



Medford City Council
Medford, Massachusetts

MEETING DATE

January 17, 2024

SPONSORED BY

AGENDA ITEM

23-467 - Resolution to Discuss Compensation for the Medford School Committee

FULL TEXT AND DESCRIPTION

23-467- Offered by President Morell

Whereas M.G.L c.71, s.52 places the authority for School Committee compensation with the City Council; and

Whereas the Medford School Committee is a duly elected body of at large members elected every two years with members being paid a yearly salary of \$12,000; and

Whereas the majority of elected members of the Medford School Committee have historically been and continue to be women; and

Whereas the Medford City Council is a duly elected body of at large members elected every two years with members being paid a yearly salary of \$29,359.80; and

Whereas the majority of elected members of the Medford City Council have historically been and continue to be men; and

Whereas the ideal of equal pay for equal work is a long-established and accepted principle in our nation; and

Whereas this ordinance would establish pay parity for all members of duly elected legislative bodies in the city; now, therefore:

BE IT ORDAINED by the City Council of the City of Medford in Chapter 66 entitled "Personnel," Article II entitled "Reserved" the City's classification and compensation plan, formerly included as Art. II, §§ 66-31—66-40, be updated with the following titles and wages effective January 1, 2024:

School Committee Member: \$29,359.80

School Committee Chair: \$32,550

School Committee Vice Chair: \$30,640

School Committee Secretary: \$31,760

Further, in keeping with past practice, these wages will be paid from the Medford Public Schools budget and by the Medford Public Schools payroll department.

1. President Morell offered an amendment striking the clause "Whereas the majority of elected members of the Medford School Committee have historically been and continue to be women; and"
2. President Morell offered an amendment striking the clause "Whereas the majority of elected members of the Medford City Council have historically been and continue to be men; and"
3. President Morell offered an amendment that would phase these adjustments in over time.
4. Councillor Knight offered the following amendments:

Be it so Resolved that the above paper be amended by having the following items addressed prior to Council action:

1. Whereas, MGL Chapter 44 Section 33 "Power of council to add to appropriation; conditions; limitations" reads,

In case of the failure of the mayor to transmit to the city council a written recommendation for an appropriation for any purpose not included in the annual budget, which is deemed necessary by the council, after having been so requested by vote thereof, said council, after the expiration of seven days from such vote, upon its own initiative may make such appropriation by a vote of at least two thirds of its members, and shall in all cases clearly specify the amount to be expended for each particular purpose, but no appropriation may be voted hereunder so as to fix specific salaries of employees under the direction of boards elected by the people, other than the city council.

Be it so Resolved a legal opinion be addressed by the City Solicitor:

Does the Medford City Council have the authority to initiate a supplemental expenditure as to fix specific salaries of employees of the elected board?

2. Whereas, there is a cost associated with the proposal, that calls for funding through the School Department budget line item,

Be it so resolved the Superintendent of Schools provide the Council with a report indicating the total cost of the proposal and where the corresponding cuts will be made to fund the proposal.

3. Whereas, the City Administration has been awarded grant for the purpose of a compensation classification study,

Be it so resolved the aforementioned titles subject to this paper be included in the study

4. Whereas as MGL Chapter 71 Section 53 "Compensation of school committee members", reads

Section 52. The school committee shall serve without compensation, except that a member of a school committee of a city, town, regional school district or superintendency union may be compensated for his services by a majority vote of the city council in a city having a Plan D or Plan E charter; in a city not having a Plan D or Plan E charter by vote of the city council, subject to the

provisions of the charter of such a city; in a town by a majority vote at a town meeting; and in a regional school district or school superintendency by a majority vote of the voting member towns authorized at their respective town meetings, the amount of such compensation, in each case, to be set by the respective cities, towns or groups of towns. No member of a school committee in any town shall be eligible to the position of teacher, or superintendent of public schools therein, or in any union school or superintendency union or district in which his town participates.

And, whereas, the City of Medford does currently provide compensation for its School Committee,

Be so resolved a legal opinion be rendered by the City Solicitor on the following question:

Does MGL Chapter 71 Section 52 provide the enabling authority for the City Council to amend compensation rates of School Committee members?

5. Whereas, MGL Chapter 44 Section 33A Salary provisions in budget; requirements and limitations reads,

"The annual budget shall include sums sufficient to pay the salaries of officers and employees fixed by law or by ordinance. Notwithstanding any contrary provision of any city charter, no ordinance providing for an increase in the salaries or wages of municipal officers or employees shall be enacted except by a two thirds vote of the city council, nor unless it is to be operative for more than three months during the calendar year in which it is passed. No new position shall be created or increase in rate made by ordinance, vote or appointment during the financial year subsequent to the submission of the annual budget unless provision therefor has been made by means of a supplemental appropriation. No ordinance, vote or appointment creating a new position in any year in which a municipal election is held shall be valid and effective unless said ordinance, vote or appointment is operative for more than three months during said municipal election year." And,

Whereas, no provision of a supplemental appropriation has been made, and

Whereas, the current proposal calls for the cost associated with the paper to be consumed by the School Department Budget line item,

Be it so resolved the City Solicitor render a legal opinion on the following question:

Does the proposed paper comply with the provisions of MGL Chapter 44 Section 33A?

5. Councillor Knight offered an amendment requesting that the paper be referred to the Administration for inclusion in the compensation study.

Addressing the Council:

Maryann Lavin, Stoneham
Former School Committee Member Ann Marie Cugno
Former Councillor Robert M. Penta, Zero Summit Avenue
Ilene Lerner, 9 Adams Circle
School Committee Member-Elect Nicole Branley, 54 Norwich Circle
Cristina McGorty, 24 North Street

Anthony D'Antonio, 24 Hicks Avenue
School Committee Member Kathleen Kretz, 391 Fulton Street
Melanie Moore, 45 Cross Street
Rebecca Davidson, 101 Yeomans Avenue
Hannah Silverman, 115 Maynard Street
Anthony Gant, Medford Teachers Association
Joanne McKay, 35 Court Street
Gina Coppolla, 54 Yeomans Avenue
Charlene Douglas, 414 High Street
James O'Leary, 30 Normandy Circle
James Thompson, 86 Lawrence Road
Maria Januska Micelli, Brooks School
Sara Sarsfield, 140 Warren Street
Jimmy Davis, 25 Vernon Street, Melrose
Mary Jo Petroni, 12 Greenhalge Street
Ghislaine Pinta, 108 Woodrow Avenue
Kate Willard, 10 Florence Street
Walter Buckley, Medford Firefighters Union
Andrew Castagnetti, 23 Cushing Street

From the Floor, President Morell moved to refer the paper, as amended, to the Committee of the Whole (Councillor Collins second)—referred, as amended, to the Committee of the Whole on a roll call vote of five in favor and two (Councillor Caraviello and Councillor Scarpelli) opposed.

Councillor Scarpelli moved to receive and place on file (no action taken because President Morell's motion to refer the paper, as amended, to Committee, was the action taken by the Council).

Councillor Knight moved to refer the paper to the Administration for inclusion in the compensation study, and also offered this as an amendment to the paper (no action taken on the motion because President Morell's motion to refer the paper, as amended, to Committee, was the action taken by the Council; amendment included above).

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None