tampering fee. Mr. Kaplan said he owns other properties and did not tamper with this water meter. This property is currently vacant and it is his intention to transform the single family home into a two family unit. Mr. Boucher explained the history of dates and services performed by the Water Utilities staff relative to the previous owner through Mr. Kaplan’s ownership. The \$100.00 tampering fee was billed to Mr. Kaplan as the current owner after the April 25, 2013 determination that the meter was reading backwards. Mr. Kaplan feels the \$100.00 tampering fee is a “punishment” and that he was assessed the maximum amount cited in the Rules and Regulations considering the amount of time the Water Service Technicians performed services at the property. Commissioner Putnam explained this business cost is not very different from the need to repair or replace the furnace upon assuming ownership of this property and that the commissioners are not responsible for determining which person(s) tampered with the Water Utilities’ equipment. The fact remains that the equipment had been tampered with and the property owner will be billed accordingly for the Water Utilities’ staff’s time and equipment replacement. Mr. Putnam said it is Mr. Kaplan’s prerogative to seek reimbursement from the bank, as seller of the property. Following discussion, Chairman Courage told Mr. Kaplan the commissioners would review the matter further and get back to him with their decision. Mr. Kaplan said the tampering fee is “not to exceed \$100.00” and he feels he is being charged, and punished, for damage caused by others. Commissioner Putnam reiterated it is the cost of doing business and he had purchased a property with equipment costs to be recovered, whether or not the property had been accessed by several parties.

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## **Decisions:**

Approval of Meeting Minutes – Vice-Chairman White made the motion to approve the minutes of the July 9, 2013 as amended, and the minutes of the July 23, 2013 meeting as presented. Chairman Courage seconded the motion. All voted in favor.

Water Users Fee/Tax Collector's Warrant – The Commissioners signed this document as presented for the July 2013 Bill Commitment 130731 and for the July 2013 Final Bills issued.

Sewer Users Fee/Tax Collector's Warrant – The Commissioners signed this document as presented for the July 2013 Bill Commitment 130731 and for the July 2013 Final Bills issued.

## **Discussion/Information Items:**

Compost Distribution Policy for Milford Residents – Mr. Boucher said in continuation of the July 23<sup>rd</sup> meeting and Mr. Dave Wheeler's request to modify the compost distribution program to give Milford residents the opportunity to obtain compost prior to non-residents, he will create a list of previous Milford and Wilton residents who frequently obtained compost so that they may receive five days' advance notification from the Water Utilities staff that compost is available. Mr. Boucher will notify Mr. Wheeler via correspondence.

Curtis Well Instrumentation – Mr. Boucher explained the punch list status. Woodard and Curran representatives will be scheduled for SCADA system improvements.

Wastewater Switchgear Project Update – Mr. Boucher said by Thursday afternoon all of the circuits will have been transferred and the MCC panel will be labeled. Yet to be determined is the date the door will be replaced.

Paving Overlay Project - 8/2/13 Bid Result – Mr. Boucher explained of the three paving companies solicited for bids, only one company submitted a bid on August 2, 2013, which was reviewed with the commissioners. Upon discussion of the need for a comparison of multiple paving proposals and the desired cold-planing paving elements for this project, Commissioner Putnam made the motion to reject the one bid received, and for Director Boucher to solicit two additional bids from local paving companies and to request an updated bid from DLB Paving. Vice-Chairman White seconded the motion. All voted in favor.

Route 101 D.O.T. Project – Mr. Boucher referred to the D.O.T. plans displayed on the wall and said the Water Utilities staff will note existing utilities and return the plans to the D.O.T. by September 2013 so that bids may be solicited for this project slated to begin in 2016. Vice-Chairman White explained the EDAC committee's endeavors to promote growth and development in Milford and that water and sewer infrastructure is desirable. By ordinance, the Water Utilities Department maintains Milford's water and sewer current systems and is not required to "build out" the system. In order to avoid a financial burden to the water and sewer users as well as developers to prepare for anticipated infrastructure growth, the committee is interested in pursuing a cost-sharing plan among multiple parties, say the Town of Milford as well as three or so businesses along West Elm Street, and perhaps include the Town of Wilton in such discussions prior to the March 2014 town meetings. Chairman Courage suggested a discussion be

scheduled next month between the Milford Board of Selectmen and the Water and Sewer Commissioners, and prior to this meeting the commissioners should review the previous study performed by SEA Consultants. Mr. Boucher will forward a copy of the study to Vice-Chairman White. Commissioner Putnam will inquire of the planned BOS agenda topics.

Water Rate Increase in Rates – Mr. Boucher said a one hour public hearing could be planned for the week of November 18, 2013, to begin at 6:30 p.m. Chairman Courage recalled an 8% increase had been recommended to occur in 2013 when the 2007 water rate study was performed. Mr. Boucher said he had contacted Mr. Jack Sheehy, Director of Financial Operations, and that he would provide raw data to Mr. Sheehy to prepare calculations. Mr. Boucher said the previous public hearing for a water rate increase had been held in 2010.

Miscellaneous Project Updates – Financial statements and the activities report were reviewed. Mr. Boucher said a plumber would be on-site tomorrow for the Septage Receiving Facility punch list. Applications received for the advertised Service Meter Technician position are being reviewed. Displaying photographs, Mr. Boucher explained the Dram Cup water storage tank roof repairs have been completed.

**Future Appointments/Meetings:**

The next Water and Wastewater Commissioners’ meeting will be held at 6:00 p.m. on Tuesday, August 20, 2013 at the Water Utilities Department, 564 Nashua Street.

**Adjournment:**

Chairman Courage made the motion to adjourn the meeting at 7:15 p.m. Commissioner Putnam seconded the motion. All voted in favor.

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Robert E. Courage, Chairman

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Date

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Dale A. White, Vice-Chairman

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Date

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Michael E. Putnam, Member

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Date