

**MEETING MINUTES
CHARLTON WATER AND SEWER COMMISSION**

Date: July 2, 2007

Time: 7:00 p.m.

Location: Charlton Wastewater Treatment Facility

Attendees: Kathleen Walker, Board of Selectmen; Michael Lally; Steve Zeveska; Peter Vigeant; Debbie Laplaca, Worcester Telegram & Gazette

Members	Present	Members	Present
Sandra Dam	Y	John Elliott	Y
Paul Gagner	Y	James McIntire	Y
Cheryl McKissick	Y		

Minutes Recorded By:

Item	Business
------	----------

7:00 p.m.: James McIntire, Chair, called the meeting to order

Sandra Dam moved to accept the Minutes and Executive Session of June 4, 2007. James McIntire seconded. Unanimous. Sandra Dam moved to grant the prorated meter bill abatements. John Elliott seconded. Unanimous.

The Commission signed the Minutes, Warrants, Abatements and Payroll.

John Elliott moved to purchase the digital recorder with voice to text software as quoted by Techdepot for \$220.89. Sandra Dam seconded. Unanimous. Sandra Dam moved that the minutes of the meetings be recorded then transcribed in an abbreviated form with the recordings to be saved for one month after acceptance of the minutes. John Elliott seconded. Unanimous.

The Commission meetings will be held at their new location in the Town Hall Starting July 9, 2007. Mr. Elliott said that he no longer wants the meetings televised. Paul Gagner moved that the meetings not be televised. John Elliott seconded. . Mr. Elliott referred to the Commission meetings as a sideshow. Mr. McIntire said that people would learn the truth quickly if the meetings were televised. For: Gagner, Elliott & McKissick Against: McIntire & Dam Passed.

Cheryl McKissick moved to have the **Water Search Sub-Committee** meet with the Commission twice a month. John Elliott seconded. Mr. McIntire pointed out that the Commission would need to be available to meet and normally a sub-committee works behind the scenes. Ms McKissick will redraft the sub-committee scope and responsibilities for the next meeting. For: McKissick, Elliott & Gagner. Against: McIntire. Abstain: Dam. Passed.

Ms. Dam read the following statement:

With the newly elected commission, there has been expressed concerns and discussion regarding my dual role as both the **Interim Water/Sewer Superintendent** and a commissioner. In response, I do not feel that I am serving any other special interest group, I hold no affiliation with any local businesses, and I defer to the decisions of the commission regarding my duties as an employee. I believe that I have shown equitable and impartial treatment with respect to all issues and parties. The agenda that I bring to the table is my desire to serve the community that has been an integral part of my life and to ethically uphold the duties assigned while attending to the interests of the taxpayers of

the Town of Charlton. For that reason, I will not give up my voice on the commission if that is the only way this commission wishes to consider me for future employment. My first priority is to the voters that elected me.

With respect to the ongoing discussion regarding the interim position, I think the commission is being unfair to both the town and to me as an employee.

First, with respect to the Town, if the commission feels the water and sewer department will be better served by another individual, then it is not advisable or reasonable to continue to keep me on as staff. The position of water sewer administrator was approved by the personnel board and the voters at the May 2007 Annual Town Meeting. This means that the position is currently available to be filled. The commission should move forward immediately in this regard.

Second, regarding my employee status, the commission requested in October of 2005 that I accept the position of the Interim Water Sewer Superintendent so as to make sure the office continued to move forward and all work necessary for running the department was fulfilled. A bylaw approved at the annual Town Meeting May 1998 allowed a commissioner to serve in this capacity. A commissioner had previously served this dual role for over 6 years. I agreed to accept on the condition that the State Ethics Commission and our attorney advised it was ethical and legal. We received documentation whereby our attorney opined that I may serve as interim Superintendent provided that I avoid actions as a Commissioner that could affect my financial interest in the position. The State Ethics commission concurred with our attorney.

My serving in this "temporary" status enabled the commission to continue the search for a superintendent and when that failed, it gave them the latitude to explore and determine the future staffing needs that would best serve the Town while keeping current with the department's workload.

Under my leadership as previous chairperson and then Interim Superintendent, the Commission and I have worked and made great strides together in many areas including the following:

- Implemented a meter policy and new rate structure to make the current billing system more equitable than the Title V rate being used.
- Negotiated an Intermunicipal agreement with Southbridge for 100,000 gpd of water to serve properties with contamination
- Implemented special legislation to protect current sewer users and contaminated property owners on the water line to make sure that they receive the benefit intended for them.
- Completed the repair of a flood damaged pumping station at a substantial saving to the sewer users
- Hired a contract operations firm to run the wastewater treatment plant
- Negotiated a fair contract with a large user in the community which resulted in a payment of 1.88 million towards a much needed upgrade
- Established policies including senior discount, sewer re-evaluation, change of address, legal and engineering review
- Decommissioning of the old sewer line that was causing infiltration problems
- Establishment of consistent record keeping
- Ensuring that the sewer department is self sufficient with respect to its financial situation including sewer retained earnings for ongoing capital repairs.

It is now July of 2007. I believe that I have successfully fulfilled my responsibilities to the commission. I do not feel it is reasonable to assume that I will continue in this Interim role when this newly created position has been available for two months.

I respectfully request that the commission make a determination this evening regarding the search for a Water Sewer Administrator so that we may both move forward and plan for our respective future needs.

Mr. Elliott said that he didn't want to discuss personnel issues in Open Session. Ms. Dam explained that this was not a personnel issue it was just a discussion of a position and must be in Open Session. Cheryl McKissick moved to immediately abolish the Interim Superintendent position and post the Water/Sewer Administrator position. Paul Gagner seconded. Ms. Dam removed herself from the discussion. Mr. McIntire pointed out that there would be no one to do the work of running the Department if the position were immediately abolished. Ms. McKissick withdrew her motion. Mr. Gagner withdrew his second. Cheryl McKissick moved to post the Water/Sewer Administrator position with the prerequisite that if Ms Dam were hired she must resign from the Commission. Paul Gagner seconded. For; McKissick, Elliott & Gagner. Against: McIntire. Passed.

Ms. Dam informed the Commission that the **Department Assistant** has applied for an opening in the Town hall. Ms. Dam said that the Department Assistant had turned the office around to where it was functioning very efficiently, however she feels undervalued. Ms. McKissick wished to table the discussion for Executive Session. Ms. Dam explained that this was discussion of the position and the Department Assistant understood it would be in Open Session. Mr. Gagner said that if she feels undervalued it should be discussed in Executive Session. Mr. Elliott said that she had brought charges of harassment against him. He said he thought she had quit and why don't we just tell her good luck in her job search. Mr. McIntire pointed out that Mr. Elliott was abrupt and extremely unkind to the Department Assistant. Paul Gagner moved to hold the discussion for executive Session. Mr. McIntire explained that the Commission could only do that if they could justify Executive Session. No Second. Cheryl McKissick moved that at the next meeting the Commission go into Executive Session to comply with Exception #2 for the purpose of disciplining, dismissing or hearing complaints against an employee. John Elliott seconded. Ms. McKissick said that she wanted to hear the accusations that the Department Assistant had made. It was explained that no accusations had been made. Mr. McIntire said that the Department Assistant had the right to be present and to Union representation. Mr. Gagner said that he hadn't known she was in a Union. For: McKissick, Elliott & Gagner. Against. Dam & McIntire. Passed.

Ms. McKissick offered her apologies to the Taxpayers for missing the payroll and moved that John Elliott be designated to sign the payroll. Paul Gagner seconded. Unanimous. John Elliott moved that the Highway Department be authorized to do the paving at the WWTP as quoted for \$2,700.00. Paul Gagner seconded. Unanimous.

Mr. Gagner questioned a Tighe & Bond bill and it was explained to him that it was for progress made on the Comprehensive Water Resource Management Plan contract for the past three months.

Ms McKissick asked to be notified whenever the Interim Superintendent was going to be out of the office.

Sandra Dam moved to adjourn. John Elliott seconded. Unanimous.

8:15 p.m.: **Meeting Adjourned**

Next Meeting: July 9, 2007

Approved:

Sandra Dam Date

Paul Gagner Date

Cheryl McKissick Date

John Elliott Date

James McIntire Date