

**TOWN OF NEWTON UTILITY ADVISORY BOARD**  
**Minutes of July 21, 2009**

The regular meeting of the Newton Utility Advisory Board was held on July 21, 2009 at 7:30 pm at the Newton Municipal Building, 39 Trinity Street, Newton. Chairman Lawler called the meeting to order and the following members were present: Mr. Baldini, Mrs. Unhoch, and Mr. Lawler. Mr. Caffrey and Mr. Vrahnos called to be excused. Mr. Paul Baldwin, Water Foreman, Ms. Dawn Babcock, CFO and Mr. David Simmons, Jr., Harold Pellow & Associates were also in attendance.

Mr. Lawler read the Open Public Meetings Act statement and then moved on to the approval of the June 2, 2009 minutes. Mr. Baldini requested that language be added to paragraph two of the minutes, and Mr. Lawler concurred regarding the board's displeasure that 50% of the costs of the town website were charged to the Utility. The Board felt the website should have been on a percentage basis, not half. Mr. Baldini made a motion to **accept the minutes**. Mr. Lawler seconded the motion. The minutes were approved subject to the addition just mentioned. Mrs. Unhoch abstained from voting on the minutes she was not present at that meeting.

A copy of the voucher and invoice paid for Mr. Hollander's services in the amount of \$180 in regards to services rendered to prepare for the June meeting which enumerated the authority of the Utility Advisory Board, was provided. Mr. Baldini felt that this should not be charged to the Utility budget. Mrs. Unhoch responded that she felt the attorney charges were very reasonable and it was a proper utility expense.

Chairman Lawler moved to New Business. Under *Request from Utility Customers*:  
Ralph Drew – Dawn advised that Mr. Drew had come to the municipal building on 7/20/09 to advise that on Tuesday he received his bill (along with other mail, one of which had a postmark of 5/29/09). He believes that a neighbor brought over mail that had been delivered to the vacant house next door. Mrs. Unhoch confirmed from a separate conversation that this indeed happened. Mr. Lawler made a motion to **forgive the \$7.84 penalty**. Mrs. Unhoch seconded. Ms. Babcock called the roll: Mr. Baldini – yes, Mrs. Unhoch – yes, and Chairman Lawler – yes.

Lynn Iansito – The Iansito's expressed to the Board that they were not at the house for approximately 2 ½ months during Aug – Oct, they had the house checked for leaks, and other

**TOWN OF NEWTON UTILITY ADVISORY BOARD**  
**Minutes of July 21, 2009**

documentation to substantiate that the \$664. 67 in charges were in great excess of their usual charges. Mr. Lawler made a motion to **adjust the bill to \$261**, Mrs. Unhoch seconded. Ms. Babcock called the roll: Mr. Baldini –yes, Mrs. Unhoch – yes, and Chairman Lawler - yes. The \$261 is in addition to the \$130 already paid.

Danielle Wolf – Mr. Lawler made a motion to **reduce the \$128.50 sewer charges**. Mrs. Unhoch seconded. Ms. Babcock called the roll: Mr. Baldini – yes, Mrs. Unhoch – yes, and Chairman Lawler – yes.

Douglas & Audrey McGuire – the McGuire’s were present to dispute the water gallon usage. Mr. Lawler made a motion to **Table** this request pending additional input from the Water Department and a new meter reading. No penalty should be charged. They also noted that the next billing should take into consideration the estimated 3,500 gallon usage due to the dishwasher breaking on 6/9/09. Mrs. Unhoch seconded the motion. Mr. Baldini excluded himself. Without a full quorum vote, the matter will be tabled to the next meeting.

Vito Franchino – Mr. Franchino asserted that he did not turn his water back on. Mr. Franchino referenced that the property was managed or had financing by Wells Fargo, Bank of America, or Countrywide. Mr. Lawler made a motion that the \$500 penalty charge be changed to a \$50 turn on/off charge. No penalty for non-payment. Owner be given 60 days to pay. Mr. Franchino should call Deb Millikin and provide her with information regarding the lender so the Town can investigate and contact to determine who turned on the water. It is illegal to reconnect the water. Furthermore, any information discovered should be provided to the police. The motion was seconded by Mrs. Unhoch. Ms. Babcock called the roll: Mr. Baldini – yes, Mrs. Unhoch – yes, and Chairman Lawler – yes.

There was one item of old business. All questions should be directed to the Assistant Town Manager, not Terri.

Mr. Dave Simmons gave the Engineer’s Report. Town Square can make their application. Dave will call DEP tomorrow. Alan Campbell is representing a developer (Occhifinto), who is considering building a 16,000 square foot warehouse on Hicks Avenue. Mr. Simmons indicated there would not be enough water pressure for a fire sprinkler system. The

**TOWN OF NEWTON UTILITY ADVISORY BOARD**  
**Minutes of July 21, 2009**

developer would have to install a loop in the water main, which would provide a solution for Mr. Campbell's design, and prove beneficial to the area.

Mr. Baldwin reported that per discussion with the Deputy Town Manager everything is fine.

There was no other public to be heard. At 9:27 pm Mrs. Unhoch made a motion to adjourn the meeting. Mr. Baldini seconded the motion. The meeting was adjourned with a unanimous "aye" vote.

Respectfully Submitted,

Dawn Babcock  
Acting Secretary  
Utility Board