

## Landfill settlement begins the healing: Town and Kiley agree to drop complaints

By **Katie Liesener**/ Daily News Staff

Sunday, June 11, 2006 - Updated: 02:17 AM EST

**WAYLAND** -- The town's settlement with former Landfill Superintendent Charles Kiley not only brought an end to his troubled 19-year employment, but also signaled a truce in an ongoing barrage of complaints.

As part of the May 15 agreement, Kiley agreed to drop an age discrimination complaint and the town agreed to drop investigations into two employee complaints against him.

The town is also keeping Kiley on paid administrative leave, at his usual salary of \$57,159, until July 2007. Unless he becomes a resident, he is not to enter the landfill until July 2009, according to the agreement.

"In recent years I have felt increasing pressure to force me out of that position (of landfill superintendent)," Kiley said in his discrimination complaint.

Kiley was placed on leave two months ago amid a police investigation into possible violations of landfill and state environmental regulations. Though police confirmed that illegal dumping had occurred at the landfill, they could not show that Kiley stood to benefit, said Police Chief Robert Irving.

Attempts to reach Kiley by phone were unsuccessful, with a message stating his number had been disconnected.

In his dropped discrimination complaint against the town, filed a month before the police investigation, Kiley, 62, claimed the town, Personnel Director John Senchyshyn and Board of Health member Phil Pattison had discriminated against him due to his age.

In the complaint, Kiley alleged that at a Feb. 13 Board of Health meeting Pattison repeatedly remarked that Kiley was "on the other side of the fence," had been "many years with the town," and should "move on." Kiley said Senchyshyn, who attended the meeting, did not intervene.

The town has in turn dropped its investigations into allegations that Kiley allowed illegal dumping of latex paint and allowed private contractors to dump construction waste from his Framingham home into the Wayland landfill.

These were the same allegations investigated by police. The town's internal investigations are separate from police investigations, Irving said.

While Kiley is on leave, the town will pay his usual salary, continue to offer health and other insurance benefits, and pay for accrued vacation and sick leave, according to the agreement.

The town will also continue to provide legal counsel for Kiley in a defamation lawsuit landfill employee Bob Robinson has brought against both him and the town. Robinson is seeking at least \$46,000 in damages, alleging that Kiley falsely claimed in town memos that Robinson threatened him, fabricated grievances against him, and jeopardized landfill operations, among other things.

The town will also provide legal counsel for Kiley in defense of pending investigations by the state Ethics Commission and the Inspector General, according to the agreement. Neither state agency could confirm or deny those investigations.

The town is bound by state statute to provide Kiley's legal counsel. At its 1981 annual Town Meeting, the town voted to adopt a state law that requires public employers to pay employees' legal expenses for actions arising out of their official capacity.

Until the town hires a new landfill superintendent, Health Director Steve Calichman and one or more temporary supervisors will fill the role.

(Katie Liesener can be reached at 508-626-4436 or [kliesene@cnc.com](mailto:kliesene@cnc.com).)







**Today's most read articles Updated 12:30 PM ET**

1. [Ashland man guilty of rape](#)(1713)
2. [Mixed reactions to assault incident](#)(1544)
3. [Fight over bushes will end up in court](#)(1394)
4. [Red Sox notes: Manny still friendly](#)(1367)
5. [Soccer it to them](#)(929)

**Search the site**





-  [Related articles](#)
-  [E-mail article to a friend](#)
-  [Graphic version](#)
-  [Get RSS feed](#)
-  [Search site](#)
-  [Sign up for home delivery](#)



Enterprise-level broadband service provided by [Expedient: America's Largest All-Ethernet Network](#)

Wireless broadband service provided by [Towerstream](#)

[ [contact us](#) ] :: [ [print advertising](#) ] :: [ [online advertising](#) ] :: [ [Browser Upgrade](#) ] :: [ [Jobs](#) ]

**Order Home Delivery Online:** [Weekly papers](#) [Daily papers](#) or call **1.800.982.4023**

© Copyright of CNC and Herald Interactive Advertising Systems, Inc.  
No portion of townonline.com or its content may be reproduced without the owner's written permission. [Privacy Commitment](#)  
bh.heraldisinteractive.com: 0.424351:Sun, 11 Jun 2006 06:17:23 GMT