



## TOWN OF UPTON, MASSACHUSETTS

### Town Manager Act Review Committee

## Meeting Minutes

**Date: January 31 2024**

**Location: Town Hall and REMOTE**

### **A: Call to Order**

Having a quorum, the meeting was called to order at 7:00 pm

### **B: In Attendance**

Committee Members:

- Robert J. Fleming
- Richard Henderson
- Steven R. Rakitin
- Alan Leslie Rosenfield, Esq

Guest(s): Joe Laydon, Town Manager

### **C: Discussion**

#### 1. Approval of Agenda and Minutes

MOTION #1: Motion made and seconded to approve agenda for Jan 31. Motion approved by majority vote of members present. (Alan R. abstained)

MOTION #2: Motion made and seconded to approve Minutes from Jan 24. Motion approved by majority vote of members present. (Alan R. abstained)

2. John Brennan has submitted his resignation from the committee. It will be submitted to the BoS and they will post for a replacement.
3. Discuss format/questions for public and department head input, discussions with committee. The questions that we will ask are:
  - What works well

#### COMMITTEE MEMBERS

Robert Fleming  
Richard Henderson  
Steven Rakitin  
Alan Leslie Rosenfield, Esq.

#### TOWN MANAGER

Joseph Laydon

- What isn't working
- What changes would you like to see

The committee will invite written input from all town depts and residents. The Chair will reserve the right to limit public discussion to a reasonable time.

4. Interview with Town Manager for discrepancies in the act that influence job performance
  - Compensation process is difficult to manage with employees hired by elected boards.
  - Oversight of compensation of employees not under jurisdiction of the BoS is not covered by the Act.
  - Appointment process - sec 4. Appears to be different process for hiring certain types of employees with regard to approval required by BoS. Change language so that certain positions would not be subject to BoS 15-day time frame for review and approval. For example, any person that would be below step x in the classification system would be exempt from 15-day period. (e.g., admin support positions)
  - Sec 4 (a) - discipline for non-union employees. Progressive discipline process outlined in Personnel Policy conflicts with text in the Act.
  - Request increase of procurement amount from \$25k to \$50k. Most contracts that TM has signed over the past 6 months were over \$25k and are usually for work or services that have already been approved by Town Meeting. Combine sections (f) and (g) together to make it clear that the limit only applies to goods and services.
5. Begin review of sections 1 and 2 of Town Manager Act

Changes noted in Sections 1 and 2 include changing Board of Selectmen to Select Board and changing use of "his" to "his/her" when referring to TM responsibilities.

In section 2 (c), add: "compensation set in conformance with the Personnel Board"

## **D: Committee Actions**

MOTION #1: Motion made and seconded to approve agenda for Jan 31. Motion approved by majority vote of members present. (Alan R. abstained)

MOTION #2: Motion made and seconded to approve Minutes from Jan 24. Motion approved by majority vote of members present. Alan R. abstained)

## **E: Next Meeting**

Next meeting is Wednesday Feb 7th at 6pm at Town Hall.

Motion made and seconded to adjourn. Motion approved by unanimous vote of members present. Meeting was adjourned at 7:47 P.M.

Respectfully submitted

Steven R. Rakitin  
Secretary