



CITY OF MELROSE

CITY COUNCIL

MINUTES • DECEMBER 16, 2019

Council Chamber, First Floor, Melrose City Hall Regular Meeting
562 Main Street, Melrose, MA 02176

7:45 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Manisha Bewtra	At-Large	Present	
Robert A. Boisselle	Ward 4	Present	
Scott M. Forbes	President/Ex Oficio	Present	
Kate Lipper-Garabedian	At-Large	Present	
Shawn M. MacMaster	Ward 5	Present	
Monica C. Medeiros	At-Large	Present	
Peter D. Mortimer	Ward 6	Present	
John N. Tramontozzi	Ward 1	Present	
Francis X. Wright Jr.	Ward 3	Present	
Michael P. Zwirko	At-Large	Present	
Jeff McNaught	Ward 2	Present	

II. PUBLIC COMMENT

Motion: Open Public Comment
By: Councilor Mortimer, Second: Councilor Boisselle - motion carried.

Jeana McNeil from the ZeroWaste Melrose Committee came forward to express thanks to the departing city council members--particularly thanking Frank Wright and highlighting Mike Zwirko for his support shaping legislation and offering procedural information.

Gerry Mroz of Mt. Vernon St. came forward to thank the council-- specifically departing council members. Noting that "we all want to make Melrose the best it can be." He went on to express appreciation for the time and effort the councilors put into their roles.

Paul Grover came forward to thank the departing councilors, specifically highlighting Monica Medeiros' commitment to senior citizens.

Motion: Close Public Comment
By: Councilor Mortimer, Second: Councilor Boisselle - motion carried.

III. COMMUNICATIONS FROM HIS HONOR, THE MAYOR AND OTHER CITY OFFICIALS

1. **ORDER-2020-47** : An Appropriation in the amount of \$65,000 from Free cash (account 01-324001) to various accounts as set forth herein to cover the costs related to upcoming elections in February and March.

RESULT:	ASSIGNED TO COMMITTEE
TO:	Appropriations Committee

2. **ORDER-2020-48** : An Appropriation from Free Cash (account 01-324001) in the amount of \$7,000 to Fire-Emergency Service Vehicle (012212-534700).

RESULT:	ASSIGNED TO COMMITTEE
TO:	Appropriations Committee

IV. NEW BUSINESS

1. **ORDER-2020-49** : An order honoring the departing city council members for their more than 100 years of combined service to the City of Melrose

Sponsored by: Ward 1 John N. Tramontozzi

Councilor Tramontozzi called for immediate consideration of the order-- no objections. Tramontozzi also motioned to suspend the rules; second by Lipper-Garabedian, so that the resolutions honoring the departing city council members could be read.

Tramontozzi read resolutions for:

Manisha Bewtra (Bewtra spoke following the resolution- noting that it was an honor and a privilege to have served in the role)

Scott Forbes (Forbes was also presented with the president's gavel.) Forbes spoke briefly to thank the other councilors, esp. Lemmerman and Mortimer for the opportunity to finish out 2019 as president of the council.

Monica Medeiros-- Medeiros thanked both present and past colleagues of the council, she also thanked the city hall staff, MMTV, and members of the public-- especially those who took the time to come to meetings or watch meetings on television

Robert Boisselle-- Boisselle spoke to give advice to the in-coming councilors, He emphasized the importance of getting out in the neighborhood and listening to constituents.

Mike Zwirko specifically requested not to have a resolution created, but Tramontozzi gave him the floor to briefly say a few words: Zwirko expressed gratitude to the members of the community for their support and engagement.

President Forbes then read the resolution for Frank Wright-- Wright remarked that his experience was an honor and a privilege. He extended his thanks to everybody who works for the City of Melrose.

Mayor Brodeur came forward to read the resolution honoring Peter Mortimer per Mortimer's request. Mortimer remarked that he was confident that the new city councilors will continue Melrose on the successful path it has been on over the last several years.

RESULT:	PLACED ON FILE [UNANIMOUS]
MOVER:	John N. Tramontozzi, Ward 1
SECONDER:	Kate Lipper-Garabedian, At-Large
AYES:	Migliorelli, Bewtra, Boisselle, Forbes, Lipper-Garabedian, MacMaster, Medeiros, Mortimer, Tramontozzi, Wright Jr., Zwirko, McNaught

V. ORDERS OUT OF ORDER

VI. ORDERS FROM COMMITTEE

1. **ORDER-2020-45** : An Appropriation from the Peg Access Cable Fund (#2922) in the amount of \$241,140.22 to MMTV and Melrose Public Schools.

From: City Council

PASSED

Motion to remove from committee made by Lipper-Garabedian, second by Mortimer. Councilor Boisselle recused himself from the vote on this order due to his employment and affiliation with MMTV.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Kate Lipper-Garabedian, At-Large
SECONDER:	Peter D. Mortimer, Ward 6
AYES:	Bewtra, Boisselle, Forbes, Lipper-Garabedian, MacMaster, Medeiros, Mortimer, Tramontozzi, Wright Jr., Zwirko, McNaught

2. **ORDER-2020-40** : An Order Requesting the City of Melrose to adopt Massachusetts General Law, Chapter 33 ,Section 59 (effect of military service on salary, seniority, and leave allowances of public employees)

Sponsored by: President/Ex Oficio Scott M. Forbes

From: City Council

PLACED ON FILE

Motion to remove from committee: Wright; second: Medeiros

RESULT:	PLACED ON FILE [UNANIMOUS]
MOVER:	John N. Tramontozzi, Ward 1
SECONDER:	Monica C. Medeiros, At-Large
AYES:	Bewtra, Boisselle, Forbes, Lipper-Garabedian, MacMaster, Medeiros, Mortimer, Tramontozzi, Wright Jr., Zwirko, McNaught

3. **ORDER-2020-20** : Amending Melrose Revised Ordinances Chapter 198-2 refuse receptacle(s) as set forth herein.

Sponsored by: At-Large Michael P. Zwirko, Ward 5 Shawn M. MacMaster

From: City Council

DEFEATED

Motion to remove from committee: Wright; second: Zwirko

RESULT:	DEFEATED [7 TO 4]
MOVER:	Shawn M. MacMaster, Michael P. Zwirko
AYES:	Bewtra, Boisselle, Forbes, MacMaster, Tramontozzi, Zwirko, McNaught
NAYS:	Kate Lipper-Garabedian, Monica C. Medeiros, Peter D. Mortimer, Francis X. Wright Jr.

4. **ORDER-2020-19** : Expanding the Senior Citizen Property Tax Work-Off Abatement Program by amending Melrose Revised Ordinances, Chapter 6, Section 6-1 as set forth herein

Sponsored by: At-Large Monica C. Medeiros

From: City Council

DEFEATED

Motion to remove from committee: Wright; second: Medeiros

RESULT:	DEFEATED [7 TO 4]
MOVER:	Monica C. Medeiros, At-Large
SECONDER:	Shawn M. MacMaster, Ward 5
AYES:	Boisselle, Forbes, Lipper-Garabedian, MacMaster, Medeiros, Mortimer, Tramontozzi
NAYS:	Manisha Bewtra, Francis X. Wright Jr., Michael P. Zwirko, Jeff McNaught

VII. REPORTS - RULE 53

Councilor Boisselle announced the upcoming Traffic Commission meeting will be held at 5:30 pm on Wednesday Dec. 18

Councilor Medeiros provided an update on the school committee's deliberation about the Beebe school-- a decision about its use was not made at the last meeting. More discussion is needed. Medeiros also noted that the school committee will begin work to find a replacement for retiring superintendent Taymore.

Councilor MacMaster announced that the next Veteran's Services Advisory Board meeting will be Tuesday December 17 at 6:30.

VIII. CALENDAR

IX. ADJOURNMENT

Councilor Forbes provided departing remarks highlighting his pride in the fact that all councilors remained respectful of one another and respectful for the institution of government, even when they disagreed and/or were passionate about a topic.

Motion: Adjourn
By: Councilor Mortimer, Second: Councilor Boisselle- motion carried.

Meeting adjourned at 8:50 p.m.

A Resolution in Recognition of
Scott Forbe's Six Years of Service as a City Councilor

Whereas Scott Forbes has served the residents of Melrose with dedication, for six years as Ward 7 City Councilor, culminating his service as the first President of the City Council after its name change from Board of Aldermen, and

Whereas Scott Forbes followed in the footsteps of his father, William Forbes in this elected position,

Whereas Scott Forbes served as chair of the finance committee for multiple terms and council representative to the water & sewer rate committee, and

Whereas Scott Forbes is a decorated 22-year veteran of the U.S. Airforce serving through two wars in Iraq and Afghanistan, and

Whereas, Scott Forbes has continued his dedication to the armed forces through his tireless advocacy work for veterans in the Melrose community and beyond, in particular through his job as Support Services Director for the Veteran's Northeast Outreach Center, and

Whereas Scott Forbes also has demonstrated this commitment to veterans through his legislative work on the city council, as the council representative to the Veteran's Services Advisory Board, and through his involvement in many local veteran's charities, therefore

Be it Resolved, that this resolution recognizing Scott Forbes for his years of honorable and distinguished service to the City of Melrose be spread across the records of the Melrose City Council this 16th day of December, 2019.

A Resolution in Recognition of
Manisha Bewtra's Two Years of Service as
A City Councilor

Whereas Manisha Bewtra has ably served the City of Melrose as an Alderman and City Councilor for two years, and

Whereas during her time on the City Council, Manisha Bewtra served as the Chair of the Finance Committee, Vice Chair of the Legal and Legislative Committee, and council representative to the Water and Sewer Rate Committee and the Library Strategic Planning Committee, and

Whereas Manisha Bewtra has drawn extensively on her professional experience in city planning to bring an informed vote on issues such as affordable housing recreational marijuana zoning, capital improvements, and transportation, and

Whereas Manisha Bewtra was invited to represent Melrose at the Urban Land Institute's UrbanPlan Public Leadership Institute in 2019 and as a panelist at the Asian Pacific American Institute for Congressional Studies' inaugural Women's Collective Summit in 2019, and

Whereas prior to her service as an elected official, Manisha Bewtra was a member and Vice Chair of the Melrose Human Rights commission, where she championed the principle that Melrose will be One Community Open to All by advocating against discrimination on the basis of gender identity and gender expression, and organizing Cultural Proficiency Workshops for the public, and

Whereas Manisha Bewtra was an active participant in the creation of the Melrose Master Plan and, as a staff member of the Metropolitan Area Planning Council, served as a consultant to the Melrose Office of Planning and Community Development as they developed transit-oriented zoning provisions, and

Whereas in throughout her career, Manisha Bewtra has consistently used her planning and political expertise to further the cause of social justice, whether in housing, transportation, or human rights,

Be it Resolved, that this resolution recognizing Manisha Bewtra for her years of honorable and distinguished service to the City of Melrose be spread across the records of the Melrose City Council this 16th day of December, 2019.



CITY OF MELROSE • IN CITY COUNCIL

A Resolution in Recognition of Robert Boisselle's Nineteen Years of Service as A City Councilor

- WHEREAS, Robert Boisselle has ably served the City of Melrose as an Alderman and City Councilor for 19 years, including service as President, Chair of the Health Education and Welfare and Finance Committees and representative of the Traffic Commission, and
- WHEREAS, Robert Boisselle also served as a member of the Conservation Commission for eight years and its chair for five years, and
- WHEREAS, Robert Boisselle has a longtime presence at MMTV, not only hosting his own gardening show but also filming many civic events, making him truly the documentarian of Melrose, and
- WHEREAS, Robert Boisselle also worked for many decades at the Massachusetts Department of Environmental Protection and shared his knowledge and skills with the Council, and
- WHEREAS, Robert Boisselle was a strong proponent of the Ell Pond drainage study, which allowed residents of the area to realize considerable savings on flood insurance, and
- WHEREAS, Robert Boisselle attended to all matters brought before him with an intense attention to detail as well as a thoroughness and insistence on factual accuracy;
- BE IT
RESOLVED, Be it Resolved, that this resolution recognizing Robert Boisselle for his years of honorable and distinguished service to the City of Melrose be spread across the records of the Melrose City Council this 16th day of December, 2019

ATTEST: Members of the City Council



CITY OF MELROSE ● IN CITY COUNCIL

A Resolution in Recognition of
Frank Wright's 14 Years of Service as
A City Councilor

- WHEREAS, Frank Wright has ably served the City of Melrose as an Alderman and City Councilor for 14 years, including service as President of the Board in 2010 and many years of service as Chair of the Legal and Legislative Committee, and
- WHEREAS, Whereas while serving as president, Frank Wright initiated the renovation of the Aldermanic Chamber including painting, new flags and new window treatments, and
- WHEREAS, Whereas Frank Wright worked with the Park Commission and Mayor's Office to assure the successful transition of the Melrose Farmers Market to Bowden Park, and
- WHEREAS, Whereas during his tenure as an elected official, Frank Wright has at all times kept a strong focus on the roads, infrastructure, and quality of life in Ward 3 and has authored more orders than any other member of the City Council, and
- WHEREAS, Whereas in his professional life, Frank Wright is the City Solicitor for the City of Somerville and brings his many years of experience with municipal legal affairs to the Council, and
- WHEREAS, Whereas Frank Wright served as a member of the Board of Editors of the City Solicitors and Town Counsel Association and is an active member of the Massachusetts Municipal Lawyers Association, and
- WHEREAS, Whereas Frank Wright served as a member of the Board of Editors of the City Solicitors and Town Counsel Association and is an active member of the Massachusetts Municipal Lawyers Association, and
- WHEREAS, Whereas before serving on the City Council, Frank Wright was a member of the Melrose Board of Appeals, and
- WHEREAS, Whereas in addition to his governmental service, Frank Wright has been active in civic affairs in many other ways, including as co-chair of the Gooch Park Restoration Committee and as a member and past president and director of the Somerville Kiwanis Club;
- BE IT RESOLVED, Be it Resolved, that this resolution recognizing Robert Boisselle for his years of honorable and distinguished service to the City of Melrose be spread across the records of the Melrose City Council this 16th day of December, 2019

ATTEST: Members of the City Council

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

A Resolution in Recognition of
Monica Medeiros' Twelve Years of Service as a City Councilor

Whereas Monica Medeiros has served the residents of Melrose with dedication, for fourteen years; first as a member of the school committee; as Ward 2 Alderman, and finally as Councilor-at-large, and

Whereas her work in public service extended to multiple leadership roles with the Massachusetts Municipal Association, including most recently as the Mass Councilor's Association President, and

Whereas, Monica Medeiros has been widely recognized for her professionalism, and preparedness, when participating in City Council deliberation, and

Whereas Monica Medeiros has been a long-time supporter of programs that support hunger awareness and food pantries in the Melrose area, and

Whereas Monica Medeiros has been a tireless advocate for government transparency; with a particular focus on providing the public with direct access to information and data, and

Whereas Monica Medeiros is a life-long Melrosian and devoted daughter who has kept elderly affairs and quality of life issues in the forefront of her efforts, therefore

Be it Resolved, that this resolution recognizing Monica Medeiros for her years of honorable and distinguished service to the City of Melrose be spread across the records of the Melrose City Council this 16th day of December, 2019.

A Resolution in Recognition of
Peter Mortimer's Nineteen Years of Service as
A City Councilor

Whereas Peter Mortimer has ably served the City of Melrose as a City Councilor for 19 years, served as President of the Council, served as Chair of the Appropriations Committee, the Legal and Legislative Committee, and various other Committees, and

Whereas, Peter Mortimer was an integral part of the financing and building of the Veteran's Memorial Middle School, and where in the lobby entrance of the Middle School hangs a plaque commemorating the opening of that school with Peter Mortimer's name listed as President of the City Council, and

Whereas, Peter Mortimer has been civically active outside the Council, as a member of the Melrose Rotary Club, the Melrose Chamber of Commerce, the Melrose Fish and Game Club, and a former member of the Board of the Melrose YMCA, and the Board of Melrose Youth Soccer, coaching or assistant coaching for 13 seasons, and a player for 10 seasons on the Melrose Men's Soccer Team, and

Whereas, Peter Mortimer served as a member of the Conservation Commission for five years before joining the City Council, and

Whereas, Peter Mortimer facilitated numerous initiatives for the betterment of Melrose including but not limited to the improvement of the Common Playing Fields, the construction of the Common Playground, the reopening of the East Side fire station, the construction of Fred Green field and the Pine Banks fields, and the dog park at the Knoll, and

Whereas, Peter Mortimer has assisted a great many individual constituents and neighborhoods with their problems, issues, and concerns, therefore

Be it hereby resolved that this resolution recognizing Peter Mortimer for his over two decades of honorable and distinguished service to the City of Melrose be

spread across the records of the Melrose City Council, this 16th day of December, 2019

Melrose Veterans' Advisory Board



Honoring All who Served

The Honorable Scott Forbes
Alderman City of Melrose
562 Main Street
Melrose MA 02176

Dear Alderman Forbes,

We, the members of the City of Melrose Veterans Advisory Board, are requesting your support for the City of Melrose to adopt Massachusetts General Law Chapter 33 Section 59 (Effect of Military Service on Salary, Seniority, and Leave Allowances of Public Employees). The feedback from our Veteran's Town Hall meeting held earlier this year demonstrated the importance of this legislation to our Melrose veteran population. We respectfully request your assistance in moving this legislation forward. Please let us know how the Board may assist in this effort. We thank you in advance for your continued support of the Board and all veterans in the City of Melrose.

Respectfully,

Jim Keane
Legislative Liaison
Melrose Veterans Advisory Board

Part I Administration of the Government

Title V Militia

Chapter 33 Militia

Section 59 Effect of military service on salary, seniority and leave allowances of public employees.

Section 59. (a) An employee of the commonwealth in the service of the armed forces of the commonwealth or a reserve component of the armed forces of the United States shall be entitled to receive pay without loss of ordinary remuneration as a public employee during service in the uniformed services, annual training under section 60 or drills and parades under section 61, not exceeding 40 days in any federal fiscal year, and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. For the purposes of this section, "uniformed services" shall have the same meaning as defined in section 13. For the purposes of this subsection, "day" shall mean any 24-hour period regardless of calendar day.

(b) An employee of the commonwealth in the service of the armed forces of the commonwealth under sections 38, 40 or 41 shall be entitled to receive pay without loss of ordinary remuneration as a public employee and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime during the first 30 consecutive days of any mission. Thereafter, any such ordinary remuneration shall be reduced by any amount received either from the United States or the commonwealth as base pay for military service performed during the same pay period, and there shall be no loss of any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. National guard duty performed under Title 32 of the United States Code shall not be deemed service in the armed forces of the commonwealth under sections 38, 40 or 41 for the purposes of this section.

(c) An employee of the commonwealth in the armed forces of the commonwealth performing duty under Titles 10 or 32 of the United States Code shall be paid the regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received either from the United States or the commonwealth as base pay for military service performed during the same pay period, and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

(d) An employee of the commonwealth in a reserve component of the armed forces of the United States who is ordered to service for more than 30 consecutive days shall be paid the regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received either from the United States or the commonwealth as base pay for military service performed during the same pay period. No such employee shall lose any seniority or accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

(e) An employee of a county, city or town which, by vote of its county commissioners, city council or inhabitants at a town meeting, has accepted this section or similar provisions of earlier laws, shall be entitled to the benefits and protections of this section or the benefits of the accepted earlier law.

(f) For the purposes of this section, "base pay for military service" shall not include any housing, incentive, bonus, skills pay, allowance or other stipend or benefit paid to the employee for the employee's military service.



CITY OF MELROSE

Human Resources Department

Marianne Long
 Director
 mlong@cityofmelrose.org

City Hall, 562 Main Street
 Melrose, Massachusetts 02176
 (P) 781-979-4146
 (F) 781-979-4246

To: President Scott Forbes, Melrose City Council

From: Marianne Long, Director of Human Resources

Re: Order 2020-40

Date: October 25, 2019

This memo serves to confirm that the City of Melrose adopted Chapter 33, Section 59, of the Massachusetts General Laws on April 18, 2000. Recently, the Legislature adopted several provisions amending Section 59. Senator Rush, the Chairman of the Joint Committee on Veterans and Federal Affairs has communicated that Municipalities are not required to “re-adopt” the amended law since the changes are not substantial.

The City of Melrose has Military Leave Policies and Procedures in place governing Military Leave taken by our Employees who are Reservists/Members of the Guard. The City updates/edits its policies annually as laws change. If sections of our policies have not yet been edited, that does not in fact deny a military reservist their entitlements under Chapter 33, Section 59. We’ll update these policies (as well as others) by the end of 2019. In the meantime, the City will comply, as it always does, with MA General Laws.

It is worth mentioning that the City’s policies have been reviewed and acknowledged by USSERRA and ESGR as more generous than the law requires, and we’ve been recognized for being in compliance. Both agencies refer municipalities to the City’s HR Department so that they may use ours as a template.

Please do not hesitate to contact me, in the event you may have additional questions.



PAUL BRODEUR
Mayor

CITY OF MELROSE

OFFICE OF THE MAYOR

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4440

To: President Scott Forbes, Melrose City Council
From: Mayor Paul Brodeur
Re: Order 2020-40
Date: December 4, 2019

As you are aware, the amendments of Massachusetts General Laws, Chapter 33, Section 59, is the result of legislative action. As State Representative, I was proud to advocate for these amendments because they underscored both the Commonwealth's and Melrose's commitment to the men and women of our uniformed services.

With that in mind, as requested, attached please find a copy of Order 00-309 as passed by the Melrose Board of Aldermen on April 18, 2000. This Order, offered by former Alderman John Dunne, confirms and establishes that the City of Melrose formally adopted Massachusetts General Laws, Chapter 33, Section 59 "Effect of military service on salary or vacation allowance of public employees." As some members may be aware, this section of the law governs leave for reservists for the purposes of annual training, drills and parades.

Please know – and I can make this statement with a great deal of certainty – that the City of Melrose has historically been in compliance with MGL c. 33, § 59 since 2000, including all amendments made to this statute since that time. I can also confirm with certainty that the City of Melrose has regularly reviewed and amended its policies with labor counsel, as well as the Employer Support of the Guard and Reserve (ESGR) whose purpose is to promote cooperation and understanding between civilian employers and their National Guard and Reserve employees.

The City of Melrose has worked closely with **Rick Bedell, Consultant, Employer Support of Guard and Reserve** and **Christopher Brown, Assistant Director, Veterans' Employment & Training Service, U.S. Department of Labor**, as to its administration of the Uniformed Services Employment and Reemployment Rights Act, the federal statute that protects service members' and veterans' civilian employment rights and Chapter 33, Section 59. **Both of these professionals specifically acknowledged that Melrose is in compliance and provides benefits and pay that are much more generous than the law requires.**

Adopting M.G.L. Chapter 33, Section 59 "Effect of military service on salary or vacation allowance of public employees" and amending Merrose Revised Ordinances, Part II accordingly.

YALB Diepts

In Board of Aldermen

Immediate Consideration

3436

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$$O_{N_y}$$

Clerk



CITY OF MELROSE

In Board of Alderman

April 18, 2000

6.2.d

AN ORDER

Adopting M.G.L. Chapter 33, Section 59 "Effect of military service on salary or vacation allowance of public employees" and amending Melrose Revised Ordinances, Part II accordingly.

Offered by Alderman John W. Dunne

BE IT ORDAINED

that, Massachusetts General Laws, Chapter 33, Section 59 "Effect of military service on salary or vacation allowance of public employees", be and hereby is accepted; further, that the Melrose Revised Ordinances, Part II be and hereby is amended.

PASSED

APR 18 2000
Anthony P. Salmarica
Alderman

APPROVED

APR 28 2000
[Signature]
MAYOR

Attachment: 12.4.19 copy Order # 00-309, HR 2020-40 (ORDER-2020-40 : Mass Gen Law Ch 33 Section 59 - military service/public employees

Order No.

00-309

April 18, 2000

Title

lilitary service on salary
ing Melrose Revised

2000

ROLL CALL

2000

Board of Aldermen, City of Melrose

Ward Alderman	Yea	Nay
1 DOLAN	✓	
1 DOYLE	✓	
2 DUNNE	✓	
6 HEAVET <i>Heavet</i>		
2 HITCHMAN	✓	
5 INFURNA	✓	
3 LAVENDER	✓	
4 LYONS	✓	
6 O'NEILL	✓	
7 SPENCER	✓	
6 SALAMANCA, President	✓	
TOTAL	10	0

9 "Effect of military service on
d hereby is accepted; further,
y is amended.

PASSED

APR 18 2000

Nicholas P. Salamanca
Alderman

APPROVED

APR 18 2000

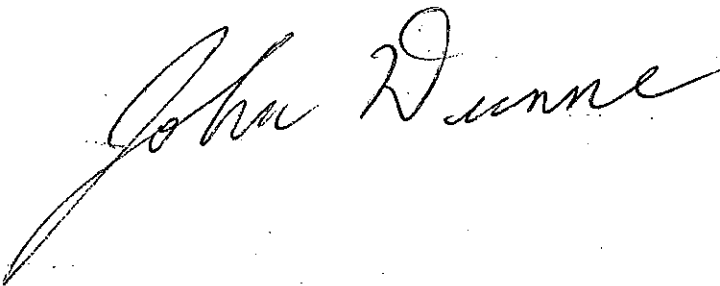
MAYOR

Offered by Alderman John W. Dunne

Be It Ordained by The Melrose Board of Aldermen;

That the Melrose Revised Ordinance Part 2 is amended by the adoption of Chapter 33 section 59, "Effect of military service on salary or vacation allowance of public employees."

Editorial note it is my observation that because City Government is partially funded by State and Federal derivation we are already obligated to do so this just eliminates any confusion.



CITY CLERK
00 APR 13 A 10:25
MELROSE, MA

Article II

Collection and Disposal

[Adopted as Rev. Ords. 1976, §§ 13-3, 13-6, 20-5 and 20-6 (Rev. Ords. 1989, §§ 8-1, 15-26 and 15-27)]
§ 198-2

Dumping; obstructing sidewalks; placement of refuse containers.

[Amended 6-18-1984 by Ord. No. 785A; 6-18-1984 by Ord. No. 785B; 2-20-2007 by Ord. No. 07-107A]

A. No person shall put or place, or cause to be put or placed, in any street, lane, alley or any other place, public or private, where it may be offensive or objectionable, any ashes, dirt or refuse, nor shall any piece of metal or wood or any plastic in any form or other material injurious to feet or to tires of vehicles or any other rubbish be put, placed or thrown into or on any street, lane, alley or public place. No person shall throw or place on any vacant land or in any brook or pool rubbish, limbs, brush, barrels, boxes, etc.

B. No person shall place or cause to be placed on any sidewalk, footwalk or crosswalk any object whatsoever so as to interfere with the convenient use of the same by any person traveling thereon. This shall not apply to building materials so placed by permission of the City Engineer.

[Amended 5-21-2012 by Ord. No. 2012-158]

C. Residential rubbish receptacles will be watertight containers with tight fitting covers of metal or other durable rodent-proof material. Sufficient numbers of containers will be provided by the owner and/or residents of properties so as to adequately contain the amount of refuse produced at each location. Containers which are to be manually emptied during curbside pickup will be no larger than 35 gallons, able to be lifted, when full, by one person, and have two intact handles.

D. Each container must be securely covered at all times during collection days until the container(s) are picked up and emptied. Containers must not be overloaded so that the lid will not fit securely. Refuse shall be stored in receptacles as described in this section except for material which may be placed at curbside under city sponsored source reduction and/or source separation collection programs according to the directions established by these programs.

~~CE. Refuse may not be left on sidewalks for collection except after 5:00 p.m. of the day before scheduled pickup.~~ Refuse containers and receptacles shall be placed at the curb by 7:00 a.m. on the scheduled collection day and shall be removed from the sidewalk within 12 hours after refuse collection.

F. The following shall apply to subsections (A) through (C) of this section: a.) The board of health, the department of public works, and any police officer through their authorized agents and employees, is hereby empowered to enforce the provisions of this section pursuant to MGL c. 40, § 21D, or MGL c. 270, § 16 (disposal of rubbish, etc.), as applicable. b.) Whoever violates any provision of subsections (A) through (C) of this section shall be penalized by noncriminal fines in accordance with MGL c. 40, § 21D, or MGL c. 270, § 16 (disposal of rubbish, etc.), as applicable, not to exceed \$100.00 for each violation, provided that each and every day of the violation shall constitute a distinct and separate offense. c.) In addition to any fine which may be imposed, the entity noted will be responsible for the timely and proper cleaning of any and all site(s) affected by the violation. The timeliness of the clean-up will be determined by the board of health and/or the department of public works in keeping with the individual situation. The time frame for initiation of the clean-up will be clearly indicated on the notice of violation. No property owner shall be prosecuted for violation until a written notice of warning is first served.

~~D. The Public Health Department enforcing officers shall prosecute violations under the provisions of MGL c. 270, § 16 (disposal of rubbish, etc.).~~

~~[Amended 8-21-2017 by Ord. No. 2018-4]~~

G. Any party fined hereunder shall have a right of appeal in accordance with General Laws Chapter 40, Section 21D.







6.3.d

Attachment: 2020-20 picture

Packet Pg. 27

Part I ADMINISTRATION OF THE
GOVERNMENT

Title IX TAXATION

Chapter ASSESSMENT OF LOCAL TAXES

59

Section PROPERTY TAX LIABILITY

5K REDUCED IN EXCHANGE FOR
VOLUNTEER SERVICES; PERSONS
OVER AGE 60

Section 5K. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons over the age of 60 to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such person over the age of 60 on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1,500 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500.

Chapter 6. Aging, Council on

§ 6-1. Senior citizen property tax work-off abatement program.

A. Individuals who are 60 years old or older, disabled individuals, ~~or an approved representative for persons physically unable to provide such services to the City,~~ shall be eligible to participate in this program. Only one tax abatement per property per year shall be allowed.

Deleted: and

B. City departments are required to identify their specific needs and the Council on Aging (COA) will review each application to match an applicant's interest and skill set with a department's specific needs. Placement in the program cannot be guaranteed and is based on qualifications and availability of relevant work.

C. The participants in the program shall perform work for the City and shall receive a rate that shall not exceed the commonwealth's minimum wage for said service. The maximum amount which can be earned by any participant in the program is ~~\$1,500~~ during any calendar year.

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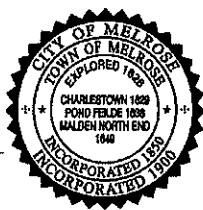
D. Upon completion of work by the participants, the Board of Assessors shall abate their property taxes for an amount no greater than ~~\$1,500~~.

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E. In each calendar year, individuals shall be allowed to participate in this program based on one's specific qualifications to perform the work and the available positions needed to perform said work Citywide.

F. In the event there are more qualified applicants than available positions, participants for the program may be selected from a lottery of equally qualified individuals.

G. The Director of the City of Melrose Council on Aging shall be responsible for determining eligibility for the program.



CITY OF MELROSE

PAUL A. BRODEUR
Mayor

OFFICE OF THE MAYOR

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4440

December 16, 2019

VIA ELECTRONIC MAIL

Melrose City Council
Legal & Legislative Affairs Committee
562 Main Street
Melrose, MA 02176

Re: Order 2020-19 (Senior Tax Work Off Abatement Program)

Dear Members:

Please accept this correspondence in connection with the above-referenced Order which seeks certain amendments to the Senior Work Off Abatement Program. At this time, I am requesting that this Order be placed on file in order to provide my Administration with the opportunity to present a more comprehensive set of amendments in the upcoming year.

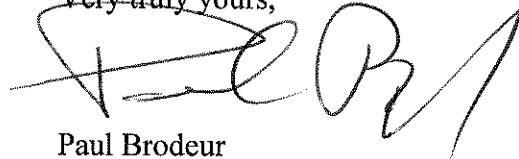
First, I would like to thank Councilor Monica Medeiros for presenting this Order. I appreciate her leadership in seeking changes to what has become a critically important and worthwhile program for members of our senior community. Although I have only been in office since November 15th, I have already begun internal discussions about possible changes to our senior tax relief programs, including our Senior Work off Abatement Program, their many benefits – as well as their operational complexities. My purpose in requesting that this Order be placed on file is to provide me and members of my Administration with the opportunity to further review these programs and present amendments to the incoming City Council with the ultimate objective of making our programs even more beneficial to both our City's operations and our senior community.

I understand the City Solicitor has previously corresponded with this committee, and I want to reiterate some areas around the work off program which should be closely considered before any final changes are made. Those include: (1) studying how those changes made to the program in 2015 have impacted City operations, as well as the seniors participating in the program; (2) creating a complete participant database to include the forty-one (41) residents currently placed in positions throughout our city departments, as well as the nineteen (19) currently on a waiting list; (3) reviewing similar programs in surrounding and comparable

communities to determine any other changes that should be made; (4) considering reinstituting the income-based cap the program previously required; and (5) considering an overall expense cap on the program to ensure its financial viability.

Where this program has become an indispensable benefit to some members of our senior community, I respectfully request that this Order be placed on file to afford me the opportunity to conduct a more comprehensive review of the program and determine if and how it should be modified in the future.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Paul Brodeur', written over a horizontal line.

Paul Brodeur