



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

August 25, 2017

City Council President Joseph P. Lopes
Honorable Members of the City Council
City Hall
New Bedford, MA 02740

Re: Disclosure Form for Daniel Patten

Dear Council President Lopes and Honorable Members of the City Council:

Enclosed please find the Ethics Disclosure Form for Daniel Patten that must be approved by the City Council so that he may work, after hours, as Treasurer for the New Bedford Regional Refuse Management District while holding a full-time position as Treasurer of the New Bedford Housing Authority.

Mr. Patten reviewed his prospective employment with the Ethics Commission and Solicitor's Office, both of whom approved the employment arrangement, subject to filing this form for approval by the City Council as is required of a Housing Authority employees by M.G.L. c. 121B § 7 and c. 268A § 20.

Thank you for your cooperation in this matter. I enclose a brief opinion from the City Solicitor's Office explaining why this form is required.

Sincerely,


Jonathan F. Mitchell
Mayor

Attachments

cc: Mr. Patten
NB Regional Refuse Management District
Solicitors



City of New Bedford
OFFICE OF THE CITY SOLICITOR

MIKAELA A. McDERMOTT
City Solicitor

JANE MEDEIROS FRIEDMAN
First Assistant City Solicitor

ERIC JAIKES
KREG R. ESPINOLA
Assistant City Solicitors

SHANNON C. SHREVE
ERIC C. COHEN
JOHN E. FLOR
THOMAS J. MATHIEU
ELIZABETH TREADUP PIO
Associate City Solicitors

August 25, 2017

Mayor Jon Mitchell
City Hall
133 William St.
New Bedford, MA 02740

Re: Ethics Disclosure

Dear Mayor Mitchell,

Enclosed for filing with, and approval by, the City Council is an ethics disclosure from Daniel Patten. The disclosure is required because Mr. Patten is the Treasurer for the Housing Authority and will be working after hours as Treasurer for the New Bedford Regional Refuse Management District.

As New Bedford Housing Authority Treasurer, Mr. Patten is considered a municipal employee of the City of New Bedford for purposes of the state's Ethics Law under M.G.L. Chapter 121B§ 7. As such, he must file a disclosure with the City Council, as required by M.G.L. Ch. 268A, § 20, that he is contracting with the New Bedford Regional Refuse Management District of which the City of New Bedford is a member.

The disclosure is required because he will have a financial interest in a contract with the City as a part-time, after-hours treasurer of the Regional Refuse Management District while at the same time technically being an employee of the City by virtue of his position as full-time treasurer of the Housing Authority. Such a financial interest is prohibited unless the disclosure notifying the City Council of the financial interest is filed, and the City Council approves the financial interest.

Mr. Patten has complied with the various conditions attendant to this engagement and has received the blessing of the Ethics Commission to proceed with his new part-time, after-hours, employment pending approval of the disclosure by the City Council. The Solicitor's Office concurs with the opinion of the Ethics Commission that the prospective employment is lawful, subject to approval of the disclosure by the City Council.

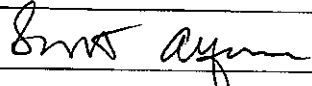
Sincerely,

Mikaela A. McDermott
City Solicitor

FOR CONTRACTS FOR PERSONAL SERVICES ONLY:

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

CERTIFICATION BY HEAD OF CONTRACTING AGENCY

	INFORMATION ABOUT HEAD OF CONTRACTING AGENCY
Name:	SCOTT ALFONSE
Title/ Position	EXECUTIVE DIRECTOR
Municipal Agency:	GREATER NEW BEDFORD REGIONAL REFUSE MANAGEMENT DISTRICT
Agency Address:	300 SAMUEL BARNET BLVD. NEW BEDFORD, MA 02745
Office Phone:	(508) 763-5924
	CERTIFICATION
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	
Date:	JULY 12, 2017

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN OR TOWN COUNCIL**

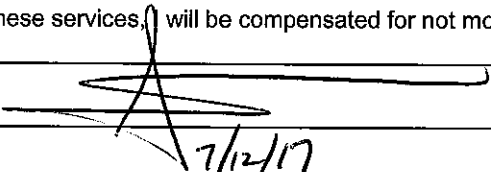
	INFORMATION ABOUT APPROVING BODY
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
	APPROVAL
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

Attach additional pages if necessary.
File disclosure, Certification and Approval with the city or town clerk.

**DISCLOSURE BY MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(b)**

	MUNICIPAL EMPLOYEE INFORMATION
Name of municipal employee:	Daniel W Patten
Title/ Position	Chief Financial Officer
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	New Bedford Housing Authority
Agency Address	128 Union Street, 4 th Floor, New Bedford, MA 02740
Office phone:	508-997-4829 x 122
Office e-mail:	Daniel.patten@newbedfordhousingauthority.org
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a municipal employee.	06/30/1986
BOX # 1 Select either STATEMENT #1 or STATEMENT #2. Write an X beside your financial interest.	<p>ELECTED MUNICIPAL EMPLOYEE</p> <p>I am an elected municipal employee.</p> <p><input type="checkbox"/> STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. OR</p> <p><input type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a municipal contract is:</p> <p><input type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
BOX # 2 Select either STATEMENT #1 or STATEMENT #2. Write an X beside your	<p>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</p> <p>I am a non-elected municipal employee.</p> <p><input type="checkbox"/> STATEMENT # 1: I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.</p> <p>My financial interest in a municipal contract is:</p> <p><input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.</p>

financial interest.	<p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p>-- OR --</p> <p><input type="checkbox"/> STATEMENT # 2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a municipal contract is:</p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
	FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
Name and address of municipal agency that made the contract	<p>New Bedford Regional Refuse Management District 300 Samuel Barnet Blvd New Bedford, MA 02745</p>
Please put in an X to confirm these facts.	<p>"My Municipal Agency" is the municipal agency that I serve as a municipal employee.</p> <p>The "contracting agency" is the municipal agency that made the contract.</p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
FILL IN THIS BOX OR THE BOX BELOW	<p>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</p> <p>- Please explain what the contract is for.</p> <p>Treasurer for the Greater New Bedford Regional Refuse District</p>
FILL IN THIS BOX OR THE BOX ABOVE	<p>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</p> <p>- Please identify the person or entity that has the contract with the municipal agency.</p> <p>- What is your relationship to the person or entity?</p> <p>- What is the contract for?</p>
What is your financial interest	<p>- Please explain the financial interest and include the dollar amount if you know it.</p> <p>Non-eleted compensated municipal employee position \$7,500 annually.</p>

In the municipal contract?	
Date when you acquired a financial interest	July 1, 2017
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. N/A
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	<p>FOR A CONTRACT FOR PERSONAL SERVICES –</p> <p>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</p> <p>I will have a contract with a municipal agency to provide personal services.</p> <p><input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee.</p> <p><input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee.</p> <p><input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.</p>
Employee signature:	
Date:	7/12/17

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT -- File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.