



Commonwealth of Massachusetts **STATE ETHICS COMMISSION**

One Ashburton Place - Room 619
Boston, Massachusetts 02108

Hon. Barbara A. Dortch-Okara (ret.)
Chair

David A. Wilson
Acting Executive Director

MINUTES OF THE STATE ETHICS COMMISSION MEETING **August 11, 2016**

One Ashburton Place, Room 619
Boston, MA 02108

PUBLIC SESSION

MEETING CONVENED

Chairman Barbara Dortch-Okara called the meeting to order at 10:05 a.m. Also in attendance were Commissioners William J. Trach, Regina L. Quinlan, David A. Mills, and Thomas J. Sartory.

EXECUTIVE DIRECTOR'S REPORT

Farewell for Michael Memmolo

Acting Executive Director David A. Wilson reported that a goodbye party for former CFO Michael Memmolo was held, and thanked Assistant General Counsel Pauline Nguyen for organizing it.

Mass Municipal Lawyers Association Presidents Award for 2016

Mr. Wilson reported that the Executive Board of the Massachusetts Municipal Lawyers Association selected General Counsel Deirdre Roney as the 2016 recipient of the MMLA's President's Award. The award was presented to her last week. Mr. Wilson and the Commission congratulated Ms. Roney.

Annual Report

Mr. Wilson informed the Commission that at the end of last month, Public Education and Communications Division Chief David Giannotti published the annual report for FY15. Mr.

Wilson thanked Mr. Giannotti for completing the report. He added that Mr. Giannotti is now working on completing the FY16 annual report.

Personnel Manual

Mr. Wilson reported that he created a working group consisting of eight staff members to review the Personnel Manual. He stated that the working group has met twice since the last Commission meeting. In between the two working group meetings, Staff Attorney Norah Mallam developed a survey seeking input from all Commission staff regarding concerns about or suggestions for the Personnel Manual. A redraft of the Personnel Manual is being worked on and will be discussed at the next working group meeting. Mr. Wilson added that he will request the scheduling of a meeting of the Audit, Finance and Human Resources Committee meeting to discuss the initial proposed redraft of the Personnel Manual.

Chairman Dortch-Okara requested a summary of the issues addressed in the proposed redraft of the Personnel Manual at the next Commission meeting to provide the Commission with an understanding of the concerns that the new Personnel Manual will address. Commissioner Quinlan asked whether the Personnel Manual will be voted on by the entire Commission. Mr. Wilson responded affirmatively.

Self-Service Time and Attendance

Mr. Wilson reported that he, Ms. Nguyen, Administrative Assistant Theresa Meli Omodei, and Financial Disclosure Administrator and Analyst Robert Milt met with the Comptroller's Office about the Self-Service Time and Attendance system (SSTA), an employee timekeeping system that has been adopted by about 70% of Commonwealth agencies and is required for executive branch agencies. He explained that how the system would work, and that it would result in time savings for the CFO. Mr. Wilson informed the Commission that we are still evaluating the system, but staff generally are receptive to the idea. He stated that he would discuss the system further as we move further along in weighing our options and evaluating the system.

CFO functions temporarily transferred to other people

Mr. Wilson explained that with the CFO position open, the CFO functions would be temporarily shared by some staff members. Ms. Meli Omodei is handling the payroll, and Receptionist Nubia Villarroel will get additional training at the Comptroller's Office so that she can take on additional duties with respect to paying the Commission's bills. Mr. Wilson thanked Ms. Meli Omodei and Ms. Villarroel for taking on extra duties.

Mr. Wilson further reported that as the head of the agency, and therefore the person responsible for the agency's budget, he has completed 20 hours of training by the Comptroller's Office on its appropriation management system, MARS, and that next week he will be participating in a training on encumbrances.

Budget

Mr. Wilson explained to the Commission that the Commission must submit an annual spending plan for FY17 to the Executive Office of Administration & Finance. Mr. Milt and he will be working together to develop the plan. Mr. Milt is learning how to use the Massachusetts Budget Application in order to complete the Budget Plan. Mr. Wilson thanked Mr. Milt for taking on this task.

Personnel

Mr. Wilson reported that the CFO position was posted, and that we have received some resumes. He noted that the summer is a difficult time to recruit. He informed the Commission that he plans to set up a committee to read and evaluate the resumes in order to begin interviewing candidates. This process would proceed over the next several weeks.

Regarding the Enforcement Division Chief position, Mr. Wilson stated that reference checks were conducted. He also stated that he is working on a job description for another Enforcement Division attorney position, and is looking to post that position in September.

RECRUITMENT PROCESS FOR HIRING EXECUTIVE DIRECTOR

Chairman Dortch-Okara reported back on search firms based on information she gathered and information provided by former CFO Michael Memmolo. Chairman Dortch-Okara also reported back on her conversation with former Commissioner Jeanne Kempthorne, who was on the search committee for the last executive director hiring process. According to Chairman Dortch-Okara, former Commissioner Kempthorne said that she was pleased with the recruitment process and felt the Commission received excellent responses; that all members of the committee participated in the decision; that the committee conducted interviews, but finalists were interviewed by the full Commission; that staff performed excellently and made the work a lot less cumbersome; that she valued their input and judgment, and that at the time the Commission did not have the funds to hire a search firm but she did not feel the process was deficient in any way. After discussion by the Commission, Chairman Dortch-Okara suggested that the Commission proceed with an internal search committee, and if necessary decide at a later time to hire a search firm through a procurement process. She asked Commissioner Sartory to chair the committee, and he agreed. Commissioner Quinlan also volunteered to serve on the search committee. Chairman Dortch-Okara also proposed that the search committee meet with Lauren Duca to decide which other staff members should serve on the committee.

The Commission then discussed updating the position description for the executive director. Regarding the requirement that the executive director be an attorney, General Counsel Deirdre Roney stated that the requirement could restrict otherwise qualified people from applying. Ms. Duca stated that it is helpful to have an executive director who has a legal background. Chairman Dortch-Okara stated that the Commission should not waive the JD requirement and the other Commissioners agreed.

After further discussion, the Commission agreed on a salary range of \$125,000 to \$150,000; to publish the posting to Mass Lawyers Weekly beginning in late August; and to keep the posting open until early October. Vice-Chairman Trach suggested that if others had further ideas about

outreach to send those ideas to Ms. Roney who will pass the information to the search committee.

MOTION TO ADJOURN

At 11:15 a.m., on the motion of Commissioner Quinlan, seconded by Vice-Chairman Trach, the Commission voted 5-0 to adjourn the meeting.

LIST OF DOCUMENTS USED AT THIS MEETING

1. Agenda for the Commission Meeting of August 11, 2016.
2. August 5, 2016 Memorandum from Assistant General Counsel Pauline Nguyen re: Executive Director Position Description and Posting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Pauline Nguyen". The signature is written in a cursive, flowing style with a large initial "P" and a stylized "N".

Pauline Nguyen
Assistant General Counsel