



LAWRENCE HERITAGE STATE PARK
One Jackson Street
Lawrence, MA

Minutes

Thursday, June 1, 2006
8:00 AM

MEMBERS PRESENT:

Pedro Arce, Wayne Capolupo, Shirley Callan, Thomas Casey, Jim Driscoll, Karen Faust, Donna Gambon, Eileen Giordano, John Griffin, Gary Hale, Robert Ingala, Charles LoPiano, Peter Matthews, Jeff Marcoux, Jean Perrigo, Cindy Phelan, Alan Rosen, Steve Salvo, Tom Schiavone, Fred Shaheen, Tracey Szatkowski, Len Wilson

MEMBERS ABSENT:

Lou Antonellis, Barbara Grant, David Hartleb, David Konjoian, Alan Kraunelis, Jeff Linehan, Sal Lupoli, George Noel, Margaret O'Neill, Anthony Picano, William Pillsbury, Karen Sarkisian, Julie Thomas, Cal Williams

GUESTS PRESENT:

Myles Burke, Arthur Chilingirian, Attorney Charles Boddy, Attorney Robert LeBlanc, Attorney Jack King, Betty Kirk, Joseph Isles, Ron DiNicola, Megan Shea, Alice Sweeney, Amy Weatherbee

STAFF PRESENT:

Fred Carberry, Mary Kivell, Chris Shannon

1. Call to Order & Approval of Minutes of 4/12/06

Board Chair Pedro Arce called the meeting to order at 8:05 a.m. and called for a motion on the minutes of the 4/12/06 meeting.

Tom Schiavone made a motion to accept the minutes of the 4/12/06 meeting as submitted and Shirley Callan seconded the motion. Motion passed.

2. Reports

a. Report of Interim Administrator

Mr. Fred Carberry, Interim Administrator, began his remarks by saying that the Division of Grants Administration (DGA) and WIB staffs have been working over the past couple of weeks to contend with a cut in our region's federal budget allocation of over

\$900,000 while continuing to maintain our strong performance standards on behalf the region's workforce and employers. Fred said that we had hoped to submit our FY'07 Budget and Annual Plan in advance of this meeting so board members could deliberate upon it and approve it today, but several factors including lateness in receiving final allocation figures, the flood which impacted our communication systems, and the early maternity leave of the DGA Budget Director caused our budget and plan to take longer than expected. The FY'07 budget and plan must be submitted to the Massachusetts Division of Career Services no later than June 9th which means it must be voted on and approved by this board by that date.

Fred continued informing members that we moved forward forming a Planning Committee which met three times over the last month and we are looking to recruit additional private sector board members. The Planning Committee approved three new job descriptions for WIB Director, Youth Workforce Development Manager and Adult Workforce Development Manager. The Mayor's Summer Jobs Youth Initiative is moving forward and the Youth Council has met several times and made Out of School Youth training service recommendations. Mr. Carberry said that we continue to work on P21 and the Youth with Disabilities Program and the WIB just hosted the year two EPA graduation ceremony at Lawrence Public Library for 31 participants. The WIB is also hosting a regional disaster NEG meeting.

Mr. Carberry said that he looks forward to continuing to work in the spirit that exists between the WIB and the ValleyWorks Career Center that demonstrates the solid progress being made to restore the basic functionality of the WIB as intended under the goals of the Workforce Investment Act.

Pedro Arce also stressed the need for private sector involvement in the Planning Committee. Pedro apologized for the lateness of materials and asked the staff to prepare a high level presentation on the budget and plan before he would ask for a vote.

Amy Weatherbee, DGA Systems & Planning Director explained that we received our allocation information from the state but in an effort to assist us they did extend our submission by two weeks. We worked with the WIB and the Planning Committee meeting three times. At the initial meeting we discussed the allocation percentages that were expected and reviewed the Career Center performance we had to date. At the next meeting we were able to present the allocation and sent out to the WIB and the Mayor's office the numbers of our allocation. We also had to make projections on the amount of money we are able to carry in to next year to help support the whole workforce system next year.

Amy continued stating that the region took a \$1.2 million cut in federal allocations and this is a challenge to provide services to job seekers. She said we don't expect a reduction in the number of people coming into the Career Center. The Planning Committee working with the staff of the DGA, WIB and Career Center grappled with trying to provide regulatory services to all those people walking through the door. Of

the 15,000 who come through the door only 1,000 receive training services but all other individuals have core job seeker needs. Trying to balance the infrastructure needs and preserving some training dollars has been a struggle. Working with the city and looking at historical data have helped them make their recommendations.

Amy reported that DGA shaved positions which were open. She said that we also have outstanding grants that we have not received notification on such as Connecting Activities, the Smith Nephew NEG and the Lucent NEG extension. Amy said that our budgets are generally fluid as it relates to when the funds come in. As things happen in the employment and training area, we apply for national emergency grants. This year there is an opportunity in mid-July early August that we may receive a little more in the federal allocation based on a federal adjustment that we're hoping will come to our region. Amy said that basically money drives the plan.

This budget has impacted the Career Center in that we are looking at funding reductions possibly affecting staffing, extended hours may be eliminated, and the opportunity to add any new expanded services will not happen this year.

Fred Carberry said that WIB staffing has been reduced to 4.5 from 8.5 through restructuring and Amy explained that positions are grant funded and that on the DGA side the administrative budget presented eliminates a vacant position from DGA and picks up a little of funding for the city's assistance to DGA. She explained that you have to look at positions that are grant funded and you need to look at how to maintain core services. What you try to do is preserve things that serve large groups of people. We didn't want to impact services so the Youth allocation for next year is reduced by 5% with the knowledge that we are carrying in programs for next year. The Career Center resulted in a reduction of 5.5 staff based on duplication of services and 3 tied to grants that were reduced.

Discussion followed on the possibility of staff reductions and Pedro Arce noted that as grants come in people who may have been laid off will be given priority for positions as long as they are qualified.

Amy continued her presentation saying that funding has been preserved for the WIB Blue Print which is the driving document that helps everyone understand what is happening in the region.

Alan Rosen asked Amy to explain the numbers and she said that two other partners other than the federal dollars come to the table with funding, the Division of Career Services (DCS) operations staff and the Department of Training and Development (DTD). The top of the budget is the funding source which Amy explained noting that all money has performance attached.

Alan Rosen asked what the total funding in the entire budget and Amy said that it is \$7,183,947 which includes training and staffing as well as money attached to DCS staff and WIB funds. Amy also said that there may be other grants forthcoming that we are

not able to include at this time. We are putting in only funds we are sure of. This budget then goes to the state for review.

John Griffin said that this budget includes \$882,000 of one time carry in money. He also passed out the discretionary fund report and said that this budget is the fiscal side of the plan. He said that we have done as much as we can do to be sensitive to staffing and continuing to provide the quality of services this organization is noted for. DGA will be providing the fiscal oversight and regulatory requirements and John said that Melanson & Heath said this organization is exemplary in their presentation of data.

It was noted that this budget maintains the basic level of services and Arthur Chilingirian noted that they worked hard on this budget when they knew the cuts were coming. He also said that there are union issues to be considered. They are still seeing the numbers of people coming in and he wants to continue to provide quality services.

Alice Sweeney, DCS, said that the state looks at compliance issues and the sixteen other regions submit an Annual Plan. The state reviews and tries to get out the approval by July 1st. The actual blue print of this plan is left to the local area.

John Griffin said that he would recommend moving forward with this budget for ratification by the Mayor and submittal to the state by June 9th.

Pedro Arce asked if there were any other questions on the budget and hearing none called for a motion on the budget.

Motion by Charles LoPiano seconded by Len Wilson to approve the Integrated Budget for ratification by the Mayor and submittal to state by 6/9/06. Motion passed with Alan Rosen abstaining.

Mr. Arce then asked if there were any questions on the Plan and called for a motion on the Plan.

Motion by Charles LoPiano seconded by Fred Shaheen to approve the Annual Plan. Motion passed with Alan Rosen abstaining.

b. Report of Youth Council

Chris Shannon, MVWIB Youth Workforce Specialist, said that Youth Council Chair David Konjoian would be at the next board meeting. Chris said that she would like to discuss the Out of School Youth proposals. She summarized the proposals that were submitted, the recommendations, and the process for review.

The first proposal was from Community Action Inc. – Ed/Pre-School Prep They requested 20 slots for \$79,755. Positives were that it is located in Haverhill and provided some information on including seacoast residents. There was partnering presented with Child Care Circuit. Clearer identification on the hiring requirements of Early Childcare Providers and the value added nature of the training need to be

clarified. This program was contingently recommended for funding 20 slots for \$79,755 with a 10% leeway for negotiation based on program, schedule, and budget modifications as well as credentialing and hiring answer.

The next program was LARE Training Center/American Training, Inc. – Education & CNA/CHHA. This proposal requested 24 slots for \$81,466 and is in a high demand field and in an industry identified in the MVWIB Blueprint. Overall the proposal clearly articulated the need for this Education & CNA/CHHA training and the connection with local employers. New this submission is the increased internship time which is positive and previous performance is strong. Chris said that because of the concerns with market saturating, the program was recommended for funding for 18 slots at \$70,080.

The LARE Training Center/American Training, Inc. – Education & Electronic Certification Manufacturing was a comprehensive program design with strong employer connections requesting 12 slots for \$51,283. The occupational area is in a demand industry identified in the MVWIB Blue Print and the potential issue of available positions was offset by increased partner support and the small number of requested slots. Amy continued saying that the educational component is flexible, meeting the needs of both our enrollees in need of a GED, as well as youth who have a credential, but are still basic skills deficient. Another attractive feature is the fact that passing students obtain both the IPC-A-610 Certification and the J-STD-001 Certification, providing strong skills for placement and the required credentialing for Common Measures. This program was recommended for 12 slots for \$51,283.

The LARE Training Center/American Training, Inc. – Education & Medical Assisting requested 16 slots at \$69,050. This program design is a modification of last year's program (splitting the Medical Clerical from the Medical Assisting). This design offers stronger clinical occupational skills and good employer partnering. Successful completers of the program will have the opportunity to obtain two nationally recognized credentials, the Certified Clinical Medical Assistant (CCMA) which includes phlebotomy and EKG/EGG, and the Certified Medical Administrative Assistant (CMAA). The recommendation is for 11 slots for \$50,636.

LARE Training Center/American Training, Inc. – Education & Medical Billing-Coding/Medical Secretarial requested 14 slots for \$60,297. This design should maximize training related placements for these enrollees. There is a four week work experience component to provide enrollees with exposure to work in a medical facility. Additionally, staff recommended that for all the LARE programs, they look at offering a job club during the period between training completion and actual placement. The recommendation is for 10 slots at \$44,639.

Chris continued stating that the Lawrence Family Development & Education Fund – Youth Build was the next program reviewed. The review team couldn't recommend this program for funding because of the quality of the RFP and the previous performance of this program. The request was for 12 slots at \$66,141. Stronger connections with labor unions and analysis of data from current program were suggested. A concern is

the complete lack of credentialing options through the occupational skills component. The Youth Council recommendation is to postpone a decision based on successful performance and further review in August.

Leadership & Literacy Foundation – Food service – Professional Training. Chris reported that this is a new program and the positive aspect is it focused on GED attainment, however, there was some confusion by the provider also stating that they would provide Adult Basic Ed yet no curriculum design to address that educational need was provided. The request was for 20 slots at \$53,199. Overall the reviewers could barely find 60 hours of occupational skills, and in fact, could not find topics and competencies for the occupational skills training. The employer connections were not broad and there were questions on the value added nature of this training with entry level positions in restaurants as the outcome was (server, cook, hostess). This program was not recommended for funding.

Chris said that the final program is Notre Dame Education Center – Education & CHHCA/CAN. This is also a new program combining education and CHHCA/CAN training design requesting 27 slots for \$82,304. Overall the program was good and with the educational focus on ESOL. The recommendation is to contingently recommend for funding based on program, schedule and budget modifications, as well as credentialing and hiring answers, 18 slots for \$54,900 with a 10% leeway for negotiation.

Wayne Capolupo questioned why the Youth Build program was not eliminated if it was ineffective. Chris explained that this program has a hard to serve population and job placements generally occur at the end of the program. They wanted to give them an opportunity for placements and Fred Carberry said that they are also trying to encourage construction training. Amy said that there are twelve active youth in the program now and noted that perhaps the past group was tougher and let's see what their retention is in the second round then sit down with the provider and give them input into making a better connect with employers.

Len Wilson questioned the placements for medical assistants and Amy said that this program has strong employer support.

Chris and Amy explained the review process.

Motion by Wayne Capolupo seconded by Charles LoPiano to approve the recommendation for the Out of School Youth funding as presented. Motion passed with Alan Rosen abstaining.

Chris then reported on the P21 Initiative, Mayors Summer Youth, Youth With Disabilities, and Connecting Activities and said that if board members needed additional information to call her.

Committee Chair Pedro Arce said that regarding the indemnification issue City Attorney Charles Boddy was here to speak to that but needed to leave for another meeting. He asked Fred Carberry to report on that item.

Fred Carberry said that this question regarding Directors & Officers insurance has been raised. The City Attorney provided a portion of the city charter which Mr. Carberry read that says that all elected, appointed members of boards and commission are indemnified up to \$1m. Attorney Boddy said that he would never recommend against purchasing D & O insurance. Len Wilson said that \$1m is light and it is worth looking at purchasing a policy.

Motion by Fred Shaheen seconded by Chick Lopiano to direct DGA to obtain a quote on Directors & Officers insurance. Motion passed.

Fred Shaheen then asked how the lawyers hired in the past were being paid.

John Griffin spoke about the organizational chart and the discretionary fund. Since 1989 this fund has been built up through performance based awards given to DTD from DTA to about \$1m. Since 3/1/05, the fund has been used to support disallowed costs and is basically a protection for the City of Lawrence for disallowed costs. This important account is basically like a line of credit. This provides working capital and is a very important account. In FY'06 funds were used to pay lawyers with the approval of the Mayor. John said there is an outstanding invoice for Brown Rudnick and he said he is working with City Attorney Charles Boddy to figure out how to go forward with this. He stressed that there is a procurement process that needs to be followed and this firm was contacted by the prior board chairman. John said that he is requesting all materials and notes.

Fred Shaheen asked if there are any other outstanding or pending lawsuits. John replied that there is a wage issue that was thought to be approved by the board a couple of years ago and those individuals have hired attorneys to collect those wages. That matter is in the process of negotiation.

Fred Carberry said that Attorney Boddy said that some of the cases have been settled, some are still pending, and the ones that have been settled have been settled with a confidentiality clause. Fred said that he is hearing that they are on the verge of settling all of them.

Shirley Callan again raised the issue of the report being released since public funds were used.

Fred Carberry said that City Attorney Charles Boddy has said that because the settlements had some confidentiality clauses they are not considered public information, however, the city attorney for the city (and the city being the board's fiscal agent) suggested that if a board member would like to request information regarding that

report, they do so in writing through the chair to the city attorney and the city attorney would respond under the umbrella of attorney/client privilege.

John Griffin said that expenditures could increase and Pedro Arce said that the board needs to be notified if funds are going to be spent. Fred Shaheen said that he knows that the money is in good hands and that the Mayor has absolute discretion but asked, if we were notified of the \$155,000 going out and wondered how can you sit on a board and not know where the money goes. He said that we should know in a timely basis. John Griffin explained that the some of the funds were used as settlement.

Len Wilson advised caution regarding putting restrictions on the Mayor/Chief Elected Official and said that periodic reports on expenditures made in our behalf would be the appropriate thing.

Amy Weatherbee said that the board is not responsible for the discretionary fund and this is the first year that these funds have been attached to the budget. We are using this money to support the workforce system, that we are self insured for unemployment benefits, and this fund has been in place for fifteen years.

Fred Carberry then said that one item we intended to put forward for a vote was the extension of the Career Center Charter for a year but said that we may not have a quorum at this point.

Discussion followed on the question of a quorum. Atty. Jack King advised caution against voting when the issue of a quorum has been raised and said that the Career Center could continue to operate with the WIB taking a vote at the next scheduled board meeting to extend the charter.

Discussion followed on the length of meetings and the intent to schedule future meetings on a quarterly basis with information going out several days before hand.

Pedro Arce said that committees will be working during the summer and the next full board meeting will take place the week of September 11th.

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 10:00 a.m.

Respectfully submitted,

Mary Kivell
Recorder