

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING

FEBRUARY 7, 2011

PRESENT

Council President Louise Smith

Council Vice President Gary Comegys

Councilwoman Deborah S. Campbell

Councilwoman Terry E. Cohen

Councilwoman Eugenie P. Shields

IN ATTENDANCE

City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, Assistant City Administrator Loré Chambers, Police Chief Barbara Duncan, Public Works Director Teresa Gardner, Internal Services Director Pam Oland, Fire Chief Jeff Simpson, Ms. Margaret Theodorides, Mr. Gary Breeding, and interested citizens and members of the press

CONVENING

The City Council met in a special session at 4:30 p.m. in Conference Room 306 of the City/County Government Office Building. Council President Smith called the meeting to order.

CLAIM FOR REFUND – 630 RIDGE ROAD – presented by Internal Services Director Pam Oland

Mrs. Campbell moved and Mr. Comegys seconded to approve the refund request of Ms. Margaret W. Theodorides at 630 Ridge Road. A copy of the documentation provided to Council is attached and made a part of these minutes.

Mrs. Campbell, Ms. Cohen, Mrs. Shields and Mrs. Smith approved refunding the August 2007 and August 2009 bills for a total of \$2,041.27 as requested. Mr. Comegys supported a refund of the August 2009 bill only.

CLAIM FOR REFUND – 720-724 RIVERSIDE ROAD – presented by Internal Services Director Pam Oland

Mrs. Shields moved and Mr. Comegys seconded to approve the refund request of Mr. Gary Breeding at 720-724 Riverside Road. A copy of the documentation provided to Council is attached and made a part of these minutes.

The Council unanimously approved the refund of \$6,495.03 as requested.

The meeting adjourned at 5:04 p.m.

Brenda Colegrove
City Clerk

Louise Smith
Council President

Memo

To: John R. Pick, City Administrator
From: Pamela B. Oland, Director of Internal Services *PBO*
Date: January 26, 2011
Re: Refund for 630 Ridge Road

Ms. Theodorides has filed an appeal for a refund on a water bill for 630 Ridge Road. The appeal is authorized by Chapter 3.04 of the City Code (a copy of which is attached). Under Code section 3.04, the appeal is to be heard by the City Council. The Council has the right to grant such a refund.

The property at 630 Ridge Road had usage of 191 thousand gallons of water from 4/23/09 to 7/27/09 with a bill of \$1,610.17. In the last year her average consumption was 9 thousand gallons with an average bill of \$95.73. The meter shop tested the meter and it passed (see attached document). Walt Webster, Plumbing Inspector went to the property in August 2009 and found no leaks. There is no evidence the meter is working improperly. The property did not appear on any of our leak lists.

As Director of Internal Services, I am not recommending that a refund be granted. The property at 630 Ridge Road does not qualify for our non-beneficial use program and based on meter readings the water ran through the meter.

If you have any questions, please let me know.

Chapter 3.04

CLAIMS FOR REFUNDS

Sections:

- 3.04.010** **Compliance with provisions required.**
- 3.04.020** **Time limit for filing claim.**
- 3.04.030** **Form of claim—Contents.**
- 3.04.040** **Investigation and report concerning claim—Hearing.**
- 3.04.050** **Allowance or disallowance of claim—Notification.**
- 3.04.060** **Interest on claims allowed.**
- 3.04.070** **Refund prohibited when final assessment made.**
- 3.04.080** **Refund applied to outstanding charges, assessments or taxes of claimant.**

3.04.010 **Compliance with provisions required.**

In the presentation of claims for refunds of city charges, assessments or taxes erroneously or mistakenly paid to the city, the provisions of this chapter shall be complied with. (Prior code § 6-1)

3.04.020 **Time limit for filing claim.**

No claim for a refund under this chapter shall be allowed as to any charges, assessments or taxes paid more than three years prior to the filing of such claim for refund. (Prior code § 6-2)

3.04.030 **Form of claim—Contents.**

All claims for refunds under this chapter shall be made in writing and addressed to the director of internal services. The claim shall specify the date of such erroneous payment and the amount thereof and shall detail the reasons why the payment is believed to have been made erroneously. All such claims shall be verified by the affidavit of the claimant. (Ord. 1992 (part), 2006: prior code § 6-3)

3.04.040 **Investigation and report concerning claim—Hearing.**

The director of internal services shall promptly make an investigation of any claim made under this chapter and shall submit a written report thereon to the council. Upon the receipt of such written report, the council shall hold a hearing on the claim in regard to which the report was filed. (Ord. 1992 (part), 2006: prior code § 6-4)

3.04.050 **Allowance or disallowance of claim—Notification.**

If, after investigation and hearing in accordance with Section 3.04.040 of this chapter, the council shall determine that such claim is just and proper and that it should be allowed in whole or in part, the council shall notify the director of internal services, and the claim for refund shall be allowed; otherwise the same shall be disallowed. Notice of the action of the council in allowing or disallowing such claim for refund shall be given to the taxpayer making such claim by ordinary mail. (Ord. 1992 (part), 2006: prior code § 6-5)

3.04.060 **Interest on claims allowed.**

Should a claim for refund made under the provisions of this chapter be granted in whole or in part, the council may allow interest on that portion of the claim ordered to be refunded; provided, that such erroneous payment was not due to any negligence on the part of the claimant. (Prior code § 6-6)

3.04.070

3.04.070 Refund prohibited when final assessment made.

No refund under this chapter shall be made or approved in any case in which it appears that an assessment upon which taxes were levied and collected has become final and has not been modified on appeal as provided by law. (Prior code § 6-7)

3.04.080 Refund applied to outstanding charges, assessments or taxes of claimant.

Should any claimant for refund under this chapter have any other charges, assessments or taxes open and due to the city, then any refund granted under the provisions of this chapter should be first applied to the payment of such other open and due charges, assessments or taxes. (Prior code § 6-8)

B. WILKINS HERBIT MILES FAX

City of Salisbury Meter Shop

NATURE OF ORDER: ACCURACY TEST

Worked Performed By: <u>Andy</u>		Account #	METER	Serial #
Date	Address: <u>630 RIDGE ROAD</u>		Size: <u>1"</u>	Type: <u>T-10</u>
Out	Meter Reading: <u>037956056</u>	Reading For Finance: <u>0379</u>		Serial #: <u>51011944</u>
In	Meter Reading: <u>037956056</u>	Reading For Finance: <u>0379</u>		

Comments

New Meter	Yes	No	Serial #	Reading For Finance:
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Rate of Flow	GPM	Accuracy	Maximum Flow
Test 1			Intermediate Flow
Test 2	<u>4</u>	<u>100.5%</u>	Minimum Flow
Test 3	<u>3/4</u>	<u>96.2%</u>	
Pass Test	Yes	No	

MEETS AWWA STANDARDS YES NO

Charges:	<u>NO CHARGE</u>	Overhead Add.
Labor		<u>30%</u>
Parts		<u>15%</u>
Total Overhead		
TOTALS	\$	

Date Completed: 8-12-09
Name: Alex.

Margaret Theodorides
630 Ridge Road
Salisbury, MD 21801
11 November 2009

Ms. Pamela B. Oland
Director of Internal Services
City of Salisbury
North Division Street & Route 50
Salisbury, MD 21801
(410) 548-3110

Subj: Claim for Refund of Excess Water Charges at 630 Ridge Road, Salisbury, MD

Dear Ms. Oland:

Pursuant to the provisions for claiming refunds for charges erroneously or mistakenly paid to the City of Salisbury set forth in Chapter 3.04 of Title 3, the City of Salisbury's Revenue and Finance Code, I hereby make claim and demand refund of certain water bills paid by me that were communicated to me in August of 2007 and in August 2009 in the amount of **\$651.10** for the first bill and **\$1,533.49 (plus interest charged in the amount of \$56.58)**. **Allowing for the approximate ~~\$100.00~~ reduction my claim is \$ 2,041.27.**

On each occasion I was threatened by city employees with water service cut off if I did not make arrangement for full payment when each bill was due. The latter amount included interest I was forced to pay under protest when I sought to complain about my August 2009 bill. The amounts claimed above reflect a reduction of \$100.00 for each billing cycle that reflect sewage, trash and a proper estimate of water consumed by me that is more in line with my usage rates since my arrival in Salisbury in July of 1997. I requested copies of my statements from February 1, 2006 through the current billing statement. Copies are enclosed in order that you can see the normal consumption of water in my household.

I arrived in Salisbury in July 1997, having buried my retired Navy husband while we were living in Florida. I am currently 84 years old and survive on my teaching pension and some minor survivor benefits I receive due to my husband's military service. It is very difficult to survive on these funds, especially this last cycle when I was faced with \$3,000.00 annual City of Salisbury property taxes in addition to the erroneously charged \$1615.00 water bill.

I bought my home in 1997 with a pre-existing ground well. No city water is used to water my plants or landscaping. I do not own a pool. For the most part I was residing within my residence for the bulk of the periods encompassed by these two billing cycles. I have never consented to or permitted anyone to collect or use water from either my well or my city water connections for their private purposes. From time-to-time I have a houseguest or two but none place any extraordinary demand on my water consumption. None of the inside sinks, tubs, toilets or washer leak. I shower two to three times per week. I have never run faucets for the extremely long period of time that would be required to account for water consumption that would result in such large bills.

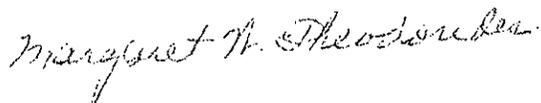
In August 2009, following my receipt of the \$1533.10 water bill, I contacted city offices informing them of my utter disbelief in receiving such a bill, asking for assistance. Sometime thereafter in late September or early October 2009, Master Plumber Walter Webster arrived to examine my house for plumbing condition and possible leaks. While he did not provide me with any written report of his examination he orally informed me that he was unable to detect any existing leaks in my plumbing or appliances.

As part of your inquiry, I request that you inquire of your hydro-engineers what the gross volume of water allegedly used by me equates to in laymen's terms, such as (1) how many standard-sized swimming pools it would fill, (2) how many municipal water tankers it could fill, or (3) how long it would take the plumbing in a single-detached family home (assuming that four faucets and two showers were in use) to collect and drain such a volume of water.

I request that you provide me with any documents or records made about this fall's visit and inform me whether and when any change in my water volume meter occurred. I believe the water flow meter was either tested or taken by the city to test. I was informed by a city employee that no defects in the meter were noted. I have been informed by my nephew that the type of meters used to monitor water flow have been changed throughout the City of Salisbury and that the new meters are electronic, permitting utility staff to monitor consumption without entering on to the properties as occurred previously. However, he informs me that the meters are occasionally subject to electronic disturbance by natural phenomenon such as solar flares.

For all of the above reasons, I make claim for excessive water use charges in the amount of \$2,041.27 that I was erroneously required to pay for fear of cession of municipal water service in 2007 and 2009. I know you are required to make proper inquiry and report your findings to city officials for consideration of payment of such claim. Please provide me with a copy of any written inquiry that will be placed before council members or other officials required to rule on such matters.

Sincerely,



Margaret W. Theodorides
(410) 341-0261

City of Salisbury)

) **Affidavit in Support of Claim for Water Usage Refund**

County of Wicomico)

1. I, Margaret Wright Theodorides, of 630 Ridge Road in Salisbury, Maryland, do swear under penalty of perjury that the below statement, in support of my claim for refund of erroneously charged municipal water usage is true to the best of my belief and knowledge;
2. That during the August 2007 and August 2009 billing cycles I was erroneously billed for excessive municipal water usage in the billed amount of \$600.00 and \$1533.00 for the three month cycles covering from May through July for each year;
3. That during all other 43 billing cycles since my having become a resident of Salisbury in July 1997 these bills have averaged \$88.45 per cycle for municipal water, trash and sewage services;
4. I bought my current residence in 1997 with a pre-existing ground well and no city water is used to water my plants or landscaping;
5. I do not and have never owned a swimming pool at my current residence;
6. For most all of the two billing cycles in question I was residing within my residence. I am the only permanent resident at this address;
7. I have never consented to or permitted anyone to collect or use water from either my well or my city water connections for their private purposes;
8. None of the inside sinks, tubs, toilets or washer leak;
9. I shower 2 – 3 times per week. I have never run faucets for the extremely long period of time required to account for water consumption that would result in such large bills;
10. In August 2007, following my receipt of a \$600.00 City water bill, I complained to city service officials who informed me that they would cut off my water service unless I made adequate arrangements to pay the amount in full. Faced with that possibility, I arranged to pay the amount in three installments in August, November and December of 2007;
11. In August 2009, following my receipt of a larger \$15330.00 water bill, I again contacted city offices informing them of my utter disbelief in receiving such a bill, asking for assistance;
12. In late September or early October 2009, Master Plumber Walter Webster arrived to examine my house for plumbing condition and possible leaks;
13. While he did not provide me with any written report of his examination he orally informed me that he was unable to detect any existing leaks in my plumbing or appliances;
14. Upon information I am informed that at some yet unknown time the type of meters used to monitor water flow have been changed throughout the City of Salisbury, and the new meters are electronic, permitting utility staff to monitor consumption without entering on to the properties;

Affidavit: Claim for Refund of Excess Water Charges at 630 Ridge Road, Salisbury, MD

15. Upon similar information and belief I understand that the meter currently installed on my property is electronic and it may be occasionally subject to electronic disturbance by natural phenomenon such as solar flares or man-made conditions;

16. I believe my water flow meter was either tested or taken by the city to be tested;

17. I was informed by a city employee that no defects in the meter were noted;

18. That despite the immense disparity between all other 43 municipal service bills and the aforesaid bills, the response I received was to pay those outrageous and erroneous amounts or face termination of services critical to my survival and quality of life; and

19. That I was required to pay a \$77.00 interest charge over and above my \$1533.00 bill as part of the edict of what I would be required to do to avoid further late or service interruption charges.

Further, the affiant sayeth not:

Margaret Wright Theodorides *11-19-09*
Margaret Wright Theodorides Date

SUBSCRIBED & SWORN TO
THE 19th DAY OF November, 2009

Shirley A. Paucchi *11/19/09*
Witness / Notary Public Date

MY COMMISSION EXPIRES: 3.1.2010





The City of Salisbury
Water and Sewer Department
 125 N. Division Street
 Salisbury, MD 21801-4940
 Office Hours: Monday 9 am to 4:30 pm
 Tuesday-Friday 8:30 am to 4:30 pm
 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer				Service Address			
THEODORIDES LT, MARGARET				630 RIDGE RD			
Bill Number 163623	Account Number 36813		Bill Date 02/01/2009		Penalties Begin 03/16/2009		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	01/23/2009	10/22/2008	179	166	A	13	36.79
SEWER SBY	01/23/2009	10/22/2008	0	0	A	13	65.78
TRASH DISP	01/23/2009	10/22/2008	0	0		0	19.00
BAY REST R	01/23/2009	10/22/2008	0	0		0	7.50
Last Pay Amt 99.00	Last Payment Date 11/10/2009	Past Due Amount -1,843.29	Past Due Penalties .00	Current Charges 129.07	Amount Due \$-1,714.22		

REMINDER, WHEN A SNOW EMERGENCY IS ANNOUNCED, REMOVE VEHICLES FROM SNOW EMERGENCY ROUTES. PLEASE SHOVEL YOUR SIDEWALKS IN A TIMELY MANNER. THANK YOU.

5% penalty applied 45 days after bill date.

BAY RESTORATION FEE BAY REST R = RESIDENTIAL BAY REST
 C = COMMERCIAL READ CODE A = ACTUAL READING E = ESTIMATED READING
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WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer				Service Address			
THEODORIDES LT, MARGARET				630 RIDGE RD			
Bill Number 173918	Account Number 36813		Bill Date 05/01/2009		Penalties Begin 06/15/2009		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	04/23/2009	01/23/2009	186	179	A	7	19.81
SEWER SBY	04/23/2009	01/23/2009	0	0	A	7	35.42
TRASH DISP	04/23/2009	01/23/2009	0	0		0	19.00
BAY REST R	04/23/2009	01/23/2009	0	0		0	7.50
Last Pay Amt 99.00	Last Payment Date 11/10/2009	Past Due Amount -1,714.22	Past Due Penalties .00	Current Charges 81.73	Amount Due \$-1,632.49		

NOTICE - NEW OFFICE HOURS IN EFFECT
 MONDAY 9 AM - 4:30 PM
 TUESDAY - FRIDAY 8:30 AM - 4:30 PM

5% penalty applied 45 days after bill date.

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 Salisbury, MD 21801-4940
 Office Hours: Monday 9 am to 4:30 pm
 Tuesday-Friday 8:30 am to 4:30 pm
 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number	Account Number	Bill Date	Penalties Begin				
184233	36813	08/01/2009	09/15/2009				
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	07/27/2009	04/23/2009	377	186	A	191	540.53
SEWER SBY	07/27/2009	04/23/2009	0	0	A	191	966.46
TRASH DISP	07/27/2009	04/23/2009	0	0		0	19.00
BAY REST R	07/27/2009	04/23/2009	0	0		0	7.50
BAY PEN			0	0	A	0	.38
SWR PEN			0	0	A	0	48.32
TR PEN			0	0	A	0	.95
WTR PEN			0	0	A	0	27.03
Last Pay Amt	Last Payment Date	Past Due Amount	Past Due Penalties	Current Charges		Amount Due	
99.00	11/10/2009	-1,709.17	.00	1,610.17		\$-99.00	

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5% penalty applied 45 days after bill date.

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WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number	Account Number	Bill Date	Penalties Begin				
194595	36813	11/01/2009	12/15/2009				
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	10/28/2009	07/27/2009	385	377	A	8	25.60
SEWER SBY	10/28/2009	07/27/2009	0	0	A	8	46.56
TRASH DISP	10/28/2009	07/27/2009	0	0		0	19.00
BAY REST R	10/28/2009	07/27/2009	0	0		0	7.50
Last Pay Amt	Last Payment Date	Past Due Amount	Past Due Penalties	Current Charges		Amount Due	
99.00	11/10/2009	-99.00	.00	98.66		\$-.34	

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 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
 Keep this portion for your records

Customer THEODORIDES LT, MARGARET				Service Address 630 RIDGE RD			
Bill Number 122430	Account Number 36813		Bill Date 02/01/2008		Penalties Begin 03/17/2008		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	01/23/2008	10/22/2007	142	132	A	10	24.60
SEWER SBY	01/23/2008	10/22/2007	0	0	A	10	44.80
TRASH DISP	01/23/2008	10/22/2007	0	0		0	19.00
BAY REST R	01/23/2008	10/22/2007	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -2,193.80		Past Due Penalties .00	
Current Charges 95.90						Amount Due \$-2,097.90	

REMINDER, WHEN A SNOW EMERGENCY IS ANNOUNCED, REMOVE VEHICLES FROM SNOW EMERGENCY ROUTES. PLEASE SHOVEL YOUR SIDEWALKS IN A TIMELY MANNER. THANK YOU.

5% penalty applied 45 days after bill date.

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WATER & SEWER BILL

Customer Copy
 Keep this portion for your records

Customer THEODORIDES LT, MARGARET				Service Address 630 RIDGE RD			
Bill Number 132704	Account Number 36813		Bill Date 05/01/2008		Penalties Begin 06/16/2008		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	04/22/2008	01/23/2008	150	142	A	8	19.68
SEWER SBY	04/22/2008	01/23/2008	0	0	A	8	35.84
TRASH DISP	04/22/2008	01/23/2008	0	0		0	19.00
BAY REST R	04/22/2008	01/23/2008	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -2,097.90		Past Due Penalties .00	
Current Charges 82.02						Amount Due \$-2,015.88	

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 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
 Keep this portion for your records

Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number 143030	Account Number 36813			Bill Date 08/01/2008		Penalties Begin 09/15/2008	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	07/22/2008	04/22/2008	157	150	A	7	17.22
SEWER SBY	07/22/2008	04/22/2008	0	0	A	7	31.36
TRASH DISP	07/22/2008	04/22/2008	0	0		0	19.00
BAY REST R	07/22/2008	04/22/2008	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -2,015.88		Past Due Penalties .00	
Current Charges 75.08						Amount Due \$-1,940.80	

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 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
 Keep this portion for your records

Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number 153329	Account Number 36813			Bill Date 11/01/2008		Penalties Begin 12/15/2008	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	10/22/2008	07/22/2008	166	157	A	9	25.47
SEWER SBY	10/22/2008	07/22/2008	0	0	A	9	45.54
TRASH DISP	10/22/2008	07/22/2008	0	0		0	19.00
BAY REST R	10/22/2008	07/22/2008	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -1,940.80		Past Due Penalties .00	
Current Charges 97.51						Amount Due \$-1,843.29	

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5% penalty applied 45 days after bill date.

BAY RESTORATION FEE BAY REST R = RESIDENTIAL BAY REST



125 N. Division Street
Salisbury, MD 21801-4940
Office Hours: Monday 9 am to 4:30 pm
Tuesday-Friday 8:30 am to 4:30 pm
Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
Keep this portion for your records

Customer THEODORIDES L/T, MARGARET				Service Address 630 RIDGE RD			
Bill Number 81385	Account Number 36813			Bill Date 02/01/2007		Penalties Begin 03/15/2007	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	01/26/2007	11/09/2006	11	0	A	11	34.44
SEWER SBY	01/26/2007	11/09/2006	0	0	A	14	62.72
TRASH DISP	01/26/2007	10/03/2006	0	0		0	19.00
BAY REST R	01/26/2007	10/03/2006	0	0		0	7.50
Replaced Meter						3	
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -3,236.70		Past Due Penalties .00	
Current Charges 123.66						Amount Due \$-3,113.04	

REMINDER, WHEN A SNOW EMERGENCY IS ANNOUNCED, REMOVE VEHICLES FROM SNOW EMERGENCY ROUTES. PLEASE SHOVEL YOUR SIDEWALKS IN A TIMELY MANNER. THANK YOU.

5% penalty applied 45 days after bill date.

BAY RESTORATION FEE BAY REST R=RESIDENTIAL BAY REST
C=COMMERCIAL READ CODE A=ACTUAL READING E=ESTIMATED READING
CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115



The City of Salisbury
Water and Sewer Department
125 N. Division Street
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Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
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Customer THEODORIDES L/T, MARGARET				Service Address 630 RIDGE RD			
Bill Number 91609	Account Number 36813			Bill Date 05/01/2007		Penalties Begin 06/15/2007	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	04/23/2007	01/26/2007	21	11	A	10	24.60
SEWER SBY	04/23/2007	01/26/2007	0	0	A	10	44.80
TRASH DISP	04/23/2007	01/26/2007	0	0		0	19.00
BAY REST R	04/23/2007	01/26/2007	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -3,113.04		Past Due Penalties .00	
Current Charges 95.80						Amount Due \$-3,017.14	

5% penalty applied 45 days after bill date.

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WATER & SEWER BILL

Customer Copy
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Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number	Account Number		Bill Date		Penalties Begin		
101869	36813		08/01/2007		09/17/2007		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	07/23/2007	04/23/2007	111	21	A	90	221.40
SEWER SBY	07/23/2007	04/23/2007	0	0	A	90	403.20
TRASH DISP	07/23/2007	04/23/2007	0	0		0	19.00
BAY REST R	07/23/2007	04/23/2007	0	0		0	7.50
BAY PEN			0	0	A	0	.00
SWR PEN			0	0	A	0	.00
TR PEN			0	0	A	0	.00
TR PEN			0	0	A	0	.00
Last Pay Amt		Last Payment Date	Past Due Amount	Past Due Penalties	Current Charges		Amount Due
99.00		11/10/2009	-3,017.14	.00	651.10		\$-2,366.04

5% penalty applied 45 days after bill date.

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WATER & SEWER BILL

Customer Copy
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Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number	Account Number		Bill Date		Penalties Begin		
112162	36813		11/01/2007		12/17/2007		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	10/22/2007	07/23/2007	132	111	A	21	51.66
SEWER SBY	10/22/2007	07/23/2007	0	0	A	21	94.08
TRASH DISP	10/22/2007	07/23/2007	0	0		0	19.00
BAY REST R	10/22/2007	07/23/2007	0	0		0	7.50
Last Pay Amt		Last Payment Date	Past Due Amount	Past Due Penalties	Current Charges		Amount Due
99.00		11/10/2009	-2,366.04	.00	172.24		\$-2,193.80

THE FALL 2007 EDITION OF THE CITY NEWSLETTER IS ON THE WEBSITE
 AT WWW.CI.SALISBURY.MD.US IF YOU DO NOT HAVE WEB ACCESS,
 CONTACT THE MAYOR'S OFFICE AT 410-548-3100 FOR A COPY.

5% penalty applied 45 days after bill date.

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WATER & SEWER BILL

Customer Copy
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Customer				Service Address			
THEODORIDES LT, MARGARET				630 RIDGE RD			
Bill Number 40843	Account Number 36813			Bill Date 02/01/2006	Penalties Begin 03/15/2006		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	01/06/2006	09/29/2005	2130	2122	A	8	19.68
SEWER SBY	01/06/2006	09/29/2005	0	0	A	8	35.84
TRASH DISP	01/06/2006	09/29/2005	0	0		0	19.00
BAY REST R	01/06/2006	09/29/2005	0	0		0	7.50
BAY PEN			0	0	A	0	.38
SWR PEN			0	0	A	0	1.79
TR PEN			0	0	A	0	.95
WTR PEN			0	0	A	0	.98
Last Payment 99.00		Last Payment Date 11/10/2009	Past Due Amount -3,517.46	Past Due Penalties .00	Current Charges 86.12		Amount Due \$-3,517.46

BAY RESTORATION FEE: BAY REST R=RESIDENTIAL BAY REST C=COMMERCIAL
 READ CODE A = ACTUAL READING, E = ESTIMATED READING
 CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115

5% penalty applied 45 days after bill date.

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The City of Salisbury
Water and Sewer Department
 125 N. Division Street
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 Tuesday-Friday 8:30 am to 4:30 pm
 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy
 Keep this portion for your records

Customer				Service Address			
THEODORIDES LT, MARGARET				630 RIDGE RD			
Bill Number 50857	Account Number 38813			Bill Date 05/01/2006	Penalties Begin 06/15/2006		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	04/18/2006	01/06/2006	2140	2130	A	10	24.60
SEWER SBY	04/18/2006	01/06/2006	0	0	A	10	44.80
TRASH DISP	04/18/2006	01/06/2006	0	0		0	19.00
BAY REST R	04/18/2006	01/06/2006	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009	Past Due Amount -3,517.46	Past Due Penalties .00	Current Charges 95.90		Amount Due \$-3,421.56

BAY RESTORATION FEE: BAY REST R = RESIDENTIAL BAY REST C = COMMERCIAL
 READ CODE A = ACTUAL READING E = ESTIMATED READING
 CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115

5% penalty applied 45 days after bill date.

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 CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115



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Tuesday-Friday 8:30 am to 4:30 pm
Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number 60977	Account Number 36813			Bill Date 08/01/2006		Penalties Begin 09/15/2006	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	06/30/2006	04/18/2006	2149	2140	A	9	22.14
SEWER SBY	06/30/2006	04/18/2006	0	0	A	9	40.32
TRASH DISP	06/30/2006	04/18/2006	0	0		0	19.00
BAY REST R	06/30/2006	04/18/2006	0	0		0	7.50
Last Pay Amt 89.00		Last Payment Date 11/10/2009		Past Due Amount -3,421.56		Past Due Penalties .00	
Current Charges 88.96						Amount Due \$-3,332.60	

BAY RESTORATION FEE: BAY REST R= RESIDENTIAL BAY REST C= COMMERCIAL
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5% penalty applied 45 days after bill date.

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Office Hours: Monday 9 am to 4:30 pm
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Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

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Customer				Service Address			
THEODORIDES L/T, MARGARET				630 RIDGE RD			
Bill Number 71189	Account Number 36813			Bill Date 11/01/2006		Penalties Begin 12/15/2006	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	10/03/2006	06/30/2006	2159	2149	A	10	24.60
SEWER SBY	10/03/2006	06/30/2006	0	0	A	10	44.80
TRASH DISP	10/03/2006	06/30/2006	0	0		0	19.00
BAY REST R	10/03/2006	06/30/2006	0	0		0	7.50
Last Pay Amt 99.00		Last Payment Date 11/10/2009		Past Due Amount -3,332.60		Past Due Penalties .00	
Current Charges 95.90						Amount Due \$-3,236.70	

BAY RESTORATION FEE: BAY REST R= RESIDENTIAL BAY REST C= COMMERCIAL
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5% penalty applied 45 days after bill date.

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 Tuesday-Friday 8:30 am to 4:30 pm
 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

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Customer				Service Address				
THEODORIDES L/T, MARGARET				630 RIDGE RD				
Bill Number 204915	Account Number 36813		Bill Date 02/01/2010		Penalties Begin 03/15/2010			
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge	
WATER SBY	01/25/2010	10/28/2009	392	385	A	7	22.40	
SEWER SBY	01/25/2010	10/28/2009	0	0	A	7	40.74	
TRASH DISP	01/31/2010	11/01/2009	0	0		0	19.00	
BAY REST R	01/31/2010	11/01/2009	0	0		0	7.50	
Last Pay Amt		Last Payment Date	Past Due Amount		Past Due Penalties		Current Charges	Amount Due
89.30		02/05/2010	-89.64		.00		89.64	

REMINDER, WHEN A SNOW EMERGENCY IS ANNOUNCED, REMOVE VEHICLES FROM SNOW EMERGENCY ROUTES. PLEASE SHOVEL YOUR SIDEWALKS IN A TIMELY MANNER. THANK YOU.

5% penalty applied 45 days after bill date.

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 CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115

THEODORIDES L/T, MARGARET

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
204915	36813	02/01/2010	-89.64	89.64	

Credit Cards Accepted
 Please Complete Information on Reverse Side



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 125 N. Division Street
 Salisbury, MD 21801-4940
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 Tuesday-Friday 8:30 am to 4:30 pm

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
204915	36813	02/01/2010	-89.64	89.64	

THEODORIDES L/T, MARGARET
 630 RIDGE RD
 SALISBURY MD 21801

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 Tuesday-Friday 8:30 am to 4:30 pm
 Phone 410-548-3115

WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer THEODORIDES L/T, MARGARET				Service Address 630 RIDGE RD			
Bill Number 215180	Account Number 36813		Bill Date 05/01/2010		Penalties Begin 06/15/2010		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	04/26/2010	01/25/2010	400	392	A	8	25.60
SEWER SBY	04/26/2010	01/25/2010	0	0	A	8	46.56
TRASH DISP	04/30/2010	01/31/2010	0	0		0	19.00
BAY REST R	04/30/2010	01/31/2010	0	0		0	7.50
Last Pay Amt 98.66		Last Payment Date 05/06/2010		Past Due Amount -98.66		Past Due Penalties .00	
Current Charges 98.66						Amount Due 98.66	

PLEASE RECYCLE CORRUGATED CARDBOARD
 CALL 410-548-3177 FOR FREE PICKUP ON MONDAYS

5% penalty applied 45 days after bill date.

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THEODORIDES L/T, MARGARET

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
215180	36813	05/01/2010	-98.66	98.66	98.66

Credit Cards Accepted
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 Tuesday-Friday 8:30 am to 4:30 pm

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
215180	36813	05/01/2010	-98.66	98.66	98.66

THEODORIDES L/T, MARGARET
 630 RIDGE RD
 SALISBURY MD 21801

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WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer THEODORIDES L/T, MARGARET				Service Address 630 RIDGE RD			
Bill Number 225457	Account Number 36813		Bill Date 08/01/2010		Penalties Begin 09/15/2010		
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	07/26/2010	04/26/2010	408	400	A	8	25.60
SEWER SBY	07/26/2010	04/26/2010	0	0	A	8	46.56
TRASH DISP	07/31/2010	04/30/2010	0	0		0	19.00
BAY REST R	07/31/2010	04/30/2010	0	0		0	7.50
Last Pay Amt 98.66		Last Payment Date 08/06/2010		Past Due Amount -98.66		Past Due Penalties .00	
						Current Charges 98.66	
						Amount Due	

EFFECTIVE 7/1/10 ADMINISTRATIVE FEE IS \$25. RETURN CHECK FEE IS \$40.
 AFTER HOURS TURN ON FEE IS \$80. NO WATER RATE INCREASE.
 RATE INCREASE OF 15% ON SEWER RATES.

5% penalty applied 45 days after bill date.

BAY RESTORATION FEE BAY REST R= RESIDENTIAL BAY REST
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 CREDIT CARD PAYMENTS ALSO ACCEPTED BY TELEPHONE 410-548-3115

THEODORIDES L/T, MARGARET

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
225457	36813	08/01/2010	-98.66	98.66	

Credit Cards Accepted
 Please Complete Information on Reverse Side



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Water and Sewer Department
 125 N. Division Street
 Salisbury, MD 21801-4940
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 Tuesday-Friday 8:30 am to 4:30 pm

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
225457	36813	08/01/2010	-98.66	98.66	

THEODORIDES L/T, MARGARET
 630 RIDGE RD
 SALISBURY MD 21801

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WATER & SEWER BILL

Customer Copy

Keep this portion for your records

Customer: THEODORIDES L/T, MARGARET				Service Address: 630 RIDGE RD			
Bill Number: 235721		Account Number: 36813		Bill Date: 11/01/2010		Penalties Begin: 12/15/2010	
Description	Present Read Date	Previous Read Date	Present Meter Reading	Previous Meter Reading	Read Code	Usage (in thousands)	Charge
WATER SBY	10/27/2010	07/26/2010	412	408	A	4	21.39
SEWER SBY	10/27/2010	07/26/2010	0	0	A	4	44.62
TRASH DISP	10/31/2010	07/31/2010	0	0		0	19.00
BAY REST R	10/31/2010	07/31/2010	0	0		0	7.50
Last Pay Amt: 92.51		Last Payment Date: 11/10/2010		Past Due Amount: -92.51		Past Due Penalties: .00	
						Current Charges: 92.51	
Amount Due							

EFFECTIVE 7/1/10 ADMINISTRATIVE FEE IS \$25. RETURN CHECK FEE IS \$40.
 AFTER HOURS TURN ON FEE IS \$80. NO WATER RATE INCREASE.
 RATE INCREASE OF 15% ON SEWER RATES.

5% penalty applied 45 days after bill date.

BAY RESTORATION FEE BAY REST R = RESIDENTIAL BAY REST
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THEODORIDES L/T, MARGARET

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
235721	36813	11/01/2010	-92.51	92.51	

Credit Cards Accepted
 Please Complete Information on Reverse Side



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 Salisbury, MD 21801-4940
 Office Hours: Monday 9 am to 4:30 pm
 Tuesday-Friday 8:30 am to 4:30 pm

WATER & SEWER BILL REMIT PORTION

Bill No.	Account Number	Bill Date	Past Due Amount	Current Charges	Amount Due
235721	36813	11/01/2010	-92.51	92.51	

THEODORIDES L/T, MARGARET
 630 RIDGE RD
 SALISBURY MD 21801

00006042011500235721800000000000

2/7/11 Sp. Mtg.
Distributed by
Mrs. J Theodorides

Water, Sewage & Trash Bill Amounts
Margaret Wright Theodorides
630 Ridge Road, Salisbury, MD 21801
1997 through 2009

<u>Year</u>	<u>February</u>	<u>May</u>	<u>August</u>	<u>November</u>
1. 1997				\$108.00
2. 1998	\$74.36	\$65.80	\$100.00	\$90.28
3. 1999	\$99.16	\$117.80	\$130.00	\$72.00
4. 2000	\$90.20	\$108.12	\$81.24	\$118.23
5. 2001	\$117.00	\$52.92	\$76.76	* 81.92
6. 2002	\$73.12	\$93.40	\$68.62	\$94.80
7. 2003	\$67.78	\$55.21	\$63.00	\$83.92
8. 2004	\$69.94	\$56.79	\$82.45	\$95.34
9. 2005	\$72.82	\$76.61	\$102.84	\$86.12
10. 2006	\$86.12	\$85.90	\$88.96	\$95.00
11. 2007	\$124.56	\$95.90	** \$325.00	\$200.00 \$164.98
12. 2008	\$95.90	\$82.02	\$75.00	\$97.51
13. 2009	\$129.07	\$81.73	***\$1615.00	\$98.00
14. 2010	89.30	98.66	98.66	92.51

* Billing not available

** \$600.00 Bill in three installments plus November 2007 bill

*** Original amount plus \$15.00 interest charge

Memo

To: John R. Pick, City Administrator

From: Pamela B. Oland, Director of Internal Services *PBO*

Date: January 26, 2011

Re: Refund for 720-724 Riverside Road

Mr. Gary Breeding has filed for a refund on the water bill at 720-724 Riverside Road. The appeal is authorized by Chapter 3.04 of the City Code (a copy of which is attached). Under Code section 3.04, the appeal is to be heard by the City Council. The Council has the right to grant such a refund.

The property at 720-724 Riverside Road since inception has been set up as a commercial property. In October 2010, Mr. Breeding who manages the properties, called to ask about the size of the bill. At that time it was discovered that the account should have been set up at a small commercial rate versus the commercial rate. As of November 1, 2010 the City of Salisbury Internal Services Department – Finance Division adjusted the account to small commercial rate due to the history of consumption. As per the refund section of the Code, Mr. Breeding is requesting a refund for the amount overpaid in the 3 years prior to the adjustment. The billing detail to this account is summarized and attached.

Based on the history of consumption, this account should have been classified a small commercial, which is defined as consumption less than 300 thousand gallons per quarter. Therefore, as Director of Internal Services, I am recommending that a refund be granted in the amount of \$6,495.03. The refund amount reflects the water and sewer rates in effect at the time of each billing.

If you have any questions, please let me know.

#700077

720-24 RIVERSIDE DR.

Bill Date	Usage	Amt Billed @ Commercial Rate	Billing if @ Small Commercial Rate	Difference
11/1/2007	145	\$ 1,504.68	\$ 1,054.63	\$ 450.05
2/1/2008	145	\$ 1,504.68	\$ 1,054.63	\$ 450.05
5/1/2008	146	\$ 1,509.05	\$ 1,061.91	\$ 447.14
8/1/2008	131	\$ 1,443.60	\$ 952.81	\$ 490.79
11/1/2008	134	\$ 1,649.91	\$ 1,101.93	\$ 547.98
2/1/2009	136	\$ 1,659.73	\$ 1,118.37	\$ 541.36
5/1/2009	119	\$ 1,576.21	\$ 978.58	\$ 597.63
8/1/2009	123	\$ 1,595.86	\$ 1,011.47	\$ 584.39
11/1/2009	146	\$ 1,946.88	\$ 1,365.59	\$ 581.29
2/1/2010	143	\$ 1,930.16	\$ 1,337.53	\$ 592.63
5/1/2010	160	\$ 2,024.90	\$ 1,496.53	\$ 528.37
8/1/2010	119	\$ 1,796.40	\$ 1,113.05	\$ 683.35
				\$ 6,495.03

Gary Breeding
8097 Stevens Road
Salisbury, Md. 21804

January 12, 2011

City of Sallsbury
Water Department
125 N. Division Street
Salisbury, Md. 21801

I, Gary Breeding, owner of Riverside Court, LLC (720, 722, and 724 Riverside Road) would like to request reimbursement of \$6495.03 for over charges on my quarterly water bill. The usage was calculated at a commercial rate and should have been billed at a small commercial rate.

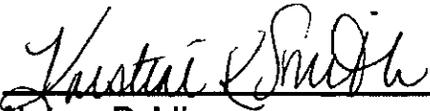
Thank you for your consideration in this matter.



Gary Breeding (seal)

State of Maryland, County of Wicomico.
On this, the 13 day of January, 2011, before me, the undersigned officer personally appeared.

In witness whereof, I hereunto set my hand and official seal.



Notary Public

My commission expires:

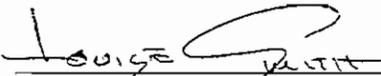




January 27, 2011

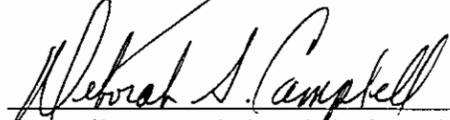
In accordance with §SC2-4 of the Salisbury City Charter, the undersigned members of the Salisbury City Council, representing a majority of the Council, hereby call a Special Meeting to be held on Monday, February 7, 2011 in Conference Room 306 of the City/County Government Office Building (125 N. Division Street).

The Special Meeting will be held at 4:30 p.m. to conduct claim for refund hearings.

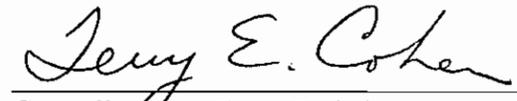


Louise Smith, Council President

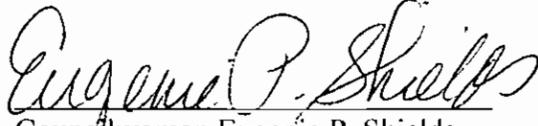
Gary A. Comegys, Council Vice President



Councilwoman Deborah S. Campbell



Councilwoman Terry E. Cohen



Councilwoman Eugenie P. Shields

*The City Council reserves the right to go into closed session
as permitted under the Annotated Code of Maryland 10-508(a)*

Posted: 1-28-11