

MINUTES - UTILITY COMMISSION MEETING

May 4, 2009

UTILITIES BOARD MINUTES

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The Mayor convened the Mayor and Council Utilities Board meeting on the above date at 7:20 p.m. All Councilmembers were present along with Town Manager Fithian, Clerk-Treasurer Christina Edwards and Assistant Town Attorney Patrick Thomas. Councilmember Kuechler arrived at 7:35 p.m.

APPROVAL OF THE MINUTES

Councilmember Toulson made a motion to approve the Utilities Board Minutes of March 30, 2009 with a correction to add Councilmember Kuechler's last name to her motion made on the approval of purchasing a newly fabricated volute for Pump Station #4; Councilmember Price seconded. All in favor; motion carried.

SEWER ALLOCATION REPORT

The Town Manager read the sewer allocation report into the record.

Representatives from Darna, LLC (owners of the Rock Hall Trailer Park) were present to request a sewer credit due to a major leak that occurred on the Trailer Park property. The problem was discovered when the last water meter reading occurred in March 2009. The actual leak was discovered the last week of April. Town Manager Fithian reported on the leak detection and correction to Mayor and Council. After discussion, Councilmember Price made a motion to grant a sewer credit in the amount of \$9,484.37 and a pro-rated credit to be issued at June 30, 2009 water/sewer billing due the leak being corrected into the second quarter billing. Councilmember Toulson seconded. All in favor, motion carried.

Property owner Joseph Szymanski requested a sewer credit on his property at 5666 Walnut Street due a leak at the property outside garden hose connection. It was discovered that Mr. Szymanski's property was set up in the Town's Utility Billing system to receive only the flat rate of \$65 for sewer, therefore no overages were ever billed to his property. Due to this, Mr. Szymanski is not eligible for a sewer credit and the Town does not allow a water credit. A letter will be mailed to Mr. Szymanski informing him to the situation.

Property owner James Connell requested a sewer credit on his property at 20619 Bayside Avenue. In his letter of request, Mr. Connell could not specifically identify the source of his water overage, only surmising that there was an attempted break in at his house and due the unsuccessfulness of the robbers, they came back and turned on his outside water spigot as retaliation. Mayor and Council discussed the request and concluded there was not sufficient

enough evidence provided and that Mr. Connell will need to properly identify the leak along with documentation to be considered for a sewer credit. A letter will be mailed explaining the procedure.

A sewer credit request was received from Christopher Santa Maria (tenant) of 20974 Rock Hall Avenue. The request is due to a major leak on the property owner's side of the meter (Michael Flynn, owner). Mr. Santa Maria provided adequate documentation and the leak was observed by Town employees who turned off the water when the leak was discovered. Councilmember Toulson made a motion to grant a sewer credit of \$604.50; Councilmember Willis seconded. All in favor, motion carried.

Property owner Brent Sickles requested a sewer credit on his property at 20729 Bayside Avenue due to a major water leak discovered at the owner's side of the meter. The water was turned off by employee Tim Edwards and repairs were made by Bay Shore Plumbing. Councilmember Willis made a motion to grant a sewer credit in the amount of \$851.50; Councilmember Toulson seconded. All in favor, motion carried.

Business owner Art Willis of Sailing Emporium was present to request a rate reduction on the sewer portion of this Utility Bill. The consideration by Mayor and Council took into count a study done by the Kent County Water and Wastewater department, which would allow Mr. Willis to hook up to the County sewer line. After much discussion, Councilmember Toulson made a motion to amend the sewer rate by half and to be in place for one billing year, effective quarter-ending June 30, 2009 through quarter-ending March 31st, 2010. Town Manager Fithian intervened with the point that if this is allowed for Sailing Emporium then they should consider the same for Spring Cove Marina, which falls under the same billing rate as Sailing Emporium. Councilmember Price motioned to amend Councilmember Toulson's first motion to include Spring Cove Marina; Councilmember Kuechler seconded the motion. All in favor (Councilmember Willis abstained from the vote due to conflict of interest), motion carried.

With there being no further business, Councilmember Price made a motion to adjourn at 8:16 p.m.; Councilmember Kuechler seconded. All in favor; motion carried.

Respectfully submitted,
Christina L. Edwards
Clerk-Treasurer

Approved:
Jay A. Jacobs, Mayor
Rosalie Kuechler, Councilmember
Olin B. Price, Councilmember

John F. Toulson, Councilmember
Robert E. Willis, Councilmember