

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

**September 12, 2012**

In the absence of a president, Administrator Nelson 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, Operations Assistant Jerry Ignatowski, Attorney Macy, WRCSD Representative Lynn Tamblyn, Tracy Ouellette, 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.**

**New Business**

*1. Introduction of new commissioners (DD)*

Commissioner Dickinson, Santaga, and McNeiley introduced themselves to the public.

*2. Discussion and possible action regarding election of president (DD)*

Motion made by Commissioner McNeiley, seconded by Commissioner Santaga to elect Commissioner Dickinson as president. All in favor. Motion carried.

*3. Discussion and possible action regarding appointment of secretary and treasurer (DD)*

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to appoint Commissioner Santaga as secretary and Commissioner McNeiley as treasurer. All in favor. Motion carried.

**Announcements**

Commissioner Dickinson announced to all present that the Commission intends to convene in closed session pursuant to:

19.85(1)(e), Wis Stats when deliberating or negotiating the purchasing of public properties, the investing of public funds, or the conducting other specified public business, whenever competitive or bargaining reasons require a closed session specifically with regards to the lease provisions for the municipal building, and

Section 19.85(1)(g), Wis Stats when conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved specifically with regards to the repair work on the municipal building

**Minutes of Previous Meeting(s)**

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to waive the reading of the minutes. All in favor. Motion carried.

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to approve the Commission Meeting minutes dated August 08, 2012 as printed. All in favor. Motion carried.

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**Report from Western Racine County Sewerage District (WRCSD)  
Presented by Lynn Tamblyn**

No report.

**New Business**

1. *Discussion and possible action regarding Jim Filicetti's services volunteered regarding WSD finances (DD)*

Commissioner Dickinson stated at a previous meeting Jim Filicetti offered his accounting services to the District. Jim Filicetti introduced himself, explained his background, and offered to assist in the budgeting process. Filicetti would not be replacing the District's accountant. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to contact Jim Filicetti with discretion on his offer to help with the upcoming budgetary issues on a voluntary basis. All in favor. Motion carried.

2. *Discussion and possible action regarding WRCSD costs, agreements, and facility tour (DD).*

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to have interested commissioners and staff tour the Western Racine County Sewerage District plant. All in favor. Motion carried.

3. *Discussion and possible action regarding wording on agenda for citizen comments (DD)*

Attorney Macy explained various ways to accomplish having dialogue with citizens during the public comment period. On the agenda an asterisk or an additional sentence at the end of the public comment section stating "additionally citizens at the pleasure of the commission will be allowed to speak if the commission allows it on agenda items" or "additionally the commission may open it up to comment from the public on any agenda item at their discretion" or "additionally at the discretion of the commission citizens present may be allowed to speak on any specific agenda item." Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to move Public Comments to the beginning of agenda and use Attorney Macy's language for citizen comments. All in favor. Motion carried.

4. *Discussion and possible action regarding upgrading computer and telephone technology (DN)*

Gary Hansen of the Diamond Group explained his background with the District and the outdated technology, in addition to outdated/unsupported software, that is in need of upgrading. Hansen handed out and explained his recommendations for upgrading the District's computer and telephone technology. A meeting will be mutually scheduled with the Commissioners and Hansen to further discuss his recommendations.

5. *Discussion and possible action regarding legal representation (DD)*

Commissioner Dickinson explained Attorney Macy is with a prominent legal firm specializing in municipal government, working for the District at-will, and has always served the commission and staff well, however he wanted to go on record that only because of financial restraints he asked staff not have Attorney Macy present at this meeting and questioned both Commissioner Santaga and Commissioner McNeiley directly if they had invited him. Commissioner Santaga stated he did ask for Attorney Macy to be at the meeting as this is the first meeting of two new commissioners and there are some issues they need to be informed on in order to move forward. As for legal representation being over budget, Commissioner Santaga pointed out the District was recently in the heat of a battle and warzone which required much more assistance from Attorney Macy; Commissioner Dickinson stating in his view it was more disagreements in certain things. Commissioner Dickinson would like to release Attorney Macy and if something would come up prior to new representation being obtained that a special meeting be called and do whatever they need to do as far as legal representation goes. Motion made by Commissioner McNeiley, seconded by Commissioner Dickinson to offer Attorney Macy the opportunity to submit a letter of resignation and return the District files and to begin a search for new representation. Commissioner Santaga said his concern is that the legal representation we have now is very good and are being

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let go because the District is over budget which is not the law firms fault, as the law firm was responding to our request for service. Commissioner McNeiley and Commission Dickinson in favor. Commissioner Santaga opposed. Motion carried. Attorney Macy stated he does not have any District files.

*6. Discussion and possible action regarding the 2012 budgeting process (DD)*

Discussion ensued regarding the budgeting process. Commissioner Dickinson suggested the formation of a working committee that he would chair and be given the authority to select others that possess the necessary talent along with Commissioner McNeiley as treasurer to help on the committee. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to form a budget working committee. All in favor. Motion carried.

*7. Discussion and possible action regarding WSD organizational structure (DD)*

Commissioner Dickinson reported he was at the September 09, 2012 Town Board Meeting at which time a resolution was passed to begin the process of changing the state statute for sanitary districts from a three (3) person board to a five (5) person board. He expressed concern and had requested the town board hold off on making this decision as it has the potential of increasing the cost associated with additional commissioners which would have to be passed down to the users as a rate increase. Commissioner Dickinson suggested the formation of a working committee that he would chair and be given the authority to select others that possess the necessary talent along with Commissioner McNeiley as treasurer to help on the committee. The expected deliverables to be a recommendation to the board on commissioner structure, staffing levels and duties, in-house and out-house work recommendations, working towards providing components of an employee handbook, a Performa showing the financial impact on the District which would be supported by an Operational Report showing that our operations are at least the same if not improved, and an implementation plan along with a schedule. Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to form a WSD organizational committee. All in favor. Motion carried.

*8. Discussion and possible action regarding new/former commissioners' transition (DD)*

All necessary action has been taken; bank signature cards updated, no keys or other District items were dispensed to former commissioners.

*9. Discussion and possible action regarding WSD documents alleged to be given to Racine County for safe keeping (DD)*

Commissioner Dickinson referred to a news article from the Waterford Post stating 'Town of Waterford president Bill Gerard said on August 01 that he recently sent more than 30 pages of official WSD meeting notices and financial data dating as far back as 2003 to the county for safekeeping' etc. Commissioner Dickinson feels the commission has a fiduciary responsibility to determine if official documents were removed or taken. Commissioner McNeiley volunteered to contact Racine County and begin a foot search. Motion made by Commissioner Santaga, seconded by Commissioner Dickinson to authorize Commissioner McNeiley to inquire at Racine County what is there; if possible get a copy and report back. All in favor. Motion carried.

*10. Discussion and possible action regarding staff work direction, cooperation, records access (DD)*

Motion made by Commissioner Santaga, seconded by Commissioner Dickinson that any commissioner be able to request documents without cost, have the request be completed as expeditiously as reasonable, and as a courtesy and to be in accord with the attorney general's opinion Administrator Nelson will offer the other two commissioners the same. Commissioner McNeiley would like to motion to be changed from Administrator Nelson to staff incase things change. All in favor. Motion carried.

*11. Discussion and possible action regarding website content (DD)*

Motion made by Commissioner Dickinson, seconded by Commissioner Santaga to change the "Facts & Fiction" page on the website to "FAQ's" and immediately remove all content. All future content must be approved by the

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commission prior to posting the same, the minutes and agenda would be published once approved, and the commissioner information can be updated. All in favor. Motion carried.

Motion made by Commissioner Dickinson, seconded by Commissioner McNeiley to remove the “Accolades” page in its entirety from the website. All in favor. Motion carried.

*12. Discussion and possible action regarding lift stations upgrade controls and master site radio control (DD)*

Commissioner Dickinson turned this topic over to Operations Superintendent Nelson who then distributed copies of the bids from B&M Technical Services and L.W. Allen, Inc. explained the bids and answered questions. Operations Superintendent Nelson compiled the information instead of a supervisor/engineer which saved the District approximately \$20,000, and by having inside staff perform the upgrades at remote sites there would be a savings of another \$10,070. Operations Superintendent Nelson stated he would like to see action taken at this meeting as the commission was aware of the problem with its antiquated equipment which causes the staff to receive after hour calls, sometimes three (3) to four (4) times a night, and there is a four (4) week lead time which would bring the project into October for work being performed outdoors. Commissioner Dickinson would like to have a Dunn & Bradstreet credit report done on the bidders and the suppliers of the major components. The commission was not ready to vote on this item, but would like Administrator Nelson to coordinate a special meeting as soon as possible due to the weather restraints.

*13. Discussion and possible action regarding Certificate of Deposit #6 (DN)*

Administrator Nelson explained a maturity notice was received for Certificate of Deposit #6. To avoid automatic renewal of the CD and a possible premature withdrawal penalty Administrator Nelson transferred the funds into the District’s money market account awaiting commission action. Motion made by Commissioner McNeiley, seconded by Commissioner Santaga to keep the money from the Certificate of Deposit in the money market account until further notice. All in favor. Motion carried.

**Old Business**

*1. Discussion and possible action regarding employee benefits (DD)*

Discussion ensued regarding the employee benefits. Commissioner Dickinson suggested the formation of a working committee that he would chair and be given the authority to select others that possess the necessary talent to accomplish the goal along with Commissioner McNeiley as treasurer to help on the committee. The expected deliverables would be a recommendation to the commission on a more comprehensive insurance benefit plan and a retirement savings plan more in line with public and private sector jobs and a recommended plan that is supportive of a Performa showing the financial impact on WSD. Motion made by Commissioner McNeiley, seconded by Commissioner Santaga to form a working committee to look into employee benefits limited to insurance and retirement. All in favor. Motion carried.

*2. 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 (DD)*

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley table this matter until such time there is legal counsel. All in favor. Motion carried.

*3. Discussion and possible action regarding Town of Waterford lease agreement, and snow removal agreement (DD)*

This topic was turned over to Operations Superintendent Nelson who explained the District is paying overtime for someone from the operations department to report to work on Saturday, Sunday, holidays, or weekdays after 3:30 pm. or whenever they are not normally scheduled. The Town of Waterford cuts the grass during normal working hours and it is his feeling that is why the commission voted to terminate the agreement at last months

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meeting. Commissioner Santaga added the Town of Waterford is the lessee and the District is paying their people overtime to shovel for their nighttime meetings and departments that are open later. Commissioner Dickinson received permission to meet with Operations Superintendent Nelson and Administrator Nelson to further discuss this item. The snow removal agreement will be tabled to next month.

**Operations & Maintenance Report (O&M)**

No report.

**Treasurer Report**

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

Motion made by Commissioner Santaga, seconded by Commissioner Dickinson to accept the Treasurer Report as presented. All in favor. Motion carried.

**Correspondence**

1. *Letter from State Representative David Craig*
2. *WRCSD Agenda & Minutes.*

**Administrator Comments**

1. *Check from Town of Waterford treasurer for August settlement*

The August settlement in the amount of \$7,670.67 for the delinquent users placed on the tax roll was received from the Town of Waterford Treasurer.

2. *Call received from Shawn, Dunn & Bradstreet*

Shawn from Dunn & Bradstreet called to inform me that within the past few months someone obtained a credit report on the District and were checking into its' financial stability. He was concerned as this was the first time since 1972 anyone had done so.

**Account Payables**

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

**Public Comments**

None.

Motion made by Commissioner Santaga, seconded by Commissioner McNeiley to adjourn at 9:03 p.m. All in favor. Motion carried.

Respectfully submitted,

Debbie Nelson  
Administrator