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DA probes complaint of closed meeting

By **O'Ryan Johnson**
Staff Writer

LAWRENCE -- The Essex County District Attorney's Office is investigating whether the School Committee violated the Open Meeting Law when it barred the public from a discussion of extending Superintendent Wilfredo T. Laboy's contract.

Special Counsel Thomas M. Donovan, the Open Meeting Law expert for the office, said the investigation is based on a one-page complaint filed Friday by City Councilors Michael R. Sweeney and Patrick J. Blanchette.

The complaint said the committee violated the Open Meeting Law Thursday by not using one of the nine exceptions which allows boards to hold closed door meetings. Those exceptions include the need to discuss personnel issues, pending lawsuits or union contracts.

The letter also said when the committee later met in an open session, they called for a five-minute break where members discussed the contract extension outside of the public's earshot -- another violation according to the letter.

"Enough is enough. I think people need to be slapped on the wrist here," Blanchette said. "The D.A.'s office needs to be involved people need to be told that this is wrong that this isn't the way open government should be run."

Mayor Michael J. Sullivan, who is also chairman of the School Committee, said the board never intended to violate the law, but if they did he is glad Sweeney and Blanchette sent the letter.

"They may be right," Sullivan said of the complaint. "If there is anything out of order we want to know about it so it can be fixed and we can move on."

Because the committee did not take a vote, Sullivan said there is nothing decisive for Donovan to challenge, should his investigation find any wrongdoing by the committee.

Sullivan said the School Committee meeting planned for tomorrow -- where Laboy has the votes he needs for the contract extension to get approved -- will go ahead despite the investigation.

Donovan said a ruling from his office will not come in time for Tuesday's meeting.

Laboy is the highest paid city employee with a \$156,000-per-year salary. His contract expires in 2006, and would not be up for review until 2005.

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