

**Littleton Light and Water Departments  
Board of Commissioners Meeting  
Minutes– Tuesday, November 19, 2002**

Present for the meeting:

**Commissioners:** Joseph Cataldo, Bruce Trumbull, Craig Gruskowski, Thomas Rauker and Joseph McCumber

**General Manager:** Savas C. Danos

**Assistant General Manager:** Scott Edwards

**Staff:** Jerry Young, Gil Finch, Kevin Goddard and Kay Johnson

The meeting was called to order at 7:03 PM

- 1) **Approve Agenda** – GM Danos made one change to the agenda, under employee update; Richard Haywood, accident update. With no further changes the Board approved the agenda.
- 2) **Approve Board Minutes of October 22.** With no changes to the October 22 minutes, a motion was made by Trumbull and seconded by Rauker and voted by the members present for the October 22<sup>nd</sup> meeting to approve the minutes. **The Vote: Gruskowski - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**
  - a) **Approve Executive Session Meeting of August 27** – With no changes to the August 27<sup>th</sup> executive minutes a motion was made by Rauker and seconded by Trumbull and voted by the members present for the executive session of August 27<sup>th</sup> to approve the executive session minutes. **The Vote: Trumbull - Yes, Rauker - Yes and Cataldo - Yes**
- 3) **Discussion of IG Investigation**
  - a) Executive Session discussion regarding Attorney/Client Privilege and possible litigation.

**At 7:10 on a roll call vote the Board entered into executive session to discuss strategy with respect to litigation and to reconvene into the regular meeting for the purpose of continuing on with the regular session. The Roll Call Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

**At 7:45 the Board returned to the regular meeting.**

On return to the meeting, Commissioner Cataldo stated how he sees the Board's role as overseers of the Light and Water Departments, to advise and act as consultants, to the GM and AGM but not to run the day-to-day operations. Cataldo wants the Board to vote tonight on the policies for both the Light and Water Departments, as well as the gift and gratuity policy. Cataldo invited the Board to make any changes they deemed necessary. Trumbull requested a limit be placed on item 3 under warrants. After a brief discussion, it was agreed to place a limit of \$10,000 for prior approval by the GM and sign off by the supervisor. Danos discussed with the Board the checks and balances that take place from the signatures, packing slips & purchase orders. Rauker would like the policy to state the Commissioners will sign off on the warrants after review by the Manager. Trumbull requested that, if possible, the Board review all travel arrangements in advance of the trip. Danos stated after the first of the

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year, he will bring to the Board for their review and discussion a list of all the consultants working for the departments. A brief discussion was held on the open purchase order for a consultant and the need to include a “not to exceed” limit.

**Review and Approval of the new Gift/Gratuity Acceptance Policy** – Rauker asked management if the Departments have a compliance sign off letter for all new employees as well as an annual compliance letter for all the employees. Rauker would like to see some type of a letter instituted annually and will forward Manager Danos a sample letter for review. McCumber requested additional backup documentation with the warrants for the Board’s review. After a brief discussion on the present policy, Rauker suggested a simple form be incorporated with the warrants stating that all documentation is complete and whether the item has gone through the bidding process. Discussion was held on bringing new hires before the Board after the acceptance of an offer. It was agreed that after the hiring process the new hire would come before the Board for an introduction. Danos spoke on the two gratuity policies that he was presenting to the Board. The first policy is the state statute policy of a \$50.00 limit and the second a zero tolerance policy. Danos stated he was in favor of the \$50.00 limit but would support the Board’s decision. Rauker stated he was not in favor of the zero tolerance policy. Danos explained how the \$50.00 limit policy would work. Danos stated employees would have to fill out a form if they accept either a gift or gratuity of less than \$50.00 value and have it approved by the General Manager. Danos stated if he receives a gift or gratuity of value less than \$50.00 he would require the Board to sign off on the form. The Board was in agreement with the limit of \$50.00 policy. McCumber requested that # III Prohibited Conduct: include all existing vendors, as well as all new vendors will receive a copy of the gift and gratuity policy. A motion was made by Rauker and seconded by Trumbull and unanimously voted by the Board to accept the gift/gratuity acceptance policy as amended by Commissioner McCumber. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

Commissioner Cataldo requested the Board approve the letter to Manager Danos and Assistant Manager Edwards as a vote of confidence to be sent with the gift/gratuity policy to the Inspector General’s office. A motion was made by Gruskowski and seconded by McCumber to approve Chairman Cataldo’s letter to Danos and Edwards and copied to the Inspectors General office. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

Cataldo requested a meeting be held with the employees to update them on what is happening with the policy. Danos stated that he had already scheduled an employee meeting.

Cataldo also requested that Manager Danos define the role of the Board under the state statutes for the next meeting date.

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**Upcoming Meeting Dates** – Manager Danos quickly reviewed the upcoming meeting dates with the Board. The Rotary Thanksgiving breakfast, the lighting of the Common on Sunday December 8<sup>th</sup>, and the next Board meeting date for December 17<sup>th</sup>. Danos also updated the Board on the holiday schedule for all the employees.

4) **Employee Update**

- a. Danos stated Amy Mancini has been hired as the Inventory Coordinator and comes to us from Baystate Water Works.
- b. Richard Haywood Update - (discussion below)

5) **Approval of updated LELD Terms and Conditions** – Manager Danos requested the Board vote their approval for the terms and conditions for the Light Department. Danos stated McCumber had requested two changes to the terms and conditions and those have been incorporated in the latest revisions. Danos stated the first was to increase the cost for meter tampering from \$100.00 to \$150.00 or \$200.00 and the second was under 16, System Protection D., any permanently installed generators must be in compliance with the National Electric Safety Code and LELD standards. After discussion on the fee for meter tampering, the Board raised the fee to \$1,000. A motion was made by Rauker and seconded by Gruskowski and unanimously voted by the Board to change the meter-tampering fee to \$1,000. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes** A motion was made by Trumbull and seconded by Gruskowski and unanimously voted by the Board to approve the Terms and Conditions for the Light Department as amended. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

6) **Approval of updated LWD Terms and Conditions** – Danos requested approval for the Littleton Water Department Terms and Conditions. Trumbull requested an increase in hydrant tampering fee, stating he sees this as an issue to water quality as well as creating other problems to the distribution system. A motion was made by Trumbull and seconded by seconded Gruskowski and voted unanimously by the Board to raise the fee for hydrant tampering from \$50.00 to \$500.00. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes.** A motion was then made by Rauker and seconded by Gruskowski and unanimously voted by the Board to accept the terms and conditions of the Water Department as amended. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

7) **Update on Middlesex Retirement Costs** – Danos reviewed with the Board the memo from Business Manager Young. Young stated once we have a better understanding of the retirement cost impact we will be able to make some sound financial decisions. Danos will keep the Board updated.

8) **Letters** – Manager Danos reviewed the letters with the Board. Cataldo noted the letter of appreciation to the GM from the Town of Reading for his presentation on how municipal light departments operate.

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**ELECTRIC LIGHT DEPARTMENT**  
**Action Items/Recommendations**

**New Business**

- 1) **LELD Holiday Lighting Contest Review and Approval** – Danos presented the Holiday Lighting contest to the Board for their review and approval. (See attached press release) Manager Danos stated that employees and commissioners were not eligible for the contest. The contest will be judged by staff. The Board was in agreement with the contest and a motion was made by Trumbull and seconded by Gruskowski and unanimously voted by the Board to approve the holiday lighting contest. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

**Old Business**

**Financials**

- 1) **Operations Summary** – Danos reviewed the operating summary with the Board. A brief discussion was held on the rate of return. The Board approved as presented.
- 2) **Cash and Sales Report** – The Board approved the cash and sales report as presented. .
- 3) **Budget Summary through October – 83% of year** – Danos stated we are doing well and we are ahead of schedule in our budget and overall sales. Danos stated we would be completing the meter program this year. Danos stated our temporary meter person is no longer with us; Gregory Bernier has been hired by the Holden Light Department. Danos stated there are approximately 18 manual meters in the system with one in Boxborough. Gruskowski inquired about the non-budget figure for October. Danos will research the information and get back to Commissioner Gruskowski. With no further discussion, the Board approved as presented.

**Power Supply**

- 1) **September Purchase Power Report** – The Board reviewed the September Purchase Power report and approved as presented.
- 2) **October Rate 40 Customer Review** – Danos reviewed the October Rate 40 customers' summary. October usage is up due to the cold weather stated Danos. A brief discussion was held on the Cisco project in Boxborough. With no further discussion, the Board approved as presented.

**WATER DEPARTMENT**  
**Action Items/Recommendations**

**New Business**

- 1) **High School Water Use Letter from Superintendent** – Danos informed the Board that the official letter was received from the Superintendent to waive the cost of the water bill. Danos stated the Board had voted at the previous meeting not to waive the cost of the bill. Cataldo recommended that Manager Danos' response to the superintendent state we are willing

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to help find a new water source but not allow a credit for the water bill. No further discussion was held.

- 2) **Letter regarding support for New Police Station** – Danos stated he had been requested to put in writing the past and present practices of installing and sampling municipal monitoring wells for municipal buildings when a special permit is required. This is FYI for the Board, stated Danos.
- 3) **Guilford Update:**
  - a. **Ropes & Gray – Pro Bono Attorneys for Guilford Amicus Brief -**  
Danos stated as the result of Ropes and Gray's involvement in the Guilford matter, we have the opportunity join in the filing for *the Amicus Brief* at no expense other than out-of-pocket expenses. Danos briefly reviewed with the Board what some of the cost would be for these expenses. No further discussion was held.
- 4) **Cedar Hill Standpipe Update** – Danos reviewed with the Board what had occurred at the Cedar Hill tank. Unfortunately bits and pieces were taken out of context of the press release and picked up by AP news wire, and several TV channels, stated Danos. Danos stated he called AP wire and several TV channels to inform them that there were no health issues and that the press release was required by DEP. Danos stated we had two low counts of e-coli at the tank but no other counts in the distribution system. We think it was residual in the tank, stated Danos. We immediately took the tank off line, had the tank climbed and its integrity checked and are now in the process of chlorinating, stated Danos. Gruskowski expressed concern with the tank since we have not had any problems at the other sites. Danos explained that the flushing program had just been completed and this area was the last area to be flushed. This might have caused some sediment in the tank, but this is only speculation, stated Danos. Discussion was held on the need for further chlorination. Danos stated that would be necessary if the tank proves to be an issue but because of all the flushing that occurred this could be what caused this present problem. Danos stated next year during the flushing program we will chlorinate at each site so this won't happen again.

**Old Business**

- 1) **Clean Lakes Program Update** – Danos stated things are moving nicely. We have our consultant watching over the work. The contractor is having a problem with the MBE because he lost his paving contractor that was a minority business. Cataldo stated if the contractor can give a certified letter that he has gone through process to hire a minority company but is unable, this requirement may be waived.

**Financials**

- 1) **Cash and Sales Reports** – Danos informed the Board as the result of the emergency repairs to Edsel Road the budget is impacted significantly. We will seek a water surplus transfer sometime in the spring stated Danos. The Board approved as presented.
- 2) **Budget through October – 33.3%** – Danos reviewed the Budget through October. Discussion was held on several line items that have

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been impacted by the Edsel Road project. Trumbull inquired about Engineering Services; Danos will give the Board a breakdown on this line item.

**Employee Update b. Richard Haywood Update.**

Manager Danos requested Operations Manager Finch give an update on the injury sustained to Richard Haywood while on Mutual Aid to the Town of Princeton. Finch explained to the Board what had occurred at the time of the Richard's injury. Finch stated that Rich was in the bucket truck when a passing truck caught a wire and pinned Rich in his bucket. Finch stated we were very fortunate that the wires were de-energized at the time of the accident. Finch explained that the department had instituted a "code red" policy years earlier and that this proved to be invaluable. Finch stated the "code red" was picked up by the crew coming back from Paxton who immediately called Littleton Dispatch who immediately notified the Princeton Police Department of the "code red" call. Finch stated the line crews did a great job and the Littleton Dispatch did an outstanding job for the department. Finch stated Haywood was taken by ambulance to the Leominster Hospital and it was determined that Rich had not suffered any broken bones or internal injuries. Finch informed the Board that Rich will be out of work for several days. AGM Edwards, who is presently the Chairman of the Mutual Aid Committee for NEPPA, explained how the mutual aid agreement works. Edwards explained the payment process when a crew goes out on mutual aid. Trumbull questioned safety procedures for our crews when on mutual aid. Finch discussed how he makes up the crews that are going out on mutual aid and that if there were real safety concerns the crews would not hesitate to pack up and leave if they felt the situation was unsafe.

The Board agreed not to sign the warrants until additional backup is presented for several invoices in question.

At 9:40 PM, a motion was made by Gruskowski and seconded by Rauker and unanimously voted by the Board to adjourn the meeting. **The Vote: Gruskowski - Yes, McCumber - Yes, Trumbull - Yes, Rauker - Yes and Cataldo - Yes**

Respectfully submitted,

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Savas C. Danos  
General Manager

Date approved: December 17, 2002