

City of Cambridge

MASSACHUSETTS

In City Council 2/2, 1998

TT

Appeal Ruling of Chair
Shall the decision of the Chair stand as the
judgment of the City Council

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
	✓			Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
	✓			Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

5 4 0 0

MS- These have been made changes on the election of a mayor.
 TT. Rule 36 of the rules.
 C.C. 108 Rule 16 - superseded
 KR. KT rose to mobility ^{in the Chamber last wk.} We need a new system.
 AG. go on record supporting the election of mayor.

City of Cambridge

MASSACHUSETTS

In City Council 2/2, 1998

Appeal

Ruling of the Chair on Reconsideration

not a proper subject

<i>matter not before us.</i>	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
V. Mayor Anthony Galluccio	✓			
Mr. Kenneth E. Reeves		✓		
Ms. Sheila T. Russell	✓			
Mr. Michael A. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.		✓		
Ms. Katherine Triantafillou		✓		
Mayor Francis H. Duehay	✓			

5-4-0

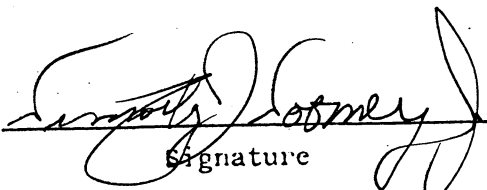
ruling of Chair stands.

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR Toomey

Date

Councillor Toomey has notified the City Clerk of his intention to move reconsideration of the vote taken at the City Council meeting of Monday, January 26, 1998 at which Francis H. Duehay was elected as the Mayor of the City of Cambridge on Ballot Number Three.

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CAMBRIDGE MA.


Signature



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

January 28, 1998

Robert W. Healy, City Manager
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Healy,

I am writing to request that the City Solicitor render a legal opinion regarding two questions connected with a motion for reconsideration of the vote to elect a Mayor on January 26, 1998. The motion was filed by Councillor Toomey on January 27, 1998. As parliamentarian to the City Council, I will be required to advise the Chair as to whether this motion is in order. In light of the seriousness and potential divisiveness of the issue, I would like a legal opinion on the questions set forth below..

On January 5, the City Council held its organizational meeting pursuant to M.G.L. ch. 43 sec. 97. There were two ballots for mayor, and no one was elected. The meeting subsequently was adjourned. At the January 26, 1998 meeting, the City Council took up the unfinished business of election of a mayor. As City Clerk, I presided over the vote, and began the election by reading the "Ruling of the Chair Relative to the Changing of Vote," a copy of which is attached, which, by long-established custom and tradition, is read at the commencement of every vote for mayor. It should be noted that the ruling provides for the presiding officer to announce the results of the vote, ask if there are any changes or corrections, and finally gavel three times to signify the election. This procedure was followed, and there were changes made by various members, and then three gavels and an announcement by me of the election of Francis H. Duehay. I then administered the oath of office to him.

The first question is whether the election of a mayor may be reconsidered after the result is declared and the mayor has been sworn in and assumed office.. The rules of the City Council do not address this matter. Rule 36 provides that the City Council shall be governed by Roberts' Rules of Order in all questions of parliamentary practice not provided for by special rules of Order.

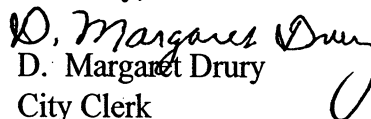
There are two provisions of Robert's Rules which may be especially relevant to this opinion. One is found in Section 36 paragraph 2(b), which provides that reconsideration does not apply to an affirmative vote whose provisions have been partly carried out. Francis Duehay was sworn in as Mayor on January 26, 1998, assumed office and has taken official actions as Mayor..

The other provision is contained in Section 45, "Time at Which an Election Takes Effect," and states that an election to an office becomes final immediately if the candidate is present and does not decline. "After an election has become final . . . , it is too late to reconsider the vote on the election..

The language "too late" is particularly significant in that it raises an additional question as to whether the motion for reconsideration should even be placed on the agenda by the City Clerk. Rule 16 of the City Council Rules establishes a time limit for motions for reconsideration. If motions for reconsideration are submitted to the City Clerk "too late" to meet the deadline of this rule, by long-standing custom and practice, those items are not placed on the agenda for the City Council. Therefore, if this motion is "too late" under the applicable Roberts' Rule, should that lateness require that I treat it like any other late-filed motion for consideration and not place it on the agenda of the City Council. As I do not expect to have a legal opinion on this question before the agendas are printed and distributed, I will include the item, conditional to receiving a legal opinion that the motion is not too late to be placed on the agenda.

I look forward to hearing from the City Solicitor at his earliest convenience.
Thank you for your assistance in this matter.

Sincerely,


D. Margaret Drury
City Clerk

cc: The Honorable, the City Council

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CAMBRIDGE MA.

MIRICK O'CONNELL
ATTORNEYS AT LAW
MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

February 2, 1998

D. Margaret Drury
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Motion for Reconsideration of the Vote to Elect a Mayor

Dear Ms. Drury:

Your letter dated January 28, 1998, regarding the propriety of a Motion for Reconsideration of the Vote to Elect a Mayor on January 27, 1998, has been referred to us for advice. As I understand the facts, at the City Council meeting held on January 26, 1998, pursuant to the provisions of Massachusetts General Laws Chapter 43, Section 97, Francis Duehay was elected Mayor. On January 27, 1998, a motion to reconsider this action was filed by a City Councillor with the City Clerk, who serves as parliamentarian to the City Council. Specifically, you have asked whether such a Motion to Reconsider the Vote is properly in order. In this regard, I have reviewed Massachusetts General Laws Chapter 43, the Rules of the City Council of Cambridge, as amended, and the ballots and related materials pertaining to the election (see attached Exhibits). In brief, the motion does not appear to be in order.

Background and Issue

The City of Cambridge is organized under a Plan E city charter pursuant to the provisions of Mass. G.L. Chapter 43, Sections 93 to 116. Section 97 of Chapter 43 establishes a statutory procedure for the election of a Mayor. Under Section 97 and Rule 2 of the Rules of the City Council, the city council meets and organizes on the first Monday of January following the regular city election. At that time, the council, by majority vote of all members, elects from its own membership a mayor and vice-chairman. For purposes of the election of mayor, the city clerk acts as a temporary chairman, or presiding officer, until the mayor has been qualified.

In addition to the Rules of the City Council, the voting process is conducted in accordance with the long-standing rule of parliamentary procedure utilized in Cambridge entitled the Ruling of the Chair Relative to the Changing of the Vote. This Rule permits a member to change his or her vote prior to the result of the vote being declared by the Chair, and also requires that the Chair ask for any corrections or changes after the vote is announced. When the

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MIRICK O'CONNELL

D. Margaret Drury

February 2, 1998

Page 2

choice of a Mayor is made, the Chair gavels three times to signify the election. Lastly, it should be noted that under Rule 36 of the City Council, the City Council is governed by Robert's Rules of Order for questions of parliamentary procedure not addressed by the Council's rules.

A review of the facts indicates that at the regularly scheduled meeting of the City Council on January 26, 1998, the Council undertook their statutory duty to elect a mayor. The mayoral balloting was conducted by the City Clerk. In accordance with the procedure outlined above, the mayor balloting proceeded with various members changing their votes prior to the final declaration as permitted by the Rules. A majority of votes was obtained by Francis Duehay, and the election was signified by the required three gavels. The oath of office was undertaken by Mayor Duehay at that time. In addition to other official actions as mayor, it is my understanding that the Mayor presided as Chairman at the regularly scheduled School Committee meeting on January 27, 1998, and participated in all votes taken that evening.

Discussion

At issue is whether the election of the Mayor pursuant to the procedure outlined above is the proper subject of a Motion to Reconsider where the result of the election has been declared, the meeting has been adjourned, and the Mayor has been sworn in and assumed the duties of the office.¹ In general, motions to reconsider a vote are undertaken to provide "further reflection, renewed attention, and more careful deliberation," involving the "postponement of a final action." Opinion of the Justices, 291 Mass. 578 (1935). There are limits on reconsideration, however, and such motions are inappropriate where the vote to be reconsidered constitutes a final action, and the Motion to Reconsider is actually seeking rescission of an election.

As noted, Robert's Rules of Order apply to "all questions of parliamentary practice not provided for by special rules of order." See, Council Rule 36. The election provisions contained in Rule 2 of the Council Rules do not specifically address either the propriety of or a procedure for reconsidering the election vote of the mayor. Although Rule 16 of the Council Rules does relate to motions to reconsider, this rule does not appear to apply to a motion to reconsider an election vote as discussed below. Importantly, the election of a Mayor is a statutory process. Rule 16 states that it relates to "questions" which seems to imply it relates to motions presented to the City Council for consideration as a legislative body. By contrast, an election is not a "question" in that context. This distinction is further emphasized by the existence of a separate Council Rule relating specifically to the election of a mayor (Rule 2).

¹ I note that you have requested further advice regarding the timeliness of the Motion for Reconsideration under Rule 16. In light of the analysis set forth below, it is not necessary to address this issue.

MIRICK O'CONNELL

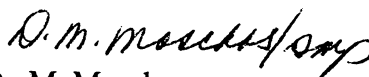
D. Margaret Drury
February 2, 1998
Page 3

Section 45 of Robert's Rules (subsection "Time at Which an Election Takes Place") specifically states that "An election to an office becomes final immediately if the candidate is present and does not decline." Moreover, Section 45 states that "After an election has become final as stated in this paragraph, it is too late to reconsider the vote on the election (see Rule 36)." By reference, Rule 36 of Robert's Rules sets forth a number of exceptions to the general rule regarding reconsideration. Under Rule 36, a motion to reconsider can not be made with reference to an affirmative vote whose provisions have been partly carried out. This principle is well-established in Massachusetts. *See, e.g., Attorney General v. Dole*, 168 Mass. 562, 563 (1897) (holding that reconsideration could not be voted regarding prior vote duly electing selectmen); *Keough v. Holyoke*, 156 Mass. 403, 406 (1892) (holding that motion to reconsider a prior election was improper and "beyond the power" of the city council). Similarly, it has been held in numerous other jurisdictions that after an election, acceptance and qualification by the officer, the council cannot reconsider and elect another. *See, Mass. Jurisprudence, Municipal Corporations, Section 13.50* (collecting cases); *e.g., State of Maine v. Phillips*, 79 Me. 506 (reconsideration and election of another at adjourned meeting not permitted).

In this case, the mayor has taken the oath of office, performed official duties in that capacity and the election has become final. As such, a motion to reconsider the election of the mayor by the council does not appear to be a proper subject of a motion for reconsideration and the motion is not in order under the Rules of the Council or the applicable law.

Please feel free to contact me if you have any further questions.

Very Truly Yours,



D. M. Moschos

cc: Donald A. Drisdell, Deputy City Solicitor

ms, KT
①-4-5-0

City of Cambridge

② 5-2-2-KT
FD MS

MASSACHUSETTS

In City Council 1/26/98, 1998

③ KR reaffirm his vote for KT

BALLOT NO. 3

	KATHLEEN L. BORN	HENRIETTA DAVIS	FRANCIS H. DUEHAY	ANTHONY GALLUCCIO	KENNETH E. REEVES	SHEILA T. RUSSELL	MICHAEL A. SULLIVAN	TIMOTHY J. TOOMEY, JR.
JAN 30 1998 A TRUE COPY ATTEST: <i>Margaret Drury</i> City Clerk								
KATHLEEN L. BORN			✓ ①					
HENRIETTA DAVIS			✓ ①					
FRANCIS H. DUEHAY			✓ ①					
ANTHONY GALLUCCIO			✓ ②				✓ ①	
KENNETH E. REEVES								
SHEILA T. RUSSELL			✓ ②				✓ ①	
MICHAEL A. SULLIVAN							✓ ①	
TIMOTHY J. TOOMEY, JR.							✓ ①	
KATHERINE TRIANTAFILLOU								

①

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2

City of Cambridge

Cambridge, Massachusetts

January 26, 1998

I, Francis H. Duehay, do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof.

So help me God.

I, Francis H. Duehay, do solemnly swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as Mayor of the City of Cambridge according to the best of my abilities and understanding, agreeably, to the rules and regulations of the Constitution, and the laws of this Commonwealth.

So help me God.
JAN 30 1998

A TRUE COPY

ATTEST:

Margaret Drury

City Clerk

Middlesex, SS.

Francis H. Duehay

Francis H. Duehay

January 26 1998

Sworn to before me



D. Margaret Drury

D. Margaret Drury
City Clerk

SCHOOL COMMITTEE

CAMBRIDGE, MASSACHUSETTS 02138

OFFICE OF THE SECRETARY

Tel. (617) 349-6620 • Fax: (617) 349-6624

January 30, 1998

TO WHOM IT MAY CONCERN:

RE: School Committee - Regular Meeting - January 27, 1998

As requested by Attorney Ditsell in the Office of the City Solicitor, I am providing the following information:

1. On Tuesday, January 27, 1998, Ms. Miele, the Senior Clerk in my office, contacted the City Clerk to verify that the City Council had elected a Mayor. Ms. Miele was informed that Councillor Francis H. Duhay had been elected Mayor. Ms. Miele asked that the City Clerk send a written verification of the election of the Mayor.
2. At the School Committee meeting that evening Councillor Duhay did appear and sit as Chairman of the School Committee. He also participated in all votes taken at that meeting.

Claire E. Rodley
Claire E. Rodley
Secretary of the School Committee

cc School Committee Members

RULING OF THE CHAIR RELATIVE TO THE CHANGING OF VOTE

The Chair rules that a member may change his/her vote any time in the proceedings before the result of the vote is declared by the Chair.

He/She may change it before the result of the vote is verified and after the vote is verified, but the calling of the roll cannot be interrupted for the changing of a vote before all the members have voted.

A member may be recorded as "Present."

The Presiding Officer will ask for any corrections or changes after the vote is announced.

When the vote is finally declared, the Presiding Officer will gavel once to indicate that the ballot is closed, and then proceed to the next ballot.

Each member, as his/her name is called, will indicate his/her choice for the office of Mayor.

When a choice of Mayor is made, three (3) gavels will signify the election.

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CAMBRIDGE MA.

MIRICK O'CONNELL
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February 2, 1998

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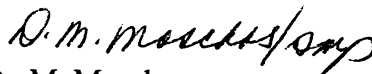
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MS ; KT

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Sworn to before me



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D. Margaret Drury

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A review of the facts indicates that at the regularly scheduled meeting of the City Council on January 26, 1998, the Council undertook their statutory duty to elect a mayor. The mayoral balloting was conducted by the City Clerk. In accordance with the procedure outlined above, the mayor balloting proceeded with various members changing their votes prior to the final declaration as permitted by the Rules. A majority of votes was obtained by Francis Duehay, and the election was signified by the required three gavels. The oath of office was undertaken by Mayor Duehay at that time. In addition to other official actions as mayor, it is my understanding that the Mayor presided as Chairman at the regularly scheduled School Committee meeting on January 27, 1998, and participated in all votes taken that evening.

Discussion

At issue is whether the election of the Mayor pursuant to the procedure outlined above is the proper subject of a Motion to Reconsider where the result of the election has been declared, the meeting has been adjourned, and the Mayor has been sworn in and assumed the duties of the office.¹ In general, motions to reconsider a vote are undertaken to provide "further reflection, renewed attention, and more careful deliberation," involving the "postponement of a final action." Opinion of the Justices, 291 Mass. 578 (1935). There are limits on reconsideration, however, and such motions are inappropriate where the vote to be reconsidered constitutes a final action, and the Motion to Reconsider is actually seeking rescission of an election.

As noted, Robert's Rules of Order apply to "all questions of parliamentary practice not provided for by special rules of order." See, Council Rule 36. The election provisions contained in Rule 2 of the Council Rules do not specifically address either the propriety of or a procedure for reconsidering the election vote of the mayor. Although Rule 16 of the Council Rules does relate to motions to reconsider, this rule does not appear to apply to a motion to reconsider an election vote as discussed below. Importantly, the election of a Mayor is a statutory process. Rule 16 states that it relates to "questions" which seems to imply it relates to motions presented to the City Council for consideration as a legislative body. By contrast, an election is not a "question" in that context. This distinction is further emphasized by the existence of a separate Council Rule relating specifically to the election of a mayor (Rule 2).

¹ I note that you have requested further advice regarding the timeliness of the Motion for Reconsideration under Rule 16. In light of the analysis set forth below, it is not necessary to address this issue.

MIRICK O'CONNELL

D. Margaret Drury

February 2, 1998

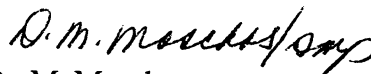
Page 3

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In this case, the mayor has taken the oath of office, performed official duties in that capacity and the election has become final. As such, a motion to reconsider the election of the mayor by the council does not appear to be a proper subject of a motion for reconsideration and the motion is not in order under the Rules of the Council or the applicable law.

Please feel free to contact me if you have any further questions.

Very Truly Yours,



D. M. Moschos

cc: Donald A. Drisdell, Deputy City Solicitor

MS, KT

(1) - 4-5-0

City of Cambridge

(2) 5-2-2-KT
FD MS

MASSACHUSETTS

In City Council 1/26/98, 1998

(3) KR reaffirm his vote for KT

BALLOT NO. 3

	KATHLEEN L. BORN	HENRIETTA DAVIS	FRANCIS H. DUEHAY	ANTHONY GALLUCCIO	KENNETH E. REEVES	SHEILA T. RUSSELL	MICHAEL A. SULLIVAN	TIMOTHY J. TOOMEY, JR.
JAN 30 1998 A TRUE COPY ATTEST: <i>Margaret Drury</i> City Clerk								
KATHLEEN L. BORN			✓ (1)					
HENRIETTA DAVIS			✓ (1)					
FRANCIS H. DUEHAY			✓ (1)					
ANTHONY GALLUCCIO			✓ (1)				(1)	
KENNETH E. REEVES								
SHEILA T. RUSSELL			✓ (1)				(1)	
MICHAEL A. SULLIVAN							✓ (1)	
TIMOTHY J. TOOMEY, JR.							✓ (1)	
KATHERINE TRIANTAFILLOU								

(1)

5

(1)

City of Cambridge

Cambridge, Massachusetts

January 26, 1998

I, Francis H. Duehay, do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof.

So help me God.

I, Francis H. Duehay, do solemnly swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as Mayor of the City of Cambridge according to the best of my abilities and understanding, agreeably, to the rules and regulations of the Constitution, and the laws of this Commonwealth.

So help me God.

JAN 30 1998

A TRUE COPY

ATTEST:

Margaret Drury

City Clerk

Middlesex, SS.

Francis H. Duehay

Francis H. Duehay

January 26, 1998

Sworn to before me



D. Margaret Drury

D. Margaret Drury
City Clerk

SCHOOL COMMITTEE

CAMBRIDGE, MASSACHUSETTS 02138

OFFICE OF THE SECRETARY

Tel. (617) 348-6620 • Fax: (617) 348-6624

January 30, 1998

TO WHOM IT MAY CONCERN:

RE: School Committee - Regular Meeting - January 27, 1998

As requested by Attorney Ditsdell in the Office of the City Solicitor, I am providing the following information:

1. On Tuesday, January 27, 1998, Ms. Miele, the Senior Clerk in my office, contacted the City Clerk to verify that the City Council had elected a Mayor. Ms. Miele was informed that Councillor Francis H. Duehay had been elected Mayor. Ms. Miele asked that the City Clerk send a written verification of the election of the Mayor.
2. At the School Committee meeting that evening Councillor Duehay did appear and sit as Chairman of the School Committee. He also participated in all votes taken at that meeting.

Claire E. Rodley

Claire E. Rodley
Secretary of the School Committee

cc School Committee Members

RECEIVED BY
OFFICE OF CITY CLERK

98 FEB -2 PM 3:49

CAMBRIDGE MA.

MIRICK O'CONNELL
ATTORNEYS AT LAW
MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP

February 2, 1998

D. Margaret Drury
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Motion for Reconsideration of the Vote to Elect a Mayor

Dear Ms. Drury:

Your letter dated January 28, 1998, regarding the propriety of a Motion for Reconsideration of the Vote to Elect a Mayor on January 27, 1998, has been referred to us for advice. As I understand the facts, at the City Council meeting held on January 26, 1998, pursuant to the provisions of Massachusetts General Laws Chapter 43, Section 97, Francis Duehay was elected Mayor. On January 27, 1998, a motion to reconsider this action was filed by a City Councillor with the City Clerk, who serves as parliamentarian to the City Council. Specifically, you have asked whether such a Motion to Reconsider the Vote is properly in order. In this regard, I have reviewed Massachusetts General Laws Chapter 43, the Rules of the City Council of Cambridge, as amended, and the ballots and related materials pertaining to the election (see attached Exhibits). In brief, the motion does not appear to be in order.

Background and Issue

The City of Cambridge is organized under a Plan E city charter pursuant to the provisions of Mass. G.L. Chapter 43, Sections 93 to 116. Section 97 of Chapter 43 establishes a statutory procedure for the election of a Mayor. Under Section 97 and Rule 2 of the Rules of the City Council, the city council meets and organizes on the first Monday of January following the regular city election. At that time, the council, by majority vote of all members, elects from its own membership a mayor and vice-chairman. For purposes of the election of mayor, the city clerk acts as a temporary chairman, or presiding officer, until the mayor has been qualified.

In addition to the Rules of the City Council, the voting process is conducted in accordance with the long-standing rule of parliamentary procedure utilized in Cambridge entitled the Ruling of the Chair Relative to the Changing of the Vote. This Rule permits a member to change his or her vote prior to the result of the vote being declared by the Chair, and also requires that the Chair ask for any corrections or changes after the vote is announced. When the

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1700 BANKBOSTON TOWER
100 FRONT STREET
WORCESTER, MASSACHUSETTS 01608-1477
508-791-8500 • FAX 508-791-8502



101 FEDERAL STREET
SUITE 1953
BOSTON, MASSACHUSETTS 02110-1800
617-261-2417 • FAX 617-261-2418

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MIRICK O'CONNELL

D. Margaret Drury

February 2, 1998

Page 2

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February 2, 1998

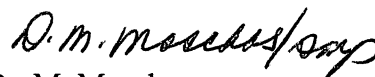
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D. M. Moschos

cc: Donald A. Drisdell, Deputy City Solicitor

ms, KT
① - 4-5-0

City of Cambridge

② 5-2-2-KT
FD MS

MASSACHUSETTS

In City Council

1/26/98, 1998

③ KR reaffirm his vote for KT

BALLOT NO. 3

JAN 30 1998

A TRUE COPY
ATTEST:

Margaret Drury
City Clerk

KATHLEEN L. BORN

HENRIETTA DAVIS

FRANCIS H. DUEHAY

ANTHONY GALLUCCIO

KENNETH E. REEVES

SHEILA T. RUSSELL

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KENNETH E. REEVES

SHEILA T. RUSSELL

MICHAEL A. SULLIVAN

TIMOTHY J. TOOMEY, JR.

KATHERINE TRIANTAFILLOU

✓ ①

✓ ②

✓ ③

✓ ④

✓ ⑤

✓ ①

✓ ②

✓ ③

✓ ④

①

5

④

City of Cambridge

Cambridge, Massachusetts

January 26, 1998

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ATTEST:
Margaret Drury
City Clerk

Francis H. Duehay
Francis H. Duehay

Middlesex, SS.

January 26 1998



D. Margaret Drury
D. Margaret Drury
City Clerk

SCHOOL COMMITTEE
CAMBRIDGE, MASSACHUSETTS 02138

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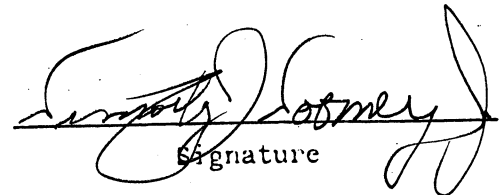
cc School Committee Members

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR Toomey

Date

Councillor Toomey has notified the City Clerk of his intention to move reconsideration of the vote taken at the City Council meeting of Monday, January 26, 1998 at which Francis H. Duehay was elected as the Mayor of the City of Cambridge on Ballot Number Three.

RECEIVED BY
OFFICE OF CITY CLERK
98 JAN 27 PM 4: 53
CAMBRIDGE MA.


Signature

Reconsideration #1

A-34

Reconsideration filed by Councillor
Timothy J. Toomey, Jr. on the vote
taken at the City Council meeting of
Monday, January 26, 1998 at which
Francis H. Duehay was elected Mayor
of the City of Cambridge on Ballot
Number Three.

In City Council February 2, 1998

Chair ruled Reconsideration out of order.
Ruling of the Chair appealed.
Ruling of teh Chair stands on Roll Call
Vote 5-4-0.