

# **TOWN OF BOXFORD EMPLOYMENT AGREEMENT**

## **DIRECTOR OF MUNICIPAL FINANCE**

AN AGREEMENT BETWEEN *KATHLEEN J. BENEVENTO* AND THE TOWN OF BOXFORD, MASSACHUSETTS.

### **TERM OF AGREEMENT**

The Town (acting by and through its Board of Selectmen) agrees to employ Kathleen J. Benevento as the Director of Municipal Finance for the term ending June 30, 2018.

### **TERM OF APPOINTMENT**

Subject to the rights of termination provided herein, the term of appointment shall continue through June 30, 2018. Rights of termination provided below.

### **COMPENSATION**

The Town agrees, subject to appropriation, to pay Kathleen J. Benevento for her services in the following manner:

(FY 2016) July 1, 2015 to June 30, 2016- \$102,015.00 annual salary, - subject to appropriation.

Fiscal Years 2017 and 2018 shall be subject to an annual reopening of this contract for the purposes of adjusting salary only, based upon performance evaluations, subject to appropriation by Town Meeting.

### **DUTIES OF POSITION**

The duties for this position are stated in the attached Job Description for Director of Municipal Finance and made part of this agreement by reference.

### **REGULAR WORKING HOURS**

The Director of Municipal Finance is the chief financial officer of the Town of Boxford. As such the position is a full time, Monday through Friday professional, administrative, high level position that will require additional work hours including expanded workdays and some evening meetings. The Director of Municipal Finance shall not be granted any compensatory time for hours worked; however, given the extensive hours and the seasonal nature of the workload, professional consideration shall be given to the Director of Municipal Finance for occasional off hours to be utilized at her discretion. Nevertheless, it is clearly agreed that the duties incumbent upon the Director of Municipal Finance as outlined in the attached job description are to be completed as assigned.

### **OTHER PERSONAL BENEFITS**

The Director of Municipal Finance shall be entitled to all benefits in the Code of the Town of Boxford, Chapter 23, Personnel, as it may be amended, not superseded or contradicted by the within contract.

- The Director of Municipal Finance shall have paid personal leave per fiscal year as provided in the Town Code to be taken in increments as needed.
- The Director of Municipal Finance shall be entitled to such additional time off as may be granted from time to time by the Board of Selectmen.
- Vacation leave shall be as outlined in the Town Code with the exception that the Director of Municipal Finance shall be entitled to 160 hours vacation time each year.
- The Town shall pay the full amount of membership dues to the Massachusetts Finance Officers Association, the Massachusetts Municipal Accountant and Auditors Association, the Eastern Massachusetts Municipal Accountant and Auditors Association, and up to \$600 for seminars and classes as approved by the Board of Selectmen for the benefit of the Director of Municipal Finance, subject to the limits appropriated in the annual operating budget for said purpose.
- The Director of Municipal Finance is an exempt employee for purposes of the Fair Labor Standards Act.

### **TERMINATION**

**Termination by the Town For Cause:** The Town may terminate the Director of Municipal Finance from that position for cause upon thirty (30) days written notice to the Director of Municipal Finance.

- 1) Prior to dismissing the Director of Municipal Finance, the Town shall give the Director of Municipal Finance a written notice, which shall include the specific reason or reasons for dismissal.
- 2) The Director of Municipal Finance shall be given a full hearing before the Board of Selectmen concerning such reason or reasons. The Town shall provide the Director of Municipal Finance with a written notice of the time and place of such hearing at least fourteen (14) days prior to the holding thereof. Within ten (10) days after the completion of the hearing, the Town shall give the Director of Municipal Finance written notice of its decision, which shall state fully and specifically the reasons therefore.
- 3) Any hearing pursuant to this section shall be held in executive session unless the Director of Municipal Finance requests that the meeting be opened to the public. The Director of Municipal Finance shall be allowed to answer, personally or by counsel, any of the charges made against her.

**Termination by the Town Without Cause:** The Town shall have the right to request the resignation of or terminate the employment of the Director of Municipal Finance prior to expiration of the term of this Agreement, by 4/5<sup>ths</sup> majority vote of the Board of Selectmen. In the event the Director of Municipal Finance resigns at the request of the Board of Selectmen or is terminated by such 4/5<sup>ths</sup> majority vote of the Board, the Town shall pay the Director of Municipal Finance a payment equal to three (3) months aggregate salary, which shall be paid to the Director of Municipal Finance within fourteen (14) days of her execution of a waiver and release of claims in a form supplied by the

Dir of Finance Contract FY16-FY18  
06/05/15

Board of Selectmen. This payment is intended to settle all outstanding issues or disagreements between the Town and the Director of Municipal Finance that may exist at the time of separation and by accepting the payment, the Director of Municipal Finance shall forgo any other claim or action against the Town related to her employment by the Town. In the event the Director of Municipal Finance is terminated for misconduct or breach of a material provision of this Agreement, the Town shall have no obligation to pay the severance provided for in this paragraph. In the event that the Board of Selectmen asks the Director of Municipal Finance to resign or leave office, she shall be deemed to have been terminated by the Board for purposes of severance and unemployment compensation.

**Failure to re-appoint by the Town:** The Town shall notify the Director of Municipal Finance in writing at least sixty (60) days in advance of the term ending date of this contract, of the Town's intention not to re-appoint the Director of Municipal Finance for a subsequent term of office. Failure to re-appoint by the Town shall not be considered Termination by the Town as described above.

**Termination by the Director of Municipal Finance:** The Director of Municipal Finance may resign with sixty (60) days written notice to the Board of Selectmen.

#### **STATEMENT ON CONTINUATION OF CURRENT CONTRACT**

In the event that a new contract is not negotiated prior to the expiration date of the present contract, the Selectmen may re-appoint the Director of Finance for an extension term which the Selectmen deem appropriate to complete negotiations on a new contract. If re-appointment is approved and an extension term is voted, the present contract shall remain in full force and effect until the end of such extended term or until a new contract is executed, whichever ever shall first occur. In no event does this section require re-appointment by the Selectmen nor does it express or imply job security for the appointed employee.

#### **STATEMENT ON OUTSIDE BUSINESS ACTIVITIES**

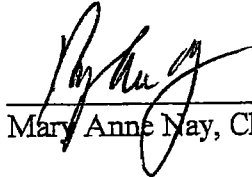
The Director of Municipal Finance agrees that she shall not engage in outside business activities during normal business hours without the prior written approval of the Board of Selectmen.

#### **GENERAL PROVISIONS**

This contract constitutes all of the agreements of the parties. Any supplemental or additional agreement hereafter made shall be made in writing.

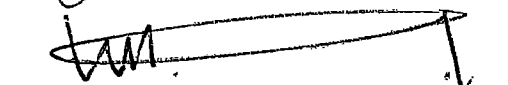
IN WITNESS THEREOF, The Town of Boxford has executed and delivered this Agreement in duplicate acting by and through the Board of Selectmen and the Director of Municipal Finance on this 24<sup>th</sup> day of June, 2015.

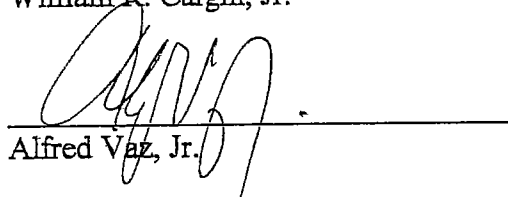
THE TOWN OF BOXFORD ACTING BY AND THROUGH  
ITS BOARD OF SELECTMEN

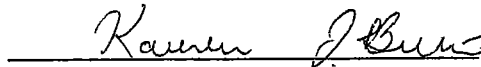
  
Mary Anne May, Chair

  
Peter C. Perkins

  
Charles J. Costello

  
William R. Cargill, Jr.

  
Alfred Vaz, Jr.

  
Kathleen J. Benevento  
Director of Municipal Finance

6/8/15  
Date

## **DIRECTOR OF MUNICIPAL FINANCE**

### **GENERAL PURPOSE:**

Performs a variety of high level, complex, supervisory, professional, administrative and technical municipal accounting, budgeting and finance functions as related to the municipal finance system and procedures of the Town. Insures that all procedures and records are in accordance with the Department of Revenue of the Commonwealth of Massachusetts regulations and Town Bylaws.

### **SUPERVISION RECEIVED:**

Under the general supervision of the Board of Selectmen

### **SUPERVISION EXERCISED:**

Directly appoints and supervises three department head positions: Town Accountant, Treasurer/Collector of Taxes and Assistant Assessor. Coordinates the activities of these department heads and their respective staffs and assists in resolving any problem that may occur.

### **DISTINGUISHING FEATURES OF THE CLASS:**

The Director of Municipal Finance serves as the Chief Financial Officer of the Town and provides leadership, direction and professional advise on all issues related to municipal finance. The employee in this class manages and supervises assigned operations to achieve goals within available resources; plans, organizes and delegates workloads and staff assignments; trains motivates and evaluates assigned staff; reviews progress and directs changes as needed.. The Director of Municipal Finance has considerable latitude for discretion and the exercise of judgment in the supervision and development of municipal financing systems and procedures. The employee in this class directly supervises subordinate employees, and is accountable to the Board of Selectmen.

### **EXAMPLES OF WORK:**

- Primary duty: The Director of Municipal Finance shall specifically be responsible for the Annual Budgeting process, beginning with the forecast of municipal revenues and the formulation of guidelines for submission of budget requests, through the consideration of budgets via support of the Finance Committee and Board of Selectmen, up to the timely issuance of the resulting tax bills.
- Performs personnel functions over subordinates including hiring, periodic formal evaluation and discipline; delegates tasks; ensures accountability and directs daily activities
- Reports formally and periodically to the Board of Selectmen, the Finance Committee and the Capital budgeting committee at evening meetings as appropriate. Serves as *ex officio* member of the Finance Committee, Capital Budgeting Committee and the Commissioners of Trust Funds

- According to the bylaws of the Town of Boxford, the functions of the Department of Municipal Finance shall also be responsible for the following:
  - Coordination of all financial services and activities;
  - Maintenance of all account records and other financial statements, either directly or via the responsible Department Head;
  - Payment of all obligations, either directly or via the responsible Department Head;
  - Receipt of all funds due, either directly or via the responsible Department Head;
  - Personnel administration, either directly or via the responsible Department Head;
  - Oversight of the Municipal Information Systems of the various town departments;
  - Oversight of grant proposals and responsibility for compliance with terms of grants received;
  - Assistance to all other Town departments and offices in any matter related to financial affairs;
  - Monitor the expenditure of all funds, including periodic reporting to the appropriate agencies on the status of accounts;
  - Supervision of all purchases of goods, materials and supplies, and maintenance of inventory control;
  - Any other duties as may be assigned from time to time by the Board of Selectmen.

**DESIRED EDUCATION AND EXPERIENCE:**

Five years or more experience in Massachusetts municipal finance position, preferably at the department head level; Bachelors or Masters (preferred) degree from a college or university of recognized standing with major course work in finance or accounting; or any equivalent combination of experience and training which provides the required knowledge, skills and abilities

**DESIRED KNOWLEDGE, SKILLS AND ABILITIES:**

Thorough knowledge of principles, methods and practices of Massachusetts municipal finance, budget management, personnel management, collective bargaining and intergovernmental relations; strong knowledge of the principles underlying the laws, bylaws and regulations governing the financial operations of the Town; good knowledge of Uniform Municipal Accounting System (UMAS); good knowledge of modern business management practices; ability to devise and apply modern accounting procedures.

Strong oral communications skills and the ability to represent the Town before an array of organizations including providing statements to the media. Excellent writing skills to prepare various reports and position papers. Strong organizational skills and the ability to manage a large number of projects and tasks simultaneously. Proficient skill in the use of technology, specifically municipal accounting software, commercial word processing and

spreadsheet software; proficient skills related to constituent services and customer service.

Proven ability to analyze and interpret fiscal and accounting data and to prepare appropriate statements and reports; ability to establish and maintain effective relationships with co-workers and delegate authority efficiently; ability to plan and supervise the work of others; ability to monitor the operations of subordinate departments by tracking complex projects through delegation and ensuring staff accountability to accurately achieve goals in a timely fashion; good judgment; good physical condition.

**TOOLS AND EQUIPMENT USED:**

Personal computer with word processing spreadsheet and e-mail software and highly complex, specialized municipal accounting application software; 10 key calculator, multi-line phone, fax machine and high speed photocopy machine.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed mostly in an office. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.

While performing the duties of this job, the employee is required to stand, walk, use hands to finger, handle, feel or operate objects, tools or controls; and reach with hands and arms. The employee is required to sit; climb or balance; stoop, kneel, crouch or crawl; talk and hear.

The employee must occasionally lift and/or move up to 15 pounds. Specific vision abilities required by this job include close vision, distance visions, depth perception and the ability to adjust focus.

**WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The noise level in the work environment is usually moderately noisy in the office. Some equipment is noisy when in use.

**SELECTION AND GUIDELINES:**

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

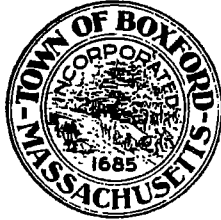
The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

**FOR FURTHER INFORMATION:**

Please contact Town Administrator, Town of Boxford, 28 Middleton Road, Boxford, MA 01921 (978) 887-8181.





## TOWN OF BOXFORD

*Office of the Board of Selectmen*  
7A Spofford Road  
Boxford, MA 01921

[www.town.boxford.ma.us](http://www.town.boxford.ma.us)

November 28, 2016

Tel: (978) 887-6000 Ext. 502

Fax: (978) 887-5361

Kathy Benevento  
Director of Municipal Finance  
Town of Boxford


Dear Director Benevento:

In accordance with action taken at the May 11, 2016 Annual Town Meeting and with the approval of the Board of Selectmen and Personnel Board, the Board of Selectmen has determined that your successful job performance earned the Town standard wage adjustment of 1.5%. An additional 1.0% increase has also been awarded due to your meritorious service this past year. The Board has set your FY 2017 compensation at:

FY 2017 – July 1, 2016 to June 30, 2017 - **\$104,565**. Annual salary (retroactive)


Thank you for your dedicated service on behalf of the residents of the Town of Boxford and best wishes in your upcoming retirement.

### BOXFORD BOARD OF SELECTMEN

  
\_\_\_\_\_  
Charles J. Costello, Chair

  
\_\_\_\_\_  
Mary Anne Nay, Clerk

  
\_\_\_\_\_  
Peter C. Perkins

  
\_\_\_\_\_  
William R. Cargill, Jr.

  
\_\_\_\_\_  
Alfred Vaz, Jr.

cc: Personnel Board  
Director of Municipal Finance