



## TOWN OF UPTON, MASSACHUSETTS

### Town Manager Act Review Committee

## Meeting Minutes

**Date: February 7, 2024**

**Location: Town Hall and REMOTE**

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

Having a quorum, the meeting was called to order at 6:00 pm

### **B: In Attendance**

Committee Members:

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

Guest(s): Joe Laydon, Town Manager  
Maureen Dwinnell, Select Board Chair

### **C: Discussion**

#### 1. Approval of Agenda and Minutes

MOTION #1: Motion made and seconded to approve agenda for Feb 7. Motion approved by majority vote of members present. (Phil DeZutter abstained)

MOTION #2: Motion made and seconded to approve Minutes from Jan 31. Motion approved by majority vote of members present. (Phil DeZutter abstained)

#### 2. The committee welcomed new member Phil DeZutter.

#### 3. Committee discussion on Section 3 of Town Manager Act

#### COMMITTEE MEMBERS

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

#### TOWN MANAGER

Joseph Laydon

- Agreed to change “his” to “his/her”.
- Discussed whether a Town Manager screening committee could request assistance from a professional search firm.
- Discussed posting a notice in the local newspaper about soliciting input from residents.

4. Discussion with Select Board Chair Maureen Dwinnell on issues she feels need to be addressed:

- a. There are several conflicts with Personnel Board Policy. For example, should TM have some authority over employees who are hired by elected boards? Specifically, Select Board Chair Maureen Dwinnell was asked should TM have authority to:
  - Oversee work done by employees - YES
  - Discipline and fire employees - YES
  - Perform annual employee reviews - YES
  - Review/approve budget requests - YES
- b. The committee discussed whether an elected board should bear responsibility for overseeing employees they hire. The Select Board has delegated responsibility for overseeing employees to the Town Manager. Should other elected boards follow suit? The committee was not able to reach a unanimous decision on this topic.
- c. What would you recommend the limit be set at for the amount the TM is able to approve without Select Board approval? Currently \$25k - Select Board Chair Maureen Dwinnell does not agree to increasing this limit.
- d. Current org chart shows the Custodian (Paul M) reporting to the TM. Should this be or has this been changed to have Paul report to Dennis as Facilities Director? Select Board Chair Maureen Dwinnell agrees that the custodian should report to Facilities Director.
- e. 15 days notice issue. According to Select Board Chair Maureen Dwinnell, the Select Board has not gotten required 15-day notice for most recent new hire.
- f. Select Board Chair Maureen Dwinnell stated that the Board is not being informed of everything that is going on.
- g. Suggested changes. To notify board in a timely manner to get items on the agenda.

## **D: Committee Actions**

MOTION #1: Motion made and seconded to approve agenda for Feb 7. Motion approved by majority vote of members present. (Phil DeZutter abstained)

MOTION #2: Motion made and seconded to approve Minutes from Jan 31. Motion approved by majority vote of members present. Phil DeZutter abstained)

## **E: Next Meeting**

Next meeting is Wednesday Feb 21th at 6pm at Town Hall.

Motion made and seconded to adjourn. Motion approved by unanimous vote of members present. Meeting was adjourned at 7:04 P.M.

Respectfully submitted

Steven R. Rakitin  
Secretary