

## MINUTES - UTILITY COMMISSION MEETING

November 3, 2008

### UTILITIES BOARD MINUTES

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The Mayor convened the Mayor and Council Utilities Board meeting on the above date at 7:04 p.m. All Councilmembers were present, along with Town Manager Ron Fithian and Assistant Town Attorney Patrick Thomas.

### APPROVAL OF THE MINUTES

Councilmember Price made a motion to approve the Utilities Board Minutes of September 29, 2008 as presented; Councilmember Willis seconded. All in favor; motion carried.

### SEWER ALLOCATION REPORT

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

Resident Donna Gorman of Haven Road presented herself to the Board, questioning why she must pay a quarterly water/sewer bill when she has no service at her property. Ms. Gorman recently started construction on a new home and piping was started on her property, yet she has received two bills for water and sewer service she has not used. Mayor Jacobs read Town Ordinance §220-17. Water Charges (P) which states "Flat rate water charges for a property shall accrue upon the Town's issuance of a plumbing permit for said property. Flat rate minimum quarterly water charges, as established in Chapter 102, Fees, will continue in effect from this time forward, regardless of the status of the property". Ms. Gorman vehemently argued that the Ordinance was illegal and advised the Board that she would take her issue to the County and State of Maryland. Mayor Jacobs asked Attorney Thomas to look into the legality of the Ordinance.

Resident Buddy Morrow of Hawthorne Avenue was presented himself to the Board asking for direction or answers to his low water pressure problem at his home. Councilmember Price had identified the water pressure problem to be on the Town's side of the water meter. After much discussion, Mayor Jacobs advised Mr. Morrow that the Town will proceed with fixing his problem with a decision on how to proceed to be made by the next Board meeting.

Resident John Howarth of Walnut Street presented himself to the Board requesting a credit to the sewer portion of his last bill. Mr. Howarth used over the minimum gallons allowed due to excessive irrigation of his landscaping around his property during the summer months. In addition to the credit, he asked if he would be allowed to have a second meter installed just for the purpose of monitoring exactly how much water he uses for irrigation purposes. Additionally, he asked if the Town would allow him to dig a shallow well, separate from his water hook-up.

Mayor Jacobs advised Mr. Howarth that a feasibility study of the Town's water supply and system is currently on-going and he could not provide an answer to his request for a second meter at this time. As for the well, Council suggested he contact the Maryland Department of the Environment, as they have the final say on wells dug on properties that have water serviced by a Municipality. Councilmember Kuechler made a motion to grant the sewer credit in the amount of \$260.00; Councilmember Toulson seconded. All in favor, motion carried.

Resident John Dierker wrote a letter to the Board requesting a sewer credit due to a toilet leak that occurred at his Henry Avenue home while the house was unoccupied. Councilmember Price made a motion to deny the request due to a prior sewer credit on the same property; Councilmember Toulson seconded. All in favor, motion carried.

For future sewer credit requests, Mayor Jacobs asked the Town Manager to provide prior year usage on requesting properties to determine amount to be credited.

Marina owner Cindy Mayne was not present to request a sewer credit. With no documentation of request, Mayor Jacobs tabled the request to the next meeting.

With there being no further business, Councilmember Price made a motion to adjourn at 8:50 p.m.; Councilmember Willis 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