



**LAWRENCE HERITAGE STATE PARK**  
**One Jackson Street**  
**Lawrence, MA**

**Minutes**

**Wednesday, April 12, 2006**  
**8:30 AM**

**MEMBERS PRESENT:**

Pedro Arce, Shirley Callan, Thomas Casey, Jim Driscoll, Donna Gambon, Eileen Giordano, John Griffin, Gary Hale, David Hartleb, Charles LoPiano, Sal Lupoli, George Noel, Alan Rosen, Steve Salvo, Tom Schiavone, Fred Shaheen, Cal Williams

**MEMBERS ABSENT:**

Alfred Arcidi, Wayne Capolupo, Barbara Grant, Robert Ingala, Alan Kraunelis, Jeff Linehan, Peter Matthews, Jeff Marcoux, Jean Perrigo, Cindy Phelan, Anthony Picano, William Pillsbury, Karen Sarkisian, Linda Scullane, Julie Thomas, Len Wilson

**GUESTS PRESENT:**

Ramon Borges, Attorney William DiAdamo, Ron DiNicola, Mike Lynch, Atty. Paul O'Neill, Karen Sawyer Faust, Alice Sweeney, Amy Weatherbee

**STAFF PRESENT:**

Fred Carberry, Mary Kivell, David Konjoian, Chris Shannon

**1. Call to Order**

Board Chair Pedro Arce called the meeting to order at 8:45 a.m. and said that until we reached a quorum we would delay any votes. He said that he would like to open discussion for anyone to bring up any issues they might have whether they are about the old WIB and what is going on, legal issues, etc. He noted that it is important for us to move on, but he doesn't want to pretend that no one is concerned about all the things that have happened in the past. He said that he would like to move the meeting forward but he also wants people to feel comfortable with their situation first.

Mr. Arce said that he wanted to report that the Mayor and the Executive Director are speaking to each other. He noted that some of the staff resigned but the WIB is still staffed.

Fred Shaheen said that he has asked this question in the past, but still hasn't received an answer, as to whether board members are indemnified and how they are protected.

Attorney Bill DiAdamo said that he is not exactly sure of the answer. He said that Shaw reported at one time that she had an opinion from the state.

Fred Carberry said that question was posed to Lawrence City Attorney Charles Boddy, who opined the City of Lawrence as the Lead City with the CEO of the organization would in fact be responsible and indemnify the directors and officers of this board. He also said that he would not advise against securing liability insurance for directors if the will of the board is to get insurance.

Fred Shaheen asked that the opinion be requested in writing from Attorney Boddy. He then inquired who was paying all these attorneys.

John Griffin said that there is a \$32,500 invoice for Brown Rudnick for legal counsel obtained by the Executive Director and former chairman. He said that he needs to call and clarify who procured the services and whether proper procurement was followed. He said he would report back to the board on that.

Fred Shaheen asked what lawsuits were pending.

Bill DiAdamo said that Shaw Rosen had a lawsuit naming the City of Lawrence, Mayor Sullivan, DTD, and Arthur Chilingirian which is basically a whistle blower type of lawsuit regarding the discretionary fund and conflict of interest. He did say negotiations are underway but he is not sure of the status of that suit at this time. The other lawsuit is the Mike Gagliardi suit on behalf of the prior board naming Romney, Ranch Kimball, Susan Lawlor, and Mayor Sullivan for blowing up the old board and is a conspiracy type of lawsuit, conflict of interest and bad practices which has been filed but not served.

Gary Hale asked if there are funds available to add liability insurance. Attorney DiAdamo said that funds could be made available for this purpose during the budget process. He did think that all members on the certification package are probably indemnified by the city. He said that it needs to be cleaned up and a letter from the City Attorney and perhaps the question of whether board members can be special municipal employees needs to be decided.

Shirley Callan asked if there was an outcome on the independent investigation by the Mayor as to whether that will be made public.

Pedro Arce said that he thinks it has been received but due to the litigation has not been released yet. He thinks it will be released at a later date.

Amy Weatherbee said that the Division of Grants Administration (DGA) has requested feedback from the insurance carrier on D & O insurance for the board and are working on getting a final quote on this.

Pedro Arce continued stating that the good news is that the board has been certified. He said that we need to put together a Planning Committee as a next step for the WIB to drive the agenda. He said if anyone is interested in participating in the Planning Committee to make it known. This committee will be meeting at least three times before the next board meeting.

Pedro continued his remarks stating that many institutions have come forward to assist us. Although we have staff at the WIB, we are not fully staffed, and there are institutions out there that can help us. Institutions like UMass, Cambridge College, and Northern Essex Community College (NECC) have stepped up and offered services for the Planning Committee and WIB to help them move forward. Michael Goodman from the Donahue Institute has offered to come to the next meeting in May. Dr. Jorge Santiago from NECC has offered his help and today we have Ramon Borges from UMass Gaston Institute. Pedro said that he has asked them to come to talk a little bit about what they can do to help, so that if they call on you in the future, you will be familiar with them and what they are doing.

Mr. Borges thanked us for having him here and said that he is a professor in the Department of Public Policy at the Gaston Institute who has done work in Lawrence. He said he is happy to think about workforce issues and distributed information on what they do at UMass. He continued stating that they are primarily a research institute and are the most important Latino research center in the northeast specializing in policy. He said we have a challenge that is not unique in Lawrence around workforce development. One thing he said is the importance of transparency and the legitimacy of the institution. We need to develop a long term strategy to connect the labor market and serve the population of the region.

Dr. David Hartleb remarked that the idea to step out of the box and bring academic folks to identify what works well and best practices is refreshing and he said that he looks forward to working with Ramon.

Pedro Arce said he was inviting Michael Goodman and Dr. Jorge Santiago to the May board meeting.

## **2. Reports**

### **a. *Report of Interim Administrator***

Mr. Fred Carberry, Interim Administrator, began his remarks saying that effective February 16, 2006 he was asked by Mayor Sullivan to provide administrative oversight and direction at the WIB office. He said that he was formerly the Acting Planning and Development Director in Lawrence and has over thirteen years experience in Planning and Development. Mr. Carberry said that he was to re-establish the basic functionality of the WIB office. Three staff submitted resignations which were accepted by the

Mayor as of March 6, 2006, which basically cut the staff in half. Several programs and initiatives were left inadequately attended to, some with activities and reports overdue, some with their funding in jeopardy. We have taken action to address these issues. Individual Training Accounts (ITAs), provider courses, were left in a status of pending or no action taken in the MOSES data base. There is an established 30 day standard and this made these courses unavailable to eligible Career Center clients. We have taken action to address these issues as quickly as possible.

Fred continued stating that the Youth Council had not met since October of 2004. We established a new Youth Council and submitted a matrix on March 27, 2004 to DCS. Two meetings have already been held and a chairperson recommended.

We have ongoing discussions with WIB Chair Pedro Arce and Title I Administrator John Griffin regarding the future reorganization and staffing requirements of the WIB with an emphasis on budget constraints and proper staff function.

Mr. Carberry also reported that we have reached out to the five Mayors in the region about our upcoming Mayors Summer Jobs Youth Program. We have also committed to establish a cooperative working relationship with the Department of Training and Development and ValleyWorks Career Center with a focus on common regional workforce development goals rather than on philosophical organizational differences under the guidance of this WIB board.

He said that he wanted to state that his goal now is the basic functionality and he sees the layer of guidance coming from the academic community as being a welcome addition in guiding us into the future. At this point, we just want to be fully functional and be responsive to the requirements of the state and federal government.

Cal Williams asked what programs were in jeopardy and Mr. Carberry said that programs from Commonwealth Corporation were well behind the established time schedule for a number of reasons. Some due to the upheaval at the WIB and some from the Commonwealth itself, but no one had their hand on the throttle and funding was in jeopardy. With the remaining staff in place, we have made strides in that direction.

Chick LoPiano said he would like to see an organizational chart of who reports to whom.

Pedro Arce said that is one thing the Planning Committee will be looking at and bringing a recommendation to the board.

***b. Report of Youth Council***

Dave Konjoian gave the report from the Youth Council. He said that he has worked with School to Career programs and is a business owner. He said he was excited to serve having been recommended by the Youth Council as Chair. The Youth Council will continue to support programs such as Connecting Activities. There are a number of programs that Chris Shannon has had ongoing at Amesbury High School and

Newburyport, Pentucket, Triton and Whittier. He said that he sees his job to see that these programs continue and to expand on the capacity of the council. He asked Amy Weatherbee to address some of the youth issues.

Amy Weatherbee began stating that she has been working with Fred Carberry, Chris Shannon and the Youth Council on some of the outstanding work that we need to do which includes approving an RFP for our Out of School Youth population. In two meetings, information was presented to the Youth Council informing them what programs are currently funded and what the recommendations are for the RFP. There is approximately \$250,000 to get into youth programs and we have focused on the hardest to serve 16-21 year olds. We give preference to the MVWIB Blueprint critical and emerging industries and require a strong employer tie. We currently have five Out of School Youth programs operating but four will be finishing soon. The program design that has worked in the past is comprehensive programs that, in addition to an education component are tied to occupational skills as well as leadership development, work experience, guidance and counseling, and good support systems. The RFP contains guidelines presented and voted on by the board about a year and a half ago. The Youth Council has reviewed these recommendations and made a recommendation to the full board to approve the RFP as presented.

Ms. Weatherbee said the second area that was brought to the Youth Council were the changes in regulations from the state. One issue is the way the Career Center provides services through the Individual Training Accounts (ITA) system. The DGA, as the contracting entity, puts out master agreements and they put their training programs on MOSES and ask the WIB to approve their training programs. Case managers identify a good fit for training and then customers are given a choice off this system as to where they want to go for training. We have an opportunity to use that same system for our youth programs since the state has applied to DOL and received permission for a waiver. One request is for the board to approve the recommendation to use this system for individual referrals and the other is to transfer \$30,000 into this pool for training for youth.

Discussion followed on the training dollars and where the funds come from and whether we were receiving a fair portion of the funds.

Pedro Arce said that at next meeting there would be a presentation by Mike Lynch on the performance of the Career Center and also advised everyone who doesn't have a copy of the MVWIB Blue Print to request one as we will be discussing updating it through the planning process.

The membership of the Youth Council was discussed.

Attorney Paul O'Neill addressed the board regarding ethics and said that folks are not prohibited from serving on committees but that it is up to the individuals to know what their financial interest is and to recuse themselves from discussion and voting. He said

that they should leave the room. He said there will be some training going forward on this issue.

**3. Approval of Minutes**

A quorum being present, Pedro Arce said that we could now proceed with the items requiring a vote of the board.

Mr. Arce then said he would entertain a motion on the minutes of the February 16, 2006 meeting.

**Fred Shaheen made a motion to approve the minutes of the February 16, 2006 meeting as submitted and Cal Williams seconded the motion. Motion passed.**

**4. New Business**

**a. *Out-of-School Youth Procurement***

Amy Weatherbee said the Youth Council made a recommendation to approve the FY2006-2007 Out of School Youth RFP as presented.

**Motion by Fred Shaheen seconded by Charles LoPiano to approve the recommendation of the Youth Council for the Out-of-School Youth RFP as presented. There was a role call vote at Atty. Paul O'Neill's recommendation with all board members present voting "yes". Motion passed.**

**b. *Youth ITA Waiver***

Amy Weatherbee said the next item is the recommendation of the Youth Council to allow the Division of Grants Administration, working with ValleyWorks Career Center, to modify the Youth waiver ITA and to go ahead using the ITA waiver for individual training.

**Motion by Cal Williams seconded by Gary Hale to approve the Youth Council recommendation to allow the use of ITA waivers for youth as presented. There was a role call vote with all board members present voting "yes". Motion passed.**

**c. *Approval to Move \$30,000 to ITA Account***

Amy Weatherbee said the final recommendation of the Youth Council is to approve the movement of \$30,000 to the ITA pool of funds which changes the amount from \$70,000 to \$100,000.

**Motion by Cal Williams seconded by Fred Shaheen to approve the movement of \$30,000 to the ITA pool of funds as presented. There was a role call vote with all board members present voting "yes". Motion passed.**

***d. Approval of Recommendation of Youth Council Chair***

Pedro Arce informed board members that the Youth Council has made a recommendation for chair of that committee.

**Motion by Fred Shaheen seconded by Cal Williams to approve the recommendation of Dave Konjoian as Youth Council Chair and motion passed. Pedro Arce said that he is pleased to be able to appoint Dave Konjoian as chair of the Youth Council.**

***e. Nomination of New Board Members***

Pedro Arce said that there were two names proposed to be added to the board; Lou Antonellis and Karen Sawyer Faust.

**Motion by Charles Lopiano seconded by Tom Schiavone to nominate and approve Karen Sawyer Faust and Lou Antonellis as board members. Motion passed.**

**6. Adjournment**

**Having no further business Chick LoPiano made a motion to adjourn and Fred Shaheen seconded the motion. Motion passed and meeting was adjourned at 9:45 a.m.**

**The next meeting is scheduled for Tuesday, May 23, 2006 – 8:30 a.m. at ValleyWorks Career Center.**

Respectfully submitted,

Mary Kivell  
Recorder