



CITY OF CAMBRIDGE

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

OFFICE OF
THE CITY CLERK

December 14, 1978

Ms. Rose O'Rourke
Adm. Asst. to the Superintendent
School Department
159 Thorndike Street
Cambridge, Massachusetts

Dear Ms. O'Rourke:

Pursuant to our telephone conversation, enclosed is a copy of the letter sent to Mr. Lannon and a copy of the opinion rendered by the City Solicitor and transmitted to the City Council on Monday, December 11, 1978.

As indicated in the enclosed, the City Council has requested the presence of Mr. Lannon or his representative at their next meeting of December 18, 1978.

If you need any more information on this matter, please contact me at 498-9097.

Holiday Greetings!

Very truly yours,

Paul E. Healy
City Clerk

PEH/cs

Enclosures (2)



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To James L. Sullivan
City Manager

Date December 7, 1978

From Russell B. Higley
City Solicitor

Reference

Subject

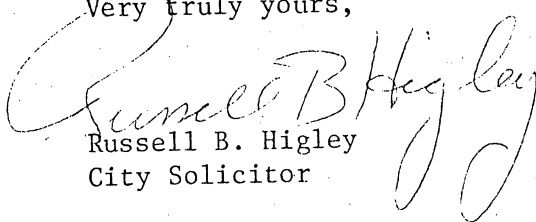
I have been requested by City Council to render an opinion as to the legal basis under which the City Council is required to accept grants to the School Department.

I direct your attention to Chapter 44, Section 53A, of the Massachusetts General Laws, which states the following:

"An officer or department of any city or town.... may accept grants or gifts of funds from the federal government and from charitable foundations, a private corporation or an individual, and in the case of any grant or gift given for educational purposes may expend said funds for the purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift may expend such funds for the purposes of such grant or gift as follows: In cities having a Plan E form of government with the approval of the city manager and the City Council Any amounts so received by an officer or department of a city shall be deposited with the treasurer of such city and held as a separate account and may be expended as aforesaid by such officer or department receiving the grant or gift without further appropriation.

It is, therefore, my opinion that the City Manager has the obligation to place the grant before the Council for its approval prior to funds being expended pursuant to the grant.

Very truly yours,


Russell B. Higley
City Solicitor

RBH/mbf



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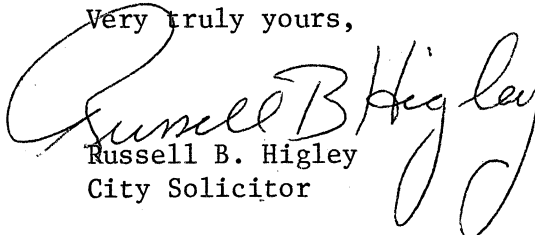
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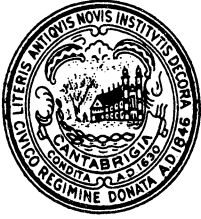
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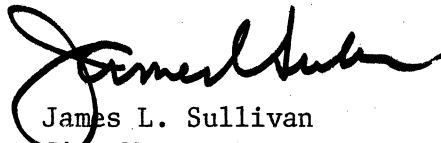
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

December 11, 1978

To the Honorable, the City Council:

With respect to Awaiting Report No. 17 relative to the acceptance of grants to the School Department, enclosed please find copy of the opinion of Russell B. Higley, City Solicitor.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf
Enc.

533

Response to Awaiting Report No. 17 re: acceptance
of grants to the School Dept.

In City Council

December 11, 1978

12/11/78

-Placed on File-