



Massachusetts Association of Public Purchasing Officials (MAPPO)

Meeting Minutes
Wednesday, January 18, 2017
Danversport Yacht Club
Hosted By: Tanya Jenkins, Danvers

Officers Present:

Tom Watkins, Vice President
David Gelineau, Co-Treasurer
Whitney Haskell, Secretary

Business Meeting:

Vice President Tom Watkins welcomed everyone and opened the meeting at 11:30AM.

New Members:

Guests:

Joe Conway, Wakefield

Secretary's Report:

The minutes from the November 2016 meeting were approved.

Treasurer's Report:

Co-Treasurer David Gelineau presented the Treasurer's report for the month of December. The beginning balance was \$43,000.45. The ending balance was \$41,557.81.

Legislative Affairs Committee:

David Geanakakis reported The MMA Annual conference will be held this weekend in Boston.

Website Committee:

Tom Watkins reported that FY15 and FY16 CEUs are now online.
Nomination information for officers will be going out soon. Selections will be presented in March.

Outreach Committee:

No report.

Speaker Committee:

Angela Allen reported the speaker at the February meeting will be Jamie Hellen, the Deputy Town Administrator for the Town of Franklin. He will be discussing the use of social media in government.

The March speaker has not yet been confirmed.

New Business:

Maureen Doherty provided an update on the mentoring program.

Jennifer Forsey from OSD announced that they are now accepting contractors for the tradespersons contracts.

Speaker:

Mark Reich from KP Law (formerly Kopelman and Paige) presented on the July 1, 2016 updates to the public records law.

He discussed exemptions that were particularly relevant to procurement officials. Such as the **trade secrets exemption**. It is important to note that financial information provided with a bid or proposal is a disclosable public record. Sometimes municipalities request more than they actually need. Ex. request an audit report rather than an audited financial statement. He also discussed the **bid exemption** which protects bids, proposal, and by necessity quotes from being disclosed until the due date, and the **real estate exemption**, which under certain circumstances protects appraisals when the municipalities is seeking to acquire property.

He discussed other exemptions that are more broadly applicable to municipalities (privacy exemption, policy exemption, notebook exemption, investigatory exemption, public safety exemption.

Key changes-

- You now have 10 business (rather than calendar) days to respond. The clock starts ticking when you receive the request.
- For an email request an “out of office reply” does not protect you from responding within the 10 days. Make sure you have coverage.
- If you don’t respond within the 10 days, you cannot asses fees.
- Fees are now capped at \$25.00/hour.
- Municipalities with a population over 20,000 cannot charge for the first two hours of work.
- If the request is for a commercial, rather than public interest, you may request permission from the Supervisor of Public Records the ability to charge higher fees and extend the response time.
- You have 25 business to fully respond to the request. With “good cause” you may request up to 30 additional days, but extension run from the date granted so be sure not make the request too early.
- Requestors that choose to litigate your response may now be awarded attorney’s fees and punitive damages.

The meeting was adjourned at 2:15 PM.

Respectfully submitted,
Whitney Haskell,
MAPPO Secretary