

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

AN ORDER CONCERNING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JULY 1, 1987

ORDERED: That the following transfer be made in the General Fund of the City of Cambridge:

FROM	AMOUNT	TO	AMOUNT
Employee Benefits		Law	
Salaries and Wages	\$200,000	Other Ordinary Maint.	\$198,250
		Travel and Training	1,750

REASON(S)

Outside Counsel

In City Council February 8, 1988.
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

City of Cambridge

MASSACHUSETTS

In City Council February 1, 1988

AGENDA ITEM NO. 7

RE: TRANSFER OF \$200,000. FROM EMPLOYEE BENEFITS SALARIES & WAGES ACCOUNT TO THE LAW DEPT.

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci	✓			

9

0

2/1/88
 Charter Right by C. Danehy

2/8/88

ew
 MS
 MF



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

DONALD A. DRISDELL
DEPUTY CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

SEVERLIN B. SINGLETON, III
BIRGE ALBRIGHT
GAIL S. GABRIEL
LEGAL COUNSEL

January 28, 1988

To: Robert W. Healy

From: Russell B. Higley *RBH*

Re: Supplemental Appropriation for Law Department

I am requesting a transfer from the employee benefit salary and wage account to the Law Department other ordinary maintenance account for \$198,250. and to the travel and training account for \$1,750.

Attachment A shows payments to outside counsel from the 610 account in fiscal 1988 and the cases involved.

In addition to the total shown in Attachment A, a total of \$63,960.01 was also paid from this account for other providers such as, e.g., the Skill Bureau and court reporters.

Attachment B shows presently outstanding bills from outside counsel and the cases involved.

You will note that there is currently \$99,419.97 owed to outside counsel. In view of the fact that we are now only about seven months into fiscal 1988, I hope you will agree that my request for an additional \$200,000. is justified.

As you are aware, the United States District Court of Massachusetts has ruled, as other Federal Districts have done, that in 1983 Civil Rights Actions, the city/town must have multiple lawyers to defend each suit in order to prevent any conflicts between the police involved, the Chief of Police and the City. The Court has also ruled that three lawyers from the City Solicitor's Office may not enter appearances for each of the parties involved. Two of the lawyers must be from the private sector. As a result, the cost of defending these cases has substantially risen.

A substantial number of the eminent domain cases for the takings between Third Street and Commercial Avenue are coming to trial this fiscal year.

The \$1,750. will be used for attendance at the City Solicitor's and Town Counsel Association meetings.

ATTACHMENT A

Withington, Cross, Park & Groden

<u>Case</u>	<u>Amount Paid</u>
F & D Restaurant	\$ 3,587.25
Charles Webb v. COC	5,939.85
David Brogan v. COC	4,709.25
Demolition Permits	7,631.20
Latvis v. Savioli	2,200.47
Ripley v. Davis	6,082.01
Crawford v. Murphy	256.25
Moleiro v. Ferreira	275.00
	<u>\$30,681.28</u>

The McLaughlin Brothers

<u>Case</u>	<u>Amount Paid</u>
Homburger v. COC	\$23,721.00
COC v. Shah Construction Company	3,645.25
Keith Fulton & Sons, Inc. v. COC	<u>11,773.28</u>
	<u>\$39,139.53</u>

Parker, Coutler, Daley & White

<u>Case</u>	<u>Amount Paid</u>
Janice DaSilva v. COC	\$ 760.80
Karin Basile v. COC	<u>618.50</u>
	<u>\$1,379.30</u>

Foley, Hoag & Eliot

<u>Case</u>	<u>Amount Paid</u>
375A Harvard Street	\$8,724.08

Behar & Kalman

<u>Case</u>	<u>Amount Paid</u>
Edward Hussey, Jr., v. COC	\$ 4,813.50
Duarte/Leahy Cases	5,639.30
Colosimo, Admr. v. COC	150.00
	<u>\$10,602.80</u>

Budd, Wiley & Richlin, P.C

<u>Case</u>	<u>Amount Paid</u>
Latvis v. Savioli	\$3,305.00
Crawford v. Murphy	1,287.00
Moleiro v. Ferreira	110.00
	<u>\$4,702.00</u>

Douglas A. Randall, Esq.

<u>Case</u>	<u>Amount Paid</u>
Helen Eddy, et al. v. BZA	\$7,306.25

Nicholas Foundas, Esq.

<u>Case</u>	<u>Amount Paid</u>
Kevin Davis v. COC	\$875.00

McGregor, Shea & Doliner

<u>Case</u>	<u>Amount Paid</u>
Marbardy Transfer Station	\$4,197.42

Casner, Edwards & Roseman

<u>Case</u>	<u>Amount Paid</u>
Renzi v. COC	\$329.20

ATTACHMENT B

Withington, Cross, Park & Groden

<u>Case</u>	<u>Amount Outstanding</u>
David Brogan v. COC	\$18,146.46
F & D Restaurant	6,644.95
Demolition Permits	4,394.73
Ripley v. Davis	1,431.75
Charles Webb v. COC	3,000.72
Crawford v. Murphy	4,762.40
Preparation of Accountant's Letter	300.00
General Matters	<u>1,125.00</u>
	\$39,806.01

Behar & Kalman

<u>Case</u>	<u>Amount Outstanding</u>
Edward Hussey, Jr. v. COC	\$ 3,528.50
Colosimo, Admr. v. COC	4,024.00
Everett Kennedy Matter	2,917.50
Duarte/Leahy Cases	13,446.50
COC v. M.B.T.A.	262.50
Miscellaneous Disbursements	<u>124.03</u>
	\$24,303.83

Hemenway & Barnes

<u>Case</u>	<u>Amount Outstanding</u>
Proposed housing sites - Hayes & Magee Sts., 955 Mass. Ave., Enterprise Collaborative and Transfer to Harvard - MBTA meeting	\$2,014.50

Edward Lacey, Esq

<u>Case</u>	<u>Amount Outstanding</u>
Title exam of Middlesex St. Portland Stoneware	\$1,500.00
Title exam of 109-113 River St.	<u>78.00</u>
	\$1,578.00

McGregor, Shea & Doliner

<u>Case</u>	<u>Amount Outstanding</u>
Marbardy Transfer Station	\$5,516.75

Parker, Coulter, Daley & White

<u>Case</u>	<u>Amount Outstanding</u>
American Red Cross v. COC, et al.	\$1,483.00

Eisenstadt & Foundas

<u>Case</u>	<u>Amount Outstanding</u>
Kevin Davis v. COC	2,340.50

Foley, Hoag & Elliot

<u>Case</u>	<u>Amount Outstanding</u>
375A Harvard Street	\$9,338.83

Budd, Wiley & Richlin, P.C.

<u>Case</u>	<u>Amount Outstanding</u>
Crawford v. Murphy	\$3,008.80

The McLaughlin Brothers

<u>Case</u>	<u>Amount Outstanding</u>
Grassi v. COC	\$10,029.75



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 1, 1988

To the Honorable, the City Council:

Attached is a request for a transfer of \$200,000 from Employee Benefits Salaries and Wages account to the Law Department Other Ordinary Maintenance account, \$198,250, and Travel and Training account, \$1,750, to cover outside counsel and travel and training expenses.

Passage of the attached order is recommended.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over the typed name and title.

Robert W. Healy
City Manager

RWH/b

Re: transfer of \$200,000. in the Law Dept.

In City Council,

February 1, 1988

2/1/88 - Charter righted
by C. Donohy

2/8/88 Order adopted
9-0-0