

Chapter 268A, §1 reads as follows:

In this chapter the following words, unless a different meaning is required by the context or is specifically prescribed, shall have the following meanings: --

(g) "Municipal employee," a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time intermittent, or consultant basis, but excluding (1) elected members of a town meeting and (2) members of a charter commission established under Article LXXXIX of the Amendments to the Constitution.

Chapter 268A, §20 reads as follows:

(a) A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply. . . (d) to a special municipal employee who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the city council or board of aldermen if there is no city council or the board of selectmen approve the exemption of his interest from this section. Added St.1962, c. 779, §1.

Mr. Philip M. Cronin
City Solicitor
City Hall, Rm. 111
Cambridge, Mass.

June 3, 1970

Dear Sir:

I am one of the successful Candidates of the May 16th, 1970 election for membership to the CDA board of Directors.

In a letter dated May 29, 1970 I was informed by the City Manager that as an employee of the Tenant Senate, which is a subcontractor of the City Demonstration Agency, and since the Tenant Senate employees are paid with CDA funds, that unless I first terminate my employment with the Tenant Senate I will not be allowed to accept my seat on the CDA board of directors.

The Manager also stated in this Communication that he has instructed the City Solicitor to review each successful Candidate to establish whether any conflict of interest or conflict of Kin exists.

I would like to know from the City Solicitor if in fact I am in conflict as an employee of a Subcontractor, and if such is the case, what ordinance or statute violation causes said conflict.

In as much as the Manager has requested an answer from me within five (5) days I would appreciate having a written opinion from the Solicitor at the earliest possible date.

Very Truly Yours

Wallace R. Brown, Jr.

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793 Washington E/ms
Camb. 02139

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George Gaspa
George Gaspa

*8 Newtowne Court
Camb 02139*

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City Hall, Rm. 111
Cambridge, Mass.

June 3, 1970

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*8 Newtowne Court
Camb 02139*



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 876-6800

EXECUTIVE DEPARTMENT

James L. Sullivan
City Manager

John H. Corcoran
Assistant City Manager

May 29, 1970

Mr. George T. Gaspa
8 Newtowne Court
Cambridge, Massachusetts 02139

Dear Mr. Gaspa:

You are one of the successful candidates of the May 16, 1970 election for membership to the CDA Board of Directors.

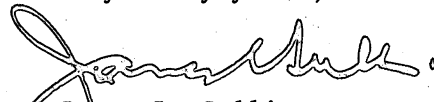
Under Ordinance No. 766, I am required as Clerk of Elections to certify the election results. I have instructed the City Solicitor to review each successful candidate to establish whether any conflict of interest or conflict of kin exists.

It is our understanding that you are an employee of the Tenant Senate which is a subcontractor of the City Demonstration Agency, and that all employees of the Tenant Senate are paid with CDA funds under this contract. Accordingly, you would be disqualified to accept your seat on the CDA Board of Directors unless you first terminate your employment with the Tenant Senate.

I must have your decision in writing as to whether you will relinquish the seat which you have won on the CDA Board, or terminate your employment, before I can certify you to be sworn in as a member of the Board. I would appreciate having your written answer in five days.

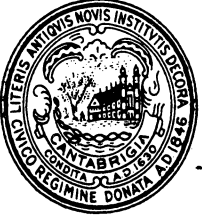
If you have any questions concerning this ruling, please contact this office immediately.

Very truly yours,


James L. Sullivan
Clerk of Elections

JLS/b

REGISTERED MAIL
RETURN RECEIPT



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 876-6800

EXECUTIVE DEPARTMENT

James L. Sullivan
City Manager

John H. Corcoran
Assistant City Manager

May 29, 1970

Mr. Wallace R. Brown, Jr.
793 Washington Elms
Cambridge, Massachusetts 02139

Dear Mr. Brown:

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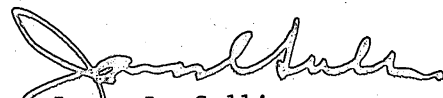
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Clerk of Elections

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RETURN RECEIPT

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Wallace R. Brown, Jr.

792 Washington St./ms
Camb. 02139

City of Cambridge

June 5, 1970.

To the Honorable Members of the City Council,
Cambridge, Massachusetts.

Gentlemen:-

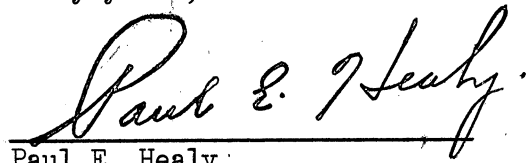
The Office of the City Clerk has been in receipt of an inquiry from George Gaspa of 8 Newtowne Court and Wallace R. Brown, Jr. of 793 Washington Elms relative to their status as members of the Board of Directors of the CDA.

As you will recall both of the above named were elected to membership in the CDA Board of Directors on May 16, 1970 after having been selected staff members by the personnel department of the Tenant Senate.

I enclose a copy of their request to the City Solicitor for clarification of their status. As time is of the essence in this matter Mr. Gaspa and Mr. Brown request a hearing before the City Council on Monday, June 8, 1970 in order to clarify their status.

I enclose a copy of the letter transmitted by them to City Solicitor Philip M. Cronin.

Truly yours,



Paul E. Healy;
Temporary City Clerk.

Communication from the Temporary City Clerk transmitting requests of George Gaspa and Wallace R. Brown, Jr. for a hearing before the Council on June 8, 1970 on their status as members of Board of Directors of the CDA

June 8, 1970

6/8/1970

Letter Referred to Ordinances

Municipal Advise of City Sol-

RE CONFLICT LAWS

- Specific employees -

Some exempt under

this section or

OTHER SECTION