

**TOWN OF WATERFORD SANITARY DISTRICT NO. 1
MINUTES**

March 07, 2012

Commissioner Gerard called the meeting to order at 6:00 p.m.

Commissioners Present: Commissioners Gerard, Santaga and Block
Commissioners Absent: None
Also Present: Administrator Debbie Nelson; Operations Superintendent Norm Nelson; WRSCD Representative Lynn Tamblyn; Attorney John Macy, and Town of Waterford Residents

Commissioner Block noted two typographical errors in the unofficial/unapproved minutes. Motion made by Commissioner Block, seconded by Commissioner Santaga to approve the Commission Meeting minutes dated February 01, 2012 with the noted corrections. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner Block to approve the Special Meeting minutes dated February 08, 2012 as printed. All in favor. Motion carried.

**Report from Western Racine County Sewerage District (WRCS D):
Presented by Lynn Tamblyn**

WRCS D Representative Tamblyn stated his commission is up the end of May and requested this item be on our next agenda.

Old Business:

Commissioner Gerard reported on March 05, 2012 he met with Frank Price at the municipal building to investigate the missing insulation above the meeting room and police department at which time Mr. Price agreed in writing to have the municipal building insulated within sixty (60) days per plans and specification for Project Number 98P86.

Questions arose whether anything transpired after correspondence was received from the Village of Rochester regarding the District's request to terminate the contract with WRCS D. Commissioner Block stated she would investigate this matter and contact WRCS D Representative Tamblyn with her findings.

Motion made by Commissioner Block, seconded by Commissioner Santaga to table investigating the sale of the municipal building. All in favor. Motion carried.

New Business:

The manner of providing information to the newspaper was discussed. The District will continue to facilitate providing the newspaper as much information that is public record as possible and leave it up to each Commissioner whether they would like to respond individually to any newspaper requests.

Discussion ensued whether to respond to the recent articles in the Waterford Post. The newspaper has the free reign to write and for people to read and digest the information however they want and the District should get our information out with full disclosure.

Motion made by Commissioner Santaga, seconded by Commissioner Block to let Administrator Nelson follow what she normally does when there is a rate increase via press release or notice in the newspaper explaining what is being done, why and when. All in favor. Motion carried.

Commissioner Santaga asked Administrator Nelson to clarify how the users of the District Owned Grinder Pumps will be billed. Administrator Nelson explained the adopted procedure. Commissioner Santaga explained the decision of balancing the interests of 302 grinder pump users versus the other 1,625 users and asked Attorney Macy to explain the process that lead up to this decision. Attorney Macy explained the careful process that

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began about six (6) months ago with investigating documentation, what the legal options were, careful analysis of the options, and the Commission defining which option they felt would be fairest to all users of the District before adopting the ordinance. Attorney Macy stated that based on the research that was done, the policy decisions that were made, the decision the Commission made is enforceable, justifiable, and legal. Commissioner Santaga believes and Attorney Macy agreed using the word "perpetual" in the original easement which pertained to getting on to the property to do some initial work and servicing the grinder pump, not to perpetually pay for the grinder pumps, has caused confusion with some users. Residents were asked if they have any documents the Commissioners have not seen they should be filed with the Administrator for review.

Commissioner Gerard explained the municipal building is owned by the District that holds a ninety-nine (99) year lease for \$1 a year with the Town of Waterford. The Commission would like to know if the lease is valid and enforceable, if there is any way out of the contract, and if the building can be sold either way. Motion made by Commissioner Gerard, seconded by Commissioner Santaga to provide Attorney Macy all information pertaining to the purchase of the municipal building, both leases in their entirety, minutes, and any other pertinent documentation for Attorney Macy's objective review, opinion, and options, if any. All in favor. Motion carried.

The Commission will wait for Attorney Macy's opinion regarding the lease; therefore no action was taken on the meeting room usage.

Commissioner Gerard explained why he felt it important to have a policy in the case of a house being razed or any other situation where the sewer may be compromised. Motion made by Commissioner Gerard, seconded by Commissioner Santaga to have the Operations Superintendent place a sticky tag on a building notifying the homeowner they need to contact the District to cut and cap the sewer. All in favor. Motion carried.

Motion made by Commissioner Gerard, seconded by Commissioner Block to decline the Terrorism Insurance Coverage unless research is done deeming it necessary. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner Block to decline having an appraisal of the operating system. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner Block to table having the municipal building appraisal updated. All in favor. Motion carried.

Commissioner Block reported on the two (2) Certificates of Deposit that are maturing. Motion made by Commissioner Santaga, seconded by Commissioner Gerard to have Commissioner Block renew the two (2) Certificates of Deposit at a rate within 1/10th of 1%. All in favor. Motion carried.

Motion made by Commissioner Gerard, seconded by Commissioner Block to move the Commissioners Meeting to the second Wednesday of the month to accommodate the District's attorney. All in favor. Motion carried. The time will remain at 6:00 p.m.

Commissioner Santaga distinguished various ways a hostile work environment is created and what the Commission's obligation as an employer is. Commissioner Santaga gave three examples; the public coming in the District office and venting, a fellow employee, supervisor, or a Commissioner, and the quasi-relationship with the Town of Waterford as neighbors sharing the building. Commissioner Gerard said he felt what was done was directed personally at Administrator Nelson, this was not a one time incident as she has been harassed for years and it usually happens in front of an audience. Attorney Macy stated municipal staff does not and should not have to put up with disorderly conduct, illegal activity, bullying, or other violations of the law and should protect themselves which if the situation warrants means to call the police. Commissioner Santaga stated the Commission knows about this now, have done something to address it, if it continues there are other steps that can be taken and certainly if the Administrator feels that anything rises above her level of comfort she knows what options she has, including contacting the police. Commissioner Block said the Administrator does not have to allow someone to talk to her rudely; she can be assertive without being aggressive, and offer to continue the discussion in a calm manner when they can be calm. Commissioner Santaga added if not comfortable with doing that ask them to leave and if they don't call the police. Commissioner Block said that from the Commission they want Administrator Nelson to know they want her to have a comfortable and happy work environment and they

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will do what is necessary to make sure she does. Commissioner Gerard said they were sorry this had to happen and they hope it will not happen again.

**Monthly Operations & Maintenance Report (O&M):
Presented by Operations Superintendent Norm Nelson**

Operations Superintendent Nelson said there were a few leaks and a broken curb stop that needed to be fixed.

Treasurer's Report:

Commissioner Block explained the monthly Revenues and Expenditures with Comparison to Budget Report for February along with the January Cash on Hand Report.

Correspondence consisted of:

- Attorney Macy-General Municipal Opinion Letter Wisconsin Open Meetings Law
- Thank You Card to District Commissioners & Employees from the Brzeski & Ignatowski Families
- Thank You Card to Debbie from Mary Tschanz
- Thank You Letter to Norm & Jerry from Rich Beres
 - Motion made by Commissioner Block, seconded by Commissioner Santaga to place a copy of the letter in both Norm and Jerry's personnel files. All in favor. Motion carried.
Administrator Nelson stated she had already done so.
- WRCSD Agenda & Minutes

**Administrator Comments:
Presented by Administrator Debbie Nelson**

Administrator Nelson stated she received the February settlement in the amount of \$41,279.22 from the Town Treasurer for the delinquent users place on the tax roll.

The letter to the District Owned Grinder Pump Users is prepared, and she has almost completed converting the information in the computer so the letters can be sent out.

Accounts Payable:

Motion made by Commissioner Santaga, seconded by Commissioner Gerard to approve the accounts payable. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner Block to adjourn at 7:20 p.m. All in favor. Motion carried.

Respectfully submitted,

Debbie Nelson
Administrator