

Overtime cost \$38,000 to cover patrolman's leave

By Douglas A. Moser
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The Police Department spent more than \$38,000 on overtime to cover at least 125 shifts Patrolman Stephen Lamberis Jr. was scheduled for but did not work during 17 months of administrative leave, boosting the total expense to \$174,000, according to police records.

That overtime expense is on top of \$111,000 in salary and benefits the city paid Lamberis and a \$25,000 cash payment for the patrolman to agree not to sue the city for racial and medical disability discrimination.

Steven Magoon, chief of staff for Mayor John Bell, called the expense "unfortunate" and said the situation could have been handled differently. The mayor's office is working with police Chief John Beaudette to ensure a new policy the City Council adopted last month in response to the Lamberis case is implemented.

"We've put in a new administrative leave policy that requires we have a different process than occurred with the Lamberis case," Magoon said.

Michael McLeod, the former interim police chief and current at-large city councilor who is running for mayor, said the council approved an administrative leave policy reform that requires the mayor to give his written approval for anyone on administrative leave for more than two weeks.

"This will never happen again," he said.

The policy went into effect Feb. 7.

Depending on the training, education and length of service a patrolman has, covering a shift with overtime costs about \$300; sergeants and lieutenants cost about \$400.

Of the 125 shifts starting Aug. 12, 2005, and running through the end of 2006, six were covered by senior officers, at a cost of about \$2,400, and the remainder by patrolmen and reserve officers, at a cost of \$35,700, for a total of \$38,100.

Lamberis' absence during the remainder of his scheduled shifts did not drop staff levels below the contractual minimum of seven patrolmen, meaning no one had to be called in to work. At least four patrolmen are assigned to cruisers, two to the 911 lines and one as house officer, according to the contract.

Police Chief John Beaudette could not be reached for comment.

McLeod twice suspended Lamberis - in September 2003 for one day for driving over an East Gloucester resident's lawn and on Feb. 19, 2004, for two days for warning a meter enforcement officer against ticketing a Main Street businessman. The latter suspension was later overturned.

On Jan. 24, 2004, Lamberis filed racial discrimination complaints against McLeod with the Massachusetts Commission Against Discrimination, charges McLeod said were baseless. Lamberis withdrew the complaints two months later, stating he did not want to drag fellow police officers into the case.

When James Marr retired as chief in February 2003, McLeod, then a lieutenant, became interim chief with the understanding he would not seek the position full time. Bell selected Beaudette as chief, and McLeod retired Dec. 31, 2004, then ran for City Council.

Last month, Personnel Director Donna Leete released an initial calculation of what the city paid to Lamberis, both in direct salary and toward his benefits. The city estimates it spent \$93,750.53 for salary and bonuses and \$16,796.46 for his health insurance, for a total of \$110,546.99.

The City Council approved the \$25,000 settlement Feb. 6.

Lt. Jerris Cook, the city's top earner in 2006, brought home \$142,208.07, according to city records. Schools Superintendent Christopher Farmer earned \$140,000.13 and Lt. Michael O'Hanley earned \$138,262.00. Lamberis was second-highest in 2004 with \$149,657 and fifth in 2005 with \$110,106.

The agreement requires the city drop its allegations against Lamberis and prohibits it from using them in any future hearings or matters. Lamberis waives his rights to sue the city under the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act and Massachusetts statutes pertaining to civil rights and disabilities.

City Solicitor Linda Lowe and labor counsel Daniel Kulak briefed the City Council committee Feb. 6 on the details of Beaudette's allegations against Lamberis in closed session for more than an hour. Once the payment was approved, the council voted to release the minutes of the closed session, though they are sparse and contain few details.

Beaudette put Lamberis on administrative leave Aug. 11, 2005, pending an investigation. Beaudette declined to reinstate Lamberis in November 2005 when he was cleared by his physician for "light duty" and again in March 2006 when he was cleared for full duty. The chief considered firing him, Kulak said, but the lawyer did not say why.

A five-day suspension was handed down Oct. 10, 2005, but was overturned Oct. 27, 2005.

During that time, Lamberis suffered a medical ailment that qualified him for medical leave, retroactive to Sept. 26, 2005. That leave expired Dec. 9, 2005, and he was put back on administrative leave.