

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

November 07, 2012

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

Commissioners Present: Commissioners Dickinson, McNeiley, and Santaga

Commissioners Absent: None

Also Present: Administrator Debbie Nelson, Operations Superintendent Norm Nelson, Pat Bogumil, Waterford Post, and residents of the Town of Waterford

If a commissioner or staff member requested an agenda item it will be followed by their initials, Dan Dickinson (DD), Ricky McNeiley (RN), Jeff Santaga (JS), Debbie Nelson (DN) and Norm Nelson (NN) and they will introduce the issue(s) associated with it, provide supporting information, and recommend a course of action.

Public Comments

Rick Beres, 8110 Halverson Road: Mr. Beres commended Operations Superintendent Norm Nelson and Operations Assistant Jerry Ignatowski for their quick response and repair of his grinder pump. Beres explained he woke up to his grinder pump alarm going off and raw sewerage going into his basement. He called the district office, talked with Norm, and by 4:00 p.m. they had fixed the problem without digging up his yard. Beres stated he has worked for the City of West Allis for 28 years as a firefighter and knows what public employees do on a regular basis. He said Norm and Jerry were as good as he has seen, if not better, adding he was treated with the utmost respect.

Announcements

Commissioner Dickinson announced tonight's meeting was moved ahead one week to accommodate travel plans for one of the commissioners, therefore there will not be a regular commissioner meeting on November 14, 2012.

Commissioner Dickinson will be travelling from November 15-24, 2012 and for the most part out of contact. Commissioner Santaga will be travelling from November 14-19, 2012. Commissioner McNeiley will be available as the contact person during this time.

Commissioner Dickinson said there has been conversation at several meetings regarding the "cloud" so in an effort to familiarize people with what it is and how it works Commissioner Santaga would do a brief presentation.

Minutes of Previous Meeting(s)

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to approve the Commission Meeting minutes dated October 10, 2012, and the Special Commission Meeting minutes dated October 29, 2012 and November 05, 2012 as printed. All in favor. Motion carried.

Report from Western Racine County Sewerage District (WRCSO)

None.

Old Business

1. *Discussion and possible action regarding legal action against Frank Price, F.C. Price Corporation for failure to insulate the municipal building per plans and specification for Project Number 98P86. Also, report on insulation progress. (DD)*

Commissioner Dickinson reported the town approved \$3,000 to insulate the meeting room and police department and are currently in the process of reviewing bids to have the work performed. The district will proceed with legal action against Frank Price once counsel is obtained.

2. *Discussion and possible action regarding 2013 budgeting process. (DD)*

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Commissioner Dickinson updated the commission on the ad hoc meetings and budget progression.

3. *Discussion and possible action regarding ad hoc committee scheduling. (DD)*

Commissioner Dickinson said he is still working on accumulating data on the health insurance benefit.

4. *Discussion and possible action regarding legal representation for general business matters. (DD)*

Commissioner Dickinson revisited his recommendation made at last months meeting of Michael Dubis' firm for legal counsel and wanted to further discuss having him represent the district. Commission Santaga said he had an opportunity to speak with Dubis who said he would be happy to represent the district once again, however if there were a personnel or labor matter or if there were a conflict of interest with the town he would not be able to represent the district. Motion made by Commissioner McNeiley to retain Michael Dubis' firm as the district's attorney, seconded by Commissioner Santaga. All in favor. Motion carried.

5. *Discussion and possible action regarding legal representation specific to employee. Compensation, contracts, employment terms and conditions, employee handbook, or any other conditions or understandings related to WSD employment. (DD)*

Commissioner Dickinson recommended the firm of Pellmann, Drellos & Associates, S.C. for human resource type issues. He contacted their office and spoke with Attorney Drellos who said their hourly rate is under \$200. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to accept the Pellmann Law Group as the district's counsel for personnel and human resource issues. All in favor. Motion carried.

New Business

1. *Discussion and possible action regarding payroll check signing and approval procedures (DD)*

Commissioner Dickinson explained the district's bi-weekly payroll procedure and stated although two of the three commissioners are retired, there has been a problem with commissioners not being available to sign the checks on Monday delaying the employees being paid. He suggested a change in the payroll procedure having the pay period end on Saturday and the checks being issued a week from the following Monday giving the commissioners a week to sign the checks. Administrator Nelson felt the emphasis should be on one commissioner being available on pay day to sign the checks in accordance with the current payroll procedure. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to build in a week delay in to the payroll procedure contingent upon this change being functional with the payroll software. All in favor. Motion carried.

2. *Discussion and possible action regarding the Municipal Building conference room, in particular responsibility for scheduling, reserving, and for arranging access (DD)*

Commissioner Dickinson said he received a telephone call from Chairman Langmesser regarding transferring responsibilities for the meeting room from the district to the town. Commissioner Dickinson said he contacted Town Clerk Tina Mayer and former Commissioner Donna Block regarding the same and made a decision to have Administrator Nelson continue scheduling the usage of the meeting room until such time this matter could be sorted out. Commissioner Santaga and Administrator Nelson were asked what their recollection of this decision was. Administrator Nelson stated this was the third time dating back to September she would be detailing what transpired to Commissioner Dickinson along with answering his email regarding this issue, which was also sent to the other commissioners. Administrator Nelson referred to the lease between the district and town, Item 4 (2) Use of Premises and read out loud "The Lessor shall have the right to use the addition for its meetings without charge for its regular monthly meetings and at such other times when not in use by the Lessee." During previous review and discussions regarding the lease Attorney Macy, Commissioner Santaga, and former Commissioners Block and Gerard felt the lease clearly indicated the meeting room was being rented to the town and therefore the scheduling is the town's responsibility. Commissioner Santaga stated he also recalled this discussion. Due to the town board's decision not to talk with the commission or have their attorney speak with the district's attorney about the lease, this was not able to be properly conveyed which left Administrator Nelson and Town Clerk Mayer in an uncomfortable situation when

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a resident wanted to schedule the use of the meeting room. Administrator Nelson has offered Town Clerk Mayer the meeting room key and key check-out sheets and in the spirit of friendship and being co-workers, Administrator Nelson said she would honor any meeting she had previously scheduled, but would not schedule any new meetings. Commissioner Dickinson will meet with Chairman Langmesser and convey this information.

3. *Discussion and possible action regarding employee benefits, in particular WSD contribution level to any WSD employee retirement savings. (DD)*

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to ask the district's accountant to give different contribution options within the IRS code pertaining to the retirement. All in favor. Motion carried.

4. *Discussion and possible action regarding quote from Acuity for workers' compensation (DD)*

The district's insurance carrier, Continental Western Group, is no longer offering the workers compensation insurance policy as of January 01, 2013. A quotation was provided to the district from Acuity for their workers' compensation. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to accept the quotation from Acuity for the workers' compensation insurance. All in favor. Motion carried.

Operations & Maintenance Report (O&M)

1. None

Treasurer Report

1. *October Expenditures with Comparison to Budget Report*
2. *October Cash on Hand Report*

Administrator Nelson reported that due to M&I merging with BMO Harris only a partial checking account statement had been received to date, therefore the October Cash on Hand Report was not completed. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to accept the treasurer report. All in favor. Motion carried. Commissioner Dickinson requested the report be forwarded to the commissioners when completed.

Correspondence

1. Letter from Attorney Macy
2. WRCSA Agenda & Minutes

Administrator Comments

Administrator Nelson said in accordance with §66.0809(3) on October 15th certification notices were sent to 349 customers that had a balance from delinquent utility charges incurred before September 30th. On November 01st a 10% penalty was applied to amounts still outstanding in the amount of \$8,145.17.

Account Payables

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to accept the account payables. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to adjourn at 7:17 p.m. All in favor. Motion carried.

Respectfully submitted,

Debbie Nelson
Administrator