



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That those persons retained as Building Project Manager/Citizen Center for the City of Haverhill are hereby designated as "Special Municipal Employees" pursuant to M.G.L. c. 268A.

JAMES J. FIORENTINI
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

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January 3, 2013

President Robert Scatamacchia and
Members of the Haverhill City Council

RE: Special Municipal Employee

Dear Mr. President and members of the City Council:

Enclosed, please find an order allowing the person hired as Building Project Manager/Citizens Center for the City of Haverhill to be designated as a "Special Municipal Employee".

I would like to retain the services of local architect and historian Angelo Petrozelli as this Project Manager to oversee the rebuilding of the Citizens Center. To avoid any potential conflict of interest because of other projects he may be working on, I am requesting this designation.

I recommend approval.

Very truly yours,



James J. Fiorentini, Mayor

JJF/lk

Encl.

CC: Angelo Petrozelli

mayors_admin

From: BILLCOXLAW@aol.com
Sent: Thursday, January 03, 2013 11:55 AM
To: mayors_admin
Subject: COI

The conflict of interest law in Massachusetts (M.G.L. c. 268A) classifies private citizens serving as consultants appointed by the Mayor to oversee building projects as “municipal employees” and, therefore, their conduct is regulated by the conflict law.

“Special municipal employee” status may be assigned to certain municipal positions by a vote of the City Council. It is the municipal position which is designated as having special status, not the individual. All “employees” holding the same office or position must have the same classification as special.

M.G.L. c. 268A, §17 limits what a municipal employee may do “on the side”, specifically prohibiting any municipal employee from acting as an agent or attorney for a private party before city boards. However, §17 only applies to special municipal employees when there is a connection between the special municipal employee’s outside activity and the employee’s agency work.