

June 21, 1993

Councillor Duehay

Whereas: It was recently announced that nearly a half million dollars in Dividends will be sent to 199 eligible cities and towns participating in the Massachusetts Inter-local Insurance Association's (MIIA) insurance program; and

Whereas: These Dividends are extra savings distributed to MIIA participants once an outside actuarial firm has analyzed the organization's financial position and the actual experience for a given year is known; and

Whereas: In May MIIA's Workers' Compensation Board of Directors approved a \$250,000 Dividend for local government units that participated in the MIIA Workers' Compensation Program in fiscal 1989; and

Whereas: This money is distributed according

to a formula that rewards communities with the best safety records; and

Whereas: The Cambridge Housing Authority received the largest individual dividend of \$ 14,239; now therefore be it

Resolved: That this City Council go on record applauding the Cambridge Housing Authority for its efforts in making the work environment a safe one; and be it further

Resolved: That the City Clerk be & hereby is requested to forward a suitably engrossed copy of this resolution to Daniel J. , Executive Director, Cambridge Housing Authority on behalf of the entire City Council.



City of Cambridge

15.

IN CITY COUNCIL

June 21, 1993

COUNCILLOR DUEHAY
COUNCILLOR TOOMEY
VICE MAYOR CYR

- WHEREAS: It was recently announced that nearly a half million dollars in dividends will be sent to 199 eligible cities and towns participating in the Massachusetts Interlocal Insurance Association's (MIIA) Insurance Programs; and
- WHEREAS: These dividends are extra savings distributed to MIIA participants once an outside actuarial firm has analyzed the organization's financial position and the actual experience for a given year is known; and
- WHEREAS: In May, MIIA's Worker's Compensation Board of Directors approved a \$250,000 dividend for local government units that participated in the MIIA Worker's Compensation Program in fiscal 1989; and
- WHEREAS: This money is distributed according to a formula that rewards communities with the best safety records; and
- WHEREAS: The Cambridge Housing Authority received the largest individual dividend of \$14,239; now therefore be it
- RESOLVED: That this City Council go on record applauding the Cambridge Housing Authority for its efforts in making the work environment a safe one; and be it further
- RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Daniel J. Wuenschel, Executive Director, Cambridge Housing Authority on behalf of the entire City Council.

In City Council June 21, 1993.

Adopted by the affirmative vote of nine members.

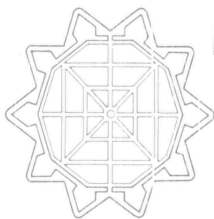
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk



The Beacon

A Publication of the Massachusetts Municipal Association

June 1993

Vol. XIX, No. 6

Senate Ed Reform Grants State Extraordinary Powers

If the education reform legislation now in conference committee passes as it now stands, Massachusetts is poised to join a short list of states with extraordinary powers to intervene in the administration of school districts that do not meet statewide performance standards, or that fail to show adequate progress toward those standards.

Seventeen states have passed so-called "academic bankruptcy" laws, according to the Education Commission of the States, and a few more have legislation pending. However, only a relative handful go as far as the proposed Massachusetts legislation would in permitting state government to commandeer the administrative apparatus of school districts that persistently fail to meet performance goals. And no other state has sought to combine such a dramatic "death penalty" clause with statewide, open-enrollment school choice, as would the Senate education reform bill.

Both the House and Senate versions agree on the essential details of the plan, which has so far received scant attention in the press or public debate. Under the proposed reform, the Board of Education will annually evaluate both public school

ED REFORM, continued on page 8

**The Clinton
Health Care
Plan: A
Preview
See page 4**



Attorney General Scott Harshbarger, left, says Governor Weld's proposal for managed electronic gambling could divert money away from the state Lottery games that fund local aid programs.



State-Sponsored Video Gambling: Another Threat to Lottery Aid

Governor William Weld and state lawmakers have filed bills to introduce state-managed electronic gambling—such as video poker—to pay for state programs and to boost the incomes of the state's horse and dog tracks, bars, restaurants, and other businesses.

State Treasurer Joseph Malone and Attorney General Scott Harshbarger have both expressed opposition to the legislation. They say that electronic gambling could divert money away from the state Lottery games that fund local aid programs. Harshbarger said electronic gambling could lead to increased corruption and violent crime. In addition, the bills would limit local regulation of electronic gaming machines.

At an April 14 public hearing held by the Joint Legislative Committee on Government Regulations, Treasurer Malone said he "opposed implementing video gaming at this time." He urged legislators to take a "cautious approach" to any plans to broaden the state's gambling pro-

grams, which are currently limited to such Lottery-sponsored games as instant games and MassCash.

Treasurer Malone is chairman of the state lottery commission. He warned that any fully developed electronic gambling program could cut instant game receipts, the main source of revenue for Cherry Sheet Lottery aid, by as much as 30 percent. A dip in receipts of this magnitude could result in a loss of almost \$100 million in Lottery proceeds available to cities and towns according to analyses done by the MMA staff.

Attorney General Harshbarger, who also testified at the April hearing, expressed strong opposition to expansion of state-sponsored gambling in Massachusetts saying that he was concerned about "increased levels of crime and corruption."

"Studies show that an increase in gambling results in an increase in violent crime and crimes against property," he said. Harshbarger also

STATE GAMBLING, continued on page 6

MMA Board of Directors

The MMA Board of Directors holds regular meetings bi-monthly in Boston, followed by the regular meeting of the Local Government Advisory Commission with the Governor. Meetings are open to members. For information on placing items on the board's agenda, and to confirm meeting dates and locations, contact Ruth Stevens, (617) 426-7272.

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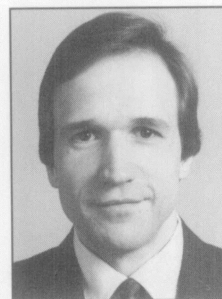
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Executive Director's Report

In a swirl of activity that seemed to catch state officials and the media by surprise, a grassroots ratepayer revolt has emerged to highlight the onerous burden of federal and state mandates.

Surfacing in the Massachusetts Water Resources Authority district, but likely to spread all over Massachusetts, citizens and local officials are protesting the utility rate shock generated by massive water and sewer mandates.

The problem is simple: facing budget constraints of their own, but still wanting to take action to protect the environment, national and Bay State officials decided to take the easy route. They enacted sweeping regulations and requirements, and ordered local governments and ratepayers to fund a record share of the implementation costs.

Our policy on mandated programs is clear: any new requirement forced on communities should be fully funded. This policy should be never be broken, because once on the slippery slope of unfunded mandates it is all too easy to slide into an abyss of public policy problems.

State and federal regulators know they are using someone else's checkbook. Thus, there is no incentive for them to set realistic requirements, no motivation for them to establish sensible timelines, no basis for them to worry about cost controls, no reason for them to care about the "local" programs that will be hurt because of directed resources, and no cause for them to invite citizen input. It is no wonder that the public is angry.

The only possible good news is that things can't get any worse. Perhaps now state and federal officials will recognize the need to step in with adequate funds to get the jobs

BECKWITH, continued on page 3

TheBeacon

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People

The Town of Townsend has voted to join the **Massachusetts Interlocal Insurance Association Health Benefits Trust**, effective June 5.

Bob Deane Steps Down

Fellow selectmen offered praise and thanked former Blandford Selectman Robert Deane for his service as president of the Massachusetts Selectmen's Association at the group's Executive Board meeting on May 12. Deane, who has served on the MMA Board of Directors since 1991, was chosen by his colleagues as MSA president last January at the MMA Annual Meeting and Trade

Show. Recently, he was not re-elected as selectman and is unable to complete his term.

"On behalf of local officials across the state and the MMA staff, I extend our deep appreciation to Bob Deane for his work on behalf of Massachusetts communities," said MMA Executive Director Geoffrey Beckwith. "The association has been fortunate to have such a dedicated individual serve on behalf all cities and towns as MSA president."

Eastham selectman David Humphrey, a vice president of the organization, will succeed Deane and serve the remainder of the term as president of the Massachusetts Selectmen's Association.



Former Blandford Selectman and MSA President Robert Deane

MIIA To Award \$500,000 in Dividends

Nearly a half million dollars in dividends will be sent to 199 eligible cities and towns participating in the Massachusetts Interlocal Insurance Association's insurance programs.

Dividends are extra savings distributed to MIIA participants once an outside actuarial firm has analyzed the organization's financial position and the actual experience for a given year is known. MIIA, the MMA's nonprofit insurance collaborative for cities and towns, is able to offer insurance at low rates because it is a nonprofit organization that has been successful in cutting losses, and maintaining economies of scale.

In May MIIA's Workers' Compensation Board of Directors approved a \$250,000 dividend for local government units that participated in the MIIA Workers' Compensation Pro-

gram in fiscal 1989. The money, which comes from an operating surplus in the nonprofit pool's operations, is distributed according to a formula that rewards communities with the best safety records. The Cambridge Housing Authority got the largest individual dividend of \$14,239. Shrewsbury received \$10,985—the greatest dividend for a town government.

The Property and Casualty Program announced a total of \$200,000 in dividends for fiscal 1991. The Town of Billerica was the big winner with a safety rebate of \$11,387. Like the Workers' Compensation Pool, the Property and Casualty Pool rewards communities with the best safety records.

"Reducing accidents and promoting safety are the cornerstones of

MIIA's programs," said MMA Executive Director Geoffrey Beckwith, who serves as president of MIIA. "Our congratulations to the municipal workers, the municipal managers, the elected officials, and the taxpayers in all the communities and local jurisdictions that received dividends."

Communities may choose to receive their dividends by check or apply them to next year's premium, Beckwith explained. Special certificates will be presented to each community that earned a dividend.

MIIA's Workers' Compensation and Property and Casualty programs have been able to declare dividends during each year of its operation, according to MIIA's Chief Operating Officer Stanley Corcoran. "Since its inception in fiscal 1983, the Workers' Compensation Program has generated just over \$6 million in total dividends and another \$12 million in rate reductions and credits," he said. The Property and Casualty Program, which began in fiscal 1985, has generated a cumulative total dividend of two million dollars.

Questions about dividends should be directed to Beth Ries or Betsy Caruso of the MIIA staff. For information about joining MIIA's workers' compensation, property and casualty, and municipal employee health insurance programs, call Betty Stahl. All MIIA staff can be reached at (800) 882-1498 or (617) 426-7272.

Beckwith

continued from 2

done, or else regulate within their means. Pressure must be maintained until past funding promises are kept, and new requirements are met with new state and federal assistance.

Unfortunately, instead of shouldering this responsibility, many officials attempt to divide us, claiming that those who oppose the unfunded mandates are against protecting the environment. Their strategy is clear: divert attention away from their fiscal and political

shortcomings. This approach won't work if taxpayers, ratepayers, local officials, and environmentalists stick together. We all have the same goals—a clean and safe environment funded in an equitable manner.

Does either the federal or state government have the political will to chart a course that respects cities and towns and their citizens? Only time and your political muscle will tell.

—Geoffrey Beckwith

National Health Care:

As the Clinton administration finalizes its plan for national health care, debate continues on how to pay for universal access to health care, and how to make structural changes to control costs that now make up 14 percent of the nation's gross domestic product.

The United States and South Africa are the only two developed nations without universal access for health care. In the United States, the national economy and federal, state, and local budgets are burdened by the soaring costs of health care. Germany has made it a national economic goal to keep health care costs to single digit inflation.

As discussed in the general media, the Clinton plan is based on managed competition, a concept that has been developed by the Jackson Hole Group, a group of academic and health care experts. Managed competition attempts to combine the best features of government regulation and market competition. The basic idea is to blend em-

ployers into large purchasing networks to shop for the highest-quality health coverage at the lowest price. Accountable Health Partnerships or AHPs provide cost-effective health care, and Health Insurance Purchasing Groups, or HIPCs, purchase health services for large groups of employers in an area. The aim is to give small employers the purchasing power that they currently lack and to eliminate some of the high costs by sharing risks and administrative costs. The belief is that the networks' huge buying power would generate competition among health plans, lowering prices and improving quality.

Under the proposal, the government would require any insurance company, health maintenance organization, or other health plan bidding for business to offer a standard package of benefits. All employers would be required to contribute to the cost of health care for their employees, and the government would

subsidize the cost for the low-income or the unemployed.

At an April health care symposium conducted by Attorney General Scott Harshbarger, one of the Clinton task force members, Dr. William Sage, said the task force is committed to universal access, managed care, comprehensive coverage, consumer choice, and high-quality care. Sage noted that state and federal governments will be important partners in implementing the national health care system. A national health board would set the global budget—a nationwide limit on overall spending. In addition, a per capita state budget might be imposed.

Another conference speaker, Paul Ellwood, President and CEO of the Jackson Hole Group, estimated that it would cost almost \$100 billion to provide coverage for the 37 million Americans who currently do not have health care coverage. He said the most likely sources of funding would be taxes on employers and sin

taxes. Under the Clinton plan, every person would have coverage, whether employed, unemployed, healthy, or with pre-existing conditions. The scope of benefits that everyone would be entitled to and mental health and long-term care coverage were still under debate, according to Ellwood.

National health care reform is one of the more far-reaching domestic public policy proposals before the nation in many years. It is an exciting time of opportunity. However, the Clinton administration's plans raise many questions. Will Americans be willing to make sacrifices, such as accepting limits in their choice of doctors or paying additional taxes to fund the program? How will a limit on the overall growth in health care costs be enforced? How will the plan be implemented? Will it have to be phased in? What will happen in the meantime? How will municipalities be able to take advantage of the re-

form? Will there be movement in the area of improving the nation's health in addition to containing costs?

In a recent interview, *The Beacon* asked Michael P. Gardner, Personnel Director of Cambridge and a local expert in municipal personnel, labor relations and health care issues, to respond to several of these questions.

What do you think is the greatest opportunity in the national health care reform proposal?

I think the thing that is of potentially the most benefit is the willingness to put an overall cap on total medical spending. I believe that the health insurance industry always seems, no matter what system is in place, to maximize the industry's revenues to our detriment. The past twelve years of hospital financing reform in the commonwealth are evidence of the inability to contain the industry's growth. Unless we limit the amount of money the system can absorb, we'll always be faced with ever-escalating costs and large amount of the gross domestic product going towards health care.

The plan may require each state to help control costs and implement a global budget. Do you have any concern about our state's ability to contain costs?

We haven't had a demonstration of this ability at the statewide level. There wasn't the will in 1991 when hospital financing was considered. A cap on overall costs was put forward by important parties in the debate but it didn't get anywhere. The health care industry is a large and important economic force in the commonwealth. We need federal leadership.

What part will collective bargaining take in the reform?

Certainly cities and towns should have the opportunity to take advantage of any purchasing power reforms coming out of national health care reform. It would be a mistake to exempt cities and towns from the provisions of the reform. Chapter 32B, [the law that governs how municipalities must provide health care coverage to their employees] should be adapted to be consistent with re-

Over one third of the residents of Massachusetts are now enrolled in HMOs, which, by design, limit choice.

An Overview and Q & A

form. Cities and towns should be allowed the same options of other employers and small businesses. Local collective bargaining agreements that tie up cities and towns will definitely be a problem. I would encourage communities to seek re-opener clauses.

Do you think the plan needs to be phased-in?

The phase-in of something of this magnitude is generally sensible. But I would caution not to delay so long that it won't become an eventuality. For example, the 1987 universal health care mandate [Massachusetts legislation enacted under the Dukakis administration] to either provide coverage or pay a tax has been put off every year.

What will happen in the interim?

We will probably have confusion, uncertainty, and flux, not unlike what we have now.

What do you think of the financing components of the plan?

The current Massachusetts system is grossly unfair. Employers who provide health insurance now subsidize employers who do not provide coverage through the surcharge on hospital bills and the uncompensated care pool. Financing should probably come from increases in sin taxes and a broad-based tax like the income tax. Eliminating indexing of the federal income tax would be a relatively painless way of generating revenue.

What are your major concerns with the reform?

I am worried that the workers' compensation medical system will get left out. If it does, it will be a real missed opportunity to deal with a system that is both expensive and doesn't necessarily contribute to the best care.

I am concerned that the benefit level for minimum coverage might be so high as to result in unwanted and inappropriate employer mandates and that there will be a shifting of expensive costs back to the employer for items that are not nec-

essarily core health benefits.

I hope that the current uninsured and current insured are dealt with in more efficient and productive ways through managed care. I have a big concern that the system will be like Medicare where there was a dramatic expansion of coverage without a corresponding savings coming out of the system.

Finally, there is always the worry that regulators will be captured by those they have to regulate. The commonwealth's Determination of Need process has done very little to control capital spending by hospitals. The Hospital Closure Board helped inefficient hospitals stay open by raising rates.

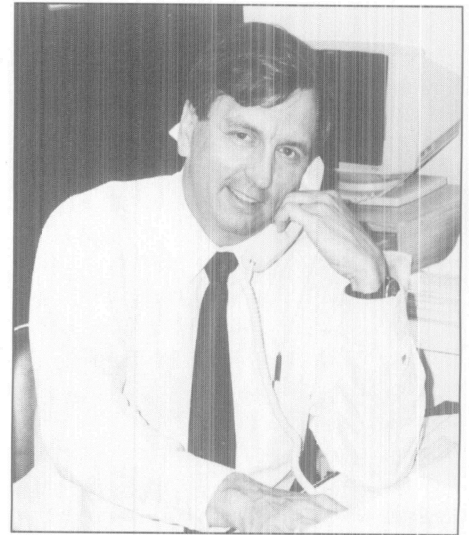
Will Americans be willing to make sacrifices and accept limited choices?

Over one third of the residents of Massachusetts are now enrolled in HMOs [Health Maintenance Organizations], which by design limit choice.

The additional medical management, coordination, and attention to prevention that comes out of a good HMO means that loss of choice is no real sacrifice at all. In many municipalities over 80 percent of the employees accepted the limited choice of HMOs because of the high price of the indemnity product under the old equal dollar rate. I think we can all be educated and given the incentives to do what's necessary.

What do you think it will take to improve overall health outcome as well as contain costs?

1. Insurers, providers, and the government must refuse to provide or pay for new, more expensive drugs that are not demonstrable improvements in quality.
2. Stop subsidies for the training of unneeded medical specialists, with medical training focused on primary care physicians, with better training and broader roles for physician assistants and nurse practitioners.
3. More research and communication of results into the medical



Michael P. Gardner, Cambridge Personnel Director, outlined eight steps to a National Health Plan

outcomes of different treatment for different conditions. It is amazing how little is known about the effectiveness of alternative ways of treating the same condition.

4. Require community rating for everyone in order to stop insurers and HMOs from competing on the basis of risk avoidance (in other words, stopping them from avoiding covering high-risk cases or populations).
5. Tax and educate smoking into a marginal activity, done by a very few. Stop the tax subsidies on tobacco growing and advertising.
6. Enact and enforce seat belt laws.
7. Eliminate the tax-free status of duplicate and comprehensive health insurance coverage, making only basic coverage, including prevention, non-taxable.
8. Hope and pray we can find ways to reduce social disorganization and poverty, and the health problems that come with them, and care for our fastest growing age group—the elderly—in ways that are humane, efficient, and cost-effective. It seems possible that, no matter what else we do, health costs as a part of gross domestic product will continue to rise, as we all grow older, live longer, and require more care.

—Marie Johnson

State gambles

continued from page 1

said that expanded gambling in Massachusetts is "bad public policy." He noted that using gambling revenues to close a state budget shortfall is a burden on poor and working-class people and allows the state "to avoid the hard choices of higher taxes or less spending."

The governor's bill (House 4897) would allow 1,500 electronic gambling machines to be set up at each of the four horse and greyhound tracks, and 500 machines each at yet-to-be developed off-track betting facilities. The governor has filed separate legislation authorizing off-track betting (House 4939) at as many as eight different locations across the state. Under the terms of Weld's electronic gaming bill, at least 90 percent of the amounts wagered would have to be returned to players as prizes. The balance, after payment of administrative expenses, would be split between the state and track-related private businesses according to schedules that would

Weld plan were approved and implemented. This amount was included in the revenue estimate in the governor's fiscal 1994 state budget recommendation. Cities and towns that host tracks or off-track betting facilities would receive only 2 percent of net receipts.

The governor's advisers are assuming that an average electronic gaming machine would yield about \$200 per week after the payment of prizes, or would net about \$10,400 annually, and that about 10,000 machines could be put in place over the next few years. These assumptions indicate that gross electronic gaming revenues, under Weld's plan, could exceed \$1.0 billion.

The main legislative plan (House 496), filed by Representative Michael Walsh (D-Agawam), House Chairman of the Committee on Government Regulations, envisions an estimated 23,500 electronic gaming machines or an average of three in each in the 7,800 bars and restau-

Walsh Bill Allocation schedule for proceeds from electronic gaming

Use of Proceeds

Contract (3 years)	% to state	% to businesses
First	25%	75%
Second	27.5%	67.5%
Third and subsequent	30%	70%

nances which might be in conflict. The Walsh bill does not specifically exempt itself from local regulation, but it does give the state—not cities and towns—the authority to license and collect fees on machines and the premises where they may be played.

Walsh's bill is being vigorously pushed by the Massachusetts Restaurant Association. Similar to the governor's bill, 88 percent to 91 percent of the amounts wagered would be returned to players as prizes. The balance, before payment of administrative expenses, would be split between the state and bars, restaurants, and gambling-related businesses.

Based on a review of experiences in other states, legislative staff and proponents of electronic gambling estimate that a gaming machine, on average, would generate between \$300 and more than \$500 in profits per week after the payment of prizes or between \$10,400 and more than \$26,000 net annually. These estimates are considerably higher than the conservative \$200 per machine estimate used by the governor's staff.

Legislative assumptions indicate that gross electronic gaming revenues, under the Walsh plan, could approach \$5.0 billion, almost as much as local government collects from the property tax or the state collects from the personal income tax. No funds would be set aside under legislative proposals to support local services.

Several other bills have been filed for consideration this year that would

STATE GAMBLING, continued on page 9

Weld Bill Allocation of Proceeds from Electronic Gaming at Racetracks

Use of Proceeds	Years 1-2	Years 3 and after
state's general fund	60%	65%
track operators	20%	15%
breeders' purse	15%	15%
breeders' association	3%	3%
host municipality	2%	2%

Weld Bill Allocation of Proceeds from Electronic Gaming at Simulcast Theaters

Use of Proceeds	Years 1-2	Years 3 and after
state's general fund	60%	65%
simulcast theaters operators	20%	15%
breeders' purse	15%	15%
breeders' association	3%	3%
host municipality	2%	2%

phase in over a three-year period.

The governor's office estimates that the state would gain about \$50 million for state programs next year if the

rants across the state.

The Governor's bill explicitly gives the licensing and other provisions of his bill precedence over any local ordi-



Above: Avril Elkort (Canton) and David Humphrey (Eastham) exchange views at the Mass. Selectmen's Association Executive Board Meeting on May 12. At right: Stanley Gawle (Shelburne), David Bridgman (Westhampton), and MMA President Stephen Kulik discuss issues.



How To Avoid Pothole Problems

Potholes may be a fact of life in New England. By implementing some simple steps for repairing them, communities can save a considerable sum of money and avoid the wrath of unhappy taxpayer/motorists.

Chapter 84, Section 15 of the Massachusetts General Laws provides that cities and towns in the commonwealth are liable for property damage and personal injuries caused by defects or lack of repair in roadways. This includes potholes. A cause of action might be brought under MGL Chapter 84, Section 15, for:

- Personal injury or property damage caused by a defect in the roadway
- Damage that may have been prevented, or a road that may have been repaired by the exercise of due care and diligence.
- Negligence where the town or city had either actual notice of or, through the exercise of due care, might have had notice of the defect.

A municipality is required to repair the defect (pothole) within a "reasonable" period of time following notification. Since there is no statutory deadline by which potholes must be repaired, a municipality should define reasonable for repair of a pothole once the municipality has been notified.

In determining what is "reasonable," the claim administrator of the Massachusetts Interlocal Insurance Associa-

tion (MIIA) suggests taking into account other conditions as well as the workload of the Public Works Department.

For example, the winter of 1992-1993 was extremely unusual in that there were many storms, coupled with heavy rains and flooding. As a result, a larger number than usual of potholes and other adverse road conditions existed this spring. Given the number of storms, municipalities may find that the pothole repaired yesterday has reappeared today, due to traffic conditions, plowing, etc.

According to MIIA's claims staff, operations such as snow removal, sanding, and emergency repairs that result from flooding take precedence over pothole repair. However, once a storm or emergency condition has passed, potholes must be repaired on a timely basis. Municipalities are encouraged to complete repairs within 24 hours of notification.

In order to protect a municipality from pothole claims, it is extremely important that a system be set up so that the highway department can respond within 24 hours, once notice of a defect is received. Generally, residents give notice of a defect to the highway department, the municipality's executive office, or the police department.

The clock begins to run on the "reasonable" time frame once the complaint has been made to any

town entity, not necessarily the highway department. Therefore, it is critical that municipalities assure that the highway department is informed by any other town department on a daily basis whenever a pothole claim is received.

The following is the basic information which should be obtained by anyone receiving notification of a pothole from the public:

- Name of the road where the pothole has occurred,
- the location of the pothole,
- the time of day, and,
- the name of the individual who reports the pothole.

Under no circumstances should a municipal employee assume responsibility for damage. He or she should simply take the information and indicate that it will be passed on to the highway department for action.

Highway departments may find it helpful to maintain a simple log of pothole complaints and action taken to repair them. Such a log includes the location of the pothole, and the date the pothole was filled.

Now that better weather has finally arrived, a "pothole patrol" truck, filled with cold patch, is a good way to keep ahead of potential claims. Some towns have pressed their police departments into service, requesting that officers report any potholes they note on their patrol routes.

Ed Reform

continued from page 1

districts and individual schools. The evaluation will use "instruments" that measure student performance against academic standards set by the commissioner of education for core subjects such as mathematics, science and technology, history, and English. The plan may also require the board to evaluate curricula and teaching methods for those core subjects against standard "curriculum frameworks" developed by the commissioner.

A school or school district that consistently fails to meet standards may eventually be deemed "chronically underperforming." In the case of an individual school, the commissioner will then appoint a fact-finding team to assess the reasons for the school's failure and its prospects for improvement, and will require the school district to present a plan for remediation within six months.

If after two years no significant improvement is made, the state board may require any or all of the following actions: removal of the principal; hiring of a new principal with extraordinary powers, including the power to fire teachers without regard to usual procedures; additional funding from the district, if the school is not receiving at least the average per pupil in that district; and "such other actions" as the board thinks reasonable.

Neither bill is precise regarding the evaluation process on the district-wide level, or timetables for improving substandard performance. Each bill simply directs the board to adopt suitable regulations. If the board does declare a district chronically underperforming, it could then name a receiver who has the powers of both the superintendent and the school committee, and who would report directly to the commissioner of education.

Finally, both bills define "financial

support of education" as an additional performance standard, in an attempt to further guarantee that cities and towns meet the new education financing mandates. The commissioner must recommend to the board that a district be declared chronically underperforming if the municipality funding that district fails to "fulfill its fiscal responsibility to education under Chapter 70. [the Massachusetts law governing school funds and state aid for public schools]." If the board complies, the commissioner may petition the

commissioner of revenue against the community. The commissioner of revenue will then determine the shortfall in local contribution and compel the community to appropriate the required amount by withholding approval of the community's tax rate.

Other states that have adopted academic bankruptcy laws propose to intervene in poorly performing schools in a variety of ways: extra financial aid, targeted technical assistance, and increased state monitoring of student performance are common examples. New Jersey, California, Kentucky, and Louisiana are among the states that have already taken the final, drastic step of firing top administrators and school board members and replacing them with state appointees. To date only a few school districts nationwide have been taken over, and no one expects that many Massachusetts districts will face a similar fate.

Of the "death penalty" states, New Jersey bears the closest resemblance to Massachusetts: a highly urbanized and industrialized, densely populated

state, with many municipally based school districts, and similar levels of state funding of local school budgets. The New Jersey Department of Education has taken over only two school districts, both in depressed cities: Jersey City in 1989 and Paterson in 1991. The state is in the final stages of evaluating the Newark school system, the state's largest, before deciding whether or not to take the same action there. A recent report on the Jersey City takeover calls it a qualified success, but turning around the city's schools is a slower process than expected. The New Jersey legislature is likely to extend the takeover period from the original five-to-seven-year plan.

Massachusetts' proposal and New Jersey's experience differ in two important ways. New Jersey has not yet adopted the kind of core curriculum on which Massachusetts school evaluations would be based. Although the state relies on other criteria to guide its school monitoring program, the lack of clear-cut academically based performance standards has apparently complicated the monitoring and takeover process.

Secondly, and more important, New Jersey has no interdistrict school choice program. The Massachusetts school districts facing the most realistic threat of being placed in receivership—i.e., districts with low per-pupil spending and poor student performance on statewide standardized tests—are the same ones that critics of statewide school choice argue will be most likely to lose their best stu-

dents. Such losses would presumably drive down performance ratings and increase the pressure for direct state intervention.

The implications for the interplay between choice and the academic bankruptcy provisions in the bill remain unclear.

—Joe Schultz

**The Board
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intendent and
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committee.**

**Massachusetts
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choice.**

School Choice Shadows Ed Reform Debate

At press time, the enactment of education reform legislation remains stalled, largely due to the issue of school choice, as the Legislature's conference committee continues to wrangle over the House and Senate versions of the bill.

The school choice issue has overshadowed the debate on the financing schemes contained in both versions of the reform bill that would force many communities to make cuts in non-school services.

The current two-year-old Massachusetts school choice plan allows public school students to attend schools in other communities if the district's school committee elects to receive non-resident students. Currently, 55 school districts accept approximately 3,000 students under the program.

When passing the legislation earlier this year, the House overwhelmingly voted to impose a moratorium on students transferring to other districts under school choice, while the Senate voted to expand the program so that all school districts would be required to participate.

Under the current program, school districts have the option of receiving nonresident students, and may set tuition rates that do not exceed \$5,000 or 75 percent of the district's per-pupil spending. This tuition is deducted from the sending community's Chapter 70 aid, and credited to the receiving district's account for unspecified use by the school committee. To offset the losses to send-

ing districts, the Legislature opted to reimburse these communities for 50 percent of the Chapter 70 funds lost to school choice, or for 75 percent of the funds if the amount lost represents 2 percent or more of the school budget. Funds for the cost of transporting participating students to other districts are not provided under the current version of the law.

The Senate's version of the education reform bill would require that all school districts accept nonresident students on a space-available basis, as determined by the state secretary of education. State aid would be transferred from the sending district to the host district based on foundation budget figures. The reimbursement scheme, however, would differ from the current one under the Senate's mandatory choice program: communities spending below the foundation budget may recoup 100 percent of their Chapter 70 losses due to transferring students, while all other districts could apply for 50 percent reimbursement. The Senate plan also provides for low-income pupils to receive payments for certain transportation costs associated with attending other districts.

In the last few years, several other states have adopted mandatory statewide school choice programs, including Minnesota, Arkansas, Idaho, Iowa, Nebraska, and Utah. At press time, the Legislature had not determined if Massachusetts will join that list.

—Jill Hyland

NLC Local Leadership Summit To Meet in California

The National League of Cities will convene a National Leadership Summit August 11-14 in Monterey, California to explore the changing nature of local government leadership and its impact on local elected officials and communities.

This summit is open to mayors and councilpersons from across the country interested in rethinking the nature of local government leadership and the potential for a new shared understanding. Nationally recognized speakers and writers on issues related to leadership, politics, community empowerment, and changing values will be participating.

For more information about NLC's Leadership Summit, call (202) 626-3170.

Check your label

If the first line of your mailing label includes the number "34," your subscription is up for renewal when the new fiscal year begins in July. To ensure uninterrupted delivery of the *Beacon*, remind your community to renew its membership in the MMA promptly, and request that your chief executive include your name on its list of discretionary *Beacon* subscriptions.

State gambles

continued from page 6

expand the state's gambling program. These included bills filed by Senator Paul White (D-Boston) (Senate 446), Representative William Nagle (D-Northampton) (House 2001), and Representative Richard Moore (D-Uxbridge) (House 4304) that would authorize electronic gambling. These bills are similar to the bill filed by

Representative Walsh. Representative Douglas Stoddart (R-Natick) has filed a bill (House 4945) that would authorize excursion boat gambling. Senator James Jajuga (D-Methuen) has filed a bill (Senate 392) that would establish a special commission to study the feasibility of establishing casino gambling in Massachusetts.

Cty Commissioners Sue Cty Advisory Board

Newton Mayor Theodore D. Mann, Chairman of the Middlesex County Advisory Board, has notified all fifty-four cities and towns in Middlesex County of a "spurious" lawsuit filed against the advisory board by the county commissioners.

At a March 17 hearing on the Middlesex County 1993-1994 budget at the Cambridge Superior Courthouse, several judges complained about the quality of security in their courthouses.

At the advisory board's annual meeting on March 31, the board voted to make a budgetary change in funding the county building security force. The board voted to have the security force supervised by the county corrections department.

According to Mann, the board voted for the change because it thought the county corrections department was a "more appropriate and professional agency than the commissioners maintenance department for the provision of security services," and because the county corrections department proposal was \$80,000 less annually than the funding requested by the commissioners.

In an April 21 letter to the Chair of the County Commissioners, Mayor Mann wrote, "To spend additional taxpayer money to subvert legitimate Advisory Board goals of increasing the safety at the courthouses and saving money reflects a cynical approach to government that is unworthy of you and the commission."

That same day the county commissioners filed civil suit in Cambridge Superior Court. Defendants named in the suit are Board Chair Mann, Budget Committee Chair,

Paul Blazar, Executive Assistant in the Town of Hudson, and County Sheriff John McGonigle.

Also named are the following board representatives: Acton Selectman Norman Lake; Billerica Selectman Thomas H. Conway, Jr.; Cambridge City Manager Robert W. Healy; Lincoln Selectman Harriet Todd; Littleton Selectman Paul J. Glavey; Marlborough Councilman

Stephen P. LeDuc; Maynard Selectman Kenneth R. DeMars; Melrose Alderman Edward C. Cinella; Newton Alderman Paul E. Colette; Sherborn Selectman James J. Norton; Stow Selectman Leonard H. Golder; Waltham Mayor William Stanley; Wayland Selectman Mary Antes; Westford Selectman Hal R. Schreiber; and Woburn Councilman Joseph J. Simas.

Cable Rate Regulation News

The Federal Communications commission found that the cable television industry has not created a competitive marketplace. New regulations will enable local franchising authorities or issuing authorities to reduce a system's rates that have been determined to be above the pricing levels that encourage competition.

The formula used to calculate the reduction represents the average difference between competitive and noncompetitive rates revealed by the commission's rate survey last fall. The potential benefit of the reduced rates could be as much as one billion dollars.

The effect of the rate reductions will be to roll back unwarranted rate increases since September 30, 1992. Cable systems whose rates are already at or below the reasonable levels as determined by the formula will be able to raise rates in the future, but the rates will be subject to regulatory caps.

The commission has frozen

cable rates in effect on April 5, 1993, for all those rates other than premium and pay-per-view program services and equipment. At issue in Massachusetts is who will administer the program. The FCC initially stated that in the case of Massachusetts, the state may be deemed to be the franchising authority.

The MMA and a number of experts in the field question the validity of the ruling, and are working with the cable commission to ascertain which communities will be able to rate-regulate, and which franchising authority would be better served by authorizing the Massachusetts Cable Television Commission to regulate their rates for basic service.

For additional information, please contact MMA legislative analyst, Julie Deschenes, at 800-882-1498 or (617) 426-7272.

—Julie Deschenes

Employment Opportunities

Town Administrator—Town of Chatham

The Town of Chatham (year round population 6,500 — annual budget of \$17.7 million) is accepting applications for the position of town administrator/executive secretary. Candidates should possess a degree in public administration, business administration or a related field with minimum of three years experience in municipal management. Principal duties include administering the policies of a five-member, part-time Board of Selectmen, supervising and managing all departments

under the Board of Selectmen, working with boards, committees and other elected officials, preparing the municipal budget and interacting with governmental agencies at the county, state, and federal level. As a coastal community with a large fishing and tourism industry, an extended coastline and sizable retired population, a diversity of experience and very strong communication, management, supervisory, and financial skills are essential. Salary negotiated with Board of Selectmen depending on qualifications. Submit

applications to: Board of Selectmen, 549 Main Street, Chatham, Massachusetts 02633. Resumes must be received

Assistant Assessor—Town of Lincoln

The Town of Lincoln Board of Assessors is seeking an independent self-motivated individual with demonstrated ability to deal with the public to head department. This is a full-time position directing, under the supervision of the Board of Assessors, the valuation of

EMPLOYMENT, continued on page 11

City-Suburb Interdependence Grows

By Dr. Larry Ledebur & William Barnes

There is a strong economic justification for addressing the needs of central cities and for cooperation among cities and suburbs to meet the mutual economic needs of their local economic region. It can be found in the strong and consistent relationship between changes in central city incomes and changes in suburban incomes. For every one dollar increase in central city household incomes, suburban household incomes increase by \$1.12.

In each of the twenty-five metropolitan areas with the most rapidly growing suburbs, measured by changes in median household income, central city incomes also increased over the 1979-1989 period. No suburbs in this high growth set experience income growth without corresponding growth in their central city. This evidence indicates that cities and suburbs are interdependent. Their fates and fortunes are intertwined. Further, the evidence suggests that this interdependence of city and suburbs is becoming stronger, rather than diminishing.

This documentation of the signifi-

cant relationship between cities and their suburbs is critical to the debate about whether suburbs can prosper and succeed, regardless of the fortunes of their central cities. This finding, however, should not be surprising. Cities and their suburbs are not two distinct economies. They are a single economy, highly interdependent with their fortunes inextricably intertwined.

These local economic regions are key to federal efforts to "grow the national economy." Federal efforts to "jump start" the economy through a short-run stimulus package, as well as long term efforts to increase national productivity and investment must target these local concentrations of economic activities and sources of productivity growth.

The debate over the shape of the national economic program should also recognize the diversity of circumstances and performance of these local economic regions. The breadth and depth of variations in performance of these economies make it less likely that uniform national economic policies, administered as if there was a single na-

tional economy, will suffice as a "national program for economic growth." There is a wide range of variation on most measures; this study presents the variation in median household income, employment change, and unemployment. This range of diversity strongly suggests that federal policies should be sensitive to these differences.

The findings of this study suggest looking at the U.S. economy as a common market of local economic regions rather than as a huge but undifferentiated "national economy." In turn, this view indicates several directions in which federal policy should develop.

- Federal economic policy should aim at improving the condition and performance of the local economic regions.
- Federal economic policy should address the variety among these local economic regions as to their circumstances and needs.

— Reprinted From Nation's Cities Weekly, March 8, 1993.

Employment Opportunities

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approximately 2000 parcels of real property with an assessed value of \$800,000,000 (96% residential). Requires considerable experience in all aspects of valuing real and personal property and in complying with preparation, documentation, and reporting for all types of taxes. Will participate centrally in the upcoming recertification by Department of Revenue, and in bringing a Department of Revenue CAMA database on line. Will supervise full-time clerk and temporary data entry technician. The minimum requirements are a bachelor's degree in business administration or related field and working knowledge of Massachusetts laws relating to assessing and municipal finance. Training or experience in real estate appraisal, plus three to five years of increasingly responsible experience in computerized municipal assessing, preferably in a small town. Individual should hold a certificate in municipal assessing (MAA, RMA, or CMA), or should be eligible for such certification within 18 months. Salary range is \$30,000-\$37,000 plus benefits. Send applications to: Board of Assessors, PO Box 353, Lincoln Center, Massachusetts 01773. Please reply by July 1, 1993. Lincoln is an equal opportunity employer.

Assistant Town Manager—Town of Barnstable

Position reports to the town manager in a council-manager form of government. Incumbent will be responsible for developing and implementing programs and activities under the town manager's jurisdiction including, but not limited to, monitoring department service effort and accomplishment; total quality management; cost of service analysis; trust management; customer service programming; property management; and financial planning and forecasting. Incumbent shall also supervise several municipal functions based upon qualifications. Applicant must possess three to five years municipal management experience or similar experience related to other governmental entities; a master's degree in public administration or other related field; demonstrated ability to communicate effectively and the ability to be creative, self-motivated and adaptable. Salary negotiable, DOQ. Send resume by July 15, 1993 to: Personnel Department, Town of Barnstable, 367 Main Street, Hyannis, Massachusetts 02601.

Finance Director—Town of Londonderry, New Hampshire

The Town of Londonderry, New Hampshire

has immediate opening for finance director. Salary \$37,000 to \$45,000 plus excellent fringe benefits. Requirements include four-year degree in accounting, public administration or related fields including specific training in municipal finance and accounting. At least five years financial management experience in supervisory capacity and familiarity with IBM S/36 highly desirable. Working knowledge of Lotus 1,2,3 and demonstrated financial analytical skills essential. Send resume to: Jared S.A. Clark, Town Administrator, 268 Mammoth Road, Londonderry, New Hampshire 03053, no later than June 15, 1993.

Assistant Town Administrator—Town of Sandwich

The Town of Sandwich (population 17,223), located on Cape Cod, is seeking an assistant town administrator who performs highly responsible professional work in providing administrative assistance to the town administrator in all areas of municipal management. Reports to town administrator. Serves as insurance coordinator, data processing manager, equal opportunity affirmative action officer, and assists in personnel, budgeting and

EMPLOYMENT, continued on page 12

Mara Bill Expected In Budget

The "Mara bill," legislation that proposes to reform the health insurance policies offered by Massachusetts cities and towns, is expected to be included in the House Ways and Means proposed fiscal 1994 state budget. Although it would attempt to reform Chapter 32B [the law that governs how municipalities must provide health care coverage to their employees] by providing an alternative method of health care coverage, the Mara Bill would actually impose strict mandates on any municipality accepting its provisions.

MMA Executive Director Geoffrey Beckwith and MMA staff member Marie Johnson met with the legal counsel from the House Ways and Means Committee to express the association's concern with draft outside sections of the budget that include the Mara bill.

Although the latest draft is less onerous than previous drafts, the MMA strongly objects to the lan-

guage because it reinstates mandated equal dollar contributions if a primary carrier [indemnity insurance] is offered, and because it eliminates the minimum 10 percent contribution from employees using Health Maintenance Organizations (HMOs) for those municipalities.

A different contribution could be implemented only with the unanimous consent of the members of the municipality's public employee committee, a group made up of a representative of each collective bargaining unit and a representative of retired employees. It is quite possible that many employees would not have to make any contribution, because the minimum 10 percent HMO contribution enacted in July 1991 would be eliminated. If no primary carrier is offered, the mandated employer contribution is 90 percent, unless an alternative is approved by the public employee committee.

These requirements are a step in

the wrong direction, especially in light of impending changes at the federal level. Employers and employees must have as much flexibility as possible to take advantage of new opportunities available under a reformed national health care system. Labor and management should be able to work together and negotiate the best agreement.

Although the revised language appears to be more explicit than previous drafts in clarifying that acceptance of the provision is a local option, the MMA is strongly advising municipalities to reject this provision in its current form because of the onerous requirements for mandated contributions.

The MMA will be asking for your assistance in modifying this proposal. Please contact Marie Johnson at the MMA (617) 426-7272 or (800) 882-1498 if you have any questions or need further information.

—Marie Johnson

Employment Opportunities

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purchasing activities. Responds to inquiries, complaints, interacts with all departments and committees, and oversees all employees in the absence of administrator. Experience in municipal finance, budgeting, grant writing, and personnel management with strong written and oral communication skills. Requires bachelor's degree in public or business administration or related field and three years public sector experience; or master's of public administration. Salary range: \$32,275 to \$38,730. Send letter of interest, resume, and three references by June 18, 1993 to: Assistant Town Manager Search, PO Box 660, Town Hall, Sandwich, Massachusetts 02563-0660. Equal opportunity affirmative action employer.

Finance Director—Town of Nantucket

Island resort community with year-round and seasonal population of 6,000 and 35,000 respectively with a \$26 million annual operating budget, \$4.7 million in capital, \$4.5 million enterprise budget seeks an individual to assume direction of its financial functions including; treasury, collections, purchasing, assessing, utility billing, data processing, investments, risk management, debt management, cash management, operating, capital and enterprise budget preparation and administration. Candidates should have financing background and experience at a policy-making level. Requires a degree in finance or accounting, business administration or public administration, MBA, MPA, CPA preferred together with six years municipal experience, three of

which must have been in direct senior supervision in at least two of the following areas: budgeting and management research, accounting operations including experience in Commonwealth of Massachusetts accounting procedures, treasury and collection management, management information systems, purchasing and payroll and disbursements. Send resume and three written work-related references to: Suzanne K. Kennedy, Executive Secretary, Town and County Building, 16 Broad Street, Nantucket, Massachusetts 02554 no later than June 28, 1993 at 4:00 p.m. The Town of Nantucket is an equal opportunity employer.

Executive Secretary—Town of Rockland

The Town of Rockland (population 16,123; total town budget of \$21,000) is accepting applications for the position of executive secretary. Position reports to a five-member Board of Selectmen, and is responsible for the day-to-day administration of the town's business and policies of the Board of Selectmen. Strong leadership skills, along with strong written and oral communication skills. Must have the ability to communicate effectively with the public and department heads, appointed and elected town officials, committees and boards, supervising all departments under the Board of Selectmen, negotiation experience, prepare municipal budgets, federal and state grant writing experience. MPA preferred with five years of experience in municipal government, or equivalent combination

of education and experience. Salary range: \$35,000 to \$40,000 depending on experience and qualifications. Residency required within six months of appointment. Submit applications/resumes to: Rockland Board of Selectmen, 242 Union Street, Town Office Building, Rockland, Massachusetts 02370 by Friday, June 18, 1993 at 4:00 p.m. The Town of Rockland is an equal opportunity employer.

City Auditor—City of Peabody

The City of Peabody is seeking a dynamic individual to work as a team member in a professional organization as the city auditor. The applicant must have knowledge of governmental budgeting and accounting methods as well as state laws pertaining to municipal auditing work; considerable data processing application experience; knowledge of city ordinances relating to budgeting, purchasing and treasury management experience is required. Excellent written and communications skills a must. Applicants must possess a bachelor's degree with major course work in accounting and five years of internal auditing or municipal accounting work experience with three years of those years in a supervisory capacity. Send resume with salary requirements by June 15, 1993 to: Cynthia King, Director of Personnel, City of Peabody, 24 Lowell Street, Peabody, Massachusetts 01960. Affirmative action equal opportunity employer.

EMPLOYMENT, continued on page 13

Transportation Bond Bill News

Mike Swanson, Chief Engineer, Massachusetts Highway Department, updated MMA members on the implementation of the federal Intermodal Surface Transportation Efficiency Act at the May meeting of the Massachusetts Highway Association.

Swanson urged highway superintendents to complete and submit their project request forms for the transportation improvement program for fiscal years 1995, 1996, and 1997 as soon as possible to qualify for funding.

Swanson also indicated that Congress may file a technical corrections bill to establish a waiver

process or to postpone indefinitely the requirement that rubber from old tires be used in roadway pavement. This provision was included in the legislation despite a lack of information about its full impact upon the public's health and the environment.

The issue of metrication may also be addressed in the technical corrections bill. All plans and specifications for any and all projects must be converted to the metric system by 1996. Road signage is still under consideration, and may be addressed in the technical corrections piece.

On the state level, Swanson urged

members to submit their paperwork for reimbursement under the Chapter 90 bond-funded program. He stated that members awaiting reimbursement monies under the program could expect payment within the next five or six weeks.

The governor will be filing a new transportation bond bill within the next few weeks. Both Swanson and Joe Superneau, District 2 Highway Superintendent, stressed the need for communication between city and town officials and legislators on the issue of bridge reconstruction.

—Julie Deschenes

Employment Opportunities

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Collector/Treasurer—Town of Andover

The Town of Andover seeks qualified applicants for the position of collector/treasurer. Responsibilities include: supervision of a staff of five; collection of real estate and personal property taxes, MVX, water, sewer, parking tickets and all other departmental receipts; tax titles; disbursement of funds; investment; trust funds; and debt management; and coordination with town accountant and school business office. Applicant should possess a bachelor's degree in accounting, finance, or related field; five years' responsible experience in related field or its equivalent in Massachusetts finance. Excellent public communication skills and an ability who work well as a member of the finance department team required. Salary dependent upon qualifications and experience, salary range \$39,503-\$51,858. Send resume before June 25, 1993 to: Personnel Department, Town of Andover, 36 Bartlet Street, Andover, Massachusetts 01810. Affirmative action equal opportunity employer.

Assessor—Town of Bellingham

Applications are being sought from the professionally qualified individuals having extensive experience in all aspects of determining the value of real and personal property as well as the preparation of all documentation required by Massachusetts General Laws. This is a full-time position and is responsible for the oversight of a staff of three employees in the Assessor's office. Will be responsible for devising and implementing periodic revaluation programs including directing and participating in the examination of real as well as personal property and motor vehicle tax rolls. Will participate as a member of a financial team under the direction of the chief financial officer. Applicant should be a graduate of an accredited four-year college and/or have at least five years' work experience in municipal appraisal work and preferably certification by the Massachusetts Department of Revenue. Computer literate regarding property tax assessment systems. Salary is negotiable. Send letter and resume in confidence to: Executive Secretary/Administrator, Town Hall

Annex, 4 Mechanic Street, Bellingham, Massachusetts 02019 no later than June 21, 1993. Bellingham is an equal opportunity affirmative action employer.

Chief Financial Officer—City of Salem

The City of Salem (population 38,000, \$61M budget) is seeking a highly qualified professional for the newly created position of chief financial officer. This team leader will serve as city auditor, coordinate activities of all financial city departments and report directly to the mayor. Duties include operation of the municipal accounting system, financial planning, contract review, preparation of the city's annual budget request to the city council, and preparation of financial reports. Qualified applicants must have a bachelor's degree in public administration, finance, or related field, and a minimum of five years' administrative experience in accounting, business or finance, preferably in a municipal environment. Other requirements include experience with the UMAS accounting system and spreadsheet applications, excellent interpersonal and communication skills, and knowledge of all applicable municipal finance laws. Salary package negotiable. Please submit resume by June 15, 1993 to: Personnel Department, Salem City Hall, 93 Washington Street, Salem, Massachusetts 01970. An affirmative action equal opportunity employer.

Building Inspector—Town of Lincoln

Duties include administering all provisions of the state building code, coordination and supervision of construction and repair of town buildings, enforcement of state rules and regulations regarding weights and measures and administer and enforce zoning by-laws of the town. Extensive knowledge of construction trades, town zoning regulations, state building codes, state regulations regarding weights and measures and 7-10 years' progressively responsible experience required. Submit letter and resume by July 2, 1993 to: Executive Secretary, Town Offices, PO Box 353, Lincoln Center, Massachusetts 01773. Affirmative action equal opportunity employer.

Executive Secretary—Town of Ludlow

BA/BS degree in business or public administration with three years' public sector experience preferred or any equivalent combination of education and experience in a responsible public sector administrative position. The executive secretary is a full-time position appointed by a five-member board of selectmen. Salary negotiable, range \$26,452 to \$33,470. A full-time job description is available in the board of selectmen's office. Send resumes to: Board of Selectmen, 488 Chapin Street, Ludlow, Massachusetts 01056 no later than Tuesday, June 8, 1993 at 4:30 p.m. Ludlow is an equal opportunity affirmative action employer.

Executive Secretary—Town of Oak Bluffs

The Town of Oak Bluffs, a resort community on the island of Martha's Vineyard is seeking applicants for the position of executive secretary. Salary range: \$47,000-\$53,000. Send resumes to: Board of Selectmen, PO Box 1327, Oak Bluffs, Massachusetts 02557-1327. Deadline for submission of applications is June 22. A complete job description available upon request. (508) 693-5511. Oak Bluffs is an equal opportunity employer.

Collector/Treasurer—Town of Billerica

The Town of Billerica (population 37,029) seeks qualified applicant for the position of collector/treasurer. Duties include collector of tax revenues, disbursement of funds, money management and other duties required by Massachusetts General Laws. Applicant must have direct experience with Munis Software applications and the UMAS accounting system. Applicant must have a master's degree in accounting or related field and a minimum of six years progressive experience in financial management. Complete job description available upon request. Salary range: \$41,442-\$48,318. Please submit resume to: Robert A. Mercier, Town Administrator, Town Hall, 365 Boston Road, Billerica, Massachusetts 01821 no later than June 18, 1993. An equal opportunity employer.

SERVICES, continued on page 15

Offering Information

BENCHMARK SURVEY—Current compensation data for benchmark department heads, clerical, library and public works positions is now available and can be ordered from David Seyfarth, Executive Director, Massachusetts Municipal Personnel Association, Sixty Temple Place, Boston, Massachusetts 02111. (617) 426-7272. 6/93.

METAL DETECTORS—The City Solicitor of Somerville recently issued a legal opinion regarding the ability of the school department to use metal detectors at the local high school. Issues pertaining to suspension and public records are also addressed. For a copy please send a SASE to Joan R. City Solicitor's Office, 93 Highland Avenue, Somerville, Massachusetts 02143. 6/93.

HAWKERS & PEDDLERS, TRANSIENT VENDORS, OPEN AIR VENDORS AND DOOR-TO-DOOR SOLICITORS—The City of Somerville recently revised its ordinances pertaining to the above-referenced activities. Copies may be obtained by calling 625-6600 x 4400. Please indicate which ordinance you are interested in. 6/93.

FIRE PUMPER—The Town of Bellingham is offering for sale a 1970 Ford C-900 Fire Pumper. The vehicle pumps 750 gallons per minute with a 500 gallon water tank. The engine has 23,000 miles and was taken out of service in August 1992. The vehicle can be viewed by contacting Fire Chief Richard Ranieri at (508) 966-1112. Bids must be clearly marked "Fire Pumper Bid" and submitted no later than May 20 at 3 p.m. to the following address: Town Hall Annex, 4 Mechanic Street, Bellingham, Massachusetts 02019. 5/93.

PROCEDURE MANUALS—The City of Boston has prepared two procedure manuals regarding the supervision of municipal field employees and the use of management audits to improve municipal productivity. The manuals provide an outline of the steps to be used in supervising field employees and conducting management audits. Please write Donna M. Perry, Room 800, City Hall, Boston, MA 02201. 5/93.

SURPLUS COMPUTER—Schott Fiber Optics is offering an IBM System 36 computer to a municipality. Model B24, 1024K main storage, 400MB disk, no terminals or printers. For more information, call Don Miller at Schott Fiber Optics at (508) 765-9744, extension 205. 3/93.

POLICE AND FIRE SURVEYS—Current comprehensive compensation and benefit surveys for Massachusetts Police Departments and Fire Departments are available and can be ordered from David Seyfarth, Executive Director, Massachusetts Municipal Personnel Association, Sixty Temple Place, Boston, Massachusetts 02111; (617) 426-7272. 1/93.

SURPLUS FIRE DEPARTMENT EQUIPMENT—The Town of Longmeadow Fire Department has the following surplus equipment: (1) 1964 Maxim 1000 GPM w/500-gallon water tank, 30-gallon foam tank, repowered 1978, body and pump and tank rebuilt in 1988; also included are three booster reels w/hose, and a 3000 KW Generator and (13) MSA Model 401 Positive Pressure Self-Contained Breathing Apparatus w/spare 2216 PSI bottles and assorted parts;



Send entries to Municipal Bulletin Board, The Beacon, MMA, Sixty Temple Place, Boston, Massachusetts 02111; (617) 426-7272, (800) 882-1498.

Units NIOSH MSHA Certified Meets NFPA 1981 Standard. Please contact Chief Stephen N. Foley, Longmeadow Fire (413) 567-3357. 1/93.

Seeking Information

STREAMLINING CODE ENFORCEMENT/PERMIT REVIEWS—The Town of Ipswich seeks examples of procedures, flow-diagrams and/or policies used both in coordinating and expediting review of developments and building permits. Please contact George E. Howe, Town Manager, Town Hall, Ipswich, Massachusetts 01938; (508) 356-6609. 6/93.

BID DOCUMENTS—The Town of Townsend Board of Health is seeking examples of bid documents for a feasibility study to determine the current rate of use of the town landfill and an estimate of the time remaining before the landfill reaches capacity. POB 669, Townsend, Massachusetts 01469. 6/93.

LIBRARY SERVICES—The Town of Northbridge is seeking information from towns that have consolidated their public library services with the school library. Please send information to Mark Rees, Town Manager, Memorial Square, Whitinsville, Massachusetts 01360. 5/93.

ANIMAL CONTROL POUND—The Town of Athol is seeking information from communities that contract with private kennel operators for use as the municipal animal control pound. Of particular interest is the receipt of copies of an agreement/contract between the municipality and the private kennel operator outlining responsibilities and liabilities of all parties involved. Please send information to: Hugh W. Campbell, Administrative Assistant, Town Hall, 584 Main Street, Athol, Massachusetts 01331 or call (508) 249-2487. 5/93.

JOB DESCRIPTIONS—The Town of East Bridgewater is seeking job descriptions for the existing position of Executive Secretary. The position is the Chief Administrative Officer for the Board of Selectmen and currently is functioning without a formal description of responsibilities and duties. Please send information to Richard LaFond, Executive Secretary, 175 Central Street, East Bridgewater, MA 02333 or Fax (508) 378-4803. 5/93.

JOB DESCRIPTIONS—The Ashburnham Fire Department is seeking job descriptions for call firefighters. In particular we are seeking position descriptions that detail allowable activities of older or less physically or emotionally fit personnel. We recognize that all available talents need to be utilized at fire scenes, yet we do not want to expose personnel to recognized situations that may be a liability to the town or the department. If you have such a job description, please call Chief Dennis L. Tremblay at (508) 827-5841. 4/93.

VOLUNTEER FIRE DEPARTMENT—The Town of Swampscott is seeking information concerning the establishment of a volunteer fire department. Please mail information to Richard C. Bane, Chairman, Board of Selectmen, Administration Building, 22 Monument Avenue, Swampscott, Massachusetts 01907. 4/93

CIVILIAN REVIEW BOARDS—The Town of Barnstable is seeking information from municipalities that have Civilian Review Boards for Police Departments and/or Human Rights commissions. Please send information to Joy Buhler, Administrative Assistant, Town Council, 367 Main Street, Hyannis, Massachusetts 02601. (508) 790-6205. 4/93.

HOME OCCUPATIONS—The Southeastern Regional Planning and Economic Development District is seeking information on bylaws, ordinances or regulations that regulate home occupations. Please send information to Thomas Pisaturo, SRPEDD, 88 Broadway, Taunton, Massachusetts 02780. 3/93.

INCENTIVES FOR EMERGENCY VOLUNTEERS—The Town of Richmond is seeking information on how other communities provide incentives, financial or otherwise, to their volunteer fire department members and ambulance service personnel. Please mail information to Bruce Garlow, Administrative Assistant, Town Hall, Richmond, Massachusetts 01254 or call (413) 698-3882. 2/93.

SPRINKLER SYSTEMS OR HOLDING TANK BYLAWS OR REGULATIONS—The Holliston Fire Department is seeking copies of any bylaws or regulations pertaining to requiring sprinkler systems or holding tanks in single family homes or subdivisions out of our water district. Please send any information to Chief Raymond Moloney, Holliston Fire Department, 59 Central Street, Holliston, Massachusetts 01746. 2/93.

JOB DESCRIPTIONS—The Town of Stockbridge is seeking examples of written job descriptions for municipal employees. Please mail information to Helen K. Pigott, Executive Secretary, 6 Main Street, P.O. Box 417, Stockbridge, Massachusetts 01262. 2/93.

ROAD SALT—The Town of Richmond is seeking information on road salting practices and how communities have dealt with the problem of inadvertent salt contamination of private wells. Please mail information to Bruce Garlow, Administrative Assistant, Town Hall, Richmond, Massachusetts 01254 or call (413) 698-3882. 2/93.

CAUTION SIGNS—The City of Marlborough is seeking examples of regulations regarding the erection of signage to caution of the presence of deaf or blind persons. Please contact Linda Burke, Community Development Director, City Hall, Marlborough, Massachusetts 01752; 508-460-3715. 2/93

Calendar

June 3-4—**First Annual NALGEP Conference.** Washington, D.C. The National Association of Local Government Environmental Professionals is open to local government elected officials, as well as personnel with responsibility for environmental issues. For more information contact Steve Venezia, Mayor's Special Assistant, City of Malden (617) 397-7000 or Rena Steinzor and Sandra Garbrecht of Spiegel & McDiarmid, at (202) 879-4000.

June 13-16—**Massachusetts Municipal Auditors' and Accountants' Association Annual Meeting.** Red Jacket Beach Inn, Yarmouth, Massa-

chusetts. For more information contact Nancy Brown, 138 Main Street, Wenham, Massachusetts 01984. (508) 468-5521.

June 13-16—**Massachusetts Collectors and Treasurers Association 44th Annual Conference on Local Taxation and Finance.** Sea Crest Hotel, Falmouth, Massachusetts. For more information contact Aldo F. Luca, Executive Director, P.O. Box 954, Groton, Massachusetts 01450.

June 16—**Massachusetts Mayors' Association.** Regular monthly meeting in Fall River. 9:30 a.m. For more information contact Marie Johnson at the Massachusetts Municipal Associa-

tion, Sixty Temple Place, Boston, Massachusetts 02111; (617) 426-7272 or (800) 882-1498.

June 18-23—**US Conference of Mayors Meeting.** In New York City. For more information contact the U.S. Conference of Mayors, 1620 I Street, NW, Washington, DC 20006; (202) 293-7330.

To list a meeting or event in the calendar, please send information about the event, including date, location, sponsorship, cost, and how to learn more, to Publications Editor, Massachusetts Municipal Association, Sixty Temple Place, Boston, Massachusetts 02111.

Services

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Municipal Management Consulting

Bennett Associates (formerly Boyer, Bennett & Shaw) is a national public management consulting firm specializing in comprehensive policy and technical assistance to cities and towns. We have served more than half of the commonwealth's communities as well as state agencies which impact local government. Our professional reputation is based on the proven ability to work in complex governmental settings free from the constraints imposed by conflicting local and state pressures. Specifically, our services include form-of-government studies, charters, special acts, financial management including retrenchment planning and implementation, public works issues, regional consolidation of services, human resources ranging from executive recruitment to affirmative action, public safety issues, classification and compensation plans, human services, land use, growth management, and fair housing. Please call Dick Bennett at (617) 262-5630, Fax: (617) 262-6509 for assistance, including a no-obligation visit to discuss your needs in detail. Bennett Associates, 334 Eloylston Street, Suite 500, Boston, Massachusetts 02116-3805.

Delinquent Tax Collection Services

Municipal Management Associates, Inc., provides a completely automated delinquent real-estate tax title dunning and collection service. Our software expertise, including effective dunning notices, is used to assist the collector-treasurer. To the delinquent tax payer we are invisible. All correspondence comes out of the collector or treasurer's office, yet we do all the work. We have serviced Massachusetts cities and towns since 1979 and have collected tens of millions of dollars for our clients. Customers typically collect 25 to 33 percent of the amounts owed within the first 90 days of operation. Recent changes to the procurement law allow municipalities to engage in collection ser-

vices for delinquent taxes without the bid requirements of Chapter 30B. Call for a no-obligation presentation and see why we are unequaled in the ability to assist cities and towns in collecting delinquent taxes. Call Michael A. Moreau, toll free, (508) 480-0773, for materials and literature.

Zoning and Land-Use Law Special Counsel

Sherin and Lodgen, a firm of thirty-six attorneys, is available to serve as special counsel to cities, towns, and zoning or planning boards on land use and zoning law matters. The firm, located in Boston, provides high quality legal services at competitive billing rates. Services range from preventive action, such as revision of zoning codes or bylaws, to responsive action, such as defending the decision of permit-granting authorities in court. The firm has both experienced, knowledgeable real-estate and litigation attorneys, which enables it to review thoroughly particular land-use or zoning problems from all perspectives, especially if they are particularly complex or require special expertise. The firm has experience in representing cities and towns and in resolving variance, special permit, subdivision control, and site plan issues. The firm also has experience in adverse possession, quieting title, confirmation and registration proceedings in Land Court. Partner Brian C. Levey is co-chairman of the Massachusetts Bar Association's Zoning and Land Use Law Committee and the American Planning Association's Massachusetts Legislative Committee. For further information, please call him at (617) 426-5720.

Tax Title Legal Services

Kopelman and Paige provides a full range of legal services for municipal treasurers and collectors in the tax title and Land Court practice areas. Our experienced tax-title attorneys draft collection letters and payment

agreements; prepare all instruments relative to tax takings and tax sales; draft all pleadings for Land Court foreclosure proceedings and provide full representation of the town in Land Court actions. We encourage the exhaustion of all administrative collection procedures before commencing litigation. We have extensive experience in the Land Court, which is located only five minutes from our Boston office. The breadth of our experience and volume of work we perform in the tax-title area enables us to provide prompt, cost-effective service. For additional information on our tax-title services, please call Leonard Kopelman or Patrick Costello, (617) 951-0007, or toll-free at (800) 548-3522.

Legal Services

Deutsch Williams Brooks DeRensis Holland Drachman PC is available to provide legal services to government entities at the state, county, city, town, or regional district level. Legal services available include procurement law, contracts, land-use law, litigation, ethics, eminent domain, labor relations, civil rights and the like. Contact Allan Drachman or Bob Holland for labor matters and Paul DeRensis for other public law issues at (617) 951-2300.

Town Counsel Services

Pickett and Miyares is a private law practice in the public interest. We provide a full range of municipal, land use, and environmental legal services, including litigation, negotiation, advice and consultation in government procedure, municipal contracts, finance and taxation, municipal services, land use, zoning, facility siting, wetlands, public health, environmental, and other related matters where the firm's special expertise is needed or where a conflict of interest precludes town counsel from representation. We have experience

SERVICES, continued on page 16

Services

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representing dozens of cities and towns in the commonwealth. We offer small firm rates, the personal service of the firm's partners, diligent attention, and good humor. For a free initial consultation, contact Judith Pickett or J. Raymond Miyares, (617) 426-8330.

Solving Management Problems

The MMA Consulting Group assists cities and towns in identifying and solving a wide variety of municipal management issues. We are closely affiliated with the MMA and are the recommended provider of management services to the membership. Services provided to the membership include general management and organization, financial management, personnel (including pay and classification plans and executive search services), computer technology, public safety, public works, land-use management, solid waste management, training, space design, and public relations and economic survival. Our focus is on successful implementation. Our clients range from Boston to Sandisfield (population 645). Call Brent Wilkes, president, at (617) 426-8049, for a free consultation. Our record of quality has made us the largest firm in New England that specializes in municipal government.

Town Counsel Services

Kopelman and Paige is a municipal law firm with twenty-four full-time law specialists. With offices in Boston, Worcester, and Northampton, we serve as town counsel to over eighty towns throughout Massachusetts, from Provincetown to Williamstown, and as special counsel to another seventy. For over 20 years, we have devoted ourselves to municipal

CLASSIFIED ADVERTISING POLICY

The *Beacon* accepts classified ads from units of government, public agencies, and individuals under the categories of employment opportunities, items for sale, requests for proposals, situations wanted, and services. The MMA cannot assume any responsibility for information or claims made by any advertisement. The newsletter is published at the beginning of each month, except in the summer, when a combined July-August issue is printed in mid-July. The copy deadline for advertising is generally the middle of the second week of each month in order for the ad to appear in the next month's issue. The copy deadline for the combined July-August issue is the end of June. There are flat rates for ads for each page of double-spaced, typed copy of \$52 for MMA member communities, \$104 for all others. **Please double-space all classified ad copy.** For further information, contact the MMA's Communications Division, Sixty Temple Place, Boston, Massachusetts 02111; (617) 426-7272.

**Copy deadline for the next issue:
Wednesday, June 16 at 4 p.m.**

pal law and have become experts in the defense of all municipal trial matters. We have specialists in all areas of municipal law and

maintain an environmental-land-use law department that is on the cutting edge of planning, zoning, and conservation. Kopelman and Paige is highly sensitive to the limited legal services budgets of Massachusetts communities and thus has highly competitive billing rates to give your town the best quality legal counsel in the most cost-efficient manner. Our breadth of experience keeps our cost per opinion to a minimum and enables us to service our clients quickly and efficiently, consistent with our commitment to excellence. For additional information on the legal services that Kopelman and Paige provides, please call Leonard Kopelman at (617) 951-0007, or toll-free at (800) 548-3522.

Town Accountant Services—Central Massachusetts

We provide services as town accountant for towns in central Massachusetts. Our services include detailed monthly reports of expenditures and appropriation balances, reconciliations of general ledger cash balances with treasurer's cash, reconciliation of outstanding receivable balances with the collector, assistance in preparation of tax recap, assistance to finance committee in preparing revenue projection, maintenance and updating of records under the revised UMAS accounting system, preparation of year-end reports (including Schedule A), and providing other technical accounting advice. We are also certified resellers of American Fundware's microcomputer-based PC-Funds accounting software. The software is a fund accounting package specifically designed for local governmental units and nonprofit organizations. If you are interested in finding out more about PC-Fund, call John Roy of McCarthy & Hargrave & Co., certified public accountants, at (508) 791-6406.

TheBeacon



**Massachusetts
Municipal
Association**

Sixty Temple Place
Boston, Massachusetts 02111

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Mr. Francis H. Duehay
Cambridge City Councillor
City of Cambridge
795 Massachusetts Avenue
Cambridge MA 02139

Please check the address label on this newsletter. If any part of the address is incorrect, please cross it out, type or print the correction, and send the old label plus the correction to the MMA, Attention: Circulation Manager, Sixty Temple Place, Boston, MA 02111.



City of Cambridge

15.

IN CITY COUNCIL

June 21, 1993

COUNCILLOR DUEHAY

WHEREAS: It was recently announced that nearly a half million dollars in dividends will be sent to 199 eligible cities and towns participating in the Massachusetts Interlocal Insurance Association's (MIIA) Insurance Programs; and

WHEREAS: These dividends are extra savings distributed to MIIA participants once an outside actuarial firm has analyzed the organization's financial position and the actual experience for a given year is known; and

WHEREAS: In May, MIIA's Worker's Compensation Board of Directors approved a \$250,000 dividend for local government units that participated in the MIIA Worker's Compensation Program in fiscal 1989; and

WHEREAS: This money is distributed according to a formula that rewards communities with the best safety records; and

WHEREAS: The Cambridge Housing Authority received the largest individual dividend of \$14,239; now therefore be it

RESOLVED: That this City Council go on record applauding the Cambridge Housing Authority for its efforts in making the work environment a safe one; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Daniel J. Wuenschel, Executive Director, Cambridge Housing Authority on behalf of the entire City Council.

CONSENT ORDER #15

Gormley *vmcyr* *R-316*
Councillor Duehay re: participation
in Mass Interlocal Insurance Program

In City Council,
June 21, 1993

Order adopted