



**Town of Hanover**  
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*Victor J. Diniak*  
*Director of Public Works*

September 5, 2019

To: Justin DeBruin, Director of CDMI

From: Victor Diniak, Director of Public Works

Subject: Mall Water Billing

The water billing comments made in Mr. Colangelo's letter to you on July 29, 2019, indicated that all water services shall be properly metered and billed in the name of the property owner, not the tenant. In addition, Mr. Colangelo's letter indicated that the town will mark said bills with the tenant names if they are provided by the property owner, but the owner shall be responsible for all water charges and liens on unpaid bills. I do not believe that water billing issues are within the jurisdiction of the Planning Board, but rather fall within the powers of the Town Manager. I asked Mr. Colangelo to make this comment as part of his response to the mall's proposal, not as a negotiable item but to clarify our intent with respect to the responsibility of property owners and water supply charges.

It has been a long-time policy of the town that the property owner is ultimately responsible for all water used on a property. Unpaid bills are lienied and collected through the tax collection process. As a courtesy we have bent this policy at times and billed tenants directly with the knowledge of property owners and in the case of the mall have worked with mall management when accounts appeared to be going to lien. Our recourse on unpaid bills has been to either discontinue the supply, jeopardizing the occupancy, which we have been reluctant to do, or to send unpaid bills to the tax collection process as a lien. Recently, we have seen a small number of business bankruptcies that have left some water charges unpaid and somehow the Town has become a party in the bankruptcy process. It is our intention to move back to a strict policy of property owner responsibility for water charges and with the redevelopment of the mall this presents a perfect opportunity to clean up the process at this location.