

## **Meeting of the Public Works Commission – May 10<sup>th</sup>, 2022**

**Present:** William Coleman, Chairman

Diego Barricelli, Commissioner

Erica Lotz, Commissioner (Absent from this Meeting)

### **DISCUSSIONS: (1)**

Nick Philibero, Neptune Laundry, 46 Broadway, is invited back by the Public Works Commissioners to give his side of the story regarding the alleged Meter tampering going on at the Laundromat he owns at the property at 46 Broadway (Neptune Laundry). He was before the Commissioners in February and after he spoke and was asked questions by the Commissioners, they voted to grant Mr. Philibero an abatement of \$2,992.59, although there were questions of alleged meter tampering to the city water meter, which had been brought to the attention of Christina Joo, Assistant City Engineer, who was overseeing the Water Meter Division, by the Meter Technician, Ronnie Tom, who had found the “pin” broken on the meter on 1/28/2022 . Bill Coleman, Chairman, suggested to Christina to have the Meter Tech put on a new pin and a Data Logger to monitor the daily usage at this property. Ronnie Tom went to the property again in March and was not allowed access to the basement room where the meter was, he was told the door stays locked and only Nick can access it and he wasn’t there, so Ronnie went back when Nick was there and put the Data Logger and a new Pin on. On 3/25/22 Ronnie went back and found that the meter pin and Data Logger were both broken he could not security pin the old register e-coder because the owner broke and damaged it. He had to put on a new pin and Security Cable a new register e-coder. Fast forward to April Hearing, Mr. Philibero was sent a letter to attend and emailed the day of the hearing to say he could not attend as he had Covid. He was sent another letter inviting him to the May 10<sup>th</sup> hearing to get his side of the story. At this meeting, Bill Coleman asked him why Ronnie was not allowed access to the room where the meter was when he was there, Nick said he is the only person with a key to that room and he keeps it locked so no one can touch the meter. He was asked why the two pins that were put on at 2 different appointments were both broken and also why the data logger was cracked... he answered he wasn’t sure why the pins were broken and as to the data logger, maybe when he was having some work done in that room, he did see a board on top of the meter so maybe that may have cracked it? The Commissioners decide that with the information provided to them from the Meter Department and the lower-than-normal bills for this type of Business, they vote to rescind the abatement given in February, 2022 of \$2,992.59.

***Commissioners vote to rescind the February abatement. All in favor***

**CURB CUTS- 3:45 pm: (1)**

- 1) **Brian Robinson, LB Robinson Realty, 15 Cedar Street**: Submits an application for a curb cut at the property at 15 Cedar Street. Nelson Miller, Building Inspector for the City, approved this and commissioners look over paperwork and approve said Curb Cut request.

**Commissioners approve Curb Cut. All in favor**

**CONFERENCES:**

**Kenneth Desmond Jr.**, Seeking abatement on his April and May 2022, water & sewer bills. This account was granted abatement for the following reason: House was vacant and when he received the bill, he called to ask why it was so high, was told to check the basement as a pipe may have burst, he went by to check the property and the basement had two feet of water in it. No evidence of a defective meter, abatement based upon hearing testimony.

**Commission voted to grant adjustment of \$9,310.84. All in favor**

**SEE VOTE**

**Bernard McGovern, 204-208 Highland Ave.**, Seeking abatement on Several of his water, and sewer bills. This account has gone to lien against his Real Estate Taxes for non-payment of several water bills and has gone to lien for years, 2019 -2021. Chairman Coleman suggests he and his Attorney Thomas Callahan, meet with the City Treasurer, Dan Grover, and pay the amount that is due to satisfy this lien, then he may come to a future meeting if he has any other high-water bills. This account was denied abatement for this reason, commission unable to abate bills gone to lien.

**Commission voted to deny request for abatement. All in favor**

**SEE VOTE**

**Doug Lund, 77 Las Casas Street**. Seeking abatement on his March 2022, water, and sewer bill. This account was granted abatement for the following reason: problem was in one of the toilets the flapper was sticking, replaced with new parts and now bills back to normal. No evidence of a defective meter, abatement based upon hearing testimony.

**Commission voted to grant adjustment of \$159.42 All in favor**

**SEE VOTE**

**Kathryn MacDonald, 23 Grant Road**. Seeking abatement on her March 2022, water & sewer bill. This account was granted abatement for the following reason: Toilet flapper was sticking, replaced toilet bill is back to normal. No evidence of a defective meter, abatement based upon hearing testimony.

**Commission voted to grant adjustment of \$520.18 All in favor**

**Ahmed Sheik, 82 Washington St.**, Seeking abatement on several of his estimated water and sewer bills. He received notices about us being unable to get good reads on his meter and to make an appointment with us, he was out of the Country during Covid when he came back and tried to make an appointment, he was told that we weren't making in house appointments. Commissioners understand that he did try on several occasions to make appointments so he wouldn't still be estimated, so they agree to give an abatement on 6 of his bills.

***Commission voted to grant adjustment of \$3,471.18 All in favor***

**SEE VOTE**

**Hua Su Chen, 37 Lowell St.**, Seeking abatement on her March 2022, water, and sewer bill. This account was granted abatement for the following reason: Toilet leak on property, fixed and bills returned to normal. No evidence of a defective meter, abatement based upon hearing testimony.

***Commission voted to grant adjustment of \$723.11 All in favor***

**SEE VOTE**

**Hui Yuan Ngan, 55 Upham St.**, Seeking abatement on her March and April, water, and sewer bills. This account was granted abatement for the following reason: Toilet flapper was sticking they fixed it and bills seem to be back to normal. No evidence of a defective meter, abatement based upon hearing testimony.

***Commission voted to grant adjustment of \$371.53 All in favor***

**SEE VOTE**

**Diane Newhall, 120 Converse Avenue**, seeking abatement on her March, April & May 2022 water, and sewer bills. This account was granted abatement for the following reason: She had recently lost her husband and she didn't realize that one of her toilets was continuously running as her late husband always took care of those things. She had a plumber in, and he fixed the toilet for her and now bills seem to be back to normal. No evidence of a defective meter, abatement based upon hearing testimony.

***Commission voted to grant adjustment of \$378.44 All in favor***

**SEE VOTE**

**NO SHOWS: (5)**

357 Charles Street (2<sup>nd</sup> time no show)

23 High Rock Road

27 Oxford Street (R/S to June)

131 Willow Street

64 Summer Street

60 Division Street

**OUTDOOR SEATING REQUESTS: (2)**

- 1) **El MexSal Restaurant – 97 Medford St.**, submitted Request and Plan for outdoor seating for Summer, 2022. Commissioners review submitted plans and vote to approve request.

***Commission voted to approve. All in favor***

**SEE VOTE**

- 2) **3 Amigos Bar and Grill, 375 Main Street**, submitted request and plans for outdoor seating for Summer, 2022. Commissioners review submitted plans and vote to approve request.

***Commission voted to approve. All in favor***

**SEE VOTE**

**DRAINLAYERS REQUESTS: (3)**

- 1) **The Dow Company, 1112 Broadway Rd. Dracut MA** - request for a Drainlayers License in the City of Malden, submitted 3 References which were checked out by Engineering,

***Commissioners vote to Approve said request. All in favor***

- 2) **Sean Farrell Excavation, Inc., 53 Gilbert St., Quincy, MA** – request for a Drainlayers License in the City of Malden, submitted 3 references which were checked out by Engineering.

***Commissioners vote to Approve said request. All in favor***

- 3) **E.B. Rotondi & Sons, Inc., 21 Mansion St., Stoneham, MA** – request for a Drainlayers License in the City of Malden, submitted 3 references which were checked out by Engineering.

***Commissioners vote to Approve said request. All in favor***

Douglas Gardner of Municipal Consultants appears via Zoom to discuss with the Commission, the proposed Water and Sewer Rates for FY 23 and to request the Public Hearing to discuss with the Residents of Malden as well. Public Hearing is scheduled for

**Incorrect Billing Forms: (1)**

**12 Wyoming Place- There** was a billing glitch with their first water bill after the final where the usage for the final WS bill was billed again. Request is made by Treasurers Office to abate in full.

**Commission votes to abate amount of \$2.34. All in favor**

**VOTES:**

To Rescind vote of February 2022 given to 46 Broadway of \$2,992.59

To grant abatement of \$9,310.84 to 10 Mills Street

To deny request for abatement to 204-208 Highland Avenue until Lien is settled then he can request abatement at future hearing. (Coming back to July hearing)

To grant abatement of \$159.42 to 77 Las Casas Street

To grant abatement of \$520.18 to 23 Grant Road

To grant abatement of \$3,471.18 to 82 Washington St.

To grant abatement of \$723.11 to 37 Lowell St.

To grant abatement of \$371.53 to 55 Upham St.

To grant abatement of \$378.44 to 120 Converse Ave

**Meeting Adjourned at: 5:20 pm**

**Next Meeting: June 14<sup>th</sup>, 2022**

