

Reading Municipal Light Board of Commissioners
Regular Session
230 Ash Street
Reading, MA 01867
February 6, 2003

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Start Time of Regular Session: 7:40 p.m.
Recess Time of Regular Session: 9:29 p.m.
Reconvene Time of Regular Session: 9:40 p.m.
End Time of Regular Session: 10:05 p.m.

Attendees:

Commissioners: Hughes, Pacino, Ames, Soli and Herlihy

RMLD Staff: Mr. Cameron, Acting General Manager and Ms. Antonio
Ms. Gottwald, O'Leary, Cavagnaro, Parenteau, Webb
Messrs. Butler, Uvanni, Bilicki, Donahoe, Hodges, Price, Seldon, Kazanjian, Cussen
Mr. & Mrs. Hadley
Mr. & Mrs. Blomley

CAB: Messrs. Carakatsane, Norton and Lessard

Guests: Mr. Boissoneau
Mr. Hechenbleikner
Mr. Cummings
Mr. Feeley

This meeting of the Reading Municipal Light Department (RMLD) Board of Commissioners February 6, 2003 is being broadcast live in the RMLD's office at 230 Ash Street, Reading, MA. Live broadcasts are available only in Reading due to technology constraints.

This meeting is being video taped for distribution to the community television stations in North Reading, Wilmington and Lynnfield.

Mr. Hughes stated the Reading Municipal Light Department Board of Commissioners Policy Subcommittee met at 6:30 p.m. to discuss RMLD Policy Number 21.

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Mr. Hughes read the Suggested Motion; Move that the Reading Municipal Light Department Board of Commissioners approve RMLD Policy Number 21, Revision #7, Management Salaries and Overtime.

Mr. Pacino made a motion seconded by Ames.

Mr. Cameron noted the vacation buy back for the union and management employees has been a past practice for a long time. Recently, the Selectmen have taken up this issue with the RMLD and the School Committee. Mr. Cameron did not want to go through the whole genesis of the thing. It was asked of Mr. Cameron by the Town Manager Peter Hechenbleikner last week whether the Department had formalized this practice of vacation buy back. Mr. Cameron told Mr. Hechenbleikner he would get him the back up on this and he did. Mr. Cameron provided Mr. Hechenbleikner with union contracts that had those provisions in them. Unfortunately, the present union contracts the present ones do not have these provisions because they had been simplified to say that the union would get what management gets. It turned out that former management had not closed the loop and had not distinctly described vacation buy back in the Management Pay, Policy Number 21 that handles Management Salaries and Benefits.

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Subsequently, Mr. Cameron received a memo from the Town Manager, Peter Hechenbleikner that said he did not believe the Department should be giving vacation buy back and that in the future he would not sign payroll with the buyback in it. If the Department did not do something about it or if the Board did not do something about it he would make adjustments to whoever received vacation buy back this year. Mr. Cameron took the initiative to make the changes and added certain language to the Policy, which reflected vacation buy back. Mr. Cameron added there were other changes to Policy 21 some had to do with longevity pay, some had to do with trying to better define response to emergencies in off hours. Mr. Cameron put this together with the help of Beth-Ellen Antonio, Human Resources Manager and forwarded this to the Policy Subcommittee for a meeting held this evening at 6:30 p.m.

Mr. Pacino asked for a report of the Policy Subcommittee.

Mr. Ames stated the Policy Subcommittee was unable to reach a decision on whether to support the changes. The Subcommittee could support some of the changes. Mr. Ames stated basically they did not reach agreement.

Mr. Herlihy stated there were two Commissioners, he as one Commissioner voted against the policy change. Mr. Herlihy felt given the economic circumstances and the timing of this that perhaps it was inappropriate and ill timed. This is something that deserves a full hearing. The Selectmen will be talking about something that can be argued on its merits to them. Mr. Herlihy thinks the Commission should perhaps do this before they rush this policy change through tonight.

Mr. Hughes asked Mr. Cameron as he has questions. Where under what budget do these monies come out of which is afforded back to the employees? Whose budget the Town's budget or the Department's budget?

Mr. Cameron replied it is handled under the operations budget of the RMLD. It is an operating expense.

Mr. Hughes inquired this has been for years?

Mr. Cameron replied it has been looked at and goes back to 1997 in the budget but the practice has been a long-standing practice long before this.

Mr. Cummings noted he has a couple of comments then a couple of questions just so he understands specifically the vacation policy. Mr. Cummings started with a question the policy specifically the number days of vacation is it on an accrued basis or do you earn it on the first day of your employment?

Mr. Cameron asked for Mr. Cummings to repeat his question.

Mr. Cummings asked is the vacation time you earn accrued through the year or do you earn it on the first day of the year?

Ms. Antonio replied it is posted on the first day of the year.

Mr. Cummings replied for demonstrative purposes if a new employee came on for instance December 15th he assumed and then inquired this is on a calendar year?

Mr. Cameron replied it is based on a calendar year.

Mr. Cummings stated based on the proposed policy if an employee became employed on December 15th and decided to take vacation from December 16th they could in essence get two weeks paid vacation.

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Ms. Antonio replied zero vacation because it would be prorated.

Mr. Cummings replied in the policy it does not state prorated. It says zero to four years fifteen days.

Ms. Antonio stated it is prorated in the first year of service.

Mr. Cummings stated but that is not in the policy.

Mr. Cameron noted point taken.

Mr. Cummings noted basically on the flip side if an employee has eleven years of service and decides to terminate. If they terminate on January 2nd or January 3rd would they get paid their twenty-two vacation days? Mr. Cummings replied it is not really on an accrual basis. Mr. Cummings noted basically you earn twenty-two days on the first day of the calendar year regardless of the number of days you work in a particular year.

Mr. Cameron replied yes, except it is prorated in the first year. Mr. Cameron pointed out you earn whatever days you have on a calendar basis for the next year.

Mr. Cummings noted as a comment as a citizen or ratepayer he would suggest the Department do it on an accrual basis. That way people are entitled to vacation time throughout the year you can borrow up to five or ten days some policies have this. To have a policy where you can stay for one day of service in a year and get twenty-two, twenty-five or fifteen vacation days he thinks it is to the better advantage of the ratepayers to have it on an accrual basis on annual basis. Mr. Cummings noted the other part substantively about the policy is he can understand vacation buy back as a management tool. Occasionally you can run into staffing situations where for whatever reason someone cannot take their vacation maybe there is a maternity leave that coincides with someone's vacation time or something like that and this can be a tool. However, the way the policy is written it is unilateral to the employee only and if the employee decides to take or apply even for to the last day of the last paycheck of the year it is completely up to them to him that represents salary. The way the policy is written somebody gets an annual salary plus one week's salary provided they only want to take a certain number of days vacation. Mr. Cummings does not see this as a management tool at all. Mr. Cummings thinks not knowing what the past practice has been if it is in a labor contract obviously something was negotiated to the benefit of the union and something else was probably given up to management. If it is not in a labor contract now he suggests one could gather from that something else was bargained out for it. Mr. Cummings noted leaving it unilaterally to the employee makes a lot of sense from a management perspective. Mr. Cummings added with regard to taking up the policy he has spent the last two weeks explaining how the Board of Selectmen got to the issue of vacation buy back and bonuses. Mr. Cummings noted he had a good discussion with the CAB the other night about open lines of communication and in the fact this is on a radar screen. Mr. Cummings was a little bit concerned that the Board tonight would take action without consultation understanding that the Board of Selectmen has flagged this as a particular issue. Regardless of the substantive part of the policy he would ask the Commission to table this until such time as you can have a discussion or the Board of Selectmen with the RMLD Board can have a discussion about the whole issue across the community.

Mr. Hughes had a question as a Chair, when this study was conducted or put out on the radar screen how come nobody had the common courtesy or professionalism from the Board of Selectmen to give us a heads up that this was on the radar screen or that this was being promulgated? It then went further to Town Counsel to draft up an article for the warrant to be addressed. Still no communication to the Board. Not even from Mr. Cummings the liaison, Peter Hechenbleikner the Town Manager. The Department found about it publicly.

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Mr. Cummings replied again as he took responsibility the other night at the CAB had he had known it was going through the communicative process that it was he should have let the Board know. Mr. Cummings noted it came up as an issue regarding vacation buy back and bonus payment specifically with the School Department it has been an issue in discussion since September/October. Mr. Cummings stated it was not until the Board of Selectmen received proposed warrant articles which are not proposed for a particular warrant but as a methodology for handling vacation buy back as a policy across the town. It is not that they were drafted to be put on a warrant. What Town Counsel was asked, was how can this be addressed across the community? It was not the intention of the Board of Selectmen to take action the other night to basically table it until such point and time until they can have a communication with the School Committee and Light Board about the whole issue.

Mr. Ames stated he needs some explanation as to why there is any concern whatsoever with this. Meaning by this the employees of the Light Department don't generally come from other Town departments in that the Light Department does not take employees from the School Department, the Department of Public Works. An employee coming into the Light Department would come from some place completely separate. So why does there have to be commonality of policies within the Town. Mr. Ames does not see the advantage to this. Why is the Board of Selectmen concerned about it?

Mr. Cummings replied the Board of Selectmen is concerned about equity across the community for municipal employees. Mr. Cummings assumed that employees of the Municipal Light Department are municipal employees.

Mr. Ames replied again he does not see what the benefit of having equality across different departments in the Town if there is no mobility of employees within the Town is his problem.

Mr. Cummings replied he could make the case that there should be equality across the community for municipal employees for certain benefits.

Mr. Ames lets make the case, what is the case?

Mr. Cummings replied he is not prepared tonight to discuss all of that. Mr. Cummings asked again of Mr. Ames what his comment was initially and has forgotten it.

Mr. Ames replied the pool of employees the Department draws on typically does not come from the rest of the Town. Typically, it comes from outside the Town. Mr. Ames sees that meaning the policies that exist within the Department should be tuned to the Department not tuned to the Town's problems.

Mr. Boissoneau inquired what is with the School Committee? Mr. Boissoneau cannot understand it as you are trying to take something away from the RMLD employees. Mr. Boissoneau has heard the School Committee cry and everything else. The teachers do not work a full year as these employees do.

Mr. Cummings replied the vacation buy back applies to the full time, full year employees.

Mr. Boissoneau inquired of Mr. Cummings is the School Committee actually trying to come down here and manage Reading Light?

Mr. Cummings replied no. Mr. Cummings stated all the Board of Selectmen wanted to do is have a discussion about policies that affect full time year round employees across the community. Mr. Boissoneau added you have not explained about the School Committee.

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Mr. Cummings replied School Department employees are also municipal employees and there should be commonality. Mr. Cummings noted one could make the case that should be commonality for wages and benefits.

Mr. Boissoneau explained when he was union president (referring to his employment at Reading Municipal Light Department) he went to insurance meetings (meaning at Town Hall). Do you know these employees had no say or no vote as far as getting health insurance? Do you know that?

Mr. Cummings replied he was not aware.

Mr. Boissoneau stated you are talking employees and fair is fair. Mr. Boissoneau stated when he went up as union president you could suggest something but your employees did not have a vote, your employees do not have a vote.

Mr. Cummings replied first of all he was not speaking about a union contract; he was talking about the management pay policy, which is before the Board.

Mr. Cameron stated one thing that is not clear to him is the School Committee or School Department. Do they have any providence or past practice as far as vacation buy back goes. Was there anything in writing prior to that which said they could do this?

Mr. Cummings replied he has one personal recollection about vacation buy back. Mr. Cummings believes this happened in 1992 with the former Assistant Superintendent and at that time there was a settlement made upon her departure for unused vacation time. The School Committee at that time undertook he does not believe there was a written policy to make sure that management employees took their vacation as they thought there was value in employees taking time off.

Mr. Cameron wants to understand.

Mr. Cummings replied subsequently now he is unsure if there is a written policy about it or what the practice has been.

Mr. Cameron stated when he looks at the situation at the Department he does see a lot of precedent, a lot of past practice. Mr. Cameron pointed out as he has stated before in public meeting and he will say it again. The professional employees have started the process of getting a union together. Mr. Cameron noted this isn't going to have them back off. He believes on that it will probably fuel their fires. The thing Mr. Cameron wants to echo also is what Commissioner Ames stated. The Department for the most part does not draw its employees from the Town or any other town. The Department draws employees from the electric utility industry because they are specialized and they are highly trained. Mr. Cameron noted the benefits offered to the employees at the RMLD are what draws highly trained and specialized employees to our ranks. What this equates to is that not as much training is required for employees coming through the door. Mr. Cameron stated historically the vacation buy back 2000 amount \$26,000. 2001 amount \$21,000 and 2002 amount \$20,000. In the grand scheme of things he is not sure what we arguing about. Mr. Cameron replied it has no affect on the Town because it is tax based and the Department is revenue based. And the only effect he can see is on the Town is the municipal electric bills. The RMLD is a seventy million-revenue requirement company and when this is divided into \$20,000 the result is miniscule.

Mr. Cummings offered one response. Mr. Cummings is not here to justify or argue with whether there should or shouldn't be vacation buy back. Mr. Cummings is here to discuss the request by the Board of Selectmen not to do anything formally where it is not in your formal policy now until there is a discussion.

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His earlier comments were with respect to the substance of the policy with respect to being unilaterally an employee benefit and the accrual issue he raised along his first comment. For business practices those things should be changed.

Mr. Ames stated he would like to have some discussion relative to the consequences of either passing this or not passing this. Mr. Ames pointed out he understands that Mr. Cummings asking us not to pass this. However, Mr. Ames' understanding is also Revision Number Seven basically ratifies standing practice within the Department. Mr. Ames' further understanding is that if we fail to ratify this revision then the Town Manager and/or people who review the warrants will see fit to impose the no buy back status on payrolls and revert that to some point in the past if he understands the memos he has been reading. Mr. Ames noted the question is what are the consequences of not passing this versus the consequences of passing this?

Mr. Hechenbleikner replied as far as the consequences this issue is for the Light Department. Since he is being quoted he prefers to be quoted accurately and completely. Mr. Hechenbleikner noted as far as vacation buy back the payroll of January 31st he asked the Acting General Manager what the policy was and justification for doing vacation buy back. The reason he asked that because it is part of his job. When he is signing off on payroll he is signing off that is an appropriate expenditure, as you know we have had this discussion. It is part of the Board's job, the General Manager's job, part of his job and the Town Accountant's job. When the Acting General Manager pulled out the material, which is former contracts for two unions, current contracts for two unions and personnel policies. Mr. Hechenbleikner told Mr. Cameron he told him he did not think there was the justification by the Light Department currently for paying that pay. He did not say he did not think it was a good idea to pay it. He did not inject his own personal opinion about vacation buy back. Mr. Hechenbleikner said he did not think you have the justification to pay it. Mr. Hechenbleikner stated he would go ahead and pay that payroll because he was certainly not going to hold up the payroll for the Light Department employees they earned their pay and they should be paid it. It was something that needed to be addressed by the Light Board either that you intended to pay or not intend to pay it. Unless the Light Board addressed it then next time it came down we just would not pay the vacation buy back. Very simply it is what he said. He thinks if you read through the memo that is what is says. It does not inject his personal opinion as to whether it should be paid or not paid. Mr. Hechenbleikner also never said that he would amend the payroll. He has no authority to amend the payroll. He either approves it or rejects it. If it was on there again he would have no choice but in a timely manner to send it back and have it adjusted. That is why it is before you now as an issue. It is your issue to address. Obviously he is not trying to inject his view or opinions on vacation buy back. Of course the Selectmen separately has had some discussion on this and they would like to have discussion with the Board. Mr. Hechenbleikner's review is a technical review and he thinks because of the change in contract because the Policy Twenty One does not talk about vacation buy back, he does not think there is any authorization to pay vacation buy back.

Mr. Pacino has a question relative to Mr. Hechenbleikner's statement. Mr. Pacino is now looking at the January 30, 2003 memo sent to Mr. Cameron from Mr. Hechenbeikner. The last two sentences state, "I assume that the Light Board will probably take some action, in which case the payrolls that we signed this calendar year to date are fine. If not, then adjustments will have to be made to those who have already received vacation buy back." Mr. Pacino wanted Mr. Hechenbleikner to explain the last sentence.

Mr. Hechenbleikner replied it does not reflect the policy and intent of the Light Board as that policy may be amended. Mr. Hechenbleikner noted he thinks the Light Department needs to go back and modify that payroll for this period very simply. Mr. Hechenbleikner is not suggesting that you do it.

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Mr. Pacino replied one thing is there has been a breakdown in communication as Mr. Cummings has admitted that. The memo got out without anybody coming to the Board and discussing anything with the Board that this is on the radar screen we ought to talk about this. This has caused havoc among the employees. Employees are very concerned and very upset as to when this memo came down as they read something like this.

Mr. Hechenbleikner inquired of Mr. Pacino what memo talking about?

Mr. Pacino replied the memo he read from. Mr. Pacino stated this last sentence has been interpreted as you are going to unilaterally adjust their salaries.

Mr. Hechenbleikner replied he has no authority do that.

Mr. Pacino replied that is how employees in the Department are taking it and is causing havoc because of how they are interpreting this memo. It is forcing the Board in the corner to take some action to try to support are own employees.

Mr. Hechenbleikner replied if it misstated he apologizes for that. Mr. Hechenbleikner added the issue is a Light Board issue. If the intention of the Light Board is to pay vacation buy back to its employees you have that authority. You need to do something to put in on paper, put it in policy so you can do that. If that is not your intent or was not your intent because he does not know what the negotiating process was on the last union contract then you have to address that also.

Mr. Kazanjian stated what made him upset and he hears the Town Manager saying it is up to you people, up to you people. Then why did the Town Manager send something to counsel secretly to try to get rid of it? Now he is saying (referring to Mr. Hechenbleikner) it is up to you whether or not. It seemed like he went to Town Counsel trying to get rid of it.

Mr. Hechenbleikner replied the issue of whether or not vacation buy back is appropriate, town wide, school department, municipal employees and Light Department employees. It is a Board of Selectmen issue it is an issue they wanted to discuss with the Board. They wanted to find out and asked me to check with Town Counsel and find out how would one accomplish that if one wanted to accomplish that. Town Counsel responded in the packet of material with the copies of the e-mail and the whole bit that Town Counsel drafted two Home Rule Petitions and one By Law amendment that would accomplish that if that is what the Town wanted to accomplish that is how far it has gone. Mr. Hechenbleikner stated his action on the payroll of January 31st had nothing to do with that it was purely administrable because one of the things we have gone through with this Department specifically is who approves the bill roll, who approves the payroll, what is in it and what is the authorization. When he saw the vacation buy back having heard the discussion over the last three months with the Board of Selectmen he said he wonders what the justification is for that. Mr. Hechenbleikner asked the Acting General Manager for contracts, two old contracts, two new contracts, and the policies. Mr. Hechenbleikner read through these documents and asked if that was all there was to Vinnie's recollection and there may have been a memo from the former General Manager and presumably there was not. As he read it there was no justification. If the Board's intent is to pay vacation buy back you need to address it. His memo to the Acting General Manager was to put it squarely back in your court and if you want to pay then you need to do something if you do not want to pay it then you need to adjust your payroll.

Mr. Cameron replied just for clarification the last line should read " if not then adjustments will have to be made by the RMLD to those who have already received vacation buy back" that is how it should read. If it read like that then there would have not been a tenth of the consternation that occurred down here.

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Mr. Hechenbleikner noted just to be clear. He does not do the payroll for the Light Department his action is purely to review and if it is not illegal, fraudulent or excessive then he signs off on it. Mr. Hechenbleikner understands how it happened in the union contracts as it had three pages of language in the previous contract and in the current contract other than to just refer to the policies and the policies don't have any language on them was a glitch. If it is your intent to pay it you need to take action to do that.

Mr. Herlihy stated we heard tonight both from Selectman Cummings and from the Town Manager and for himself earlier in the Subcommittee meeting these are not necessarily rejections of the policy on its face. The Town Manager is right the Commission could do something about this tonight if we wanted. It was Mr. Herlihy's feeling that we should not at this time deal with this as the Commission owe the Selectmen a chance to have this discussion at a Town level they obviously want it. Mr. Herlihy felt the Commission should allow that discussion to occur. He has heard nothing tonight to indicate that this policy made not in the end be approved. Mr. Herlihy thinks the money issue is maybe only a drop in the bucket but it is symbolic, symbols are important they are very important to people. They are important to people in Town. How you deal with things symbolically sometimes is very important and sometimes can lose sight of as a Board.

Mr. Cameron replied he will tell you what's symbolic, support of the RMLD employees is symbolic that is what is symbolic here. Your responsibility as elected officials is to set policy for the RMLD. You can meet with the Town although he is not sure what type of input you are going to get from the Town. There is a great amount of past practice here but over the past year I do not see a great deal of support for the RMLD employees. If you want to show some kind of symbolism get this thing passed and let's get it taken care of. This is nothing more than an administrative glitch, that all it is. The Department should be showing support for the employees. He is not sure why we have to bring it through some bureaucratic process we could just take care of this tonight and be done with it.

Mr. Butler replied that was what he was going to say referring to Mr. Cameron's last statement.

Mr. Norton wanted to briefly state here tonight what he stated the other night when this subject matter came before the Citizen's Advisory Board on Tuesday, February 4th. It was in response to Mr. Cumming's presentation to the Board that night. He is going to make the same exact statement here that he made last night. It basically parallels what your Acting General Manager just said. As everybody here knows the employees of the RMLD have been under a cloud have gone through a lot of traumatic experiences over the past year and a half. All of which are none of their making. Unfortunately, the making was of a few. Those few are gone but unfortunately the cloud stands over their head to a certain extent. Things like this don't make it any easier. Where he can understand where some of this comes from your still putting them back in the same position if you do not take any action on this tonight. He is personally speaking only as one member of the CAB although everybody now has an e-mail from one of our members exactly what he said and he is going to say it publicly tonight so everybody now knows. It is a travesty if you do not pass your policy so these members can get on with what they have to do this is one less thing they have to worry about it. He thinks it is time that the Board of Light Commissioners, the Town of Reading shows these people some compassion. He knows the statement that was made the other night about how everybody has to hurt somewhat financially. Hurting someone financially and hurting under the cloud they have hurt for the last year and a half are two separate and distinct items. He thinks it is time that somebody stood up for the employees here and said lets move on with this thing. Let's pass this thing so there is no more cloud in this particular area and show these people some compassion.

Mr. Herlihy stated he did want to make one comment. He did personally sign off, as he is the Commissioner who signs off on payroll. He signed off on the last payroll. It was ripe with a lot of vacation buy back, it wasn't a coincidence but he signed off on it.

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Mr. Herlihy noted if he had a terrible problem with it he would not of signed off on it. Earlier this year with the issue of longevity which was another one of these squishy issues where there is nothing to verify management longevity. The policy that could have passed tonight would of created that wording but there was nothing there to justify that in writing. Too long at this Department things have happened because it is the way it has always happened and there is no real written justification for it. He applauds the step to include the longevity pay and codify that. He thinks this is an issue that will get resolved, will get resolved soon. He does not see how a couple of weeks here will make a major difference. A number of people have already taken their vacation buy back already this year.

Mr. Ames again stated he needs to understand the consequences of not passing this. That means we revert to a state to where we do not have vacation buy back. Does that means we will have to make adjustments in those people who received it today? Certainly the Department will not be able to grant it in the future and what then will the policy be. If we are held to explicit written policy what will be the explicit written policy contain?

Mr. Cameron replied quite frankly he thought they were all rhetorical questions.

Mr. Ames replied he wished they were but they are not because if the Town is going to hold us to the exact spirit of written policy he would like to know what the exact spirit is.

Mr. Hechenbleikner stated he has no intention of trying to do anything that is going take anyone's pay back. He has been Town Manager for sixteen years in Reading and that has never happened on his watch. What he does have an intention of doing though is making sure that all of the policies are in place for how we are spending money in the Light Department, School Department and Town Departments. It is part of his job if you recall the recent troubles with the Light Department he was criticized perhaps properly so for not watching more carefully for what was spent, how it was spent and whether the authorization was there. All he is doing is his job by pointing out the issue. His own view is if you want he will submit a separate memo adding the language the Acting General Manager wants in it with the Light Department in it. He wants the issue resolved. It does not have to be today, does not have to be tomorrow. He is not going to reject the next RMLD payroll if the Board has this under consideration. He just wants to know you are addressing it. If you can address it and have a timetable for it that is fine he does not have a problem with that but it needs to be addressed. He understands it was past practice on a piece of paper the Acting General gave him. The list that showed who had received vacation buy back for the last three years it obviously had been a practice. It is a practice that is not part of your written policies and you need to have those if that is what your intent is. You need to have the policies. He thinks frankly part of the previous management were a little bit loose with things like that and we have all seen the troubles that it has gotten us all into. That is my only intent and it is not to take anyone's pay from them or damage anybody.

Mr. Ames replied we are not going to make you the bad guy.

Mr. Hechenbleikner understands he is not defending himself he is just trying to explain what he did and what he is doing. The Board can do a number of things you can pass the policy if that is what you want to do, you just by motion indicate that you are going to take this under advisement that you will have a decision made in a "x" period of time in which case nothing changes and will continue to process payroll as submitted.

Mr. Cameron attempted to answer Commissioner Ames' questions. Quite frankly he could not pinpoint what could happen if this does not get passed but he does not think it is going to be good. He does not think people are going to be happy about it but again I can't just tell you exactly what is going to happen. Mr. Cameron after hearing Mr. Hechenbleikner's comments and appreciation for his function in the Town as the final sign-off on the warrant he is still troubled by with what input the Selectmen would give the Board to change the path the Board should take.

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He still feels doing the right thing tonight is going to have more of a positive effect on the employees with respect to the Board then to wait and with no disrespect to the Selectmen but to wait and talk with the Selectmen and then do it. Because he does know what type of input they can give you. You are on your own on this one. It is up to you to do this.

Mr. Soli noted he has not had a long time to look at this. Generally, he is in agreement, Section VII needs to be modified so zero to five years of service codifies pro rated in the first year and Section VI shows some haste in draft. Mr. Soli understands what you are trying to do he thinks it is not tidy. Mr. Soli thinks Section VI should be cleaned up. Mr. Soli thinks in a week it could be cleaned up. Mr. Soli moved to table this until next week's meeting.

Mr. Soli made a motion to table RMLD Policy Number 21, Revision #7, Management Salaries and Overtime seconded by Mr. Herlihy. Mr. Soli stated if it is cleaned up he will vote for it, VI is not tidy.

Mr. Ames asked that it be added that the tabling presumes this will be changed substantially in the present form as opposed to substantially modified for Mr. Hechenbleikner's benefit.

Mr. Hughes reiterated the motion has been made to table this for a week or until the next meeting.

Mr. Herlihy stated he would like to make one comment concerning the motion. If we put this off for a week for the next Board meeting he would like to ask Selectman Cummings if that would be enough time for the Selectmen to give you input perhaps to be at the next meeting to talk about this or is this discussion the Selectmen seem to want to have regarding this issue with that provide enough time to do that?

Mr. Cummings replied he can bring it to the next Selectmen's meeting. They will be meeting this Saturday then they meet next Tuesday he can raise the issue with them. Whether it is going to be significant enough time and feedback to offer anything of substance he could not say.

Mr. Butler addressed Mr. Herlihy. You were elected as a Commissioner of the Light Department to do a job, correct? Your job is to set policy. The Board of Selectmen's job is not to set policy at the Light Department, it is your job. Are you going to consult the Board of Selectmen every time you set a policy?

Mr. Herlihy replied he is going to listen if they have a major concern.

Mr. Butler reiterated it is your job to set policy for the Light Department. It is not the Board of Selectmen's job it is not their function it is your function.

Mr. Herlihy replied correct. However, they could override the policy that we set.

Mr. Butler stated set it and let them override it. Do what you were elected to do. If he remembers if he is correct isn't this a policy that has been ongoing for thirty some odd years.

Mr. Herlihy replied if it was a policy it would be written down.

Mr. Butler stated we have had longevity in this Department for how long? Mr. Butler agrees with the Acting General Manager it is a technical glitch; clean it up. Mr. Butler stated as he can see you have been asked by the Town Manager to clean it up. You clean it up you have it in black and white simple enough.

Mr. Hughes replied he can attest to the fact his experience and knowledge to this whole situation is thirty years plus. There is a gentleman here in the audience Mr. Hadley who has worked at the RMLD for forty-eight years.

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Mr. Pacino stated he is not going to vote to table this. He thinks the Commission needs to put something in place and show support for the employees. The Commission can always amend it to correct and reflect some of the comments that have been made. Even if the Commission votes it they can meet at some point with the Selectmen and get their input. The Commission can always go back and amend this policy. This policy is in revision number seven as it is right now. The Commission can certainly have an eighth revision if there needs to be technical corrections and correct up some language and make it tidier in some places that can happen. Mr. Pacino thinks the Commission needs to as Mr. Norton said send a message to the employees that the Commission supports them at this point. The Commission supports the employees.

Mr. Hughes replied the employees to all the members, the people in the trenches have been weeped along and he is not going to give them twenty-four more minutes of aggravation and deliberation as to this needs to be enacted tonight. They have been under this cloud for a year and a half as Mr. Norton has said. Here is another segment. He is one hundred percent behind voting this tonight in the affirmative.

Mr. Carakatsane stated he has not consulted the CAB therefore is not representing the CAB on this issue. Mr. Carakatsane stated he is abhorred that there has been a total lack by the Board out here in the audience of the impact of this on the ratepayers. Mr. Carakatsane noted past practice justifies nothing. It does not make it legal and does not make it correct. Mr. Carakatsane would acknowledge that if it was in a prior union contract and properly negotiated it is inconceivable that it is not in the current contracts. The employees are at risk for it not being in the current contract, specifically in it. It can be easily corrected if that is the intent of the Board by amending the contracts but it is a totally different issue than the one addressing this issue respective to management. Mr. Carakatsane would find that highly controversial in the one with management. Something is negotiated with the line employees no problem. To pick as several people have done tonight employees versus everything else going on is troubling and not conducive to a professional approach and contemplative to the business of the RMLD. Mr. Carakatsane noted that in it of it self would speak as to why he would step back and look at this. Frankly the amendments he is looking in this policy are extremely poorly written. The policy itself is extremely poorly written. Despite past practice he does not know any company that functions where just because contract employees have it management are entitled. It does not work that way. There is no legal foundation whatsoever. Employees are upset and he can understand why they would be upset but they have every means in their pocket to correct it. They do not have to be here tonight to correct it. If there is an amendment needed to the existing contracts so be it. Mr. Carakatsane pointed out in the policy there are references in the prior contracts and it is not in the current contract there is nothing referenced in a labor contract. There is nothing referenced in a labor contract. If it is not in there specifically by law there it isn't in there. That's the way that part of it ought to be addressed. Whether management level personnel should be up to these is an open question for the future. How you proceed right now may be another thing. Mr. Carakatsane stated not one person tonight has mentioned the ratepayers and least we forget that's why we are here.

Mr. Soli made a motion seconded by Mr. Herlihy to table the main motion.

Motion failed 2:3:0. Messrs. Ames, Pacino and Hughes voted against tabling the motion.

Mr. Pacino made a motion to approve the main motion this was seconded by Mr. Ames to approve that the Reading Municipal Light Department Board of Commissioners approve RMLD Policy Number 21, Revision #7, Management Salaries and Overtime.

Mr. Pacino requested a roll call vote by the Commission.

Mr. Soli stated he wanted to amend the motion so that VII first line inserted after fifteen days comma pro rated in the first year.

Mr. Pacino added he will accept these changes as part of the main motion.

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Mr. Ames accepted the changes to the main motion as well.

Mr. Herlihy inquired as point of order will we be accepting the small revisions that we made in the Subcommittee as a group in the meeting?

Mr. Ames replied not unless they are presented.

Mr. Herlihy wanted to make an amendment in Section VI, concerning longevity pay to strike the word substantially to add and he does not the exact verbiage concerning the first pay period in December. So the longevity pay is paid at the same time of year every year and it is not switched around. Mr. Herlihy is striking the word substantially the same as it is going to be exactly the same not substantially but the same.

Mr. Ames added Section V B2 add includes, as there is no verb in there.

Mr. Pacino stated he would accept all these changes as part of the main motion.

Mr. Cummings had a couple of questions in Section VI what is the longevity pay he asked of the Chairman? What are the amounts?

Mr. Cameron replied longevity gets paid out every year the first check paycheck in December and it is scaled from a minimum \$250 to a maximum \$650.

Mr. Cummings inquired based on what?

Mr. Cameron replied based on years of service.

Mr. Cummings inquired why is this not in the policy? Mr. Cummings stated you are going to pass a policy authorizing longevity pay based on what? Why is it not annunciated in the policy?

Mr. Cameron replied it is referenced to the union contract and it is found in the union contract.

Mr. Cummings inquired any time the union contract changes the policy for Management Pay and Management Compensation is going to change?

Mr. Cameron replied that is what we have done in the past.

Mr. Cummings questioned basically the union contract becomes the floor for the management salary and compensation?

Mr. Cameron replied this is what the Department has done in the past.

Mr. Ames pointed out one of the changes suggested at the Subcommittee was that this policy is to be reconsidered in January 2004 or if any of the union contracts change which would potentially eliminate the automatic change of this policy by the union contracts. He agrees it should be spelled out.

Mr. Cummings assumes there is a longevity section of the union contract. Is there a mechanism spelled out anywhere he assumes should be spelled out in the policy how that tracks to management and payment thereof? Is on a calculation (1.25%) or it based on years of service?

Mr. Cameron replied it is based on years of service and the schedule is in the union contract

RMLD Policy Number 21, Revision #7, Management Salaries and Overtime

Mr. Cummings wanted to know where is the mechanism by which one moves from the union contract to your policy here?

Mr. Cameron replied it is spelled out in the policy and referred in the policy.

Mr. Ames replied it is incorporated by reference it should be spelled out.

Mr. Cummings stated it says in the policy the use of the articles languages for administrative convenience and it is not intended to state or imply that any aspects of the collective bargaining process, contracts or side letters apply. Mr. Cummings noted it states the scale, which is outlined in the union contracts, does not apply.

Ms. Antonio noted for convenience we follow the union contracts. She can put the schedule that is in the union contracts in this if you would like.

Mr. Hughes inquired if this would satisfy Mr. Cummings?

Mr. Cummings replied it would have to satisfy the Board of Light Commissioners but he cannot imagine from a policy setting perspective one would pass a policy that specifically says what its referencing does not apply. To him it does not make any sense.

Mr. Cameron believes Mr. Cummings has taken the last line out of context.

Mr. Cummings thanked the Commission for their time.

Mr. Hughes again read the motion move that the Reading Municipal Light Department Board of Commissioners approve RMLD Policy Number 21, Revision #7, Management Salaries and Overtime with the changes as suggested as being part of the main motion.

Mr. Hughes called for a poll of the vote:

Mr. Ames, Aye; Mr. Pacino, Aye; and Mr. Soli, Aye.

Motion carried 4:1:0. Mr. Herlihy voted against the motion.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Hughes stated the way he will be setting this up he will announce the candidate's name alphabetically as it has been throughout the General Manager search process. Mr. Hughes then stated the Commission will discuss the candidates individually as named and then the Commission can make its vote.

Mr. Pacino suggested to the Chair for liaison input.

Mr. Hughes polled those in attendance for Selectmen Liaison, Citizen's Advisory Board and customer comments. Mr. Hughes stated if you are going to speak on behalf of any of the candidates stick to the factual information revolving around the professional competence to do the job. This has been researched through the opening meeting law.

Mr. Hughes read the names of the four candidates, Gary Babin, Vinnie Cameron, Charles Farrington and George Leary.

Mr. Hechenbleikner asked the Commission on how they would like him to proceed? Just way of background he interviewed the four candidates.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Hechenbleikner appreciated the opportunity and invitation to be involved in that way. He also watched the taped interviews the Light Board had with the four candidates. Mr. Hechenbleikner has not done anything beyond that such as checking references. Mr. Hechenbleikner asked of the Commission what would they like of him and how do they want him to proceed?

Mr. Pacino replied to Mr. Hechenbleikner you interviewed all four candidates, do you have any general thoughts? Do you have any sort of ranking potentially of the candidates were you did interview them?

Mr. Hechenbleikner replied his general thoughts are the screening committee did an excellent job and they gave the Light Board four very qualified candidates for the position of General Manager. This is the most important vote the Commission will have in any of your tenures on the Commission. It is obviously a key item is to select a General Manager. Mr. Hechenbleikner also added whomever the Commission chooses for General Manager he would be very happy to work with him. All of the four candidates are people in his brief exposure to three of them and longer term to one he can work very well with. Mr. Hechenbleikner looks forward to doing this but there is a lot of work that needs to be done between the Town and the Light Department. As we have talked a lot about the communication. Mr. Hechenbleikner pledged to the Commission he will uphold his end of that communications requirement. When Mr. Hechenbleikner interviewed the candidates he had a list of question as the Commission had done. He asked all the candidates the same thing. He tried to solicit from them on the same issues. The questions he asked were those of management style, ability to change the culture in the organization, relationship with the Town of Reading and relationship with the other communities served by the Reading Municipal Light Department. Additional questions asked were the relationship to the ratepayers, Governance Advisory Committee recommendations and he touched a third rail of where they felt the General Manager should be in Group IV in the retirement system which was an interesting discussion. All of the candidates have their own strengths and weaknesses and they are different for different people. The Commission explored more than he did on the technical strengths on some of the technical issues. He is not terribly conversant on the technical side as the Commission members are. Another question posed was their ability to manage the finances of the Light Department and their management expertise. Mr. Hechenbleikner's own experience in hiring in which he has done in his career of over twenty-five years he looks at people as having relatively equal expertise and experience. He then looks for the person if they are people working for him if they will fit within the organization and best meet the goals of the organization. It is hard to do because you do not know until you see people performing. In terms of his ranking of the candidates the person he has ranked top he felt had the best strengths in the area of experience, technical expertise, management skills, style and direct experience with change in an organization. He spent sometime discussing with the candidates what is taking place within this organization, the ability to be a strong team player, loyalty to his organization, strong Massachusetts utility experience which he thinks is important, excellent customer service exposure and strong leadership. Mr. Hechenbleikner stated the person he has ranked as the top the candidates among his experience is Gary Babin from Wellesley. The other candidates and he can go into information if wanted Vinnie Cameron second, Charles Farrington third and George Leary fourth. Mr. Hechenbleikner as a matter of practice does not want to say anything negative about any candidate it is not his style they all do have strengths.

Mr. Lessard stated he does not have anything as well prepared as Mr. Hechenbleikner. He has to applaud the Committee for bringing forward the four he considered very qualified candidates. Mr. Lessard pointed out he did have a discussion with all four candidates. He approached this as a one on one get to know the individual. He did not have a lot of prepared questions he talked about the same issues with each candidate. Mr. Lessard stated they were what he considered very qualified candidates. Mr. Lessard stated he did not rank them top, one, two, three and four. Mr. Lessard noted he ranked them as one and two. The two that were the most qualified. Mr. Lessard stated the one that was most qualified after having worked with the individual under a lot of stress for the past year and a half Mr. Cameron.

Discussion of General Manager Candidates and Selection of General Manager

The next qualified individual was Charles Farrington from Vermont. Mr. Lessard stated his thoughts were everybody has been through a lot since from the IG's report a lot of comment has been made we want to make sure that this does not happen again, how can we be assured this does not happen again? It is a pretty tough question. He does not think that you can ever be one hundred percent assured that it is not going to happen again, one would hope not but he would assume and only right to assume the individual that has been through it for the last year or better providing all the documentation, changing of policies as the Acting General Manager and bringing credibility to the Board, the Light Department and certainly backing employee rightfully so that individual is the most qualified.

Mr. Bilicki introduced himself as a Reading Municipal Light Department employee. Mr. Bilicki held up a memo addressed to the Reading Municipal Light Board of Commissioners then read it. "Since January, 2002, Vinnie Cameron has taken all the responsibilities of the General Manager, and held this Department together, despite the many political obstacles he has faced. Mr. Cameron is a man of integrity, who has above of all else, has had the best interest of the Town of Reading Municipal Light Department at heart. Mr. Cameron deserves a chance to continue as the General Manager of the Light Department. We need strong leadership, which Mr. Cameron has demonstrated repeatedly in the past year. We trust the Reading Municipal Light Board will make the right decision, and not make any changes just for the sake of change." This document is signed by three quarters of the RMLD employees. Mr. Bilicki has the original for the Chairman and copies for the Commission.

PLEASE REFER TO ATTACHMENT ONE

Mr. Pacino requested this be submitted as part of the record of the minutes of the meeting.

Ms. Parenteau introduced herself as an employee of the Reading Municipal Light Department for over the last ten years. She has worked directly for Mr. Vin Cameron in her position as Senior Energy Analyst during that time. Ms. Parenteau is here this evening in support of Mr. Vin Cameron as General Manager. Ms. Parenteau stated Mr. Cameron has been in the position of Acting General Manager for the past year and has made significant changes to ensure the continued success of the Reading Municipal Light Department. He was instrumental in the resignation of the former General Manager and Assistant General Manager at minimal expense to the ratepayers of the RMLD. He put a halt to the expansion of other businesses such as streetlight maintenance, which had cost the ratepayers over \$200,000 in 2001 under the direction of the former management. Mr. Cameron has implemented the current purchase power adjustment which resulted in all ratepayers receiving over \$3.6 million dollars over a seven month period and which is projected to further reduce the cost in the future. He has worked with the Board and the employees to return an additional \$3 million dollars to the ratepayers in 2002. He is currently involved in a cost of service study, which is looking to levelize the rates and further reduce the rates for all the ratepayers. By selecting Vin Cameron as General Manager you will ensure the continued success of the Reading Municipal Light Department. It is critical to the ratepayers that we serve, the Town of Reading its owner and the employees of the Light Department. Mr. Cameron is a man of integrity and truly an asset to the RMLD. As General Manager he will continue to lead the Department in the right direction.

Mr. Pacino noted he as well as all the Commissioners have received a memo from Mr. Tony Butler, President of the CT unit AFL-CIO, #93, Local 1703 in support of Mr. Cameron. Mr. Pacino wanted this to be part of the record. "RMLD Commissioners, Over the past twelve months the state of the RMLD has been somewhat in limbo because of the actions of the previous General Manager. Approximately one year ago the Commission placed assistant General Manager Vin Cameron in charge of the day to day operations of the RMLD, at best a very difficult assignment under the circumstances. Mr. Cameron has worked extremely hard to make the Department a "lean mean service machine." I have seen him at numerous public meetings looking out for the Departments best interest, to many to count.

Discussion of General Manager Candidates and Selection of General Manager

He has worked hard to uphold the service of the RMLD, something that we all pride ourselves on more than anything else. Over the past year his dedication and commitment to the position he was placed in has led me to gain his trust as an honest and fair person not to mention the outstanding job he has done as General Manager. Without offending any of the candidates for the position, I firmly believe to not let Mr. Cameron finish the job he has begun would be a disservice to the RMLD and a disservice to Mr. Cameron. I urge the RMLB without offending any other candidates, who I'm sure are fine people to let Mr. Cameron finish the job at hand. He has more than earned that. In the best interest of the RMLD and in the interest of fairness he urges the RMLB to appoint Mr. Cameron to the position he has more than earned and appoint him the General manager of the Department! Thank You: Tony Butler, President of the CT unit AFL-CIO, #93, Local 1703."

PLEASE REFER TO ATTACHMENT TWO

Mr. Pacino stated he sat through all the screening process for the Search Committee. He must admit the Search Committee did come up with four very qualified candidates. All four candidates could run the Department. Mr. Pacino went through the two nights of interviews and he went back and looked at the tapes again over the weekend. He spent three to four hours actually here looking at the tapes again. Mr. Pacino is going to vote for Vinnie Cameron at this point. He thinks Mr. Cameron is the man for this job. Mr. Pacino stated the late Frank Gorgone when on the Commission using his philosophy when this was hiring came up would of been what is the best thing for this Department, who is the best person for this Department? Mr. Pacino stated he is of the conclusion after looking at the tapes and going through the process of working with Mr. Cameron over the last year under the adverse conditions and what the Commission has asked him to do and what he's been able to do we should allow him to finish the job we started with him. Mr. Pacino thinks Mr. Cameron is the best person for this job and he intends to vote for Mr. Cameron as the Manager of this Department.

Mr. Ames stated he wanted to first acknowledge he received a petition from the employees asking he not participate in this process. It is interesting if it had come to him sooner he would of entertained it more seriously but receiving it tonight and having already participated in the process to the extent of watching the television tapes which is the public information that is available to all of you. It is available to those Commissioners who were not originally part of the Search Committee. Mr. Ames submitted he had as much access to the information as those Commissioners who were not part of the Committee. Mr. Ames then stated he had the opportunity to work with Mr. Cameron after the IG Report came out while the former General Manager was still here. For those of you who don't know what pressure is that was pressure. Mr. Cameron saw the handwriting on the wall and he responded very well to it. Mr. Ames noted one of the points of measure he has of that individual, Mr. Cameron is how he responded under incredible pressure. It was if any of you ever saw, ever experienced a great deal of pressure. Perhaps Mr. Lessard saw a little bit of it. It was terrible. Vinnie held up well and has no doubt he will hold well in the future if such occasions ever present themselves, which we certainly hope they won't. The fact that he acquitted himself as well as he did is something while the other candidates may be capable of he, he does not they are capable of it. He knows that Vin is capable of doing what needs to be done. He supports his candidacy.

PLEASE REFER TO ATTACHMENT THREE

Mr. Soli stated he too went back and looked at the tapes. It was very informative for him at his leisure he could record and catch something he could go back and he found with the tapes there was considerable he had missed. Mr. Soli's decision first split four to two. Mr. Babin and Mr. Farrington did not make the cut. Looking at the tapes there were a lot of questions Mr. Babin really did not answer. Some he did not answer he gave good speeches but did not answer the questions. Mr. Farrington probably is an adequate manager and administrator but he has been up Vermont. Massachusetts is special.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Soli's noted the other three candidates were well grounded in Massachusetts. His first cut was Mr. Farrington. Mr. Soli noted he was left with Mr. Leary and Mr. Cameron. For him it was a tough call. Eventually he came to a question of seasoning. Mr. Cameron has done a terrific job in the last year. Mr. Leary did it for twenty years. Mr. Leary did not quite face what we had to here but he thinks Mr. Leary is more seasoned and gets his vote.

Mr. Hughes inquired if Mr. Herlihy had any comment.

Mr. Herlihy replied no comment at this time.

Mr. Price inquired of Mr. Soli did Mr. Leary state why he was terminated from MMWEC?

Mr. Pacino replied inappropriate question.

Mr. Soli replied we are to stick to performance questions and that is not a performance question.

Mr. Hughes reiterated the open meeting laws were researched in order to get the guidelines as to how questions can be phrased. It is not a particular individual like or dislike.

Mr. Hughes wanted to open up the voting going alphabetically. Raise your right hand for a roll call vote.

Mr. Herlihy stated it was his understanding the Commission would be taking motions to eliminate certain candidates in a particular order.

Mr. Pacino replied no. The idea, the intent is that all four candidates are nominated because he personally feels all four are qualified to do the job. Mr. Pacino noted all four would be nominated then the Commission would take votes and to see where the majority votes were.

Mr. Hughes noted they would be named alphabetically as they have done for the whole process from day one.

Mr. Pacino added they are re-nomination.

Mr. Hughes stated he is placing the name of Mr. Gary Babin to be voted on.

Mr. Pacino made a motion seconded by Mr. Herlihy to nominate Gary Babin.

Messrs. Hughes and Herlihy voted to place Mr. Babin's name to be voted on.

Mr. Soli replied he does not understand.

Mr. Pacino replied all four names have been nominated.

Mr. Pacino moved that all four candidates be placed in nomination for the position of General Manager seconded by Mr. Soli.

Motion carried by a show of hand 5:0:0.

Mr. Pacino then stated the Commission should proceed to a vote of the individuals. This would be the next appropriate step unless he hears differently.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Soli inquired can you explain the balloting? To use an old term is this like the ballot in November? There are four people on the ballot and you get one vote. Is that how we are doing it?

Mr. Pacino replied that is correct. You get one vote for each of one of the four people on the ballot. That is correct. One-person, one vote.

Mr. Herlihy inquired what would happen if no one receives a majority?

Mr. Pacino replied then we would have to go a second ballot potentially.

Mr. Carakatsane commented as a ratepayer not in the position of the CAB. He must admit this is the weirdest voting so far he has ever seen for a selected person. Frankly he is not enthused by it at all.

Mr. Hughes replied we do not do it every day.

Mr. Carakatsane replied he understands but there is plenty of experience out there and experience in the audience. The way he has always seen it done in particular by a public board is one person puts one name up. There is no nomination process. Simply they ask the motion to be offered for contract or offer position to a particular individual. Either gains the necessary majority votes or does not. If it fails someone else may put another name up. It is not a vote on all four. He is not sure if that is legal.

Mr. Hughes clarified the Commission does not have to nominate all four in a bulk group.

Mr. Carakatsane replied no. There is no nomination. Someone has to vote one person has to be approved as General Manager and offered the position that is the motion. Motion that "x" be offered the position of General Manager then it presumably gets a second then you would vote on it. If it gains majority then it is adopted. If it doesn't someone else may offer another motion.

Mr. Hechenbleikner stated the Board of Selectmen literally appoints dozens of people a year. The process you are using is exactly the same process. They put all the names in nomination they will go through all the four names and they will see where they are. If there are any names that do not get any votes that name-drops off. Then go through the process and see if you get three votes for any of the names. That is the way the Board in Reading does it. Mr. Hechenbleikner also pointed out Mr. Carakatsane's way of doing it is perfectly legitimate to do it that way also.

Mr. Pacino inquired is there any objection as to the way Mr. Hechenbleikner has suggested among the Commission?

Mr. Ames asked for clarification he assumes if it 2:2:1 the one gets dropped out and then you vote on the twos.

Mr. Hechenbleikner replied you can decide on how you want to do that. You can do that. If someone gets no votes you can drop that name or you can keep anyone who has not received any votes it is up to you.

Mr. Hughes place the name of Gary Babin to be voted on.

Mr. Herlihy will be voting for Gary Babin to be the next General Manager of the Light Department. He was elected along with Commissioner Soli on a platform of reform. Mr. Herlihy noted reform has proceeded a long way under the Acting General Manager but still has a way to go. Mr. Herlihy noted it is the feeling in Town we still need new-faces in charge of this Department. Mr. Herlihy will be supporting Mr. Babin.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Hughes replied he will be voting for Mr. Babin. Mr. Hughes stated the verbiage out in the Town is he will summarize it we want fresh air, new air and running the ship get righted and continue to sail. He is voting for Mr. Babin.

Mr. Pacino suggested reading the names for voting. Mr. Pacino directed the Commission to read down each candidate then take a formal vote.

Roll call vote Gary Babin for General Manager.

Two votes for Gary Babin by a show of hands. Messrs. Herlihy and Hughes.

Roll call vote Vin Cameron for General Manager.

Two votes for Vin Cameron by a show of hands. Messrs. Ames and Pacino.

Roll call vote Charles Farrington.

No votes Charles Farrington.

Roll call vote George Leary

One vote for George Leary show of hand. Mr. Soli.

Mr. Pacino noted Farrington is eliminated in the first round. Mr. Pacino commented Mr. Cameron is the right person for this job. Mr. Cameron is the right person as to what he has been through in the last year. Mr. Pacino thinks he can do the job very well here. Mr. Pacino does not agree with the philosophy that we have change for the sake of change. Mr. Pacino believes Mr. Cameron knows what this job is all about and can do this job and lead the Department back to credibility. Mr. Pacino does not again agree with change for the sake of change. To have someone to come in from the outside when we have a candidate in house that can do the job as good as Mr. Cameron can do the job he cannot understand the need to go outside.

Mr. Ames did observe having people coming in from the outside has its benefits and also has its risks. The situation we got into recently was because we had somebody who came in from the outside who did not learn to work in with the Department but came in "in charge of" the Department. If the individual coming in is capable of becoming part of the Department that is fine. Coming in from the outside you have no guarantee that is going to be the situation. That is his only reservation with someone coming in from the outside right at this minute.

Mr. Herlihy commented that Mr. Babin might of been the best man for his current job back eight or ten years ago but certain circumstances dictated within his community that he shouldn't be the person to have that job. In some ways that seemed political reality might affect Mr. Cameron's application that needs to be taken into consideration. Mr. Herlihy added that it does not necessarily reflect on the admirable job he's done with a very difficult situation.

Mr. Hughes stated let's vote again.

Roll call vote Gary Babin for General Manager.

Two votes for Gary Babin by a show of hands. Messrs. Herlihy and Hughes.

Roll call vote Vin Cameron for General Manager.

Two votes for Vin Cameron by a show of hands. Messrs. Ames and Pacino.

Roll call vote George Leary

One vote for George Leary show of hand. Mr. Soli.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Pacino stated again he will make the point one more time that Mr. Cameron is the person for the job. He has the support of the employees. Mr. Lessard has supported him. The employees have spoke out in support of him. We have petitions from seventy five percent of the employees. He has dealt with the situation over the past year. He has brought some credibility back. Mr. Pacino still thinks Mr. Cameron is the man for this job and should be the next General Manager to bring this Department back. Mr. Pacino does not agree that Mr. Babin is the correct man for this job. He does not agree he is the man to bring the Department back.

Mr. Lessard stated how it goes tonight whoever gets the opportunity to be General Manager will work very closely with the CAB. Having said that he would like to state you are hearing from seventy five percent of the employees who have been through a rough year. Obviously they are backing the person that they feel as though has brought them through a tough time. He urges the Commission to listen to the employees. Do not back them into a corner again and having them feel like they have been put out to pasture one more time.

Mr. Ames would like to address his comments to Mr. Soli. First of all he has worked with George Leary over the years. He knows him to be very capable and very knowledgeable all else being equal would choose him. But Mr. Ames' strong belief all else is not equal and he would seriously ask him to change his vote to choose one of the other two candidates otherwise we will go around and around. Mr. Ames pointed out that if George is going to get a majority vote it would not bother him if he did. He likes the man quite a bit.

Mr. Herlihy stated this is a procedural question if and when we make a vote is decisive if we could have a reconsideration vote on that motion?

Mr. Hughes inquired what would be the need to reconsideration on the vote?

Mr. Herlihy replied if we were to select any General Manager on a divided vote. The vote might not reflect the actual divisions that are felt here on the Commission, which he does not think, are huge differences between us. Mr. Herlihy thinks these are four pretty close candidates. Mr. Herlihy thinks the Commission should have a reconsideration vote as a sign of support for whoever the General Manager might be.

Mr. Soli replied he understands.

Mr. Hughes commented he weathered the storm for fourteen years. He did not sign the previous General Manager's contract he has to stick his beliefs and his experiences. In this decision here he is voting for Mr. Babin. He will ride out the storm.

Mr. Soli noted any one of three votes could change to go with the person with two. As he stated in his decision process Mr. Babin did not make it his first cut. He would find it very hard to vote for him.

Mr. Butler addressed the Commission for clarification on the seventy five percent. There were employees who were out who did not have the opportunity it could be a little bit of a low estimate. Mr. Butler wanted to address this to the Board in particular to Mr. Soli. He agrees with what Mr. Soli just said and agrees the Board has an opportunity tonight to do something for the employees at least eighty percent of them.

Mr. Butler noted after a year of what they have been through they are asking you tonight to back them for lack of a better word be fair. Is that you put someone in a position to do what they have done and each one of you has agreed that he has done to the umpteenth degree. In an effort of fairness and an effort to pull this Department together and to move on from this night to start with working with the Town he asks Commissioner Soli personally to change his mind in the next roll call and let the employees of the Department move forward.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Hughes again called for the vote for General Manager.

Roll call vote Gary Babin for General Manager.

Two votes for Gary Babin by a show of hands. Messrs. Herlihy and Hughes.

Roll call vote Vin Cameron for General Manager.

Two votes for Vin Cameron by a show of hands. Messrs. Ames and Pacino.

Roll call vote George Leary

One vote for George Leary show of hand. Mr. Soli.

Mr. Herlihy suggested making a motion to eliminate of the candidates from consideration.

Mr. Ames replied it would take four members of the Board to eliminate Mr. Soli's opportunity.

Mr. Hughes noted three votes and eliminates him as it was three times. (Referring to Mr. Leary)

Mr. Soli replied make the motion and see where it goes.

Mr. Ames suggested consulting with Mr. Hechenbleikner what normally happens if this situation arises.

Mr. Hechenbleikner suggested you just had three roll call votes and nothing is moving from that. It appears to be between candidates who have two votes. There is an odd number on the Board. If it were him he would make a motion to put two names in nomination as they are the two of your top vote getters. If that is successful then you go to the roll call of those two and you have made your decision. At Mr. Herlihy's suggestion of somebody who is on the prevailing side of the vote the Commission should move to reconsider the two thirds vote or to reconsider then if you wanted to give a strong consensus to your General Manager. You could do it that way. Mr. Hechenbleikner pointed out to Mr. Herlihy it is a very important thing. Mr. Hechenbleikner noted frankly if he were appointed Town Manager on a 3:2 vote he would not take it. You may want to may want to do the reconsideration process.

Mr. Pacino noted with that in mind with that in mind he made a motion to nominate for the position of Manager the names Gary Babin and Vincent Cameron this was seconded by Mr. Ames:

Motion was made by a show of hands 4:1:0. Mr. Soli voted against the motion.

Roll call vote for Gary Babin for General Manager.

Motion did not carry 2:2:1.

Two votes for Gary Babin by a show of hands. Messrs. Herlihy and Hughes. Messrs. Ames and Pacino against. Mr. Soli abstained.

Roll call vote for Vin Cameron for General Manager.

Motion did not carry 2:2:1.

Two votes for Vin Cameron by a show of hands and one abstention. Messrs. Ames and Pacino. Mr. Herlihy and Hughes against. Mr. Soli abstained.

Mr. Norton stated what he is about to say he does not want to ruffle any feathers, as he has to make a comment about what is going on and about one of your candidates. He would like to first make a comment on one of the candidates. He was a fairly recent appointed to the CAB a representative from North Reading having been appointed in August of last year. He came in at the tail end of all the controversy while he was well aware of the controversy.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Norton has had the opportunity on a number of occasions not just at the CAB meetings but at times when he has had questions pertaining either the operation of the Department budgetary matters both in the capital side and the general operating budget.

Mr. Norton stated there has never been once when he has come down here got called and come down here and never been denied the opportunity to sit down with Mr. Cameron and go over whatever questions he had. Most of the time he would give him the questions in advance. He would have written text prepared for him, if there other members of the Department that needed to be in the meeting he always made sure they were here. He has been very generous with his time and knowledge. As Messrs. Ames and Pacino have pointed out you have a known quantity here. You have a gentleman that has righted the ship to speak and put it back on its proper course. He has certainly without question the majority at least the majority backing if not a higher percentage of the RMLD employees as stated by Mr. Butler and recorded with the recording secretary as a matter of the minutes. Having stated that as he has been through this process because he has thirty plus years in government in North Reading having sat on every major Board except the Board of Selectmen. We have gone through this process when they have had to fill vacancies on the School Committee. As you are well aware it is a joint appointment when there is a vacancy or termination in mid term it is joint coming together of the Board of Selectmen and School Committee. They have had similar situations to this however after the second or third vote members finally see the handwriting on the wall. For the best interest of everybody in general the employees in particular to drag this on another night because if someone does not change he sees this is exactly what it is going to happen. He cannot imagine you taking too many more roll call votes unless you are going to sit here until to midnight 2:2:1. Either the one of the two or the abstention has to move. To be quite honest with you and not to ruffle feathers but it is getting rather pathetic. That is his general observation of this thing. He thinks Mr. Cameron without any equivocation is the gentleman to continue this ship on its proper path. He thinks to continually go through 2:2:1 totally ridiculous someone has to move.

Mr. Cummings stated for the record he has not participated in the interview process nor has not seen the tapes. He does not know anything about the other individuals except the current Acting General Manager. Mr. Cummings made the suggestion he would make the perspective he wishes to bring to the Commission's attention cuts across a broader spectrum. His experience in making appointments on the Board of Selectmen is to look at the most qualified candidates try to pair your vision or what your perceived vision of the community is with the Department and the direction for the individual. This is what he does when making appointments on the Board of Selectmen. Having started on the School Committee appointing a Superintendent, Assistant Superintendent and a number of Principals they really did the same thing. Have a general discussion it can be sometimes lively about the strengths and weaknesses and the pros and cons of the candidate. Listening to each other what you saw in the tapes and the interview process how that pairs with the vision when he was on the School Committee. The vision of education in the district and where it was going and who best aligned this. It may be an unpopular thing to say but just one aspect of this is the whole thing is what is best for the employees. He thinks it is equally important to be what is best for the community, what is best for the ratepayers, what is best for the direction of the Municipal Light Department into the future. He feels employee relations are a good thing. He would expect professional people in this organization would get behind whoever is appointed. What is important is to have a discussion amongst yourselves about the direction the Municipal Light Department should be pursuing and who best fits that vision. Who has the leadership skills, the management style that will lead and manage the Department? Who will work with the community, the municipality, its appointed and elected positions and what is best for the ratepayers? Who sees the best vision for the Municipal Light or the delivery of municipal power among the four communities? If you have that kind of discussion perhaps Mr. Pacino saw something in one of the candidates that Mr. Soli didn't perhaps Mr. Herlihy saw something or was concerned about something that Mr. Hughes didn't. If you have a discussion about the strengths and weaknesses and the circumspection from where you are coming into the issue maybe you will be able to gain a broader perspective and generally get consensus.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Ames suggested taking a five-minute recess.

Recess: 9:29 p.m.

Reconvene 9:40 p.m.

Mr. Hughes stated each Commission member will give a five-minute or less presentation on why they think a particular candidate should be selected as the General Manager.

Mr. Soli made a motion that the Commission records a unanimous vote in favor of Mr. Cameron, Mr. Pacino seconded this motion.

Mr. Herlihy stated he wanted to discuss to the Board relative to Mr. Cameron. He considered Mr. Cameron quite a bit over the last few months. Some of Mr. Herlihy's concerns that have not been heard tonight he is concerned about the lack of follow through on certain Board initiatives they have discussed. It seems like the Commission goes to meetings certain ideas seem to float off somewhere and do not get addressed necessarily. Mr. Herlihy is dedicated to making this a very progressive utility and he is not sure Mr. Cameron is always that way. Mr. Cameron is often very conservative perhaps too conservative in some regards. Some of the reasons the Department is over recovering, dragging its feet on some reforms, some measures for the ratepayers. Sometimes Mr. Cameron has not always displayed the shrewdest sense in dealing with the Ad Hoc Committee or the recommendations that he feels are worth the Commissions attention. For example when the Commission had the recommendation to adopt a fiscal year he proceeded to make a presentation without notice to the Ad Hoc Committee as to why the Commissions recommendation should not be followed. It is not the Commission leading the General Manager but the General Manager leading the Commission. However, Mr. Herlihy does consider any of those reasons to be fatal flaws. He believes if Mr. Cameron were to become the next General Manager we as a Commission need to stay on him and to make sure the Department heads in the direction the Commission asks him to do. If the Commission can have that Mr. Herlihy could certainly live with Mr. Cameron being General Manager of the Light Department. Mr. Herlihy is not dead set against him for any and all reasons and he does not believe that he could not believe he could not be a capable General Manager he does. He just believes certain circumstances and certain realities right now make that road difficult for him to make.

Mr. Pacino stated he has already pressed his support for Mr. Cameron. Mr. Pacino noted in the last year Mr. Cameron has been put in a tough position. To basically act as General Manager without acting as a General Manager he was kind of in limbo. Mr. Cameron has performed admirably where he has been in this transition period and solved quite a few things. Mr. Pacino is aware of one legal case, which all the Commission is aware or he solved magnificently with the former General Manager that would of not happened. It is very much a plus in his side. Mr. Cameron lent some credibility back. Mr. Babin was his second choice originally coming out of the Search Committee. Mr. Babin concerned Mr. Pacino when he was here, as he did not answer many of the questions directly. He went back and reviewed the entire tape of Mr. Babin's performance to see if he missed something, he did not. Mr. Babin did not answer the questions directly, he has a problem with that he seemed too slick to him. Mr. Pacino has concerns as to what we have been through. Mr. Cameron would be the man for this job to bring this Department back to where it should be.

Mr. Ames does understand Mr. Herlihy's reservations about Mr. Cameron. His vote with Mr. Cameron has to do with setting rates. The Commission is going to have a long series of arguments before it finally agrees to what the rates are. Mr. Cameron handled himself well under pressure. The Department needs someone to help them to get passed its feelings of being put upon. The Department does feel put upon with great justification and it needs someone to help them to get through that. For the moment that person is Mr. Cameron.

Discussion of General Manager Candidates and Selection of General Manager

Mr. Soli stated his motion says it all.

Mr. Ames interjected point of order that his motion requests the Commission record a unanimous vote. If the motion is 4:1 does it carry?

Mr. Hechenbleikner noted he believes a 4:1 vote is what would be reflected.

Mr. Hughes noted he has had the privilege of working with Vinnie through thick and thin for the past year. We have had our good times and our bad times. As far as loyalty where he comes from it is to the people in the Department number one. Number two is the ratepayers. There are a couple of items Mr. Hughes will definitely address if Mr. Cameron is selected to as General Manager. Mr. Hughes will expect a remark, clarification of the items he discusses with him. One of the items will be communications with employees, customers, and town government. More or less readdressing it, massaging it, dressing it up, dressing it down. The employees have really been beat upon for the last year and a half. Having been a former employee he knows what it is to be beat upon. There is nobody that anyone that has treated anyone with kit gloves here in the past year and a half. Every chance they had to zing someone in the Department they zinged them. Mr. Hughes can hear employees led by one or two spokesmen the majority is they are looking for retention of the Acting General Manager. They feel comfortable with him not all the time. If this were the case he would be suspicious. Daily debates, daily dissension that is part of business he can accept this. The main thing has he has is communication and the other outstanding item he will not discuss. Mr. Hughes can hear employees speaking their piece and liaisons from the Towns and the CAB in favor of slashing the Acting to just General Manager.

Mr. Soli made a motion that the Commission record a unanimous vote in favor of Mr. Cameron Mr. Pacino seconded this motion. All in favor of Vincent Cameron as General Manager.

The unanimous vote shown by a vote of hand

Mr. Ames, Mr. Pacino, Mr. Hughes, Mr. Herlihy and Mr. Soli.

Mr. Hughes stated Mr. Cameron is now General Manager.

Motion to Adjourn

At 10:05 p.m. Mr. Herlihy made a motion seconded by Mr. Pacino to adjourn the Regular Session.

A true copy of the RMLD Board of Commissioners minutes as approved by a majority of the Commission.

Philip B. Pacino, Secretary
RMLD Board of Commissioners

ATTACHMENT ONE

February 2, 1907

To the Honorable Municipal Light Board

Since January 1st, 1907, since Cassman has taken over all the responsibilities of the General Manager, and has had this department prosper, despite the many practical obstacles he has faced.

Mr. Cassman is a man of integrity, who has above all else, the best interests of the Town of Reading Municipal Light Department at heart. Mr. Cassman deserves the chance to continue as the General Manager of the Light Department. We would stress his leadership, which Mr. Cassman has demonstrated repeatedly during the past year.

We trust the Honorable Municipal Light Board will make the right decision, and not make any changes in it for the sake of change.

Joe B. Lick

Wm. Lick

Barker West

Wm. Lick

Wm. Lick

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Joe Hunter
Charles Perry
Edward Thomas
Thomas Davis
Mark J. Russell
Ed J. R.
Wm. M. Van
K. B. C.

Jack Flaherty
B. C. Campbell
E. J. R.
Eugene D. W. Apple
L. M. Blumley
Lang M. Apple
J. M. V.
E. J. R.
R. M. Apple
B. T. Apple
J. M. Apple
E. J. R.
J. M. Apple
R. M. Apple
E. J. R.

Amos E. Apple
Chas. Apple
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Good Luck

ATTACHMENT TWO

RMLD Correspondence

Over the past twelve months the state of the RMLD has been precarious in large measure of the actions of the previous General Manager. Approximately one year ago the Commission placed assistant General Manager Win Cameron in charge of the day to day operations of the RMLD. He has been in very difficult assignment under the circumstances. Mr. Cameron has worked extremely hard to make the Department a "lean mean service machine". I have been here at numerous public meetings looking out for the Department's best interest, its unity to cohes. He has worked hard to uphold the service of the RMLD, something that we all pride ourselves on more than anything else. Over the past year his dedication and commitment to the position he was placed in has led me to gain his trust as an honest and fair person and as someone the outstanding job he has done as General Manager. Without offending any of the candidates for the position, I firmly believe to not let Mr. Cameron finish the job he has begun would be a disservice to the RMLD and a disservice to Mr. Cameron. I urge the RMLD without offending any other candidates, who I'm sure are fine people to let Mr. Cameron finish the job at hand. He has more than earned that. In the best interest of the RMLD and in the interest of fairness I urge the RMLD to appoint Mr. Cameron to the position he has more than earned and appoint him the General manager of the Department!

Thank You: Tony Butler, President of the CT and AFL-CIO, #45 local 1793

Thank you



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