

**COMMITTEE ON PERSONNEL
NOVEMBER 13, 2017 AT 6:18 PM
COMMITTEE ROOM
WOBURN CITY HALL**

Voting Members:

Attending: Chair Joanne Campbell, Alderman Michael Anderson,
Alderman Michael Concannon.

Absent: None.

Non-Voting Members:

Alderman Richard Gately,
Alderman Lindsay Higgins, Alderman Darlene Mercer-Bruen,
Alderman Edward Tedesco, President Richard Haggerty

Absent: Alderman Mark Gaffney

* * * * *

On the appointment of Paul Medeiros, 9 Marietta Street, to become the city's Sealer of Weights and Measures: Chairman Campbell said the Sealer of Weights & Measures is responsible for seeing that scales, meters and other measuring devices in commercial use perform properly. She said the Sealer is appointed by the Mayor with confirmation by the City Council, and that the term is for two years. The Sealer has the jurisdiction to issue fines or warnings for violations. The position is under the jurisdiction of the Engineering Department. Chairman Campbell said there is a very detailed description of the position in Section 20 of the Woburn Municipal Code, and that the Sealer must undergo 30 hours of continuing education and must be certified by the state. Mr. Medeiros said this is his first job interview in 33 years, and that he has been working for the same company since 1985. Mr. Medeiros said he has been a member of the Woburn community since the late '80s, and he has served on various boards and commissions, including the City Council, in that time. At work, he started as a machinist and worked his way up to operations manager, and he runs all the shipping and manufacturing operations, among other duties. He said Mayor Galvin and he had talked about assuming the role of Sealer of Weights & Measures and after some deliberation decided he would be able to perform the job. Alderman Concannon noted Mr. Medeiros would be required to take an exam in order to be certified. Mr. Medeiros acknowledged he will have to take the exam within one year of his appointment. Alderman Concannon said he appreciates Mr. Medeiros' long record of service to the city, and he acknowledged the appointment is made by the mayor and confirmed by the council, but asked Mr. Medeiros if he thought his duties as the Sealer, along with his full-time job and his status as the Chairman of the License Commission, might entail a great deal of work. Mr. Medeiros agreed the Sealer's job would entail a lot of start-up work, but once he got the department up-and-running, it would be easier. Alderman Concannon said there seems to be expenditures with the Sealer's position, but not a lot of revenue. Mr. Medeiros said there is an opportunity for the position to generate more revenue for the city. Alderman Concannon asked if Mr. Medeiros would require special municipal employee status to remain on the License Commission. Alderman Andersons said he thinks the entire License Commission would have to be designated special municipal employees if Mr. Medeiros becomes the Sealer. Alderman

Anderson said Mr. Medeiros is clearly qualified to do the Sealer's job. Alderman Anderson noted Mr. Medeiros is also on the city's Cable Advisory Commission and the Agricultural Commission. Alderman Anderson said he is concerned about losing Mr. Medeiros from the License Commission if he is appointed to the Sealer's position. Alderman Concannon said he would prefer Mr. Medeiros to be in one role or the other, but not both. Alderman Anderson said members of the Woburn School Committee are special municipal employees, as one of its members is also a member of the Woburn Fire Dept. President Haggerty asked if Mr. Medeiros is already performing the functions of the Sealer of Weights & Measures. Mr. Medeiros replied he cannot examine any devices until he is certified, but said he is taking phone calls and email related to the Sealer's position. He also said he cannot certify scales until his appointment is formally approved by the City Council. Mr. Medeiros said he is not being compensated currently for any work related to the Sealer's position. President Haggerty said he is willing to support Mr. Medeiros' candidacy for Sealer of Weights & Measures, but if Mr. Medeiros is appointed, President Haggerty said he would expect Mr. Medeiros to step down from the License Commission. President Haggerty said he is not a big fan of granting special municipal employee status, and he would prefer giving a wider swath of residents a chance to serve on appointed boards, and noted that has been his stance for a long time. Alderman Gately said he had spoken to City Clerk William Campbell earlier in the day about special municipal employee status and said the License Commission is not currently covered. Alderman Gately said drawing two paychecks from the city is not allowed, and he would not support Mr. Medeiros' appointment to the Sealer's position if he remains on the License Commission, because he does not want to designate the entire Commission as special municipal employees. Alderman Gately said the Sealer's position has been a losing proposition for the city over the last five years, with expenditures far exceeding receipts, broken down by year: 2013 – Receipts \$2,952.50, Expenditures \$16,171.28; 2014 – Receipts \$4,431, Expenditures \$15,918.88; 2015 – Receipts \$4,700; Expenditures \$16,295.51; 2016 – Receipts \$6,600, Expenditures \$16,304.65; 2017 – Receipts \$550, Expenditures \$15,804.88. Alderman Anderson asked how much it would cost the city to have the state carry out the Sealer's duties. Alderman Gately asked if the state can take care of the job for between \$16,000-\$17,000 a year, and said three years ago he asked the former Sealer of Weights & Measures for a breakdown of expenditures and revenues and never got one. Mr. Medeiros reiterated the Sealer's position can generate more revenue since supermarkets now have scales at every register that have to be measured every year. Alderman Gately said scales have been converted to a digital format, and there are devices that are plugged in to measure scales. Alderman Gately said he thinks the Sealer's position is a waste of money and a losing enterprise. Mr. Medeiros said there is also a consumer advocacy element to the Sealer's position, and noted there have been issues with a gas station in town giving less gas than what has been on the pump meter. Alderman Gately said his recollection is that at that particular station, a customer will ask for \$20 and the clerk will pump \$1.50 worth of gas, not a measurement error. Alderman Mercer-Bruen said there is no question that Mr. Medeiros could do the job effectively, but suggested Mr. Medeiros ought not to perform the duties of the Sealer until the City Council finishes the process of confirming the appointment. Alderman Mercer-Bruen suggested asking the City Auditor whether it would be less expensive for the state to perform the Sealer's duties, even if the state ended up collecting some of the profits. Motion made by Alderman Anderson and seconded by Alderman Concannon to request from the City Auditor a cost estimates of hiring the state to perform the duties of the Sealer of Weights & Measures; approved, 3-0. Chairman Campbell said the Sealer is supposed to issue a financial report to the City Council

once a year. Alderman Mercer-Bruen said the Committee could request reports from the City Engineer dating to 2013 to aid in its financial comparison. Motion made by Alderman Anderson and seconded by Alderman Concannon to request from the City Engineer annual financial reports from the Sealer of Weights & Measures, and a cost-benefit analysis from the City Engineer about whether it would be more beneficial for the state to provide Sealer of Weights & Measures services; approved, 3-0. Alderman Mercer-Bruen asked if Mr. Medeiros is appointed to the Sealer's position, would he be eligible for health benefits if the hours he works with the License Commission are combined. Alderman Mercer-Bruen said she agrees with President Haggerty and Alderman Gately that she would prefer not to designate the License Commission as special municipal employees. She said she understands Mr. Medeiros' rationale for taking the Sealer's job, but added she is not sure the city needs to fill the position. Motion made by Alderman Anderson and seconded by Alderman Concannon to request from Human Resources Director Elaine Pruyne an opinion on whether Mr. Medeiros would be eligible for city health benefits if he is appointed Sealer of Weights & Measures, taking into account the hours he works as a member of the License Commission; approved, 3-0. President Haggerty said it is really important for the city to have someone checking weights and measures. Alderman Anderson said there is a lot of work involved, and the position might be underpaid. Alderman Concannon suggested asking the City Solicitor what the council would have to do in order to allow the same person to occupy two paid municipal positions, namely the Sealer of Weights & Measures, and chairmanship of the License Commission. Chairman Campbell also suggesting asking the City Solicitor if there are any potential conflicts with Mr. Medeiros serving as the Sealer and on the License Commission, as well as his two volunteer positions. Motion made by Alderman Anderson and seconded by Alderman Concannon to send a communication to the City Solicitor Ellen Callahan Doucette asking her whether the Council would have to designate the License Commission as special municipal employees if Mr. Medeiros is appointed as Sealer of Weights & Measures, and whether his appointment as Sealer would create a conflict between the Sealer's position and any of the other municipal boards on which he serves, namely the License Commission, the Cable Advisory Commission and the Agricultural Commission. Alderman Concannon asked Mr. Medeiros if he would give up his position on the License Commission if he is appointed to the Sealer's position. Mr. Medeiros said he is hoping he is granted special municipal employee status. Alderman Mercer-Bruen asked Mr. Medeiros if he has had any conversations with City Solicitor Callahan Doucette about conflicts of interest. Mr. Medeiros replied he had spoken to City Solicitor Callahan Doucette very briefly. Alderman Anderson said he would like to hear from the City Solicitor before the Committee takes action on Mr. Medeiros' appointment. Mr. Medeiros said he has no problem with the Committee dotting its Is and crossing its Ts before issuing a recommendation.

Motion made by Alderman Anderson and seconded by Alderman Concannon to adjourn; all in favor, 3-0. Chairman Campbell adjourned the meeting at 6:49 p.m.

Attest: _____
Gordon Vincent
Clerk of Committees

