

Minutes  
September 12, 2016 Meeting  
Town Government Study Committee  
Milton, MA

The meeting was called to order by Chairman Neely at 7:10 PM in the Blute Conference Room at Town Hall.

Present were Richard Neely, John Cronin, Kathy Fagan, Philip Mathews, Leroy Walker, Ted Hays and Peter Mullin.

After discussion, the Committee approved the minutes of the 8/16/16 meeting, as amended, on a vote of 6-0-1, with Phil Mathews abstaining.

After discussion, the Committee approved the minutes of the 7/26/16 meeting, on a vote of 6-0-1, with Phil Mathews abstaining.

After discussion, the Committee approved the minutes of the 7/14/16 meeting, on a vote of 6-0-1 with Peter Mullin abstaining.

The Committee discussed the possibility of an article for the Special Town Meeting, now expected in January, 2017, relating to the creation of a position of Chief Procurement Officer (CPO) for the town. Currently there are numerous Town employees, in various departments, who have significant procurement responsibilities. Peter Mullin reported that one of the issues which the Committee will need to decide is whether the CPO position should be a full-time or a part-time position. Phil Mathews pointed out that there is a state association of procurement officials and that they may have useful information on that issue. Another issue which was discussed was whether the State's procurement statute, Mass. G. L. c. 30B, has any provisions as to who the appointing official should be for a local CPO. Peter Mullin said that he would look into that issue. After further discussion it was agreed that Peter Mullin would prepare a draft Town Meeting article relating to a CPO position, by October 15, 2016, with the expectation that we could have a finalized article to vote on by December, 2016.

The Committee next discussed the Town's Personnel Board. Kathy Fagan distributed a written report from the Committee's Personnel Board Sub-Committee which listed a number of functions and roles that a Personnel Board could be responsible for, based on the Sub-Committee's contacts with various other towns and the review of their by-laws. This document was the focus of the discussion. The overriding issue to be resolved is whether the Personnel Board should be primarily an advisory board, or whether certain town personnel matters should require Personnel Board approval. In the course of the discussion it was unclear exactly how many town employees are not members of a collective bargaining unit and who those individuals are. Chairman Neely pointed out that, with regard to Department Heads, a recent opinion letter from Town Counsel, John Flynn, indicated that the strong Town Administrator legislation made the Town Administrator the appointing authority for Department Heads, subject to the veto of the Board of Selectmen, and that the Personnel Board no longer had any approval authority with

regard to Department Heads. Mr. Flynn's letter said there was an inconsistency between the new strong Town Administrator legislation, and the Town's existing Personnel Board By-law, as to the approval authority for non-Department Head employees. It was mentioned during the discussion that among the issues the Personnel Board could advise on is the Town's collective bargaining strategy. The Towns of Brookline and Amherst were mentioned as representing two different models on the advisory versus decision making models for Personnel Boards. It was agreed that the Sub-Committee would attempt to collect more information as to which Town employees were not members of a collective bargaining unit and that this matter should be subject to further discussion.

The Committee agreed on October 25 and November 10, 2016 for its next two meeting dates.

The Committee voted to adjourn at 8:55pm.

Respectfully submitted,

Peter Mullin  
October 2, 2016