

07-21-1976



City of Cambridge

Councillor Clem

IN CITY COUNCIL
May 17, 1976

ORDERED:

That Ordinance Number Seven Hundred Forty-Nine be amended
so as to read as follows:

"The members of the Council shall receive for their annual compensation the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00) to be paid monthly or weekly and the member of the Council elected to the Office of Mayor shall receive an additional One Thousand Dollars (\$1,000.00) pursuant to Chapter Thirty-Nine Section Six A of the General Laws as amended." and be it further

ORDERED:

That this Ordinance shall take effect as of July 1, 1976.

Daniel J. Clinton
John Fullin
Thomas W. Donnelly
Richard Doherty
Sandra Scalera
[Signature]
Mayor Alfred Veltri

Councillor Ackermann requested to be recorded in the negative.

In City Council May 17, 1976



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ORDERED:

That this Ordinance shall take effect as of July 1, 1976.

Daniel J. Clinton
Kate Sullivan
Thomas W. Donnelly
W. H. Dunbar
Sandra Galea
[Signature]
Mayor Alfred Veltri

Councillor Ackermann requested to be recorded in the negative.

In City Council May 17, 1976



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

OFFICE OF
THE CITY CLERK

May 26, 1976

Mr. Russell Higley
City Solicitor
City Hall
Cambridge, MA

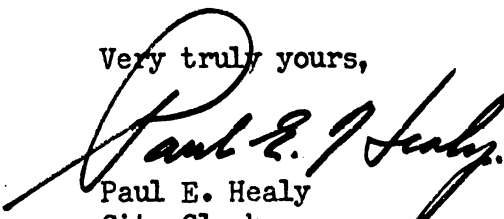
Dear Mr. Higley:

Enclosed is a copy of the order adopted by the City Council on May 17, 1976 relative to a new pay schedule for the members of the City Council. You will note that the proposed effective date of the ordinance is July 1, 1976.

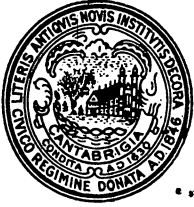
A question arose as to the effective date of this ordinance under Chapter 39, Section 6A. As you will recall, the budget year runs from July 1, 1976 to June 30, 1977 as a result of legislation adopted by the Commonwealth of Massachusetts to coordinate their bookkeeping with that of the Federal Government in revenue sharing programs and Federal funding. Chapter 39, Section 6A makes reference to the fact that no increase should take effect during the year in which such increase is voted and an interpretation of the word "year" is required in order to clarify the effective date of this ordinance.

Your early attention in this matter is requested since final action on this ordinance will occur on or after June 7, 1976.

Very truly yours,


Paul E. Healy
City Clerk

PEH/cs
Enc.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 876-6800

LAW DEPARTMENT

EDWARD D. MCCARTHY
ACTING CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

CHARLES WATSON
LEGISLATIVE AGENT

June 4, 1976

To the Honorable City Council
City Hall
Cambridge, Massachusetts

Dear Councillors:

You have asked for my opinion relative to whether the City Council may vote a salary increase to its members, effective July 1, 1976.

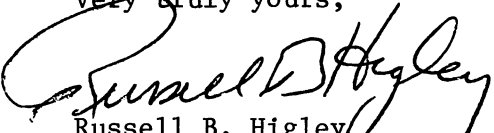
General Laws, Chapter 39, Section 6A provides in part that "the mayor and the members of the City Council..., shall receive for their service such salary as the city shall by ordinance determine.... No increase or reduction in such salaries shall take effect during the year in which such increase or reduction is voted....(emphasis added).

It should be noted that the word "year" as set forth in the above section presents an ambiguity. We must interpret whether this word purports to signify a calendar year, or a fiscal year.

As you are aware, the "fiscal year" of all cities of the Commonwealth is established by General Laws, Chapter 44, Section 56A. Said statute sets July 1 as the beginning of the fiscal year.

It is clear that section 6A of Chapter 39 relates to budgetary affairs. In this light, and applying commonly accepted principals of statutory construction, the "year" referred to is a fiscal year rather than a calendar year. It is my opinion, therefore, that a vote by the City Council in June of 1976 to increase the salary of its members, effective July 1, 1976 would not violate the terms of General Laws, Chapter 39, Section 6A. Hence, such a vote would be valid.

Very truly yours,

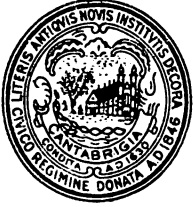

Russell B. Higley
Acting City Solicitor

RBH:cas

RECEIVED BY
OFFICE OF CITY CLERK

JUN 4 3 26 PM '76

CAMBRIDGE, MASS.



CITY OF CAMBRIDGE

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Very truly yours,



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Six

AN ORDINANCE

In amendment to an Ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Two, entitled: "Administration," Article II, The Council, Section 2-11, Compensation of Members, is hereby amended by striking out the present Section 2-11 and substituting in place thereof the following:-

Section 2-11. Compensation of Members.

The members of the City Council shall receive for their annual compensation the amount of twelve thousand five hundred dollars (\$12,500.00) to be effective July 1, 1976 to be paid monthly or weekly, and the member of the City Council elected to the office of Mayor shall receive an additional one thousand dollars (\$1,000.00) pursuant to Chapter thirty-nine, Section six A of the General Laws.

In City Council May 17, 1976.

Passed to a second reading at the City Council meeting on May 17, 1976 and on or after June 7, 1976 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Six

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In City Council May 17, 1976

Passed to a second reading at the City Council meeting on May 17, 1976 and on or after June 7, 1976 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

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In City Council June 7, 1976

Passed to be ordained by a yeas and nays vote:- Yeas 8; Nays 1; Absent 0.

ATTEST:- Paul E. Healy, City Clerk.

Council pay raise

021