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SCHOHARIE

Cobleskill sewer plant worker sues over firing

A Schoharie County man employed by the village of Cobleskill for more than 19 years before being fired in October is suing the village to get his job back.

Christian Pahls, through Albany attorney Maria C. Tebano, filed an Article 78 petition, used to sue municipalities, in state Supreme Court, Schoharie County, in March.

According to documents filed in the case, Pahls was elevated to sewage treatment plant superintendent Nov. 4, 2007.

Just under a year later, he received a letter from Cobleskill Mayor Michael J. Sellers stating Pahls was in the midst of a 52-week

probationary period "that if the village sees fit can terminate your employment within."

Pahls on Tuesday said he started working as a laborer/mechanic at the treatment plant in 1989 and studied to obtain a "3A" license to be able to run a sewer plant.

"I gave my entire life and 190 percent of everything I was to the village for 18 years with the far-fetched idea that maybe some day I could be superintendent for 10 years and retire with 30 years of service," Pahls said.

"I felt I had secured my future," he said.

Sellers could not be reached for comment Tuesday.

Court papers state that Cobleskill Village Clerk Sheila Gillespie, in a

response to questions of the firing, said that Pahls had been rude and insubordinate to the mayor.

Pahls in an affidavit states that he can only surmise that insubordination allegation followed a statement he made to Sellers during a meeting.

Pahls in his affidavit recalled saying, "What was to keep me from taking my 3A license and finding a job elsewhere."

Pahls said that statement followed his being rebuffed by the mayor when he asked for a performance evaluation with the hopes of getting a pay increase.

"All I was doing was asking for a review," Pahls said.

Tebano in the lawsuit calls the termination "arbitrary and capri-

cious and an abuse of discretion."

Citing Civil Service law, Tebano in the lawsuit states that when people are placed in probationary positions, their former job has to be held and can be filled only on a temporary basis.

"Respondent's failure to reinstate the petitioner to his former position prior to the expiration of his probationary period was an abuse of discretion," Tebano wrote.

Tebano states that Pahls was also entitled to a hearing under Civil Service law regarding his termination and the village's refusal to reinstate him to his prior position.

BY EDWARD MUNGER JR.

Gazette Reporter

Reach Gazette reporter Edward

Munger Jr. at 843-2830 or

emunger@dailygazette.net. |