

**Utility Appeals Board
December 15, 2020
Virtual Meeting via Zoom Platform
DRAFT Minutes**

In attendance:

Representing the Board:

Councilor Brent Todd, Tom Arnold, Chris Bourcier, Deputy City Manager Carlos Baía

Absent: None

Representing the Staff:

Adam Clark, Teresa Segalini, Jeff Hoadley

Meeting called to order at 5:44 p.m.

1. Reading of Instructions & Roll Call Attendance

Mr. Baía read the instructions in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04. Roll call was taken. All members of the Board were present.

2. Introduction of New Member-Chris Bourcier

Councilor Todd welcomed Mr. Bourcier to the Board.

3. Approval of the Minutes from November 4, 2020

Tom Arnold moved approval. Mr. Baía seconded the motion.

Roll call vote: Arnold-YES; Baía-YES; Bourcier-ABSTAIN; Todd-YES

4. Case 2020-002: 83 Pembroke Road (Appeal by Dhan Timsina)—(continuation of case recessed from November 4, 2020)

Councilor Todd summarized the case to date. He noted that since the last meeting, a City water division employee had gone out to the property on November 20, 2020 to inspect for leaks. During that visit, the inspector noted that there was no irrigation; no leaks were detected; there were no signs of new plumbing; and that there were several adults living in the house and water was being used the whole time the inspector was on his visit.

Councilor Todd noted that the average adult can use 3,000 gallons of water per month. Mr. Timsina stated that the matter is not the number of individuals in a home but rather how many work outside the home. He noted that in his home there are only 3 or 4 people who reside in the home 24/7. The rest of the residents work outside the home and are gone for much of the day.

Mr. Timsina questioned the estimated bills on his account. He claimed that the City told him the bills were “correct” and then only later advised him that they were estimates. Councilor Todd remarked that this issue concerning estimated bills had been explained at the November 4th meeting. He asked Adam Clark to confirm the Councilor’s understanding. Mr. Clark explained the practice of estimated bills

relative to a new meter and noted that once the estimates stopped Mr. Timsina's bills declined since the estimates had been based on previous higher usage.

Mr. Timsina stated that he did not agree with the Board's decision.

Mr. Baía explained to Mr. Timsina that if the Board were to vote to deny his appeal, the Board could grant a period of time to repay the outstanding debt, for example up to 12 months. Mr. Baía asked Mr. Timsina if this is something that he would be interested in. Mr. Timsina did not answer this specific question.

Mr. Baía moved to deny the appeal. Councilor Todd seconded the motion.

In discussing the motion, Councilor Todd explained to Mr. Timsina that the denial could include a provision to have any late fees/penalties associated with the outstanding bill waived as well as the establishment of a payment plan. He asked Mr. Timsina if this would be something he would accept. Mr. Timsina answered affirmatively.

Mr. Baía amended his original motion to deny to include a waiver of any late fees/penalties associated with the appealed amount as well as to direct staff to work with Mr. Timsina to establish a repayment period of up to 12 months. Councilor Todd seconded the amended motion.

Roll call vote was taken and the motion passed unanimously.

5. Other Business

Nothing to discuss

6. Adjournment

Mr. Baía moved to adjourn. Mr. Arnold seconded the motion.

Roll call vote was taken and the motion passed unanimously.

Meeting recessed at 6:07 p.m.

Respectfully submitted,

Carlos P. Baía