

Utility Appeals Board
February 15, 2023 – 2:00 pm
City Council Chambers
DRAFT Minutes

Committee Members in Attendance:

Councilor Brent Todd, Chris Bourcier, Matt Walsh (Deputy City Manager - Development)

Absent:

Tom Arnold

Staff:

Jeff Hoadley, Deputy Director – General Services Department
Chris Hogan, Water Metering Operations Lead
Terri Segalini, Utility Billing Program Manager
Crayton Brubaker, Community Development Specialist

Public:

Robin Stamm, Owner #45 Dunklee Street

Meeting called to order at 2:07 p.m.

1. Approval of the December 15, 2020 Minutes

Mr. Bourcier motioned the approval of the December 15, 2020 minutes. Councilor Todd seconded the motion. A roll call vote was held. Mr. Bourcier and Councilor Todd voted in favor of the motion. Mr. Walsh abstained and noted he was not present at that meeting. The motion passed.

2. Case 2023-001: 45 Dunklee Street (Appeal by Robin Stamm)

Council Todd explained the process of the Utility Appeals Board (hereafter Board) to Ms. Stamm and noted the Board has had time to review the documents that were sent over by Ms. Stamm.

Ms. Stamm presented her case to the board. She noted the twelve-month meter readings demonstrating that August 2022, the month in question, was unusually high compared to other months. She noted she was charged for the equivalent of approximately 44,132 gallons of water in that month. She referred to several documents regarding water usage, including a NH Department of Environmental Services (NHDES) report pertaining to average water consumption and a document showing water capacity for pool sizes, noting the amount of water she was billed for would fill up a large pool.

Ms. Stamm stated that she does not have any leaky faucets or kitchen/bathroom appliances that may have led to significant water usage. She noted that some plumbing fixtures, including toilets, were replaced over the past several years following her purchase of the home in 2009. Ms. Stamm explained the layout of her gardens, stated she waters her gardens with a regular sprinkler and hose, and noted she waters her gardens approximately 4.5 hours per week during applicable times of the year.

Ms. Stamm explained that she had a friend staying at her house during 2021 who used a small inflatable pool that held 300 gallons that was filled and dumped several times throughout the year; however, that never resulted in significant increases in her water bill. Ms. Stamm highlighted the several screenshots of social media comments indicating others also had water bills spikes.

Ms. Stamm outlined a proposal to the group to reduce her water bill to a certain amount and asked if the Board would provide a certain amount of credit or refund to her account because of the nature of the situation.

Councilor Todd confirmed with Ms. Stamm that there were no leaky toilets, appliances, or faucets in her house of which she was aware. Ms. Stamm also noted she was away from her home in the first four days of August 2022 and that no one helped water her gardens while she was gone. Councilor Todd asked if she used preset, automatic timers for watering her gardens and she said that was not the case.

Councilor Todd noted that August 2022 had unusually hot, record temperatures and less rainfall than usual. Councilor Todd asked and City staff confirmed general water usage was up across the board in that month.

Mr. Hoadley introduced himself and other General Services Department (GSD) staff, Terri Segalini and Chris Hogan. Mr. Hoadley provided two pamphlets to the group regarding the water program. He noted City ordinances allow the GSD Director to establish rules and rates. He noted in the pamphlet that all water that runs through the meter, whether used or wasted, is billed to the account associated with the meter.

Mr. Hoadley noted that GSD staff tested the meter twice, once on site and once at the Combined Operations and Maintenance Facility (COMF). The meter was tested at low, medium, and high pressure in accordance with the American Water Works Association (AWWA) standards and the meter was ultimately found to be working correctly. After testing, Ms. Stamm's meter was replaced as a precaution.

Mr. Bourcier asked GSD staff about Ms. Stamm's water usage in the months before and after. Mr. Hoadley said that consumption graphs will show 12 months of usage and patterns and that the 2022 graph was a part of a typical pattern, with increased water usage in the summer. He also noted that sometimes there are spikes in water usage.

Ms. Stamm reiterated that since she moved into her home in 2009, she has replaced toilets and other plumbing fixtures. She stated she cannot fathom how it was possible that she might have used the amount of water she was billed for. Councilor Todd noted that according to the report, the technician who went on site did not see leaks either on the inside or outside of the house.

Councilor Todd asked GSD staff if there had been any software issues with the new billing software that was implemented in 2022. Mr. Hoadley explained there had been an issue and that approximately 10% of accounts had been issued extended periods of time on their water bill,

rather than the typical 30 days. However, that issue has since been remedied and it was noted that Ms. Stamm's account was not one of the accounts affected by the issue.

Councilor Todd asked GSD staff if the 59-unit use, which is what Ms. Stamm was billed for in August 2022, was within the realm of possibility for a leaky toilet or an unattended hose. Mr. Hogan and Mr. Hoadley explained that a standard hose, if used all day, could use approximately 3 units per day and a leaky toilet may use approximately 2.5 - 3 units per day, so it is within the realm of possibility.

Mr. Hoadley stated that, in his experience, he has never seen a meter be able to repair itself and noted that meters are reliable and have a useful life of approximately 20 years.

Councilor Todd noted that there are some unknown variables related to the case, but that it is apparent that the meter worked properly. Ms. Stamm reiterated she wanted to come to a compromise. Councilor Todd explained the process and parameters by which the Board was able to make decisions.

The Board had further discussion as to the specifics of how the meter was tested. Mr. Hogan explained it was done using a volumetric test that creates a sample scenario of how a household water meter would operate.

Mr. Walsh noted that September 2021 – July 2022 consumption added up to 59 units, which coincidentally is the same amount of usage reported for August 2022. He asked whether a software error could have summed the previous months tally and reported it as usage for August 2022. Mr. Hoadley stated that a software error is definitely not the case.

It was noted that the \$0.33 late fee was waived by staff. It was also noted Ms. Stamm has paid the August 2022 bill in full. Ms. Stamm explained her frustration with the process and that she had spent many hours conducting research preparing for the meeting. Ms. Stamm urged staff and the Board to re-examine the rules and regulations because of the lack of flexibility.

Mr. Bourcier made a motion to deny the request. Mr. Walsh seconded the motion. The motion passed by a unanimous voice vote.

3. Other Business

No other business was discussed.

4. Adjournment

Mr. Bourcier made a motion to adjourn. Mr. Walsh seconded the motion. The motion passed by a unanimous voice vote.

Meeting adjourned at 3:13 p.m.

Respectfully submitted,

Crayton G. Brubaker

DRAFT