

**TOWN OF MANSFIELD
PERSONNEL COMMITTEE**

**Thursday, March 1, 2012
Conference Room C, Audrey Beck Municipal Building
Minutes**

Members Present: Deputy Mayor Toni Moran (Chair), Denise Keane, Paul Shapiro

Other Council Members Present: Meredith Lindsey

Staff Present: Matt Hart, Town Manager, Maria Capriola, Assistant to Town Manager, Dennis O'Brien, Town Attorney

The meeting was called to order at 6:00p.m.

1. APPROVAL OF MINUTES

The meeting minutes of 1/24/12 were moved as presented by Keane and seconded by Shapiro. The minutes were unanimously approved as presented.

Keane made a motion to add "public comment" to the agenda. As a point of order, Shapiro noted that "public comment" could not be added to the agenda because this meeting was a *special* meeting of the Personnel Committee.

2. ETHICS CODE

The Committee continued its review and discussion of the Ethics Code. Moran made the motion to add the word "written" in front of "official town policy" to section 25-7G. The motion was seconded by Shapiro and unanimously approved. Discussion occurred regarding official town policies that may fall within the umbrella of 25-7G such as: Vehicle Use Policy, Cell Phone Use Policy, Technology Use Policy, and departmental policies (DPW/Fire) regarding use of garage bays.

Shapiro made the motion, seconded by Moran to replace 25-8J with the language as presented, "No person shall take or threaten to take official action against an individual for such individual's good faith disclosure of information to their supervisor, any town official or the Board of Ethics under the provisions of this Code. After receipt of information from an individual, the Board of Ethics shall not disclose the identity of such individual without his or her consent unless the Board determines that such disclosure is unavoidable during the course of an investigation or hearing." The motion passed unanimously.

Applicability of the Code to Mansfield Board of Education employees was discussed. Through consensus the Committee agreed to include Board of Education employees in the Code and to refer the Code to the Superintendent of Schools for labor considerations/concerns. Shapiro made the motion, seconded by Keane to change the definition of "public employee" as follows: "Any person or contractor of the Town of

Mansfield or Mansfield Board of Education, full or part time, receiving wages or other compensation for services rendered.” The motion passed unanimously.

The definition of gift was discussed extensively. By consensus the following sentence was removed, “A gift worth no more than \$500.00 made in recognition of a “life event” such as a wedding, birth or retirement.” By consensus the following sentence was modified to read, “A gift received from a public official or public employee’s spouse, fiancé or fiancée, the parent, brother or sister of such spouse or such individual, or the child of such individual or the spouse of such child.”

The merits of annual financial disclosure statements, “personal” conflicts of interest, and fines were discussed. No action was taken on these items.

The definition of public official and its applicability to the Mansfield Downtown Partnership (MDP) when acting as the municipal development agency of the Town was further discussed. Legal counsel for the MDP is researching this issue and will provide guidance to the MDP as to how/when they should act as the municipal development agency.

Shapiro made the motion, seconded by Moran, to approve the Ethics Ordinance draft as amended and refer the Code to the Superintendent of the Mansfield Public Schools. The motion was seconded by Moran. Shapiro and Moran voted in favor of the motion, Keane opposed. The motion passed. The Committee asked staff to forward the referral to the Superintendent and ask for a response by March 19th.

3. RECLASSIFICATION OF NONUNION POSITIONS

This item was tabled.

4. TOWN MANAGER PERFORMANCE REVIEW PROCESS

This item was tabled.

The meeting adjourned at 8:15 p.m. The next meeting is scheduled for Monday, March 19, 2012.

Respectfully Submitted,
Maria E. Capriola, M.P.A.
Assistant to Town Manager