

TOWN CLERK
TOWN OF DUXBURY, MASSACHUSETTS
PERSONNEL BOARD MINUTES

13 SEP 24 AM 8:45

DUXBURY, MASS.
August 19, 2013

Old Town Hall
7:00 p.m.

Present:
Karen Butcher
Liz Hartford
Steve Shay
Jeannie Horne, Ex Officio

Absent:
Wayne Heward, Chairperson
Anita Stiles
Marianne Gonsalves, Ex Officio

The meeting was called to order at 7:00 pm.

Meeting minutes of July 23, 2013 were reviewed, but not approved because of the three Board members present at this meeting, only two of them were at the last meeting. Karen Butcher moved to review and vote to accept the July 23, 2013 meeting minutes at our next meeting on September 23, 2013. Liz Hartford seconded the motion and it carried 3:0.

Jeannie Horne confirmed that the Board members had received, read and reviewed the Open Meeting Law Complaint dated August 9, 2013. The Board then reviewed the matter, draft response provided by Christine Griffin of Anderson Kreiger (Town Counsel), provided edits, and made the following findings about what happened:

The Board has been reviewing and approving the minutes from its previous meetings as often as the minutes are prepared. All of the Board minutes for all meetings up through June 17, 2013 are approved and complete. However, there has been some delay in providing the approved minutes to the Town Clerk. Once the Human Resources Director (who provides administrative support to the Board) became aware of this problem, all of the approved minutes from the Board for late 2012 and 2013 were immediately provided to the Clerk and are available to the public upon request.

In this case, it appears that the minutes have been created but have not been maintained in the Clerk's office in a "timely manner" and have therefore not been available to the public on request in either draft or final form. This is the result of a procedural oversight by Town Staff, who created draft minutes and presented them to the Board for approval in a timely way, but failed to forward the draft or final minutes to the Clerk.

The Town and the Board take the allegations raised in the Complaint seriously. The Board believes that the response to the allegations, as listed above, appropriately resolves this Open Meeting Law Complaint. The requested meeting minutes are now available in the Town Clerk's office and the Complainant or any other member of the public can gain access to the documents there. Going forward, the Board and its staff will make every effort to produce its minutes, at least in draft form, to the Town Clerk within 30 days from its meeting date.

The Committee members then reviewed the draft 'Response to Duxbury OML Complaint' letter and suggested edits based on their findings. Karen Butcher made a motion to vote to authorize the Chair to send a final letter to include the edits suggested at tonight's meeting to the Attorney General's office with cc to the complainant, Town Manager, Town Clerk, Human Resources Director, and Town Counsel once it has been reviewed by Town Counsel.

Jeannie reminded everyone that an Open Meeting Law training took place on July 24, 2013 and that replay information and other details were available on the Town Clerk's website. She also reminded everyone that training by the State Ethics Commission will take place on 9.19.13, and encouraged everyone to attend.

Staffing Update:

- a. Recruiting –Temporary Property/Lister Appraiser (Personnel Plan internal and external) and Aerial Lift Operator Specialist (DPW CBA/ internal and external), Conservation Administrative Assistant (Clerical CBA/ internal and external)
- b. New Hires – Fire Department Assistant (Personnel Plan internal)

- c. Promotions and Transfers – None
- d. Terminations –None
- e. Retirements – Conservation Administrative Assistant, Public Safety Dispatcher
- f.

Meeting adjourned at 7:25PM

Documents reviewed:

1. Personnel Board Meeting Agenda dated August 19, 2013
2. Personnel Board Meeting Minutes dated July 23, 2013
3. Open Meeting Law Complaint Form dated August 9, 2013
4. Draft Response to Duxbury OML Complaint Letter

Next meeting is scheduled for 9.16.13

Jeannie Horne, Human Resources Director

Submitted: 09.23.13

Approved: 09.23.13