



# *Town Of Walpole*

## *Commonwealth of Massachusetts*

### **PERSONNEL BOARD**

Albert DeNapoli, Chair  
Phil Hinds  
Joseph Moraski  
Ann Ragosta  
John Sheppard

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### **MINUTES OF OCTOBER 13, 2015**

A meeting of the Personnel Board was held on Tuesday, October 13, 2015 at 7:20 p.m. in Room #116 of the Town Hall. Albert DeNapoli and Phil Hinds were unable to attend. The following members were present:

John Sheppard, Vice Chair  
Joseph Moraski  
Ann Ragosta

Also: Thomas Gregory, Asst. Town Administrator  
Valorie Donohue, Human Resource Administrator

### **MINUTES:**

Motion was made by Mr. Moraski and seconded by Ms. Ragosta that:  
The Minutes of September 29, 2015 be approved with noted changes.  
Motion was voted 3-0-0, unanimous.

Motion was made by Mr. Sheppard and seconded by Ms. Ragosta that:  
The Minutes of October 2, 2015 be approved with noted changes.  
Motion was voted 2-0-1; Mr. Moraski abstained due to not being at that meeting.

### **JOB DESCRIPTION – TOWN CLERK:**

The Board of Selectmen is the appointing authority of the Town Clerk position. They are currently in the process of reviewing the job description. They will submit their recommended changes to the Board.

### **PERSONNEL BY-LAWS:**

Members received a copy of the Personnel By-laws with those Articles highlighted to reflect those articles that were written prior to 1962, per the Personnel By-laws of 1962 booklet. Requests have been submitted to various towns for copies of their Personnel By-laws.

Mr. Moraski stated that the board members will need to review both the Personnel By-laws and the Town Charter due to conflicted wording. He has drafted a seven page rebuttal to Town Counsel's decision that was received at the October 2<sup>nd</sup> meeting. The rebuttal summarized the action taken by the board members at the September 29<sup>th</sup> and October 2<sup>nd</sup> meeting in regards to Article 10 – Promotions and Transfers in Town Counsel's interpretation of the Personnel By-law and Town Charter. Mr. Moraski stated that the Board's action of changing the step level of the two police promotions were due to following Article 10 of the Personnel By-laws. Under Section 4-3 of the Town Charter, the Town Administrator must abide by the personnel policy guide. He feels that what Town Counsel is calling the classification plan (salary

schedule) is only one part of the Personnel By-laws. The overriding issues are the powers and duties of the Personnel Board and those of the Town Administrator under the Town Charter and Personnel-By-laws. Mr. Sheppard stated the way he understood Town Counsel's letter was that the Town Charter trumps the Personnel By-laws. Section 4-3 of the Charter conflicts with Article 10 of the Personnel By-laws.

Ms. Ragosta feels that Town Counsel needs to revisit the Personnel By-law Article 1 definition; she felt that Town Counsel's decision made no sense.

Mr. Moraski stated that Section 4-3c of the Charter ties the Town Administrator to the limitation of the Personnel By-laws.

Mr. Sheppard understanding is that as long as the Town Administrator stayed within the range of steps 1 – 15.

Mr. Gregory stated that this cast a light on the need for updates and revisions of the Personnel By-laws where it conflicts with the Town Charter.

Ms Ragosta does not see it as a conflict. She further stated that the Personnel Board is operating under the Personnel By-laws.

Mr. Moraski stated that we need to be sure the by-laws are being adhered to.

Ms. Ragosta feels that Town Counsel did not give enough weight to the by-laws; it was too short of time to make the decision they did.

Mr. Moraski stated that that we are not looking to change the action that was taken. Going forward, he wants to get clarification of the powers and duties of the Town Administrator and the Personnel Board as outlined in the by-laws, Town Charter and interpretation of Town Counsel and Labor Counsel. Article 1 of the Personnel By-laws, the classification of positions, pay schedule and all the provisions of the by-laws are all considered as the "PLAN" for the payment of salaries and wages to the employees that fall under the Personnel By-laws. Under Section 4-3c of the Charter, the Town Administrator shall stay within the limits established by the classification and compensation plan.

Ms. Ragosta stated that we need to revisit the Town Counsel's interpretation; Was Town Counsel referred to Article 1 of the by-laws with connection to section 4-3c of the Charter?

#### **CLASSIFICATION STUDY:**

Mr. Gregory informed the members that Mr. Mark Morse of MMA Consulting firm was in earlier in the day with information from approximately 16 towns showing that Walpole's salaries are in the middle of the range. We will have our final results for the next meeting on November 3<sup>rd</sup>. Mr. Morse will also be at the meeting to explain the data collected.

#### **MEETING ADJOURNED:**

Motion made by Mr. Moraski and seconded by Ms. Ragosta that:

The meeting will be adjourned. (9:07 p.m.)

Motion voted 4-0-0, unanimous.