



CITY OF MELROSE

CITY COUNCIL

ORDERS OF THE DAY • AUGUST 18, 2025

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

7:45 PM

I. CALL TO ORDER

Pledge of Allegiance

II. READING OF THE MINUTES

1. City Council - Regular Meeting - Jun 16, 2025 7:45 PM
2. City Council - Regular Meeting - Jul 21, 2025 7:45 PM

III. PUBLIC COMMENT

When: Aug 18, 2025 07:45 PM Eastern Time (US and Canada)

Topic: City Council Meeting

Join from PC, Mac, iPad, or Android:

<https://cityofmelrose->

[org.zoom.us/j/92900427732?pwd=Clw7JZStHJtlbDefHsqQGdU3RKqBoy.1](https://cityofmelrose-org.zoom.us/j/92900427732?pwd=Clw7JZStHJtlbDefHsqQGdU3RKqBoy.1)

Passcode:696605

Webinar ID: 929 0042 7732

IV. NEW BUSINESS

A. *Filings by the Honorable Mayor*

i. Appointments/Reappointments

1. **(ID # 12883):** Appointment of Cole Lepler, 34 Frances Street, to the Conservation Commission
2. **(ID # 12895):** Appointment of Tamara Shovelton as Veterans' Services Agent
3. **(ID # 12899):** Reappointment of Charles Harak, 14 Country Club Road, to the Melrose Housing Authority for a three-year term; said term to end on the first Monday of March 2028.

B. Grants

1. **(ID # 12898):** Requesting acceptance of a Massachusetts Gaming Commission Community Mitigation Fund Grant in the amount of \$166,800 to address the impacts of gambling related harms in our community.

C. Petition

1. **(ID # 12943):** National Grid install 1 JO Pole on Mt Zion Road NO 31114550

D. Transfers

1. **(ID # 12851):** Requesting Transfer of Funds from Department of Public Works' Parks and Forestry Salary Accounts to Parks and Forestry Expense Accounts For Contracted Tree Services

E. Ordinance

1. **(ID # 12942):** Amending City Ordinance to Implement a new schedule of fees for Zoning and Conservation Permits
2. **(ID # 12944):** That the City Council accept local option statute M. G. L c. 39, Section 23D for the Melrose Planning Board, Zoning Board of Appeals, Conservation Commission, and the Historic District Commission holding adjudicatory hearings to allow for members to not be disqualified from voting on a matter solely because of their absence from one hearing date.

V. UNFINISHED BUSINESS

A. *Appointments*

1. **(ID # 12866):** Reappointment of Gail Infurna, 12 Mt. Vernon St., #41, to the Traffic Commission, for a five year term; said term to expire on the last day of May 2030.
2. **(ID # 12867):** Reappointment of Jeffrey Parenti, 29 Trenton Street, to the Traffic Commission, said term to expire on the last day of May 2030.

From: City Council

ASSIGN TO COMMITTEE

3. **(ID # 12887):** Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Commission on Women
4. **(ID # 12888):** Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Historical Commission

B. *License*

1. **(ID # 12865):** Bangkok Bar Shi new Common Victualler License

C. *Orders*

1. **(ID # 12884):** Calling the Local Election for Tuesday, November 4th 2025 from 7:00 am to 8:00 pm at the Melrose Veterans Memorial Middle School gymnasium complex.

From: City Council

ASSIGNED TO COMMITTEE

2. **(ID # 12885):** Requesting City Council approval of the Board of Registrars of Voters Recommendations relative to In Person Early Voting and Mail In Voting for the November 4, 2025 Local Election

From: City Council

ASSIGNED TO COMMITTEE

D. Ordinances

1. **(ID # 12729):** Amending Chapter 4 of the Revised Ordinances of the City of Melrose, to Insert a New Section 4-15, Payment of Taxes as Condition of City Facility Rental

2. **(ID # 12742):** Amending Chapter 198 of the Revised Ordinances of the City of Melrose Solid Waste and Recycling to update language to reflect current programs.

Sponsored by: Director, DPW Elena Proakis Ellis

3. **(ID # 12743):** Amending Chapter 202 of the Revised Ordinances of the City of Melrose Streets and Sidewalks

Sponsored by: Director, DPW Elena Proakis Ellis

4. **(ID # 12744):** Amending Chapter 228 of the Revised Ordinances of the City of Melrose Water, Sewers, and Drains

Sponsored by: Director, DPW Elena Proakis Ellis

5. **(ID # 12795):** Amending Chapter 164-2(C)(6) of the Revised Ordinances of the City of Melrose to specify permitted hours and days for construction activities

From: City Council

NO ACTION TAKEN

E. Requests

1. **(ID # 12797):** Proposed Local Fee increase for Vital Record Production and Licensing to begin in FY26

From: Finance Committee

TABLE

VI. EXPIRIES**VII. RULE 37 REPORTS****VIII. ADJOURNMENT**

The City of Melrose does not discriminate based on disability and is committed to hosting accessible meetings and events. Individuals with disabilities who need auxiliary aids and services for effective communication, written materials in alternative formats, or reasonable modifications in policies and procedures, in order to access the programs and activities of the City of Melrose or to attend meetings, should contact the City's ADA Coordinator, Polina Latta platta@cityofmelrose.org.

**CITY OF MELROSE****CITY COUNCIL****MINUTES • JUNE 16, 2025**

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

7:46 PM**I. CALL TO ORDER**

Motion to Open the meeting made by President Migliorelli at 7:46 PM

Pledge of Allegiance

Attendee Name	Title	Status	Arrived
Cal Finocchiaro	Ward 6	Absent	
Mark Garipay	Ward 4	Present	
Ward Hamilton	At-Large	Present	
Maya Jamaledine	At-Large	Present	
Manjula Karamcheti	Ward 1	Present	
John Obremski	Ward 2	Present	
Devin Romanul	Ward 7	Present	
Robb Stewart	Ward 3	Present	
Kimberly Vandiver	Ward 5	Present	
Ryan Williams	At-Large	Absent	
Leila Migliorelli	At-Large	Present	

II. PUBLIC COMMENT

Motion to Open public comment made by President Migliorelli at 7:48 PM

No comments of the floor or Zoom

Motion to Close public comment made by President Migliorelli at 7:48 PM

III. COMMUNICATIONS FROM HER HONOR, THE MAYOR AND OTHER CITY OFFICIALS**IV. NEW BUSINESS****A. *Filings by the Honorable Mayor*****i. Appointment**

1. **(ID # 12793):** Appointment of Chief John White, 40 Youle Street, Melrose, MA as Emergency Management Director

Motion to Refer to Protection & License committee made by President Migliorelli

Minutes Acceptance: Minutes of Jun 16, 2025 7:45 PM (Reading of the Minutes)

RESULT:	ASSIGN TO COMMITTEE
TO:	Protection and License Committee

B. Filings by members of the Honorable City Council

i. Resolution

- (ID # 12799):** A Resolution in Celebration of Pride Month in Melrose
Sponsored by: At-Large Leila Migliorelli, Ward 1 Manjula Karamcheti

Motion for immediate consideration was made by Councilor Karamcheti
Seconded by Councilor Stewart
All were in favor

Motion to Place on File was made by Councilor Karamcheti
Seconded by Councilor Stewart
All were in favor and the resolution was signed and placed on file

RESULT:	PLACE ON FILE [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

C. Informational Order

- (ID # 12798):** Public Safety Buildings Project Update

Motion to refer to Appropriations and Oversight Committee made by President Migliorelli

RESULT:	ASSIGN TO COMMITTEE
TO:	Appropriations & Oversight Committee

D. Orders

- (ID # 12794):** Acceptance of M.G.L. chapter 200A, Section 9A, relating to the disposition of unclaimed property by a city or town.

Motion to Refer to Legal & Legislative committee made by President Migliorelli

RESULT:	ASSIGN TO COMMITTEE
TO:	Legal & Legislative Committee

2. **(ID # 12795):** Amending Chapter 164-2(C)(6) of the Revised Ordinances of the City of Melrose to specify permitted hours and days for construction activities

Motion to Refer to Legal & Legislative committee made by President Migliorelli

RESULT:	ASSIGN TO COMMITTEE
TO:	Legal & Legislative Committee

E. Petition

1. **(ID # 12773):** Petition to install 1 JO Pole on Emerson Pl Order #31108543

Motion for immediate consideration to set a public hearing for 7/21 at 8:00 PM was made by Councilor Hamilton
Seconded by Councilor Karamcheti
All were in favor and motion passed

RESULT:	OUGHT TO PASS [8 TO 0]
TO:	City Council
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams
RECUSED:	Kimberly Vandiver

2. **(ID # 12774):** Utility Petition for National Grid to install 1 JO pole N Cedar Park No 31067326

Motion for immediate consideration to set a public hearing for 7/21 at 8:00 PM was made by Councilor Hamilton
Seconded by Councilor Karamcheti
All were in favor and motion passed

RESULT:	OUGHT TO PASS [9 TO 0]
TO:	City Council
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

F. Request

1. **(ID # 12797):** Proposed Local Fee increase for Vital Record Production and Licensing to begin in FY26

Motion to Refer to Finance Committee made by President Migliorelli

RESULT:	ASSIGN TO COMMITTEE
TO:	Finance Committee

V. UNFINISHED BUSINESS

A. Orders

1. **(ID # 12670):** Revoke the provisions of M.G.L. Chapter 44, § 53F½ ceasing the operation of the Ambulance Enterprise Fund, effective Fiscal Year 2026, beginning July 1, 2025.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

2. **(ID # 12673):** Fiscal Year 2026 Sewer Rates

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine

All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

3. **(ID # 12674):** Fiscal Year 2026 Water Rates

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Jamaledine
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

4. **(ID # 12675):** Reauthorization of the City of Melrose Revolving Fund Table for Fiscal 2026.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Romanul
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

5. **(ID # 12749):** Reauthorization of the COA revolving fund #2811 limit to be increased from \$35,000 to \$65,000 for Fiscal Year 2025.

From: City Council

PLACE ON FILE

Motion for Passage made by Councilor Garipay
Seconded by Councilor Romanul

Minutes Acceptance: Minutes of Jun 16, 2025 7:45 PM (Reading of the Minutes)

All were in favor and motion passed

RESULT:	PLACE ON FILE [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

6. **(ID # 12750):** Reauthorization of the Recreation Revolving Fund #2652 limit to be increased to \$550,000 from \$475,000.

From: City Council

PLACE ON FILE

Motion for Passage made by Councilor Garipay
Seconded by Councilor Romanul
All were in favor and motion passed

RESULT:	PLACE ON FILE [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

B. Ordinances

1. **ORDNC-2025-4:** Zoning Amendment Floodplain Overlay District

From: Appropriations & Oversight Committee

HOLD

Motion for Passage made by Councilor Garipay
Seconded by Councilor Romanul
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

2. **ORDNC-2025-5:** Zoning Amendment regarding Marijuana Buffer Zone Measurements

From: City Council

ASSIGN TO COMMITTEE

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Romanul
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
TO:	Appropriations & Oversight Committee
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

C. Transfers

1. **TRNSF-2025-2:** A transfer in the amount of \$85,000 from Health Insurance (#914) to Medicare (#916) to cover the employer portion of payroll tax through 6/30/2025.

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751
 made by Councilor Stewart
 Seconded by Councilor Romanul
 All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

2. **TRNSF-2025-3:** A transfer in the amount of \$7,530 from Auditor Salary and Wages(011351-511000) to Audit services (011352-528600).

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751
 made by Councilor Stewart
 Seconded by Councilor Romanul
 All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

3. **TRNSF-2025-4:** Transfer in the amount of \$50,000 from Health Insurance (#914) to Workers Compensation (#912).

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Romanul
 All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

4. **TRNSF-2025-5:** Transfer in the amount of \$120,000 from Health Insurance (#914) to the Police Department (#211) for salary and wages.

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Romanul
 All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart
 Seconded by Councilor Jamaledine

All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

5. **TRNSF-2025-6:** Transfer in the amount of \$200,000 from Health Insurance (#914) to Fire (#221) for salary and wages.

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart

Seconded by Councilor Romanul

All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart

Seconded by Councilor Jamaledine

All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

6. **TRNSF-2025-7:** Transfer in the amount of \$7,000 from Auditor, salary and wages (#135) to Inspection Services, salary and wages (#241).

From: Finance Committee

OUGHT TO PASS

Motion to Conjoin ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart

Seconded by Councilor Romanul

All were in favor and motion passed

Motion for Passage as conjoined of ID# 12735, #12738, #12739, #12745, #12746 and #12751 made by Councilor Stewart

Seconded by Councilor Jamaledine

All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

D. Appropriation FY25

1. **APPRO-2025-40:** An Appropriation from Free Cash (01-324001) in the amount of \$90,000 to the Police Department (#211) for the purchase of a new cruiser.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
TO:	Appropriations & Oversight Committee
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

2. **APPRO-2025-41:** Appropriations in the amount of \$370,948.80 from Perpetual Care (\$12,000), Sale of Lots and Graves (\$50,000), Parking Receipts (\$75,000), Bond Premiums (\$33,948.80) and the Public Health Education and Safety Fund (\$200,000) as funding sources of the Fiscal 2026 Operating Budget.

From: Appropriations & Oversight Committee OUGHT TO PASS AS AMENDED

Motion for Passage as Amended to the amount of \$358,948.80 (instead of \$370,948.80) removing the \$12,000 that was requested in the original order for Perpetual Care made by Councilor Garipay
 Seconded by Councilor Stewart
 All were in favor and motion passed

RESULT:	PASSED AS AMENDED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

3. **APPRO-2025-42:** An Appropriation from Free Cash (account 01-324001) in the amount of \$60,000 to Human Resources (#152) to fund the employee separation incentive.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Stewart
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

4. **APPRO-2025-43:** An Appropriation from Free Cash(01-324001) in the amount of \$60,000 to Office of Planning and Community Development (#175).

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Chair Garipay
Seconded by Councilor Jamaledine
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

5. **APPRO-2025-44:** An Appropriation from Free Cash (01-324001) in the amount of \$32,816 to Pine Banks (#652).

From: Appropriations & Oversight Committee OUGHT TO PASS AS AMENDED

Motion for Passage as Amended to \$17,296 (instead of \$32,16) made by
Councilor Garipay
Seconded by Councilor Stewart

All were in favor and motion passed as amended

RESULT:	PASSED AS AMENDED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

6. **(ID # 12737):** An Appropriation in the amount of \$150,000 from Free Cash to the Affordable Housing Trust (#8270).

From: City Council

DEFEATED

Motion for Passage made by Councilor Garipay
Seconded by Councilor Stewart
All were in favor and motion passed

Motion to Amend the amount to \$75,000 instead of \$150,000 made by Councilor Vandiver

Seconded by Councilor Stewart

Comments from the council members:

-Councilor Jamaledine stated that now that the budget hearings are done and the free cash requests are complete, she wants to keep the appropriation at the original amount of \$150,000.

-A vote was taken on the amended order and it failed. Councilors Stewart and Vandiver voted Yes on the amended order and the other councilors voted No, so the No's had it.

President Migliorelli went back to the original motion for a vote and the vote failed since there was not a majority Yes vote. Councilors Garipay, Hamilton and Stewart voted No, with the other councilors voting Yes.

RESULT:	DEFEATED [6 TO 3]
AYES:	Jamaledine, Karamcheti, Obremski, Romanul, Vandiver, Migliorelli
NAYS:	Mark Garipay, Ward Hamilton, Robb Stewart
ABSENT:	Cal Finocchiaro, Ryan Williams

7. **APPRO-2025-45:** Appropriation in the amount of \$27,000 from free cash (01-324001) to retirement (#911) to reimburse for pension costs.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Stewart

All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

8. **APPRO-2025-46:** Appropriation in the amount of \$150,000 from Ambulance retained earnings (6500-319000) to Salary and Wages, overtime.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Jamaledine
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

9. **APPRO-2025-47:** An appropriation in the amount of \$189,659.08 from Peg Access Cable Fund, to MMTV in the amount of \$151,727.27 and Melrose Public Schools in the amount of \$37,931.81.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
Seconded by Councilor Jamaledine
All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

10. **APPRO-2025-48:** Appropriation in the amount of \$25,320 from Free Cash (01-324001) to Fire (#221) for motor vehicle repairs to Ladder 2.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

E. Appropriation FY26

1. **APPRO-2025-49:** Fiscal 2026 Mt. Hood Enterprise Budget in the amount of \$2,219,559.

From: Appropriations & Oversight Committee

OUGHT TO PASS

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine
 All were in favor and motion passed

RESULT:	PASSED [9 TO 0]
AYES:	Garipay, Hamilton, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
ABSENT:	Cal Finocchiaro, Ryan Williams

2. **APPRO-2025-50:** Fiscal Year 2026 Operating Budget in the amount of \$107,575,802.

From: City Council

PASSED

Motion for Passage made by Councilor Garipay
 Seconded by Councilor Jamaledine
 Ayes have it and motion passed, with Councilor Hamilton voting No

RESULT:	PASSED [8 TO 1]
AYES:	Garipay, Jamaledine, Karamcheti, Obremski, Romanul, Stewart, Vandiver, Migliorelli
NAYS:	Ward Hamilton
ABSENT:	Cal Finocchiaro, Ryan Williams

VI. EXPIRIES

VII. RULE 36 REPORTS

VIII. ADJOURNMENT

Motion to Adjourn made by President Migliorelli at 8:19 pm.
Meeting was adjourned



CITY OF MELROSE
CITY COUNCIL
MINUTES• JULY 21, 2025

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

7:46 PM

I. CALL TO ORDER

Pledge of Allegiance

Attendee Name	Title	Status	Arrived
Cal Finocchiaro	Ward 6	Present	
Mark Garipay	Ward 4	Present	
Ward Hamilton	At-Large	Present	
Maya Jamaledine	At-Large	Present	
Manjula Karamcheti	Ward 1	Present	
John Obremski	Ward 2	Absent	
Devin Romanul	Ward 7	Present	
Robb Stewart	Ward 3	Absent	
Kimberly Vandiver	Ward 5	Present	
Ryan Williams	At-Large	Present	
Leila Migliorelli	At-Large	Absent	

II. READING OF THE MINUTES

1. City Council - Regular Meeting - Jun 2, 2025 7:45 PM

Motion to Approve minutes without reading made by Councilor Garipay

RESULT:	ACCEPTED [8 TO 0]
AYES:	Finocchiaro, Garipay, Hamilton, Jamaledine, Karamcheti, Romanul, Vandiver, Williams
ABSENT:	John Obremski, Robb Stewart, Leila Migliorelli

III. PUBLIC COMMENT

Motion to Open public comment made by Councilor Garipay at 7:48 PM

There were no comments on the floor or via Zoom

Motion to Close public comment made by Councilor Garipay at 7:48 PM

Minutes Acceptance: Minutes of Jul 21, 2025 7:45 PM (Reading of the Minutes)

IV. COMMUNICATIONS FROM HER HONOR, THE MAYOR AND OTHER CITY OFFICIALS

V. NEW BUSINESS

A. *Filings by the Honorable Mayor*

i. Appointments

1. **(ID # 12866):** Reappointment of Gail Infurna, 12 Mt. Vernon St., #41, to the Traffic Commission, for a five year term; said term to expire on the last day of May 2030.

Motion to Refer to Boards & Commissions made by Councilor Garipay

RESULT:	ASSIGN TO COMMITTEE
TO:	Boards & Commission

2. **(ID # 12867):** Reappointment of Jeffrey Parenti, 29 Trenton Street, to the Traffic Commission, said term to expire on the last day of May 2030.

Motion to Refer to Boards & Commissions made by Councilor Garipay

RESULT:	ASSIGN TO COMMITTEE
TO:	Boards & Commission

3. **(ID # 12887):** Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Commission on Women

Motion to Refer to Boards & Commissions made by Councilor Garipay

RESULT:	ASSIGN TO COMMITTEE
TO:	Boards & Commission

4. **(ID # 12888):** Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Historical Commission

Motion to Refer to Boards & Commissions made by Councilor Garipay

RESULT:	ASSIGN TO COMMITTEE
TO:	Boards & Commission

ii. Appropriation

1. **(ID # 12868):** Requesting the Appropriation of \$124,500,000 to pay costs for design, engineering, construction, site improvements, equipping, and furnishing of a renovated Melrose Central Fire Station, a new Melrose Highlands Fire Station, a new Melrose East Side Fire Station and a new Melrose Police Station.

Motion to Refer to Appropriations & Oversight made by Councilor Garipay

RESULT:	ASSIGNED TO COMMITTEE
TO:	Appropriations & Oversight Committee

B. Licenses

1. **(ID # 12865):** Bangkok Bar Shi new Common Victualler License

Motion to Refer to Protection & License made by Councilor Garipay

RESULT:	ASSIGNED TO COMMITTEE
TO:	Protection and License Committee

C. Ordinances

1. **(ID # 12742):** Amending Chapter 198 of the Revised Ordinances of the City of Melrose Solid Waste and Recycling to update language to reflect current programs.

Sponsored by: Director, DPW Elena Proakis Ellis

Motion to Refer to Legal & Legislative made by Councilor Garipay

RESULT: **ASSIGNED TO COMMITTEE**
TO: Legal & Legislative Committee

2. **(ID # 12743):** Amending Chapter 202 of the Revised Ordinances of the City of Melrose Streets and Sidewalks

Sponsored by: Director, DPW Elena Proakis Ellis

Motion to Refer to Legal & Legislative made by Councilor Garipay

RESULT: **ASSIGNED TO COMMITTEE**
TO: Legal & Legislative Committee

3. **(ID # 12744):** Amending Chapter 228 of the Revised Ordinances of the City of Melrose Water, Sewers, and Drains

Sponsored by: Director, DPW Elena Proakis Ellis

From: City Council

ASSIGNED TO COMMITTEE

Motion to Refer to Legal & Legislative made by Councilor Garipay

RESULT: **ASSIGNED TO COMMITTEE**
TO: Legal & Legislative Committee

D. Orders

1. **(ID # 12884):** Calling the Local Election for Tuesday, November 4th 2025 from 7:00 am to 8:00 pm at the Melrose Veterans Memorial Middle School gymnasium complex.

Motion to Refer to Finance made by Councilor Garipay

RESULT: **ASSIGNED TO COMMITTEE**
TO: Finance Committee

2. **(ID # 12885):** Requesting City Council approval of the Board of Registrars of Voters Recommendations relative to In Person Early Voting and Mail In Voting for the November 4, 2025 Local Election

Motion to Refer to Finance made by Councilor

Garipay

RESULT:	ASSIGNED TO COMMITTEE
TO:	Finance Committee

VI. PUBLIC HEARING-NATIONAL GRID PETITIONS

Meeting Opened (again after brief recess) for Public Hearing by Councilor Garipay at 8:00 PM

Motion to Open public comment made by Councilor Garipay at 8:00 PM
Comments on the floor related to ID#12773:

-David Bliss (16 Howard St, Melrose) speaking as a member of the Melrose Unitarian Universalist Church and Chair of the Property Committee. They are planning to make improvements to their grounds and parking area adjacent to Emerson Place. National Grid will remove an existing pole and place a new pole in a different position. He described details of the current pole set up. Due to the current pole location being close to the street, he is aware of several incidents of vehicle damage at this location as people use the parking lot. Their goal is to remove pole 304 and the current electrical masthead to reduce the multiple hazards associated with the current set up. Rich Dinnocenzo of 12 Emerson Place asked if the power would go underground or overhead. It is subject to how much it would cost the church. National Grid will discuss this further. Rich has concerns of the poor condition of the street due to prior work and asks if the street will be repaved. Rafael from National Grid was present. The current pole is at a handicap parking spot. NG can remove it and replace it with a new pole across the street. The church will be fed with overhead lines and NG will repair any sidewalk damage.

David Bliss was under the impression that there was an option for underground service and NG says they did not realize they may want this. Underground service will be more expensive to the church and NG did not include this in their plans.

Motion to Close the Public Hearing made by Councilor Jamaledine at 8:23 PM
Seconded by Councilor Vandiver
All were in favor and Public Hearing was closed

A. Petitions

1. **(ID # 12773):** Petition to install 1 JO Pole on Emerson Pl Order #31108543

From: City Council

OUGHT TO PASS

Minutes Acceptance: Minutes of Jul 21, 2025 7:45 PM (Reading of the Minutes)

Much discussion occurred on this topic which is documented in the Public Comment for Public Hearing section of these minutes. Questions remain unanswered which will require further research outside of this meeting. Councilor Garipay represents this ward and prefers to hold this order until we have more clear information and can keep the residents updated.

Motion to Hold made by Councilor Karamcheti

Seconded by Councilor Hamilton

All were in favor and motion passed

Councilor Hamilton commented that the document before them does request permission to lay and maintain underground laterals, cable and wires in the above or intersecting public ways. And that is different.

Rafael commented that he already had the site visit with the city engineer and does not understand the misunderstanding but he will submit it again.

Councilor Jamaledine asked about the impact or urgency of moving the pole. It is in a handicap space and people keep hitting it, so that is the impact and the possibility of someone hitting it harder and knocking down the pole. The church made the request to move it because of this. Once approved it will move quickly with NG and take 3-4 months since it's already in queue. There is no temporary solution other than the pole breaking which puts it in emergency status. NG will request that the pole be better marked with flashers, reflectors or paint to bring more notice to it in the meantime. Poles are shared with Verizon and they will have to remove their assets from this pole before it's removed. The city may have assets to remove also. Assets cannot be removed until the new pole is in place.

Councilor Garipay stated that a final vote to hold this ID was already made and cannot be changed. It will be voted on again at the next council meeting on 8/18 and NG can submit their documentation for that.

Councilor Hamilton asked how old the current pole is which is about 35-40 years and the handicap space probably was not there upon installation. NG always had overhead service planned for the new pole connection. The church may have concerns regarding overhead vs underground service.

Councilor Vandiver commented about moving the location of the handicap parking spot away from the pole. The church said it's possible to move but it but might not provide enough space for walking in.

Councilor Garipay ended the discussion by stating that they will wait for more information.

RESULT:	TABLE [8 TO 0]	Next: 8/18/2025 7:45 PM
TO:	City Council	
AYES:	Finocchiaro, Garipay, Hamilton, Jamaledine, Karamcheti, Romanul, Vandiver, Williams	
ABSENT:	John Obremski, Robb Stewart, Leila Migliorelli	

2. **(ID # 12774):** Utility Petition for National Grid to install 1 JO pole N Cedar Park No 31067326

From: City Council

OUGHT TO PASS

Rafael of NG said this change is for safety issues. The pole is too far away from the house.

Motion to Recommend/Approve made by Councilor Williams

Seconded by Councilor Finocchiaro

All were in favor and motion passed

RESULT:	PLACE ON FILE [8 TO 0]
TO:	City Council
AYES:	Finocchiaro, Garipay, Hamilton, Jamaledine, Karamcheti, Romanul, Vandiver, Williams
ABSENT:	John Obremski, Robb Stewart, Leila Migliorelli

VII. UNFINISHED BUSINESS

A. *Appointment*

1. **(ID # 12793):** Appointment of Chief John White, 40 Youle Street, Melrose, MA as Emergency Management Director

From: Protection and License Committee

RECOMMEND

Motion to Recommend made by Councilor Romanul

Seconded by Councilor Finocchiaro

All were in favor and motion passed

Minutes Acceptance: Minutes of Jul 21, 2025 7:45 PM (Reading of the Minutes)

RESULT:	PASSED [8 TO 0]
TO:	City Council
AYES:	Finocchiaro, Garipay, Hamilton, Jamaledine, Karamcheti, Romanul, Vandiver, Williams
ABSENT:	John Obremski, Robb Stewart, Leila Migliorelli

B. Ordinance

1. **(ID # 12729):** Amending Chapter 4 of the Revised Ordinances of the City of Melrose, to Insert a New Section 4-15, Payment of Taxes as Condition of City Facility Rental

From: City Council

ASSIGNED TO COMMITTEE

Councilor Jamaledine stated that this order was sent back from Legal & Legislative due to expiring and is now returned to Full Council with No Action

Motion to Send back to Full Council made by Councilor Jamaledine
 Seconded by Councilor Finocchiaro
 All were in favor and motion passed
 Motion to Refer to Legal & Legislative made by Councilor Garipay

RESULT:	ASSIGNED TO COMMITTEE
TO:	Legal & Legislative Committee

2. **ORDNC-2026-1:** Acceptance of M.G.L. chapter 200A, Section 9A, relating to the disposition of unclaimed property by a city or town.

From: Legal & Legislative Committee

RECOMMEND PLACE ON FILE

Motion for Passage made by Councilor Jamaledine
 Seconded by Councilor Finocchiaro
 All were in favor and motion passed

RESULT:	PASSED [8 TO 0]
TO:	City Council
AYES:	Finocchiaro, Garipay, Hamilton, Jamaledine, Karamcheti, Romanul, Vandiver, Williams
ABSENT:	John Obremski, Robb Stewart, Leila Migliorelli

3. **(ID # 12795):** Amending Chapter 164-2(C)(6) of the Revised Ordinances of the City of Melrose to specify permitted hours and days for construction activities

Councilor Garipay stated that this will have the Final Vote at the next Full Council meeting on 8/18 due to Charter Section 2-9C which requires it to stay in committee for 10 days before a final vote

RESULT:	NO ACTION TAKEN
TO:	City Council

VIII. EXPIRIES

IX. RULE 37 REPORTS

Councilor Garipay stated that there are no reports under Rule 53
 Motion to Recess in order to start the Public Hearing made by Councilor Hamilton at 7:55 PM
 Seconded by Councilor Vandiver
 All were in favor and meeting was recessed

X. ADJOURNMENT

Motion to Adjourn made by Councilor Williams at 8:24 PM
 Seconded by Councilor Finocchiaro
 All were in favor and meeting was adjourned



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12883)

Appointment of Cole Lepler, 34 Frances Street, to the Conservation Commission

BE IT ORDERED

Appointment of Cole Lepler, 34 Frances Street, to the Conservation Commission, said term to expire the last day of February 2027. Mr. Lepler replaces Kaitlyn Calhoun who has resigned.

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Appointment/Reappointment (ID # 12883)

Meeting

Date

Date

If you don't want to receive such e-mails, you can change your settings at <https://www.cityofmelrose.org/user/51/edit>.

Message:

Hello Ingrid,

My name is Cole Lepler and I am currently a first-year Environmental Policy and Planning MS student at Tufts University. I have lived in Melrose my entire life and have developed a love for the land I call home. I recently attended last Thursday's meeting and enjoyed hearing all of the discourse regarding compliance to State Conservation laws and the passion for conservation among this group. It is my understanding that a new Associate Member is likely to be added to the Commission. I was wondering if there is another opening to become an associate member as I would love to help advance the goals of this commission. My background is in research as I have held a few research positions in my professional career and believe I would be a good fit to help consolidate information in a way the board members and the public can digest.

Please let me know if there is an opening and if not I will keep an eye out in the future. If there is, I'll send my resume.

I look forward to hearing from you!

Best,
Cole Murthy Lepler

****CITY OF MELROSE PUBLIC RECORDS NOTICE: Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.****

****CITY OF MELROSE PUBLIC RECORDS NOTICE: Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.****

Education

Tufts University / Current Student in Environmental Policy and Planning

SEPTEMBER 2024 - PRESENT, MEDFORD, MA

Relevant Coursework: Foundations of GIS, Applied Statistics, Foundations of Public Policy, Cities in Space, Place, & Time

Christopher Newport University / BA in Political Science; BA in Leadership Studies

AUGUST 2020 - MAY 2024, NEWPORT NEWS, VA

GPA: 3.81, Magna Cum Laude Honors

Experience

Seasonal Laborer/ Massachusetts Department of Conservation and Recreation

JUNE 2024 - AUGUST 2024, NICKERSON STATE PARK, BREWSTER, MA

- Assisted with invasive species control and gained experience in tree and flower identification
- Maintained camping facilities and the Cape Cod Rail Trail, along with other in-park trail maintenance
- Acquired skills in blacktop and road repair, caulking and tile repair, and lawn care

Student Sustainability Commission/ Student Sustainability Network Member

JANUARY 2024 - MAY 2024, NEWPORT NEWS, VA

- Partnered with NexTrex to install soft plastic collection bins with the goal of recycling into park benches
- Organizes panel speaker event with a focus on nature's effect on mental health
- Forges relationships with other on-campus clubs to continue the conversation about sustainability on campus

Reiff Center for Human Rights and Conflict Resolution / Research Intern

JANUARY 2023 - MAY 2024, NEWPORT NEWS, VIRGINIA

- Consolidates data from other human rights centers from universities throughout the United States.
- Works events put on by the center that bring in scholars from other universities to discuss their research in human rights and conflict resolution
- Published four separate chapters in a companion website for a human rights textbook

Seaside Sustainability, Inc./ Research Intern

JUNE 2023-NOVEMBER 2023, GLOUCESTER, MA (Remote)

- Created projects for the Climate Mitigation group to spread awareness of the harmful effects of fast fashion throughout the United States
- Facilitated group meetings to discuss plans and strategies for the best implementation of the research within projects
- Led research on Electric Vehicles and fast fashion to draft policy memos to send to local legislatures

Skills

- Familiar with ArcGIS and Stata Applications
- Spanish Seal of Bilingual Proficiency
- Proficient in all Google and Microsoft applications

Awards and Service

- Scholarship recipient for President's Leadership Program at Christopher Newport University
- Member of Pi Alpha Delta Pre-Law Fraternity and Pi Sigma Alpha Political Science Honor Society
- CNU Dean's List Spring 2021, 2022 Academic year, 2023 Academic year, and 2024 Academic Year
- 55 hours of Community Service at Melrose High School
- 101 hours of Community Service at Christopher Newport University



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12895)

Appointment of Tamara Shovelton as Veterans' Services Agent

BE IT ORDERED

Appointment of Tamara Shovelton as Veterans' Services Agent

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Tamara Shovelton

Swampscott, MA | [REDACTED]

EDUCATION

Master of Arts in World War II Studies Arizona State University, World War II Studies	2021
Master of Arts in European History University of North Carolina Wilmington	2016
Bachelor of Arts in History Meredith College	2014
Associate Degree Wake Technical Community College	2012

PROFESSIONAL EXPERIENCE

Partnership, Event, and Student Recruitment Coordinator 01/2024-03/2025
Noodle Remote

- Spearheaded the identification and cultivation of high-value partnerships with educational institutions, community organizations, and industry leaders to enhance brand visibility and expand student outreach initiatives.
- Facilitated the development of strategic business partnerships for universities
- Led the planning and execution of recruitment events, including open houses, information sessions, and webinars, designed to engage prospective students and showcase program strengths
- Directed all aspects of the student recruitment process, from developing outreach strategies to executing targeted marketing campaigns. Successfully increased application rates and enrollment numbers
- Worked closely with academic departments, admissions, and marketing teams to align recruitment efforts with institutional goals, ensuring a cohesive approach to attracting and retaining students.
- Maintained the accuracy of the Customer Relationship Management (CRM) system by updating information from partner application systems.
- Streamlined recruitment processes by implementing best practices in CRM utilization, lead management, and follow-up protocols, enhancing efficiency and prospective student experience.
- Spearheaded the planning and execution of high-profile events, ranging from large-scale corporate conferences to bespoke private functions, delivering exceptional experiences that aligned with strategic business goals and enhanced brand reputation.
- Directed cross-functional teams, including marketing, operations, and external vendors, to ensure flawless event delivery, high client satisfaction, and adherence to stringent quality standards.
- Successfully orchestrated and oversaw the university's annual symposium and all significant events.
- Managed all logistical aspects of events, including venue selection, budgeting, vendor negotiations, and on-site execution. Ensured high-quality delivery and seamless attendee experience through meticulous planning and attention to detail.

Enrollment Manager 10/2022-12/2023
Meteor Learning Remote

- Collaborated with Project Directors and Admissions Advisors from the Call Center to assess applicant statuses, ensuring thorough application review and maintaining quality standards.
- Examined vital performance indicators (KPIs) within the application pipeline, identifying opportunities for enhanced yield.
- Personally contacted students through calls and emails, amplifying communication initiatives initiated by partners and advisors.
- Interacted with students to facilitate course re-enrollment and provided essential support services.
- Updated the Customer Relationship Management (CRM) system with information from partner application systems.
- Conducted training sessions for advisors on program offerings and career prospects to elevate applicant engagement.
- Proficiently managed and supervised the inaugural symposium and all significant events.
- Formulated and implemented recruitment initiatives.

Full Time-Temp-Adjunct /First Year Experience
Wake Technical Community College

01/2018– 12/2022
Raleigh, NC

- Counseled students in making meaningful career choices and guided them toward achieving their goals.
- Assisted students in comprehending effective learning techniques.
- Provided mentorship and financial assistance advice to support students' educational pursuits.
- Directed students in formulating success plans, including setting goals, recognizing obstacles, and monitoring ongoing progress toward goals.
- Contributed to the development, implementation, and evaluation of the curriculum.
- Conducted office hours and student support sessions to foster success.

Adjunct Professor of History
Suffolk University

06/2020 – 08/2021
Boston, MA

- Assessed students to gauge their advancement towards meeting specified course objectives and communicated their progress.
- Maintained an adaptive curriculum to stay current with higher education trends.
- Strategically structured and coordinated instruction to optimize student learning and involvement.
- Engaged in assessing program outcomes.
- Supplied students with resources tailored to address their unique learning requirements.

Adjunct Instructor at the History Department
Wake Technical Community College

01/2017 – 12/2018
Raleigh, NC

- Spearheaded research in specialized domains, participated in conferences, presented findings, and fostered connections within the professional sphere.
- Adapted teaching techniques and approaches to accommodate the varied needs of students.
- Evaluated assigned papers and exams, providing students with constructive and pragmatic feedback.
- Conducted office hours for student consultation and support.

Adjunct Instructor at the History Department
Meredith College

01/2018 – 05/2019
Raleigh, NC

- Developed a syllabus and course framework that aligns with learning objectives and encourages proactive student engagement.
- Evaluated teaching methods and materials, providing suggestions for improvement.
- Evaluated assigned papers and exams.
- Furnished students with lucid and constructive feedback.
- Conducted office hours for student assistance and consultation.

MILITARY EXPERIENCE

United States Army
United States Army Reserve

1996-1999
2001-2004

VOLUNTEER EXPERIENCE

VETERAN SERVICE LEADERSHIP

Disabled American Veterans (DAV)
Chapter Service Officer & Department Service Officer
Member, DAV National Organization

- Serve as an Accredited DAV Service Officer, helping veterans and their families navigate the VA system and apply for benefits, including disability compensation, education assistance, pensions, and healthcare access.
- Provide free, confidential counseling and claims assistance to veterans
- Represent veterans during claims and appeals processes, ensuring accurate documentation and strong advocacy.
- Collaborate with local, state, and federal agencies to connect veterans with additional services and support.
- Completed Accredited DAV Service Officer Training, demonstrating proficiency in federal and state benefit systems, appeals, and case management.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12899)

Reappointment of Charles Harak, 14 Country Club Road, to the Melrose Housing Authority for a three-year term; said term to end on the first Monday of March 2028.

BE IT ORDERED

Reappointment of Charles Harak, 14 Country Club Road, to the Melrose Housing Authority for a three-year term; said term to end on the first Monday of March 2028.

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Appointment/Reappointment (ID # 12899)

Meeting

Date

Date

TO: Melrose City Council
FROM: Charles Harak (Melrose Housing Authority Commissioner)
DATE: August 7, 2025
RE: Re-appointment

I am interested in being re-appointed to my position on the Board of the Melrose Housing Authority (MHA). I have been an active member of the MHA Board for several years. I am an attorney, which can be of value to the Board, and also spent my entire legal career representing the interests of low-income households regarding their housing and home energy needs. At my recent retirement party, I received commendations from both Governor Healey and Attorney General Campbell for my work on behalf of low-income households.

The most important, recent accomplishment of the Board was to hire Martin Corona as our executive director, to replace James Holt, who held the position for many years. In addition, I would note that the current Board members work together very well and always have the interests of our tenant uppermost in our minds.

I respectfully request that I be re-appointed.

Charles Harak
14 Country Club Rd.
Melrose
[REDACTED]



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12898)

Requesting acceptance of a Massachusetts Gaming Commission Community Mitigation Fund Grant in the amount of \$166,800 to address the impacts of gambling related harms in our community.

BE IT ORDERED

Requesting acceptance of a Massachusetts Gaming Commission Community Mitigation Fund Grant in the amount of \$166,800.

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Grant (ID # 12898)

Meeting of August 18, 2025

Date

Date



7/17/2025

Via E-Mail

Anthony Chui, Director of Health and Human Services
562 Main Street
Melrose, MA 02176

RE: FY 2026 Community Mitigation Award- Melrose

Dear Anthony Chui,

On behalf of the Massachusetts Gaming Commission, I extend my congratulations on your successful application to the Community Mitigation Fund. We are confident that your grant-funded work will contribute positively to the region.

Enclosed with this letter is the Grant and State Contract for execution by a person authorized to sign on behalf of the community. Please be sure to read the grant and contract as they contain detailed information about the terms and conditions of your grant, including the approved grant amount, reporting requirements, special conditions (if any), and end date of the grant. It's important to note that the Commission changed the duration of the grants to two years (instead of four years). You can find all necessary forms for quarterly reports and close-outs on our website at <https://massgaming.com/about/community-mitigation-fund/forms/>. Please review these carefully and feel free to reach out to our team if you have any questions or need further clarification.

Your signed grant and contract must be returned as soon as possible to ensure the appropriate encumbrance of funds. No expenditures can be made on this Grant until fully executed copies of the grant and contract are received by MGC.

Once again, congratulations on your grant award. We look forward to working closely with you to ensure the successful completion of your grant funded work.

Sincerely

A handwritten signature in dark ink, appearing to read "Joseph Delaney", is written over a light blue horizontal line.

Joseph Delaney, Chief of Community Affairs



BD-25-1068-1068C-1068L-109685

*By and between the Massachusetts Gaming Commission and
The City of Melrose, Massachusetts*

This Fiscal Year (FY) 2026 Grant (the “Grant”) is entered into by and between the Massachusetts Gaming Commission (“Commission”), and the City of Melrose, Massachusetts (hereinafter “the Parties”) for an award in the amount of \$166,800 in accordance with M.G.L. c. 23K, §61 and the FY 2026 Community Mitigation Fund Guidelines. **This Grant Agreement expires on June 30, 2027.**

RECITALS

The following recitals are an integral part of this Grant Agreement:

1. The Grantee has qualified to apply for funding under M.G.L. c. 23K, §61 and the Grantee has submitted an Application to the Commission in accordance with M.G.L. c. 23K, §61 requesting disbursements to Grantee from the Community Mitigation Fund; and
2. The Commission has determined that the Grantee is eligible for the receipt of a Grant under the Community Mitigation Fund. The Grantee has agreed to accept the funds subject to all terms and conditions of this Grant.
3. The purpose of this Grant is to establish the specific scope, budget, and conditions for Grantee to provide to the Commission as part of this Grant; and
4. In consideration of the promises and the mutual covenants contained in this Grant, the receipt and legal sufficiency of which are hereby acknowledged, the Commission and the Grantee, intending to be legally bound, hereby agree as follows:

DEFINITIONS

Application: Shall mean the documents submitted in response to the Request for Response BID Number: BD-25-1068-1068C-1068L-109685 by the Grantee and, if applicable, the Response to the Request for Supplemental Information (RRSI) as approved by the Commission on 06/17/2025.

Effective Date: The Effective Date of this Grant or any amendment hereto is the date on which this Grant or an amendment is fully executed by all parties.

SECTION 1 THE GRANT

As of the Effective Date and subject to the satisfaction of or compliance with, as reasonably determined by the Commission: (a) all of the terms and conditions of this Grant, (b) the applicable provisions of M.G.L. c. 23K, Chapter 194 of the Acts of 2011, and 205 CMR, and (c) any other rule, regulation, policy, guideline, approval, or directive of the Commission, the Commission hereby approves the following Grant: an amount that shall under no circumstances exceed one hundred sixty-six thousand eight hundred dollars (\$166,800). The Parties hereby acknowledge and agree that the amount set forth in this section, as determined by the Commission in its sole discretion, is the maximum amount of funding that the Grantee may receive from the Commission under this specific Grant. This Grant is also subject to all the terms and conditions in the Commonwealth of Massachusetts – Standard Contract Form and Commonwealth Terms and



Conditions as issued by the Massachusetts Executive Office for Administration and Finance or the Interdepartmental Service Agreement, as applicable.

SECTION 2 COVENANTS, REPRESENTATIONS, AND WARRANTIES

The Grantee covenants and agrees that in exchange for this Grant, the Grantee shall and shall cause its employees, officials, agents, and representatives to perform and comply with the following covenants, and otherwise represents and warrants as follows:

2.1 The Grantee was awarded this Grant based on representations in its Grant Application and its RRSI regarding the Grant's intended purpose or use.

2.2 The Grantee hereby acknowledges and agrees that neither the Grantee nor any of its employees, officials, agents, or representatives has submitted nor shall submit any false or intentionally misleading information or documentation to the Commission in connection with this Grant, including the Application and RRSI, as applicable, and further acknowledges and agrees that the submission of any such information or documentation shall be a material breach of this Grant and may be cause for the Commission to revoke any and all payments otherwise due to the Grantee, to recoup any previous payments made to the Grantee, and/or to make the Grantee ineligible for any further funding from the Commission. The Grantee hereby further agrees that it shall have a continuing obligation to update and notify the Commission in writing when it knows or has any reason to know that any information or documentation submitted to the Commission contains false, misleading or incorrect information.

2.3 The Grantee certifies that the funds from this Grant will be used solely for the purposes outlined in **SECTION 3 SCOPE OF GRANT**.

2.4 The Grantee hereby agrees that it shall use its best efforts and resources to diligently satisfy and complete each of the terms and conditions of this Grant and the purposes for which the funding is being provided, as set forth in **SECTION 3 SCOPE OF GRANT**.

2.5 The Grantee hereby acknowledges and agrees that all expenditures of Grant funds shall be subject to review and audit by the Commission.

2.6 The Grantee hereby acknowledges and agrees that the scope of any activities prepared pursuant to this Grant shall be approved by the Commission's staff prior to the commencement of such actions.

2.7 The Grantee shall provide the Commission with all studies, reports or other documents prepared as part of this Grant. Copies of any studies, reports, or other documents prepared by the Grantee by its agents, associates, consultants, employees, partners, or servants insofar as they relate to this Grant shall be forwarded to the Commission.

2.8 The Grantee certifies that all goods and services procured in furtherance of this Grant, as described in **SECTION 3 SCOPE OF GRANT**, will be procured in accordance with all applicable federal, state and municipal laws, with written contracts, subject to the approval of the Commission's staff.

2.9 The funding is solely intended for use towards the execution of the items delineated in **SECTION 3 SCOPE OF GRANT** as approved by the Commission. The exact dollar figure of the Grant may be determined after projects bids have been received and final costs are allocated.



2.10 During the term of the Grant and for six years from the date of transmission of the final expenditure report, the Grantee agrees to maintain, intact and readily accessible, all communications, data, documents, reports, records, receipts, contracts, and supporting materials relating to the Project.

2.11 The Grantee shall furnish to the Commission such further affidavits, certificates, opinions of counsel, surveys and other documents and instruments as may be required by the Commission to ensure that the terms of this Grant are being observed and performed in all respects.

2.12 The Grantee shall and shall cause its employees to comply with all provisions of this Grant, and all provisions of law that are applicable to the Grant; the Grantee shall take all action necessary to fulfill its obligations under this Grant and under all other agreements related to the Grant that have been referenced herein or otherwise approved by the Commission.

2.13 With respect to all actions taken in relation to the Grant, the Grantee and all of its officers, agents and employees shall observe and obey, and shall include language in all of its contracts with the contractors and vendors requiring them to observe and obey, all federal, state and local laws, regulations, ordinances, codes, statutes, orders and directives and any other applicable provisions of law.

2.14 The Grantee hereby acknowledges and agrees that the terms set forth in the Grant are intended solely to govern the disbursement of funds in accordance with M.G.L. c. 23K, §61. Nothing herein shall be construed as advice to, nor create a duty to provide advice to, the Grantee regarding legal or contractual requirements or best practices. Further, nothing in this Grant shall be construed as creating a duty or obligation on the part of the Commission to oversee or monitor the performance of any contractor, vendor, or other project participants.

2.15 The Grantee has read and fully understands the provisions of the Massachusetts Conflict of Interest law, M.G.L. c. 268A, and has implemented policies and procedures to ensure that all employees, agents, consultants, and representatives working on or for any project for which Grant funds will be used are in compliance with M.G.L. c. 268A to the extent that it is applicable.

2.16 The Grantee has implemented policies and procedures to prevent and eliminate fraud, waste, and abuse of public funds in connection with the expenditure of the funds from this Grant.

2.17 The Grantee represents that the acceptance of funding in accordance with the terms of this Grant does not and will not conflict with or result in the violation of any charter, by-law, ordinance, order, rule, regulation, statute or any other applicable provision of law or any order, rule, regulation or judgment of any court or other agency of government.

2.18 The Grantee represents that it has duly obtained all necessary votes, resolutions, appropriations, and local approvals for the actions set forth in **SECTION 3 SCOPE OF GRANT** and has taken all actions necessary or required by law to enable it to execute this Grant and to perform its obligations hereunder.

2.19 The Grantee represents that all meetings of all public bodies related to this Grant which relate in any way to the expenditure of funds from this Grant have been conducted, and shall be conducted, in compliance with the provisions of M.G.L. c. 30A, §§18–25, 940 CMR 29.00 et seq., and all other applicable law.

2.20 (if applicable) For Construction Projects: The Grantee shall provide Commission representatives with access to the Project site whenever Project work is in preparation or progress and shall provide such representatives with proper facilities for site access and inspection. The Grantee shall also provide



the Commission with all executed contract documents related to the Project and plans and specifications prepared in relation to this Grant. The Grant will only fund a portion of construction costs. Grant funds will provide 100% of project costs up to \$250,000 and will fund up to 30% of the costs in excess of \$250,000 up to a maximum grant of \$1.5 million. If a municipality has more than one transportation construction project, the total cost of the combined projects will be used to determine the project subsidy (i.e., only the first \$250,000 of the combined projects receives the 100% subsidy). Any grant requests that exceed these funding limits require a waiver from the Commission. Applicants must demonstrate that the project will begin construction no later than June 30, 2026. Applicants may apply for Transportation Construction funds in future years for a project included in an FY 2026 application. However, any FY 2026 transportation construction project may not rely upon contributions from the Community Mitigation Fund in future rounds.

SECTION 3 SCOPE OF GRANT

Having received and reviewed the Application dated 1/31/2025 and supporting documentation submitted by the Grantee, the Commission hereby finds that the following are necessary and reasonable costs to offset costs related to the construction and operation of a gaming establishment. The Grantee hereby acknowledges and agrees that the scope of the Grant shall be governed by the following requirements:

3.1 The Grantee hereby certifies that the Community Mitigation Grant funds are for the sole and exclusive use of City of Melrose as approved by the Commission on 6/17/2025.

3.2 The Grantee shall provide the Commission staff with a detailed scope, budget and timeline which shall be approved by the Commission's staff prior to the execution of the Grant.

3.3 If applicable to this Grant, in the event Grantee encounters or anticipates difficulty in meeting the project schedule, the Grantee must immediately notify the Commission's Program Manager in writing, and shall provide pertinent details, including the reason(s) for the delay in performance and the date by which Grantee expects to complete performance or delivery. This notification shall be informational in character only and receipt of it shall not be construed as a waiver by the Commission of a project delivery schedule or date, or any rights or remedies provided by this Grant.

3.4 Any substantive deviation from Grantee's approved Scope of Work or budget, as outlined in the Application and this Grant, during project implementation may require re-evaluation and approval by the Commission.

3.5 If applicable to this Grant Agreement, the Grantee shall identify any other local, state or federal funds, including in-kind services being provided as matching funds for this grant.

3.6 Overview of Approved Scope: See Addendum A -SCOPE OF WORK



3.7 Special Conditions: See Addendum A - SCOPE OF WORK

SECTION 4 DISBURSEMENT OF THE GRANT

Subject to the terms and conditions set forth in this Grant, the Commission shall disburse Grant funds in accordance with the following:

4.1 Having completed review of the Application submitted by the Grantee, the Commission has determined that the Grantee is eligible for funding in the amount of \$166,800.

4.2 The funding is solely intended for use towards the execution of the items delineated in **SECTION 3 SCOPE OF GRANT** as approved by the Commission. The exact dollar figure of the Grant may be determined after projects bids have been received and final costs are allocated.

4.3 Eligible Costs. The Grantee agrees that Project costs eligible for grant funding must comply with the following requirements. To be eligible for reimbursement, Project costs must be:

- a. Consistent with the Project Scope of Work, the Project Budget, and other provisions of the Grant.
- b. Reasonable for the goods or services purchased.
- c. Satisfactorily documented with supporting documentation, which is to be submitted with each invoice.
- d. Treated consistently in accordance with generally accepted accounting principles and procedures for the Grantee.
- e. Eligible for grant funding as part of the grant program through which the funds were awarded.

4.4 In the event that the Commission detects any irregularity in the expenditure of any Grant funds, it may request reimbursement of those misspent funds or pursue any other remedy available by law.

4.5 The Grantee may submit invoices to the Commission on a quarterly basis with the **Quarterly Report Form** pursuant to SECTION 5 of this Grant. The Commission shall make payments for eligible amounts to the Grantee as promptly as fiscal procedures permit upon receipt of Grantee's itemized invoice(s) via the Quarterly Report Form.

4.6 Following approval by the Commission staff as specified in **SECTION 3 SCOPE OF GRANT** and upon the Commission Staff's receipt and approval of an accounting of expenditures, and the receipt of either estimates of proposed expenditures of grant monies, a copy of an invoice, or proof of payment, the Commission shall either issue a check or transfer monies to the Grantee.

4.7 The payment schedule may be modified if the current payment procedure conflicts with the Grantee's accounting practices. Such a request must be made by the Grantee and approved by Commission Staff on a timely basis.

4.8 The Commission shall retain ten percent (10%) of the amounts invoiced until satisfactory completion of work as determined by Commission Staff. Upon a determination by Commission Staff of satisfactory completion of work along with receipt of final invoice and all required documentation from Grantee, the Commission shall pay the ten percent retainage to Grantee.



4.9 Acceptance and processing of the Final Payment by the Grantee shall indicate receipt of the Grant funds in full satisfaction of the approved scope. The Grantee shall provide the Commission with a final accounting after the expenditure of the Final Payment.

SECTION 5 QUARTERLY REPORTING REQUIREMENTS

The Grantee shall submit to the Commission a quarterly update on the expenditure of the Grant funds detailing accomplishments in the quarter, anticipated progress next quarter, pending issues and actions toward resolution, and status of budget and schedule. Said quarterly reports shall be due:

November 15th for the period ending September 30th

February 15th for the period ending December 31st

May 15th for the period ending March 31st.

August 15th for the period ending June 30th

SECTION 6 AMENDMENTS

This Grant may be amended only through a written amendment signed by duly authorized representatives of the Commission and the Grantee. Grantees looking to amend their Grant must submit a written request to amend the Grant to the Commission's Program Manager. An amendment to the Grant may be made at the Commission's discretion if the request to amend is consistent with the provisions of this Grant. Grant funds may only be moved between projects within the Grant. Funds may not be moved between previously awarded Grants and this Grant.

SECTION 7 FINAL REVIEW, AUDIT AND CLOSE-OUT

7.1 Upon expenditure of all funds distributed under this Grant, the Grantee shall submit a Grant Review Form and a Close-Out Report Form, which shall include an overview of the goals and objectives stated in the grant application; all documents as further described in Section 2.7 of the Grant; and a description of the changes, if any, that were made to the project that differ from the Application. The Close-Out Report Form shall include a summary of key program accomplishments and shall include:

- a. The Grantee shall submit the Grant Review Form and Close-Out Report Form to the Commission prior to submittal of the Request for the Final Payment.
- b. The Grantee must provide the Commission with a final accounting including the remaining balance of the Final Payment.
- c. The Grantee must return any funds due to the Commission as a result of refunds, corrections, or audits.
- d. The Commission may request any supplemental information it deems necessary to ensure that the funds were expended in accordance with **SECTION 3 – SCOPE OF THE GRANT**. The Commission may conduct, or cause to be conducted, an audit of the transactions and expenditures made by the Grantee in connection with this Grant.

7.2 In the event that the Commission detects any irregularity in the expenditure of any Grant funds, it may request reimbursement of those misspent funds or pursue any other remedy available by law.

7.3 Unused funds must be promptly returned to the Commission upon the completion of the items identified in **SECTION 3 SCOPE OF GRANT** or the expiration of the grant. In the event of disagreement,



the Commission may require the Grantee to return any funds which remain unexpended 60 days after the completion of the grant scope.

SECTION 8 INDEMNIFICATION

8.1 To the fullest extent permitted by law, the Grantee shall indemnify, defend, and hold harmless the Commission, commissioners, agents and employees from and against any and all claims, actions, damages, awards, judgments, liabilities, injuries, costs, fees, expenses, or losses, including, without limitation, reasonable attorney's fees and costs of investigation and litigation whatsoever which may be incurred by or for which liability may be asserted against the Commission, its commissioners, agents or employees arising out of any activities undertaken by, for, or on behalf of the Grantee relative to the expenditure, disbursement, or use of the funds associated with this Grant or any activities, acts or omissions in relation to the Grant including, but not limited to, the performance of any contract or obligation directly or indirectly related to the Grant. This Section shall not be construed to negate or abridge any other obligation of indemnification running to the Commission which would otherwise exist.

8.2 No member or employee of the Commission shall be held personally or contractually liable by or to the Grantee under any provision of this Grant, because of any breach of this Grant, or because of its execution or attempted execution.

SECTION 9 CERTIFICATIONS FILINGS AND SUBMISSIONS

All certifications, filings, and submissions to the Commission in furtherance of this Grant shall be made by a duly authorized representative of the Grantee. Such representative shall acknowledge that such certification, filing, or submission is true, complete and accurate, to the best of the Grantee's knowledge.

SECTION 10 GOVERNING LAW, VENUE, AMENDMENT AND SEVERABILITY

10.1 This Grant shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts. In case any provision(s) hereof shall be determined invalid or unenforceable under the applicable law, such provision(s) shall, insofar as possible, be construed or applied in such manner as will permit the enforcement of this Grant; otherwise, this Grant shall be construed as though such provision(s) had never been made a part hereof.

10.2 Any civil action brought against the Commission by the Grantee, or any person or entity claiming through or under it, which arises out of the provisions of this Grant, shall only be brought in the Superior Court for Suffolk County, Massachusetts. The Grantee, for itself and for any person or entity claiming by through or under it, hereby waives any defenses that it may have as to the venue to which it has agreed herein, including, but not limited to, any claim that this venue is improper or that the forum is inconvenient. The Grantee for itself and for any person or entity claiming by, through or under it, hereby waives all rights, if any, to a jury trial in any civil action against the Commission that may arise out of the provisions of this Grant.

10.3 This Grant and any amendments hereto shall be deemed null and void and of no further force or effect unless it is executed by a duly authorized representative of the Commission and a duly authorized representative of the Grantee. The undersigned, who are signing on behalf of the Grantee, hereby warrant and represent that they possess the full legal authority to execute this Grant on behalf of the Grantee and to bind the Grantee to its terms and conditions. In the event that the Commission later determines that the undersigned are not duly authorized to execute this Grant and to bind the Grantee,



the Commission may, in its sole discretion, take whatever action it deems necessary to terminate this Grant, to suspend or terminate payments to the Grantee and to recoup any funds disbursed to the Grantee. Any rights and remedies available to the Commission under the provisions of this Grant shall be in addition to any other rights and remedies provided by law.

SECTION 11 WAIVER OF GRANT TERMS, CONDITIONS, AND OBLIGATIONS

11.1 The terms, conditions, covenants, duties, and obligations contained in this Grant may be waived only by written agreement executed by duly authorized representatives of the Commission and the Grantee. No waiver by either party of any term, condition, covenant, duty or obligation shall be construed as a waiver of any other term, condition, covenant, duty or obligation nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or a different section, subsection, paragraph, clause, phrase, or other provision of this Grant. Forbearance or indulgence in any form or manner by either Party to this Grant shall not be construed as a waiver, nor in any way limit the remedies available to that party.

11.2 The Commission's payment(s) to the Grantee under this Grant or its review, approval, or acceptance of any actions by the Grantee under this Grant shall not operate as a waiver of any rights or remedies available to the Commission under this Grant or as otherwise provided by law.

SECTION 12 TERMINATION

12.1 The Grantee hereby acknowledges and agrees that the Commission may terminate the Grant, in whole or in part, at any time with or without cause, or if it determines in its sole discretion that the Grantee failed to comply with any provision of the Grant.

12.2 The Grantee hereby further acknowledges and agrees that in the event of termination by the Commission, the Commission may revoke any and all remaining payments otherwise due to the Grantee and may recoup any previous payments made to the Grantee.

12.3 In the event of termination by the Commission, the Commission shall provide written notice of termination to the Grantee, which shall state the effective date of said termination as well as the reason(s) for termination. Such written notice shall include whether the Commission intends to recoup previous payments made to the Grantee pursuant to the Grant.

SECTION 13 NOTICE

13.1 Any notices required or permitted to be given by either of the Parties hereunder shall be given in writing and shall be delivered to the addressee in one of the following manners: (a) in-hand; (b) by certified mail, postage prepaid, return receipt requested; (c) by a commercial overnight courier that guarantees next day delivery and provides a receipt, or (d) by email and such notices shall be addressed as follows:

If to the Commission:

Massachusetts Gaming Commission
101 Federal Street, 12th Floor.
Boston, MA 02110
Attention: Chief of Community Affairs
Email: MGCCMF@massgaming.gov



If to the Grantee:

Melrose
562 Main Street
Melrose, MA 02176
Attention: Anthony Chui
Email: Email Address: achui@cityofmelrose.org

Any notice shall be effective only upon receipt.

13.2 The Grantee must provide the Commission with updated contact information in a timely manner if there are any changes to staff assigned to manage this Grant.

[Remainder of page intentionally left blank; signature page to follow.]



IN WITNESS WHEREOF, the Massachusetts Gaming Commission and the Grantee have caused this Grant Agreement to be executed by their duly authorized representatives on the Effective Date.

SIGNATORY AUTHORITY OF GRANTEE

MASSACHUSETTS GAMING COMMISSION

By: _____
(Signature)

By: _____
(Signature)

(Print name)

Joseph Delaney
(Print name)

Title:

Chief of Community Affairs
Title:

Effective Date *(To be filled out by MGC Staff)*:

Attachment: FY-2026_Melrose_Grant Document (1) (12898 : Massachusetts Gaming Commission Community Mitigation Fund Grant)



ADDENDUM A- SCOPE OF WORK				
Grantee:	Melrose			
MMARS ID:	2026MelroseBlockGrnt			
Grant Year:	2026			
Award Amount:	\$166,800			
Approved by Commission on:	06/17/2025			
Special Conditions: Not applicable.				
Project Name	Project Description	Timeline	QTY	Amount
Pop-Up Shopping Experience	Consulting/Management Fee/Project: Pop-Up Continuity Planning	10/1/25-12/31/25	1	\$10,000
Pop-Up Shopping Experience	OpBox rental + delivery fee	10/1/25-12/31/25	1	\$3,250
Pop-Up Shopping Experience	Marketing Foundations - Educational Crash Course – up to 15 brands	10/1/25-12/31/25	1	\$1,000
Pop-Up Shopping Experience	YMCA Donation in lieu of space rent	10/1/25-12/31/25	1	\$700
Pop-Up Shopping Experience	Signage	10/1/25-12/31/25	1	\$1,800
Pop-Up Shopping Experience	Marketing, Event + Influencer Support	10/1/25-12/31/25	1	\$3,250
Identifying At-Risk Populations	Data Collection & Impact Assessment/Monitor and Evaluate	FY26	0	\$19,000
Identifying At-Risk Populations	Refine Social Norms Campaigns	FY26	0	\$45,000
Identifying At-Risk Populations	Photovoice and Community Wellness	FY26	0	\$16,000
Identifying At-Risk Populations	Financial Literacy Education Workshops	FY26	0	\$14,000
Identifying At-Risk Populations	Resource Dissemination and Outreach	FY26	0	\$2,200
Trauma kits and Portable Radios	Trauma kits	FY26	20	\$9,602
Trauma kits and Portable Radios	Police portable Radios	FY26	10	\$33,998
Senior Activities	Monthly entertainers, local artists, musicians	monthly	12	\$4,200
Senior Activities	Expended Rides to Essential Services	monthly	12	\$2,800



COMMONWEALTH OF MASSACHUSETTS | STANDARD CONTRACT FORM

This form is jointly issued and published by the Office of the Comptroller, the Executive Office for Administration and Finance, and the Operational Services Division as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions and Contractor Certifications](#), the [Commonwealth Terms and Conditions](#), the [Commonwealth Terms and Conditions for Human and Social Services](#) or the [Commonwealth IT Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access forms at macomptroller.org/forms or mass.gov/lists/osd-forms.

4.B.1.c

CONTRACTOR INFORMATION			COMMONWEALTH INFORMATION		
Contractor Legal Name Melrose		d/b/a	Department Massachusetts Gaming Commission		MMARS Code MGC
Legal Address 562 Main Street, Melrose, MA 02176 As entered on Form W-9 or Form W-4			Contract Manager Name Joseph Delaney		Business Mailing Address 101 Federal St, Boston, MA 02110
Contract Manager Name Anthony Chui			Billing Address If Different		
Phone (781) 9794133	Email Email Address: achui@cityofmelrose.org	Fax	Phone 617-533-9713	Email Joseph.Delaney@Massgaming.gov	Fax
Vendor Code VC 6000192115			MMARS Doc ID(s) 2026MelroseBlockGrnt		
Vendor Code Address ID AD AD001 e.g. "AD001". Note: The Address ID must be set up for Electronic Funds Transfer (EFT) payments.			RFR/Procurement or Other ID Number BD-25-1068-1068C-1068L-109685		
☒ NEW CONTRACT			☐ CONTRACT AMENDMENT		
Procurement or Exception Type (Check one option only) ☐ Statewide Contract (OSD or an OSD-designated department.) ☐ Collective Purchase (Attach OSD approval, scope, and budget.) ☒ Department Procurement - Includes all Grants 815 CMR 2.00 . (Attach Solicitation Notice or RFR, and Response or other procurement supporting documentation.) ☐ Emergency Contract (Attach justification for emergency, scope, and budget.) ☐ Contract Employee (Attach Employee Status Form, scope, and budget.) ☐ Interim Contract with new Contractor (Attach justification for Interim Contract and updated scope/budget.) ☐ Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope, and budget.)			Current Contract End Date PRIOR to Amendment Amendment Amount Or Enter "No Change"		
TERMS AND CONDITIONS The Standard Contract Form Instructions and Contractor Certifications and the following document are incorporated by reference into this Contract and are legally binding (Check ONE option): ☒ Commonwealth Terms and Conditions ☐ Commonwealth Terms and Conditions for Human and Social Services ☐ Commonwealth IT Terms and Conditions			Amendment Type (Check one option only. Attach details of amendment changes.) ☐ Amendment to Date, Scope, or Budget (Attach updated scope and budget.) ☐ Interim Contract with Current Contractor (Attach justification for Interim Contract and updated scope/budget.) ☐ Contract Employee (Attach any updates to scope or budget.) ☐ Other Procurement Exception (Attach authorizing language/justification and updated scope/budget.)		
COMPENSATION (Check ONE option.) The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00 . ☐ Rate Contract (No Maximum Obligation). (Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) Maximum ☒ Obligation Contract. Total maximum obligation for total duration of this contract (or new total if contract is being amended): \$166,800					
PROMPT PAYMENTS DISCOUNTS (PPD) Commonwealth payments are issued through Electronic Funds Transfer (EFT) 45 days from invoice receipt. See Prompt Pay Discounts Policy . Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within: 10 days % PPD. 15 days % PPD. 20 days % PPD. 30 days % PPD percentages are left blank, identify reason: ☐ Statutory/legal ☐ Ready Payments (M.G.L. c. 29, § 23A) ☒ Agree to standard 45-day cycle ☐ Only initial payment					
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation justifications. Community Mitigation Fund Grant FY 26 - This State Contract is intended to fund the projects outlined below as approved by the Massachusetts Gaming Commission on 06/17/2025. A complete scope of work for these projects can be found attached.					
SUPPLIER DIVERSITY PROGRAM (SDP) PLAN Does the Supplier Diversity Program apply? ☐ YES If YES, the Contractor's annual SDP commitment for this Contract is ☒ NO If NO, and the department is an Executive Department, enter the appropriate exemption:					
ANTICIPATED START DATE (Complete ONE option only.)					
The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ☐ 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. ☐ 2. may be incurred as of , 20 , a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. ☐ 3. were incurred as of , 20 , a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.					
CONTRACT END DATE Contract performance shall terminate as of June 30, 2027 , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.					
CERTIFICATIONS Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07 , incorporated herein, provided that any amended RFR or Response terms best value, lower costs, or a more cost effective Contract.					
AUTHORIZING SIGNATURE FOR THE CONTRACTOR Signature and date must be captured at time of signature.			AUTHORIZING SIGNATURE FOR THE COMMONWEALTH Signature and date must be captured at time of signature.		
Signature		Date	Signature		Date
Print Name		Print Title	Print Name Joseph Delaney		Print Title Chief of Community Affairs

ADDENDUM A- SCOPE OF WORK				
Grantee:	Melrose			
DOC ID:	2026MelroseBlockGrnt			
Grant Year:	2026			
Award Amount:	\$166,800			
Approved by Commission on:	06/17/2025			
Special Conditions: Not applicable. Hybrid Police Vehicle did not get funded.				
Project Name	Project Description	Timeline	QTY	Amount
Pop-Up Shopping Experience	Consulting/Management Fee/Project: Pop-Up Continuity Planning	10/1/25-12/31/25	1	\$10,000
Pop-Up Shopping Experience	OpBox rental + delivery fee	10/1/25-12/31/25	1	\$3,250
Pop-Up Shopping Experience	Marketing Foundations - Educational Crash Course – up to 15 brands	10/1/25-12/31/25	1	\$1,000
Pop-Up Shopping Experience	YMCA Donation in lieu of space rent	10/1/25-12/31/25	1	\$700
Pop-Up Shopping Experience	Signage	10/1/25-12/31/25	1	\$1,800
Pop-Up Shopping Experience	Marketing, Event + Influencer Support	10/1/25-12/31/25	1	\$3,250
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Identifying At-Risk Populations	Financial Literacy Education Workshops	FY26	0	\$14,000
Identifying At-Risk Populations	Resource Dissemination and Outreach	FY26	0	\$2,200
Trauma kits and Portable Radios	Trauma kits	FY26	20	\$9,602
Trauma kits and Portable Radios	Police portable Radios	FY26	10	\$33,998
Senior Activities	Monthly entertainers, local artists, musicians	monthly	12	\$4,200
Senior Activities	Expended Rides to Essential Services	monthly	12	\$2,800



CITY OF MELROSE

HEALTH DEPARTMENT

Board of Health

Frank Brincheiro, MD

Lillian Kelly R.N.

Carol Ann Licitra, L.M.H.C.

Health Director

Anthony Chui, MPH

City Hall, 562 Main Street

Melrose, Massachusetts 02176

Telephone - (781)979-4130

health@cityofmelrose.org

To: Melrose City Council

From: Anthony Chui, Director of Health and Human Services

Date: August 1, 2025

Subject: Approval of MA Gaming Commission Municipal Block Grant Award

Dear Honorable City Council,

We are excited to have been awarded \$166,800 by the Massachusetts Gaming Commission to address the impacts of gambling related harms in our community.

Building on the FY25 groundwork, this next phase will strengthen gambling prevention efforts in Melrose. The project will refine existing strategies, enhance community engagement, and ensure long-term sustainability.

First, the team will continue collecting and analyzing local data to monitor gambling behaviors and related public health issues, allowing for responsive, evidence-based adjustments to interventions. Second, social norms campaigns will be refined to reflect the cultural and demographic characteristics of the community, using targeted, data-informed messaging for students, parents, and seniors. Third, youth and community engagement efforts will be expanded through initiatives like the Massachusetts Photovoice Project, which empowers young people to document and share their experiences with gambling. These efforts will be integrated into broader wellness campaigns that address mental health, substance use, and financial stability. Fourth, financial literacy education will be scaled up to support individuals and families at greater risk of gambling harm due to financial stress, using curriculum tailored to local needs. Finally, the project will sustain and expand access to gambling prevention resources through continued partnerships, outreach events, and the development of a centralized online hub. Together, these efforts aim to foster long-term community resilience and reduce gambling-related harm.

The Milano Center has hosted monthly trips to Encore Casino over the past year, attracting 107 senior participants, with 22% attending multiple times. While these outings are popular, they raise concerns about the financial impact on older adults living on fixed incomes. In response, the Center proposes expanding access to high-quality, non-gambling programs, such as performances by local musicians, theater productions, and cultural events, that it typically cannot afford. This initiative would support local arts and offer seniors enriching, affordable entertainment options that promote social engagement and reduce reliance on casino trips.

To further support older adults, the Melrose Council on Aging is also seeking funding to expand senior transportation services. Last year, the Council provided over 1,700 rides to help residents access medical appointments, grocery stores, and community programs. Currently, transportation starts at 9:00 AM, limiting access to early morning fitness classes and programs at the Milano Center. With three additional service hours per week, the Council could offer rides to these vital programs and early medical appointments. This funding would enhance mobility, reduce isolation, and improve quality of life for Melrose seniors, especially those with limited transportation options.

The City of Melrose is bringing back a popular downtown holiday Pop-Up shopping experience, set to take place outdoors in the Melrose Family YMCA courtyard. This seasonal event builds on the success of the City's two-year Project: Pop-Up brick-and-mortar initiative. Throughout the holiday season, emerging brands, entrepreneurs, artists, and makers will rotate through a temporary mobile retail unit, each hosting a week-long Pop-Up. To support their success, participants will benefit from subsidized participation costs and receive guidance and resources from Up-Next, LLC—a woman-owned consulting firm partnering with the City. This initiative creates an opportunity for small businesses without physical storefronts to reach new customers during the busy holiday season in a way that would otherwise be out of reach.

To strengthen emergency response capabilities, the Melrose Police Department has requested funding to equip all patrol and unmarked vehicles with trauma kits. These kits will allow officers, often the first to arrive on scene, to provide immediate, life-saving care during critical incidents across the city. In addition, the department seeks to purchase ten portable radios to improve communication and coordination during emergencies. Enhanced radio access will enable faster, more effective responses, particularly during high-risk or rapidly evolving situations. In the event of a regional mass casualty incident, such as one near Encore, these radios will also support mutual aid efforts by improving interoperability with other first responders. This investment in trauma kits and communication tools is a crucial step toward enhancing public safety and improving emergency outcomes for the Melrose community.

As gambling becomes more prevalent, we intend to use this funding to protect and support the well-being of our community.

Sincerely,



Anthony Chui
Regional Health and Human Services Director
achui@cityofmelrose.org
(781) 979-4130



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12943)

National Grid install 1 JO Pole on Mt Zion Road NO 31114550

BE IT ORDERED

Mt Zion Road - National Grid to install 1 JO Pole on Western Sidewalk Mt Zion Road and remove 1 JO Pole on Eastern Sidewalk Mt Zion Road beginning at a point approximately 81 feet NW of the centerline of the intersection of Bay State Road and Mt Zion Road. National Grid proposed relocation of 40' C3 pole #2126 to the other side of the road from eastern to western sidewalk with pole #2126-1 to feed new house 22 and 24 Mt Zion Road and avoiding big tree removal on private property at 180 Bay Street Road Melrose MA.

Petition (ID # 12943)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Questions contact - Rafa Kerguelen (781)-388-5101 or
rafael.kerguelenrestrepo@nationalgrid.com

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council
 Of Melrose, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Mt Zion Road - National Grid to install 1 JO pole on Western Sidewalk Mt Zion Road and remove 1 JO pole on Eastern Sidewalk Mt Zion Road beginning at a point approximately 81 feet Northwest of the centerline of the intersection of Bay State Road and Mt Zion Road. National Grid proposed relocation of 40'C3 pole# 2126 to the other side of the road from eastern to western sidewalk with pole # 2126-1 to feed new house 22 and 24 Mt Zion Road and avoiding big tree removal on private property at 180 Bay St Road. Melrose MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Mt Zion Road - Melrose, Massachusetts.

No.# 31114550

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
 NATIONAL GRID *Nick Memmolo*

BY _____
 Engineering Department

VERIZON NEW ENGLAND, INC.

BY _____
 Manager / Right of Way

August 1, 2025

Questions contact – Central Design, Rafa Kerguelen (781)-388-5101 or
rafael.kerguelenrestrepo@nationalgrid.com

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Melrose, Massachusetts

Notice having been given and public hearing held, as provided by law,
 IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and
 VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND
 TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and
 permission to erect and maintain poles and wires to be placed thereon, together with such
 sustaining and protecting fixtures as said Companies may deem necessary, in the public way or
 ways hereinafter referred to, as requested in petition of said Companies dated the 25th day of
 January, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points
 indicated upon the plan marked – My Zion Road - Melrose, Massachusetts.

No.# 31114550

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID
 and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all
 of said wires and cables shall be placed at a height of not less than twenty (20) feet from the
 ground.

The following are the public ways or part of ways along which the poles above referred to may be
 erected, and the number of poles which may be erected thereon under this order:

Mt Zion Road - National Grid to install 1 JO pole on Western Sidewalk Mt Zion Road and remove
 1 JO pole on Eastern Sidewalk Mt Zion Road beginning at a point approximately 81 feet
 Northwest of the centerline of the intersection of Bay State Road and Mt Zion Road. National Grid
 proposed relocation of 40'C3 pole# 2126 to the other side of the road from eastern to western
 sidewalk with pole # 2126-1 to feed new house 22 and 24 Mt Zion Road and avoiding big tree
 removal on private property at 180 Bay St Road. Melrose MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or
 intersecting public ways for the purpose of making connections with such poles and buildings as
 each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of _____, Massachusetts held on the _____ day of _____ 20 ____.

City/Town Clerk.

Massachusetts 20 ____
Received and entered in the records of location orders of the City/Town of _____
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20 ____, at _____ o'clock, M
At _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

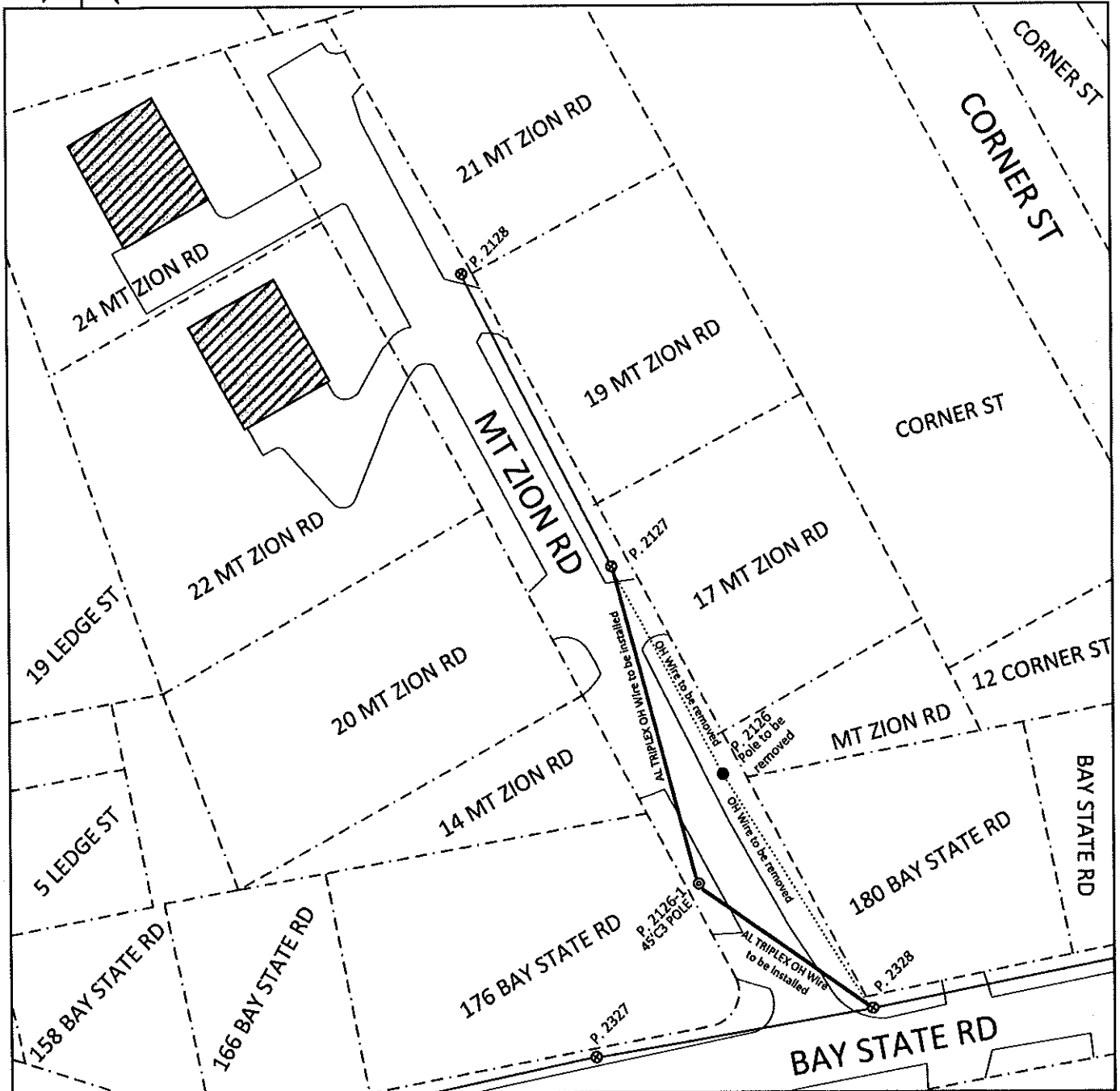
CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of _____
Massachusetts, on the _____ day of 20 ____ and recorded with the records of location
orders of the said City, Book _____, and Page _____. This certified copy is made under
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



NOT TO SCALE



LEGEND

- | | | |
|------------------------------|--|--------------------|
| — OH Existing Wires | | Existing Pole |
| - - - OH Proposed Wires | | Proposed Pole |
| OH Wires to be Removed | | Pole to be Removed |

OH PETITION

Address:

12 MT. ZION RD,
MELROSE 02176

Date: 07.25.2025

Designer: RAFA
KERGUELEN

WR #: 31114550 &
31114551

SKETCH TO ACCOMPANY PETITION:

Proposed Relocation of 40'C3 Pole # 2126 to the other side of the road from eastern to western sidewalk with Pole # 2126-1 to feed new houses 22 & 24 Mt Zion Rd and avoiding big tree removal on private property at 180 Bay St Rd

nationalgrid

Attachment: Complete package of Mt Zion Petition NO 31114550 (12943 : National Grid install 1 JO Pole on Mt Zion Road NO 31114550)

[print this list](#)**Abutters List**

Date: July 25, 2025

Subject Property Address: 14 MT ZION RD Melrose, MA

Subject Property ID: E15 0 20

Search Distance: 150 Feet

Owner: ACCESS PROPERTIES, LLC
Prop ID: E14 0 45
Prop Location: 9 LEDGE ST Melrose, MA
Mailing Address:

116 WALTON PARK
MELROSE, MA 02176

Owner: WEBNEH ABREHET H.
Co-Owner: KIROS TEODROS , TRS
Prop ID: E14 0 46-47
Prop Location: 5 LEDGE ST Melrose, MA
Mailing Address:
5 LEDGE ST.
MELROSE, MA 02176

Owner: ACIERNO, LUIGI
Co-Owner: MARIA ACIERNO, HWTE
Prop ID: E14 0 48
Prop Location: 158 BAY STATE RD Melrose, MA
Mailing Address:
158 BAY STATE ROAD
MELROSE, MA 02176

Owner: RAHILLY, SEAN D
Co-Owner: ROBIN RAHILLY TE
Prop ID: E14 0 49
Prop Location: 166 BAY STATE RD Melrose, MA
Mailing Address:
166 BAYSTATE RD
MELROSE, MA 02176

Attachment: Complete package of Mt Zion Petition NO 31114550 (12943 : National Grid install 1 JO Pole on Mt Zion Road NO 31114550)

7/25/25, 1:51 PM

Abutters Report

Owner: RUSSELL, THOMAS J + JOAN F RUSS
Co-Owner: HW TE WITH RTS/SURVS
Prop ID: E14 0 50-51
Prop Location: 176 BAY STATE RD Melrose, MA
Mailing Address:
176 BAY STATE RD
MELROSE, MA 02176

Owner: HAVEY, SCOTT A
Co-Owner: JACQUELINE B HAVEY HWTE
Prop ID: E14 0 54-55
Prop Location: 180 BAY STATE RD Melrose, MA
Mailing Address:
180 BAY STATE RD
MELROSE, MA 02176

Owner: CITY OF, MELROSE
Co-Owner: CONSERVATION
Prop ID: E14 0 56
Prop Location: BAY STATE RD Melrose, MA
Mailing Address:
BAY STATE RD
MELROSE, MA 02176

Owner: STEWART, JASON
Co-Owner: HEATHER BOYD, JT
Prop ID: E14 0 61
Prop Location: 191 BAY STATE RD Melrose, MA
Mailing Address:
191 BAY STATE RD
MELROSE, MA 02176

Owner: ZARELLA BAY STATE RLTY TRUST
Co-Owner: DANIEL R+DAVID K ZARELLA TRSTE
Prop ID: E14 0 62
Prop Location: 185 BAY STATE RD Melrose, MA
Mailing Address:
185 BAY STATE RD
MELROSE, MA 02176

Attachment: Complete package of Mt Zion Petition NO 31114550 (12943 : National Grid install 1 JO Pole on Mt Zion Road NO 31114550)

7/25/25, 1:51 PM

Abutters Report

Owner: ZARELLA, DANIEL
Co-Owner: RENEE ZARELLA, HWTE
Prop ID: E14 0 63-1
Prop Location: 175 BAY STATE RD Melrose, MA
Mailing Address:
175 BAY STATE ROAD
MELROSE, MA 02176

Owner: ZARELLA, LILLIAN C. TRUSTEE
Co-Owner: LILLIAN C. ZARELLA TRUST
Prop ID: E14 0 636465
Prop Location: 165 BAY STATE RD Melrose, MA
Mailing Address:
165 BAY STATE ROAD
MELROSE, MA 02176

Owner: ZARELLA, DAVID K TRUSTEE
Co-Owner: DAVID K. ZARELLA TRUST
Prop ID: E14 0 66-67
Prop Location: BAY STATE RD Melrose, MA
Mailing Address:
165 BAY STATE RD
MELROSE, MA 02176

Owner: MASS ELECTRIC, CO
Co-Owner: C/O PROPERTY TAX DEPT
Prop ID: E14 0 84-85
Prop Location: HEYWOOD AVE Melrose, MA
Mailing Address:
40 SYLVAN RD
WALTHAM, MA 02451-2286

Owner: BALDI, CATHERINE M
Prop ID: E15 0 15
Prop Location: 19 LEDGE ST Melrose, MA
Mailing Address:
19 LEDGE ST
MELROSE, MA 02176

Attachment: Complete package of Mt Zion Petition NO 31114550 (12943 : National Grid install 1 JO Pole on Mt Zion Road NO 31114550)

Owner: MT ZION ROAD, LLC
Prop ID: E15 0 17
Prop Location: 22 MT ZION RD Melrose, MA
Mailing Address:
9 PENOBSCOT WAY
ANDOVER, MA 01810

Owner: ROBINS WALKER S
Co-Owner: ROBINS KATE HWTE
Prop ID: E15 0 18-19
Prop Location: 20 MT ZION RD Melrose, MA
Mailing Address:
20 MT ZION RD
MELROSE, MA 02176

Owner: ALCALA, FRANCISCO
Co-Owner: JOAN ALCALA HW TE
Prop ID: E15 0 21
Prop Location: 17 MT ZION RD Melrose, MA
Mailing Address:
17 MT ZION RD
MELROSE, MA 02176

Owner: MACHANIC, ADAM P+ KATE E TRSTE
Co-Owner: TRUSTEES OF REV. TRUST
Prop ID: E15 0 21A
Prop Location: 19 MT ZION RD Melrose, MA
Mailing Address:
19 MT ZION ROAD
MELROSE, MA 02176

Owner: CITY OF, MELROSE
Co-Owner: CONSERVATION
Prop ID: E15 0 22
Prop Location: MT ZION RD Melrose, MA
Mailing Address:
MT ZION RD
MELROSE, MA 02176

Owner: EMERSON, CARON L.
Co-Owner: PATRICK EMERSON HWTE
Prop ID: E15 0 23
Prop Location: 12 CORNER ST Melrose, MA
Mailing Address:
12 CORNER ST
MELROSE, MA 02176

Owner: CITY OF, MELROSE
Co-Owner: CONSERVATION
Prop ID: E15 0 24-32
Prop Location: CORNER ST Melrose, MA
Mailing Address:
CORNER ST
MELROSE, MA 02176

Attachment: Complete package of Mt Zion Petition NO 31114550 (12943 : National Grid install 1 JO Pole on Mt Zion Road NO 31114550)



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12851)

Requesting Transfer of Funds from Department of Public Works' Parks and Forestry Salary Accounts to Parks and Forestry Expense Accounts For Contracted Tree Services

The Department of Public Works formally requests to transfer thirty-three thousand one hundred eighty-one dollars (\$33,181) from Parks and Forestry Salaries and Wages Accounts to Parks and Forestry Hired Equipment Account for the purpose of contracted tree trims and removals.

A detailed memo has been attached for your information and consideration.

{FinancialImpact}

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Transfer (ID # 12851)

Meeting of August 18, 2025

Date

Date



CITY OF MELROSE

DEPARTMENT OF PUBLIC WORKS
Administration & Engineering–Water–Sewer–Facilities
Park & Forestry–Highway–Sanitation–Cemetery–Fleet

4.D.1.a

Elena Proakis Ellis, P.E., BCEE
Director of Public Works

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone – (781) 979-4172
E-mail: eproakis@cityofmelrose.org

MEMORANDUM

To: Mayor Jennifer Grigoraitis
Melrose City Council

From: Elena Proakis Ellis, P.E., Director of Public Works

cc: Kerriann Golden, CFO/Auditor
Lauren Grymek, Chief of Staff
James Troup, Deputy DPW Director – Administration & Finance
Joseph Hobbs, Operations Manager

Date: July 2, 2025

Re: Request for Transfer of Funds – Parks and Forestry Salaries to Contractual

The Melrose Department of Public Works appreciates your support of our FY26 budget requests and looks forward to continuing to provide public works services to the community during this new fiscal year.

One of our essential functions is the care of the City's existing street trees, including assessments, trims, and removals. The DPW has been working toward relieving a backlog in these work orders in recent years. Unfortunately, the role of Forestry Foreman has recently become vacant, with our employee having left Melrose in June for a different opportunity. This position is budgeted with a salary of \$66,362.87 in the FY26 budget.

The work of this position is essential to our mission, to keep up on our tree work and to minimize the City's liability from tree failures. However, given the current financial challenges faced by the City, and the possible need to cut more from our budget when we enter FY27, we are hesitant to advertise and hire for this vacancy at this time.

We are seeking the City Council's support to transfer half of the salary of the Forestry Foreman role (\$33,181) from the general fund Parks and Forestry Salary & Wages line item (014751-511000) to the Forestry Hired Equipment line item (014752-524006). This transfer would allow us to continue to advance tree trims and removals during the period when the position is vacant.

Please feel free to contact me if you have any questions. Thank you for your consideration of this request.

Attachment: 2025-07-02 Memo Re Forestry Transfer (12851 : Transfer of Funds for FY26 Parks and Forestry Salaries to Contractual)



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12942)

Amending City Ordinance to Implement a new schedule of fees for Zoning and Conservation Permits

BE IT ORDERED

That the City Council amend revised City Ordinances Article I, Administrative Legislation, Section 15-4, Article II, Section 15-7 and General Legislation, Chapter 231, Section 231-4, which will allow for the increases and changes to the fees for applications to the Zoning Board of Appeals, Planning Board, and Conservation Commission.

Ordinance (ID # 12942)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

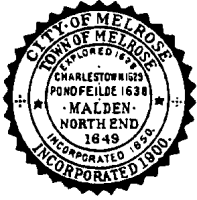
Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date



CITY OF MELROSE

OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4190
Fax - (781) 979-4290

LORI MASSA, AICP
Director & City Planner

MEMORANDUM

TO: City Council

FROM: Lori Massa, Director & City Planner

DATE: August 11, 2025

RE: Request for Fee Increases for OPCD-staffed Boards & Commissions

In response to the request for all municipal regulatory bodies to consider fee increases to help bridge the gap and preserve services and municipal capacity considering the substantial FY26 budget shortfalls, boards and commissions reviewed their application fees and voted to increase them. Some of the fees are specified in the City's Administrative Legislation, which requires a City Council vote to be amended.

Please find the fee information below for the boards and commissions that have fees specified in the City Ordinance and are staffed by members of the Office of Planning and Community Development, which include the Zoning Board of Appeals, Planning Board, and Conservation Commission.

I respectfully request that the City Council approve the proposed fee changes as described below and as specified in the attached document with the proposed amended Ordinance language.

Thank you for your consideration.

Zoning Board of Appeals

Current fees

The Zoning Board of Appeals Members have reviewed the current fees for all types of applications that require their approval, which can be found in the table below. The general fees are included in the City's Administrative Legislation, Chapter 15, Article I, subsection 4, and on the application forms, and the Comprehensive Permit fees are on application forms. The Board's Rules and Regulations state that the application fee amounts are listed on the application forms.

In addition to contributing to the administrative time associated with helping applicants and abutters, meeting coordination and technical review, the fees cover the cost of mailing legal notices to abutters within 300 feet before and after the public hearings. The cost varies depending on how many abutters there are for a particular property; however, it is typically around \$50 for postage for the postcards for the two mailings. It should be noted that in addition to the application fees, applicants must pay to have the legal notice published in a newspaper, which typically ranges from \$300 to \$600.

Recommended changes to implement in FY26

Being sensitive to the newspaper cost for all types of applications that are submitted by homeowners to developers, the length of time that has elapsed since the last increase, and the rates charged by surrounding municipalities, the changes that the Board voted to implement are outlined below.

In addition the Board voted to set fees for requests that require the ZBA to take action that are currently free of charge. The Board considered the rates charged by surrounding municipalities and the typical complexity of review of these types of requests in determining the fees in the table.

Type of Application	Date of Implementation / Increase	Current Fee	Proposed Fee
Special Permits, Variances & Administrative Appeals	2006	Residential (1 to 3 units)- \$350 Other Uses: \$500	Residential (1 to 3 units)- same Other Uses: \$500 plus \$100 per additional variance over one
Comprehensive Permit	2019	\$3000 + \$300 per unit proposed For Non-Profit Organizations: \$1500 + \$150 per unit proposed	No change
Time Extension	2025	none	\$100
Minor Revision	2025	none	\$200
Major Revision	2025	none	\$250
Repetitive Petition	2025	none	\$100 plus cost of application

Planning Board

Current fees

The Planning Board Members have reviewed the current fees for all types of applications that require their approval, which can be found in the table below. Some of the fees are included in the City's Administrative Legislation, Chapter 15, Article II, subsection 7, while other fees are on application forms and in Melrose's Subdivision Regulations. The Board's Rules and Regulations state that the application fee amounts are listed on the application forms.

In addition to contributing to the administrative time associated with helping applicants and abutters, meeting coordination and technical review, the fees covers the cost of mailing legal notices to abutters within 300 feet before and after the public hearings. The cost varies depending on how many abutters there are for a particular property; however, it is typically around \$50 for postage for the postcards for the two mailings. It should be noted that in addition to the application fees, applicants must pay to have the legal notice published in a newspaper, which typically ranges from \$300 to \$600.

Recommended changes to implement in FY26

Being sensitive to the newspaper cost for all types of applications that are submitted by homeowners to developers, the length of time that has elapsed since the last increase, and the rates charged by surrounding municipalities, the changes that the Board voted to implement are outlined below.

In addition, the Board voted to set fees for actions required by the Planning Board that are currently free of charge and a fee for the newly created Accessory Dwelling Unit (ADU) Site Plan Review Application.

The Board considered the rates charged by surrounding municipalities and the typical complexity of review of these types of requests in determining the fees in the table.

Type of Application	Date of Implementation/ Increase	Current Fee	Proposed Fee
Site Plan Review	2005	\$500 + \$0.10 per square foot of gross floor area over 5,000 sf (recent cases avg \$3,400)	\$500 + \$0.10 per square foot of gross floor area over 2,000 sf
Accessory Dwelling Unit Site Plan Review	2025	-	\$500
Slope Protection Special Permit	2006	\$600 With Site Plan Review: \$300	No change
Density Incentive in the BA Special Permit	2021	\$500	No change
Marijuana Establishment Special Permit	2019	\$500	\$500 + \$0.10 per square foot of gross floor area over 2,000 sf
Registered Marijuana Dispensary Special Permit	2019	\$500	\$500 + \$0.10 per square foot of gross floor area over 2,000 sf
Alteration of a Nonconforming Lot Special Permit	2024	-	Residential lots with 1-3 units: \$350 All other types of uses: \$500
Request for Permit Time Extension	2025	none	\$100
Request for Minor Modification of a Previously Approved Plan	2025	none	\$200
Request for Major Modification of a Previously Approved Plan	2025	none	\$350
Repetitive Petition	2025	none	\$100 + the cost of the application fee
Subdivision Application	1992	Preliminary Plan: \$50 + \$25 per lot Definitive Plan: \$300 + \$100 per lot	Preliminary Plan: \$500 Definitive Plan: \$2,000 + \$250 per lot

Approval Not Required (ANR)	1992	\$50 + \$25 per lot	\$150 + \$100 per lot
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Conservation Commission

Current fees

The Conservation Commissioners have reviewed the current fees for all types of applications that require their approval, which can be found in the table below. The fees are included in the City's General Legislation, Chapter 231, Section 4. There is also a fee for wetlands and waterways permit applications in 310 CMR 4.00 and fees for a Notice of Intent in MGL c131, §40.

The fees contribute to the administrative time associated with helping applicants and abutters, meeting coordination and technical review. The cost of mailing legal notices to abutters to inform them of public hearings and publishing the notice in the newspaper, which is required for some of the applications, is the responsibility of the Applicant.

Recommended changes to implement in FY26

Being sensitive to the newspaper cost for some types of applications that are submitted by homeowners to developers, the length of time that has elapsed since the last increase, and the rates charged by surrounding municipalities, the changes that the Commission voted to implement are outlined below.

Type of Application	Date of Implementation / Increase	Current Fee	Proposed Fee
Request for Determination of Applicability (RDA)	2025	none	Single family: \$100 Other: \$250
Notice of Intent (NOI)	2007	\$50	Single family: \$200 Multi-family or subdivisions: \$1,000 plus \$500 per unit/lot Other: \$1,000
Abbreviated Notice of Intent (ANOI)	2007	Same as NOI	Same as NOI
Abbreviated Notice of Resource Area Delineation (ANRAD)	2007	\$50	Single family: 0.5/linear ft (50 min, 250 max) Other: 0.5/linear ft (50 min, 500 max)
Request for Permit Extension	2007	\$50	Single family: \$200 Other: \$500
Amendments to Orders of Condition	2007	\$50	Single family: \$50 Other: \$200
Certificate of Compliance (COC)	2025	none	Single family: \$100 Other: \$200

Proposed Fee Changes for the Zoning Board of Appeals, Planning Board and Conservation Commission

8/11/2025

Amend ARTICLE I, Administrative Legislation, **Board of Appeals** SECTION 15-4, as follows.

Text that is removed is ~~crossed out~~ and additions are underlined.

§15-4 Fee for hearing

Before a hearing is held on any appeal or request under this article, the administrative fees listed henceforth shall be deposited with the City Treasurer and paid into the City treasury and belong to the City.

A. Special permits, variances, and administrative appeals. For one to three family dwellings, the appellant shall deposit a fee of \$350 for one to three families residential. For all others, and \$500 plus \$100 for each additional variance over one for all others. Repetitive Petitions shall be subject to the same fee structure plus an additional \$100 fee. with the City Treasurer, who shall give a receipt therefor and shall certify on the notice of the appeal that such fee has been paid. Fees deposited in accordance with this section shall be paid into the City treasury and belong to the City.

B. Comprehensive Permits. For-profit Developers, \$3,000 plus \$300 per proposed dwelling unit. Non-Profit Organizations, \$1,500 fee plus \$150 per proposed dwelling unit.

C. Time Extensions for the rights authorized by a previous permit or approval issued by the Board of Appeals: \$100.

D. Revisions to previously approved plans. For minor revisions, \$200. For major revisions, \$250.

Amend ARTICLE II, Administrative Legislation, **Planning Board** SECTION 15-7, as follows.

Text that is removed is ~~crossed out~~ and additions are underlined.

§15-7 Planning Board fees

Before a hearing is held on any appeal or request under this article, the administrative fees listed henceforth shall be deposited with the City Treasurer and paid into the City treasury and belong to the City.

A. ~~Before a hearing is held on any application under design review procedures, the applicant shall deposit a fee of \$100 with the City Treasurer, who shall give a receipt therefor and shall certify on the application that such fee has been paid. Fees deposited in accordance with this section shall be paid into the City treasury and belong to the City.~~

BA. There shall be an administrative a fee for all s-Site Plan Review Applications: in the amount of \$500, plus \$0.10 per square foot of gross floor area for every development proposal with a gross floor area of 5,000 over 2,000 square feet or more. For a site plan review application for an Accessory Dwelling Unit, there shall be a fee of \$500.

C. B. Slope Protection Special Permit Application: ~~There shall be an administrative fee of \$600 for each slope protection special permit application,~~ except in cases where a site plan review application and a slope protection special permit application are filed jointly, in which case the ~~administrative~~ fee for the slope protection special permit application shall be \$300.

C. Density Incentives in the BA-1 and BA-2 districts Special Permit: \$500.

D. Marijuana Establishment special permit and a Registered Marijuana Dispensary special permit: \$500, plus \$0.10 per square foot of gross floor area for every development proposal with a gross floor area over 2,000 square feet or more.

E. Alteration of a nonconforming lot special permit. For residential lots with one to three dwelling units, \$350. For all other uses, \$500.

F. Time Extensions for the rights authorized by a previous permit or approval issued by the Planning Board: \$100.

G. Revisions to previously approved plans. For minor revisions, \$200. For major revisions, \$350.

H. Repetitive Petitions: \$100 plus the original application fees.

I. Subdivision Application. Preliminary Plans: \$500. Definitive Plans: \$2,000 plus \$250 per lot.

J. Approval Not Required (ANR): \$150 plus \$100 per lot.

Amend General Legislation, Chapter 231, **Wetlands Protection**, SECTION 231-4 Applications and fees, as follows.

Text that is removed is ~~crossed out~~ and additions are underlined.

§231-4. Applications and fees

C. Filing fees.

(2) The following fee schedule has been determined by the Commission to be commensurate with the expense of providing review services to applicants, exclusive of consultant fees as set forth in Subsection D, notification costs as described in § 231-7A(1), and legal advertisement costs as described in § 231-7A(1):

(a) Request for determination of applicability: no charge. Single Family \$100, Other \$250.

(b) ~~Request for permit: \$50.~~ Notice of Intent: Single Family \$200, Multi-family or subdivision \$1,000 plus \$500 per unit/lot, Other \$1,000.

(c) Abbreviated Notice of Intent: Single Family \$200, Multi-family or subdivision: \$1,000 plus \$500 per unit/lot, Other \$1,000.

(d) Abbreviated Notice of Resource Area Delineation: Single Family 0.5/linear ft (50 min, 250 max), Other 0.5/linear ft (50 min, 500 max).

(e) Request for permit extension: ~~\$50~~ Single Family \$200, Other \$500.

(f) ~~Modification/amendment request~~ Amendments to Orders of Condition: \$50 Single Family \$50, Other \$200.

(g) Certificate of compliance: ~~no charge~~ Single Family \$100, Other \$200.

(h) Emergency certification request: no charge.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12944)

That the City Council accept local option statute M. G. L c. 39, Section 23D for the Melrose Planning Board, Zoning Board of Appeals, Conservation Commission, and the Historic District Commission holding adjudicatory hearings to allow for members to not be disqualified from voting on a matter solely because of their absence from one hearing date.

BE IT ORDERED

That the City Council hereby accept local option statute M.G.L c.39, Section 23D for the Melrose Planning Board, Zoning Board of Appeals, Conservation Commission, and the Historic District Commission holding adjudicatory hearings to allow for members to not be disqualified from voting on a matter solely because of their absence from one hearing date.

Order (ID # 12944)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date



CITY OF MELROSE

Legal Department

Shannon T. Phillips
City Solicitor
sphillips@cityofmelrose.org

**City Hall, 562 Main Street
 Melrose, Massachusetts 02176
 Telephone (781) 979-4184**

MEMORANDUM

To: Melrose City Council

Cc: Tanji Cifuni, Clerk of Committees

From: Shannon Phillips, City Solicitor

Date: August 11, 2025

Re: **Local Option Acceptance Statute G.L. c. 39, §23D**

Please accept this memorandum to provide legal guidance and context to the local option statute you are being asked to accept in ID# 12934.

Massachusetts General Laws c. 39, § 23D is a local option acceptance statute which, if accepted, would enable members of a municipal board or commission to miss a single session of an adjudicatory hearing (but not more than one) and still be eligible to vote on the matter provided that the member examines an audio, video, or written transcript of the missed session and provides written certification that they have done so.

To validly accept this statute, City Council must indicate in its vote whether the statute is intended to apply to all boards and commissions that conduct “adjudicatory hearings” or only certain ones.

While the Appendix to the City of Melrose Code of Ordinances, and City Council (then Aldermen) meeting minutes from August 21, 2006 do indicate that a vote was previously taken to accept this statute, there is not enough information available to determine whether the acceptance at the time was valid; i.e. whether Council specified a general or specific application of this statute to boards and committees.

That being the case, I have recommended that this statute be re-accepted by City Council to ensure it may validly be used by the boards under the purview of the Office of Planning and

Community Development.

If accepted with the proposed language of this Order, this statute would allow for any member of the Melrose Planning Board, Zoning Board of Appeals, Conservation Commission or the Historic District Commission when conducting an adjudicatory hearing¹ to not be disqualified from voting on a matter solely because they were absent from a single session of the hearing at which testimony or other evidence was received.

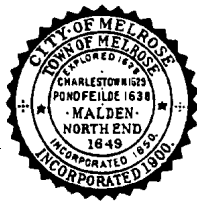
Furthermore, if accepted, this allowance would only apply when:

- the board member would normally be disqualified from voting solely due to their absence at a preceding hearing date²;
- the board member is absent from a single session;
- there is an available recording or transcription of the hearing at which a board member was absent; and
- the board member certifies by affidavit that they have examined all evidence received at the missed session. This certification is filed with the City Clerk and is part of the record of the hearing.

The acceptance and adoption of this statute with the language provided will allow various regulatory processes to proceed in a more efficient manner, reducing costs for applicants who currently may need to expend additional funds to have consultants and attorneys present for additional hearing sessions.

¹ Examples of adjudicatory hearings include hearings on special permits, variances, license applications, and requests for determinations. Various boards within Melrose conduct such hearings including Liquor Commission, Board of Health, Planning Board, Conservation Commission, Zoning Board of Appeals, City Council.

² See *Mullin v. Planning Board of Brewster*, 17 Mass. App. Ct. 139, 141 (1983) articulating what is now known as the “Mullin Rule” that only members present at all sessions of an adjudicatory hearing on a particular matter are eligible to vote on that matter. Absent local acceptance of G.L. c. 39, § 23D, and only then as specifically provided for therein, the so-called “Mullin Rule” will continue to apply to all adjudicatory hearings.



CITY OF MELROSE

OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT

LORI MASSA, AICP
Director & City Planner

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4190

MEMORANDUM

To: Melrose City Council
From: Lori Massa, Director & City Planner
Date: August 12, 2025
Re: Request for Adoption of M.G.L. c.39, Section 23D for Land Use Boards & Commissions

I am respectfully requesting that the City Council accept Massachusetts General Law (MGL) Chapter 39 Section 23D, otherwise known as the "Mullin Rule", for use by the Melrose Planning Board, Zoning Board of Appeals, Conservation Commission, and the Historic District Commission.

Adopting the law for the aforementioned boards and commissions would be useful since the proposals and applications that come before these bodies often require more than one session of a public hearing prior to a vote being held. During the public hearings, it is common for members to request revisions or additional information from applicants. This typically results in a continuance to one or more future meeting(s). As the number of sessions increases, the probability of a member being absent at any such session grows.

The inability for a member to vote on a case due to absence poses a risk for applicants who may be subject to a narrow threshold, such as a supermajority vote, for approval. This can cause projects to stall as applicants request to continue to a future date if a member is absent to have the chance at having more members be able to vote on their application.

When a case is continued for this reason, it can be frustrating for members of the public who appear at a hearing and are then informed that the case is continued to a future date due to a member being absent. They must then wait for the next public hearing date to attend again to be able to provide their comments to the board or commission during a meeting.

With the ability for City Staff of these boards and commissions to record the audio or video of a public hearing at which a member is absent and to share documents either electronically or in hard copy fairly easily, members can get a full understanding of what occurred at a public hearing that they missed and be able to participate in future meetings and vote on matters.

Adopting this local option statute for the City's land use boards and commissions will provide a measure of assurance for board members, staff, applicants and the public that there will be predictable public hearing dates for applications under review.

Thank you for your consideration.

Attachment: OPCD Memo re. Mullin Rule 8.12.2025 (12944 : Acceptance of MGL c39 §23D for Specific Boards & Commissions)



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12866)

Reappointment of Gail Infurna, 12 Mt. Vernon St., #41, to the Traffic Commission, for a five year term; said term to expire on the last day of May 2030.

BE IT ORDERED

Reappointment of Gail Infurna, 12 Mt. Vernon St., #41, to the Traffic Commission, for a five year term; said term to expire on the last day of May 2030.

HISTORY:

07/21/25 City Council

ASSIGN TO COMMITTEE

Appointment/Reappointment (ID # 12866)

Meeting

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12867)

Reappointment of Jeffrey Parenti, 29 Trenton Street, to the Traffic Commission, said term to expire on the last day of May 2030.

BE IT ORDERED

Reappointment of Jeffrey Parenti, 29 Trenton Street, to the Traffic Commission, said term to expire on the last day of May 2030.

HISTORY:

07/21/25 City Council

ASSIGN TO COMMITTEE

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Appointment/Reappointment (ID # 12867)

Meeting

Date

Date



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12887)

Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Commission on Women

BE IT ORDERED

Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Commission on Women, replacing Lauren Knott, who resigned, for the remainder of the three year term, said term to expire last day of February 2027.

HISTORY:

07/21/25 City Council

ASSIGN TO COMMITTEE

Appointment/Reappointment (ID # 12887)

Meeting

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Gentry L. Andrews

[REDACTED]

15 Orient Place, Melrose MA 02176

Home Phone: [REDACTED]

Employer: Boston Children's Hospital and Harvard Medical School

Job Title: Visiting Scientist

Statement of Interest

Why are you interested in serving on a board or commission?

My generation is one of the loneliest generations. With all of the social media options and the vast world of the internet at our fingertips, perhaps one would not expect this to be the case. A 'Gen Z' by birth year, though perhaps a 45 year old gardening and knitting enthusiast at heart, I keenly felt that loneliness when I first moved to Massachusetts back in 2022. I have always been someone who is an organizer of sorts, really a shameless extrovert. I love hosting events and dinner parties; anything that brings people together, but even I struggled to find connection in a new state. I realized that I had to go out of my way to try to meet new people, and was pleasantly shocked to find how incredibly receptive others were, because like me so many people simply craved community, belonging, and connectedness. Back in April of 2024, my husband and I bought and renovated a beautiful victorian home near Bellevue and we were immediately embraced by this wonderful community. Neighbors welcomed us and we welcomed them right back by hosting an open house for all the streets surrounding us. We went caroling on the coldest day of the year. I have attended events with the Melrose Women's Meetup Group and started a garden with the kids next door. In not even a year, I have fallen deeply in love with this community and wish to get more involved and to give back to the place that now truly feels like home. Connection with others is what makes a place home and I want to help cultivate moments for those connections, which are ultimately what also strengthen a community. Additionally, as a female scientist and a daughter female professor, women's and girls' issues have long held a place of importance in my heart. The world is not as kind to the female sex as it should be, and we face unique challenges even under the most supportive circumstances. Through my professional and past volunteer work, I believe I can bring a useful and important perspective on healthcare, as well as education-related issues. I have valuable experience working to improve diversity, equity, and inclusion in higher education as well as

with food security via founding and running a nonprofit back in my home state. It brings me joy to bring people together and to try to improve other's lives where possible, and I believe this commission is optimally suited for such ends. I hope that I may be able to offer a helpful perspective on the current issues and initiatives, while learning from current members' experiences.

Gentry Andrews

Pediatric Neuroscience Researcher

Melrose, MA 02176



EDUCATION

M.S. in Biology (May 2023)

Institute for Integrative Neuroscience
Department of Biological Sciences
Purdue University, West Lafayette, IN
Concentrations: Neuroscience &
Educational Studies

B.S. in Neuroscience (Dec 2019)

College of Health and Human Sciences |
Honors College
Purdue University, West Lafayette, IN
Minors: English, Global Studies, &
Spanish

EXPERIENCE

Harvard Medical School & Boston Children's Hospital,

Visiting Scientist

January 2024 - PRESENT

- Dual appointment position with Susan Dymecki (MD/PhD), Ben Okaty (PhD), and Robin Haynes (PhD) examining the role of genetic abnormalities in sudden unexplained infant death syndrome with a focus on the serotonergic system.

Purdue Institute for Integrative Neuroscience,

Lab Manager & Graduate Research Assistant

August 2020 - May 2023

- Developed zebrafish model for and led large-scale small molecule FDA approved drug library screen to identify compounds capable of promoting spinal cord regeneration following traumatic injury under supervision of Daniel Suter (PhD), Yuk Fai Leung (PhD), and Alan Friedman (PhD).
- Managed research facilities and supervised a team of 12 undergraduate researchers.

Department of Biological Sciences at Purdue University

Structural Biology and Science Education Research Internship

May 2020 - August 2020

- Research & data analysis with Alan Friedman (PhD) on structural cell biology infection, immunity, and aging; using Linux and Python.
- Research into effects on student learning/ academic performance due to COVID-19

Department of Psychological Sciences at Purdue University

Summer Stay Scholar

May 2018 - August 2018

- Studied the effect of ostracism on women's subsequent social behaviors; data collection and analysis. Ran over 800 human subjects.

COMMUNITY OUTREACH, MENTORING, & VOLUNTEER WORK

Undergraduate Research Mentor

List of mentees: Abigail Crabtree ('21), Marguerite Whiteside ('22), Alexandria Warren ('22), Perapa Chotipasidhi ('22), Catherine Gervais ('22), Cassandra Hanneman ('23), Mehul Shrivastava ('23), Nina Fujii ('23), Ella Ditslear ('22), Elise O'Herron ('23), Emily Bell ('24), & Kaitlyn Ying ('25)

Mobile Food Drive, Lafayette Food Finders, 2017, 2018, 2020, 2021

SELECTED PUBLICATIONS AND PRESENTATIONS

Andrews, G. L., Andrews, G. M., Leung, Y. F., & Suter, D. M. A Robust Paradigm for Studying Regeneration after Traumatic Spinal Cord Injury in Zebrafish, *Journal of Neuroscience Methods*, 410. <https://doi.org/10.1016/j.jneumeth.2024.110243>

Andrews, G. L., Andrews, G. M., Gervais, G., Mansell, J. M., Friedman, A. M., Leung, Y. F., & Suter, D. M. (2023, November 11-15). *A zebrafish drug screen identifies HDAC inhibitors as regeneration-enhancing compounds after spinal cord injury*. Society for Neuroscience 2023 Annual Conference (Nanosymposium Talk, SfN). Washington, DC.

AWARDS

Sloan-PREMISS Graduate Research Fellow (Spring 2023-2025)

Undergraduate Research Grants, Purdue University (Fall 2019, Spring 2019, Summer 2018, Summer 2017) Including research scholarships, conference funding grants, international study abroad travel grant

Dean's List, Purdue University (Fall 2019, Spring 2019, Spring 2018, Fall 2018)

PROFESSIONAL MEMBERSHIPS

Society for Neuroscience—Annual Member

ZDM—Annual Member



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12888)

Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Historical Commission

BE IT ORDERED

Appointment of Gentry Andrews, 15 Orient Place, to the Melrose Historical Commission, for the remainder of a three year term, said term to expire the last day of February 2028.

HISTORY:

07/21/25 City Council

ASSIGN TO COMMITTEE

Appointment/Reappointment (ID # 12888)

Meeting

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Gentry L. Andrews

[REDACTED]

15 Orient Place, Melrose MA 02176

Home Phone: [REDACTED]

Employer: Boston Children's Hospital and Harvard Medical School

Job Title: Visiting Scientist

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Andrews, G. L., Andrews, G. M., Gervais, G., Mansell, J. M., Friedman, A. M., Leung, Y. F., & Suter, D. M. (2023, November 11-15). *A zebrafish drug screen identifies HDAC inhibitors as regeneration-enhancing compounds after spinal cord injury*. Society for Neuroscience 2023 Annual Conference (Nanosymposium Talk, SfN). Washington, DC.

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Dean's List, Purdue University (Fall 2019, Spring 2019, Spring 2018, Fall 2018)

PROFESSIONAL MEMBERSHIPS

Society for Neuroscience—Annual Member

ZDM—Annual Member



CITY OF MELROSE

CITY CLERK

TANJI CIFUNI

City Clerk

City Hall, 562 Main Street

Melrose, MA 02176

Telephone - 781-979-4116

To: Mayor Jennifer Grigoraitis
 From: Tanji Cifuni
 Meeting Date: August 18, 2025
 Subject: Bangkok Bar Shi new Common Victualler License
 Order #: (ID # 12865)

Bangkok Bar Shi on Main Street looking to obtain a common victualler license to open in the summer of 2025.

History:
 07/21/25 City Council ASSIGNED TO COMMITTEE

FINANCIAL IMPACT:



City of
Melrose
MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS

CITY OF MELROSE

CERTIFICATE OF OCCUPANCY PERMIT

PERMISSION IS HEREBY GRANTED TO:

Owner: Theodore Lantzakis

Applicant: Wikanda Wiwitted Tenant: same

Location 462 Main St, Melrose, MA 02176

Issued on: June 25, 2025 Expires: N/A

TO OCCUPY FOR: **COMMERCIAL SPACE**

BUSINESS NAME: Bangkok Bar Shi Thai Tavern & Sushi Bar

THIS PERMIT MAY BE REVOKED BY THE CITY OF MELROSE UPON VIOLATION OF ANY OF ITS RULES, REGULATIONS OR ORDINANCES.

FEE: \$115.00 PD.

TRACKING # 63099

SIGNATURE:

Attachment: CO for Bangkok Bar Shi (12865 : Bangkok Bar Shi new Common Victualer License)



Tanji Cifuni
City Clerk

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

☐ **New Application**

Requires applicants' attendance at a City Council Protection and License Committee meeting and approval from the City Council.

☐ **Renewal Application**

COMMON VICTUALLER LICENSE APPLICATION
LICENSING PERIOD JANUARY 1st - DECEMBER 31st

Business Name: = Bangkok Bar Shi Corp DBA = Bangkok Bar Shi Thai Tavern & Sushi Bar		Tax ID Number: 99-3109249				
Business Address: 462 Main St Melrose MA 02176		Business Phone Number: 781-620-1588				
Owner's Name: Wikanda Wiwitted Adisorn Sakkaru		Owner's Cell Phone Number: 857-98				
Residential Address of Owner: 103 Bigelow St Quincy MA 02169		Number of Employees: 7				
Email Address of Owner (required): bangkokbarshi@gmail.com						
24-hour Emergency Contact Name: Adisorn Sakkaru			Emergency Phone Number: 9789822			
Circle all that apply:	Breakfast	Lunch	Dinner	Take-out		
Please List Daily Hours of Operation						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
AM 11:30 PM 11:30	AM 11:30 PM 11:30	AM 11:30 PM 11:30	AM 11:30 PM 11:30	AM 11:30 PM 11:30	AM 11:30 PM 11:30	AM 11:30 PM 11:30
Approved Number of Seats:		72				
Floor Space/ Square Feet:		3,128				



Tanji Cifuni
City Clerk

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

TAX CERTIFICATION FORM

Business Name:	Bangkok Bar Shi Corp
Business Address:	462 Main St Melrose MA 02176
DBA (if applicable):	Bangkok Bar Shi Thai Tavern & Sushi Bar
Owner's Name:	Wikanda Wiwitted & Adisorn Sakkeara

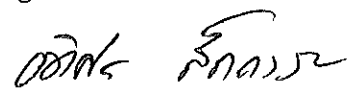
By signing below, you are requesting to be granted a Common Victualler License from the City of Melrose. In addition, you swear and affirm that the contents of the document are truthful and accurate to the best of your knowledge and belief.

Additionally, you hereby certify under the penalties of perjury that you have, to the best of your knowledge and belief, filed all state tax returns, paid all state taxes, local taxes, all water, sewer and solid waste disposal bills, all tax titles, utilities, and all motor vehicle excise taxes to the City of Melrose required by law.


Signature of Petitioner 1

16th June 2025
Date of Signature

August 16th 1977
Date of Birth


Signature of Petitioner 2

16th June 2025
Date of Signature

July 14th 1978
Date of Birth

***This license will not be used or renewed unless this certification clause is signed by the applicant.**

****Your Social Security number or Federal Identification number will be furnished to the Massachusetts Department of Revenue (DOR) to determine whether you have met tax filing or tax payment obligations. Licensees failing to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Laws, Chapter 62C, Section 49A.**

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Victualler License)



Tanji Cifuni
City Clerk

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

City of Melrose Administrative Code General Legislation

ACKNOWLEDGEMENT OF RECEIPT OF MELROSE ORDINANCES

§ 152-12 Common victuallers and innholders

[Amended 6-15-1981 by Ord. No. 20718; 4-21-2009 by Ord. No. 09-125; 11-16-2020 by Ord. No. 2021-34; 12-20-2021 by Ord. No. 2022-56]

No person shall hereafter engage in the business of innholder or common victualler without first obtaining a license therefor from the City Council. A fee of \$75 shall be paid for each of such licenses. The fee for a common victualler's license set forth herein shall be waived for Calendar Year 2021 as a result of the ongoing impacts of the COVID-19 global health pandemic. The fee for a common victualler's license set forth herein shall be waived for Calendar Year 2022 as a result of the ongoing impacts of the COVID-19 global health pandemic.

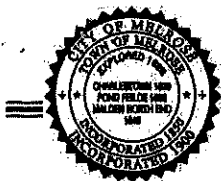
State law reference — Law of the commonwealth authorizing cities to grant licenses to common victuallers, innholders, etc., MGL c. 140, § 2, construed in *Liggett Drug Co. v. Board of License Commissioners*, 296 Mass. 41, 4 N.E. (2d) 268.

By signing below, you are acknowledging that you have read the City of Melrose Charter and Administrative Charter Chapter 152 §12 pertaining to Common Victuallers and Innholders and understand all that is required as a licensee.

Applicant Signature

June, 16th 2025
Date

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Victualler License)



Tanji Cifuni
City Clerk

5.B.1.b
CITY OF MELROSE
OFFICE OF THE CITY CLERK

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

The Commonwealth of Massachusetts
Department of Industrial Accidents Office of Investigations
600 Washington Street, Boston, MA 02111
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Business
Applicant Information Please Print Legibly

Business Name: Bangkok Bar Shi Corp
Address: 462 Main St Melrose MA 02176
City/State/Zip: Melrose MA 02176
Phone #: 781 - 620 - 1588

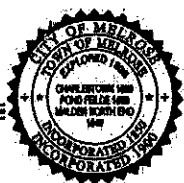
Are you an employer- (check one):	
☒	*I am an employer with <u>6</u> employees (full/part-time)
☐	I am sole proprietor or partnership and have no employees working for me in any capacity (No workers' comp insurance required)
☐	We are a corporation and its officers have exercised their right of exemption per c. 152, § 1(4), and we have no employees. (No workers' comp insurance required)
☐	We are a non-profit organization, staffed by volunteers, with no employees. (No workers' comp insurance required)

Business Type- (required):	
☐	Retail
☒	Restaurant/Bar/Eating Establishment
☐	Office and/or Sales (incl. real estate, auto, etc.)
☐	Entertainment
☐	Manufacturing
☐	Non-profit
☐	Health Care
☐	Other:

***Any applicant that checks box #1 must also fill out the section on the next page showing their workers' compensation policy information.**

**** If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required, and such an organization should check box #1.**

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Victualler License)



Tanji Cifuni
City Clerk

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

I am an employer that provides workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Hartford Accident and Indemnity Company

Insurer's Address: 3600 Wiseman BLVD

City/State/Zip: San Antonio TX 78251

Policy # or Self-Insurance License #: 08 NEC BP9 [REDACTED] Expiration Date: 03/20/26

Required:

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expirations date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,5000.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP Work Order and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury, that the information provided above is true and correct.

Signature: [Signature] Date: 16th June 2025

Phone #: 8579283449

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigation has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a homeowner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.



Tanji Cifuni
City Clerk

562 Main Street
Melrose, Massachusetts 021
Telephone - (781) 979-41

COMMON VICTUALLER LICENSE
CITY DEPARTMENT REVIEW
LICENSING PERIOD JANUARY 1st - DECEMBER 31st

Instructions:

Please complete the section below before obtaining approval from each of the City Departments listed on the back of this page. Departments will not review and approve if any fields are left blank.

REPORT OF INVESTIGATION - RELATIVE TO APPLICATION FOR

Business Name: Bangkole Bar Shi Corp

Owner Name: Witeanda Wiwitted Owner DOB: 10th August 1978
Adisorn Sakkar

Business Address: 462 Main St Melrose MA 02176

Please List Daily Hours of Operation

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
AM 11:30	AM 11:30	AM 11:30	AM 11:30	AM 11:30	AM 11:30	AM 11:30
PM 11:30	PM 11:30	PM 11:30	PM 11:30	PM 11:30	PM 11:30	PM 11:30

Approved Number of Seats:

72

Floor Space/ Square Feet:

3,128

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Victualler License)



CITY OF MELROSE
OFFICE OF THE CITY CLERK

Kristin Foote
City Clerk

562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4115

COMMON VICTUALLER LICENSE
CITY DEPARTMENT REVIEW
LICENSING PERIOD JANUARY 1st - DECEMBER 31st

Instructions:

Please complete the section below before obtaining approval from each of the City Departments listed on the back of this page. Departments will not review and approve if any fields are left blank.

REPORT OF INVESTIGATION - RELATIVE TO APPLICATION FOR

Business Name: Bangkok Bar Shi (Thai Tavern & Sushi Bar)

Owner Name: Wakanda Wiwitted Owner DOB: August, 10th 1978

Business Address: 462 Main St Melrose MA 02176

Please List Daily Hours of Operation

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Approved Number of Seats:						
Floor Space/ Square Feet:						

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Victualler License)



Kristin Foote
City Clerk

CITY OF MELROSE
OFFICE OF THE CITY CLERK

562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4115

Attention City Officials: Please review the information submitted by the applicant on the reverse side to ensure all fields are complete prior to researching your records and signing off.

MELROSE HEALTH & HUMAN SERVICES 781-979-4130		Date Signed: <u>6-18-25</u>	FOOD PERMIT EXP DATE:
<i>[Signature]</i> Health & Human Services Signature		Health & Human Services Name Printed	
☐ Denied	☒ Approved	☐ Other	
Comments: <u>n/A</u>			

MELROSE FIRE DEPARTMENT 781-979-4405		Date Signed: <u>4/12/25</u>	\$50 Fee Paid (Yes/No)
<i>[Signature]</i> Melrose Fire Captain Signature		<u>G. Benson</u> Fire Captain Name Printed	
☐ Denied	☒ Approved	☐ Other	
Comments:			

MELROSE POLICE DEPARTMENT 781-665-1212		Date Signed: <u>04/09/2025</u>
<i>[Signature]</i> Melrose Police Signature		<u>LT. Paul J. Norton</u> Melrose Police Name Printed
☐ Denied	☒ Approved	☐ Other
Comments:		

INSPECTIONAL SERVICES DEPARTMENT 781-979-4135		Date Signed: <u>6/9/25</u>
<i>[Signature]</i> Building Commissioner Signature		<u>[Signature]</u> Building Commissioner Name Printed
☐ Denied	☒ Approved	☐ Other
Comments:		

TREASURER COLLECTORS' OFFICE Available in person during City Hall business hours		Date Signed: <u>6-9-25</u>
<i>[Signature]</i> Treasurer Collector Signature		<u>Janeen Shairs</u> Treasurer Collector Name Printed
☐ Denied	☒ Approved	☐ Other
Comments:		



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 06/06/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Scott Collins Mohawk Insurance Agency scollins@mohawkins-re.com	CONTACT NAME: PHONE (A/C, No, Ext): 855-588-1011 FAX (A/C, No, Ext): E-MAIL ADDRESS: Support@coterieinsurance.com														
INSURED: Bangkok Bar Shi 462 Main St # 1 Melrose, MA 02176-3842	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: Spinnaker Insurance Company</td> <td>24376</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Spinnaker Insurance Company	24376	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER

REVISION NUMBER

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTD	TYPE OF INSURANCE	ADDL NSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR	X	X	CSG-00165898-01	06/06/2025	06/06/2026	EACH OCCURRENCE \$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC Other: _____						DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000
							MED EXP (Any one person) \$5,000
							PERSONAL & ADV INJURY \$2,000,000
							GENERAL AGGREGATE \$4,000,000
							PRODUCTS - COM/OP AGG \$4,000,000
	AUTOMOBILE LIABILITY: ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTIONS \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDER? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A				PERMANENT ☐ ☐ OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
			X				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

 462 Main St # 1
 Melrose, MA 02176-3842

CERTIFICATE HOLDER

CANCELLATION

A & V Realty Trust 6 Shipley Ct Middleton, MA 01949-1825	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE David McFarland
--	---

ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

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Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Virtual License)



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
06/06/2025

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Scott Collins Mohawk Insurance Agency scollins@mohawkins-re.com	CONTACT NAME: PHONE (A/C, No, Ext): 855-568-1011 FAX (A/C, No, Ext): E-MAIL ADDRESS: Support@coterielinsurance.com														
INSURED: Bangkok Bar Shi 462 Main St # 1 Melrose, MA 02176-3842	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: Spinnaker Insurance Company</td> <td>24376</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Spinnaker Insurance Company	24376	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES

CERTIFICATE NUMBER

REVISION NUMBER

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INSR LTD	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR	X	X	CSG-00165898-01	06/06/2025	06/06/2026	EACH OCCURRENCE \$2,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000						
	MED EXP (Any one person) \$5,000						
	PERSONAL & ADV INJURY \$2,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC Other: _____							GENERAL AGGREGATE \$4,000,000
	AUTOMOBILE LIABILITY: ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTIONS \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDER? ☐ Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PERMANENT OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
			X				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

462 Main St # 1

Melrose, MA 02176-3842

Certificate holder is named as an additional insured, coverage is primary & non-contributory and a waiver of subrogation applies as per written contract with the first named insured.

CERTIFICATE HOLDER

CANCELLATION

PROOF OF COVERAGE	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE David McFarland
-------------------	---

ServSafe® CERTIFICATION

ADISORN SAKKARA

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI) – Conference for Food Protection (CFP).



#0655

In accordance with...

10791

EXAM FORM NUMBER

17/2028

DATE OF EXPIRATION

may for recertification requirements.

17/2023

DATE OF EXPIRATION
Local laws apply. Check...

Sherman Associates Solutions



and the ServSafe logo are trademarks of the NREAF, National Restaurant Association® and the art design

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Virtualler License)

INFORMATION PAGE**WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY**

INSURER: Hartford Accident and Indemnity Company
ONE HARTFORD PLAZA HARTFORD CT 06155



NCCI Company Number: 10448
Company Code: 5

POLICY NUMBER:
Previous Policy Number:

08 WEC [REDACTED]
New

Suffix
LARS RENEWAL

1. **Named Insured and Mailing Address:** BANGKOK BAR SHI CORP
(No., Street, Town, State, Zip Code) 462 MAIN ST
MELROSE MA 02176

FEIN Number: 99-310 [REDACTED]
State Identification Number(s):

The Named Insured is: Corporation
Business of Named Insured: Full-Service Restaurants
Other workplaces not shown above:

2. **Policy Period:** From 03/20/25 To 03/20/26 ANNUAL
12:01 a.m., Standard time at the insured's mailing address.

Producer's Name: NUMBER ONE INSURANCE AGCY INC/PHS
91 CEDAR STREET
MILFORD MA 01757

Producer's Code: 08088171

Issuing Office: THE HARTFORD BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251
(866) 467-8730

Total Estimated Annual Premium: \$1,820

Deposit Premium:

Policy Minimum Premium: \$276 MA (Includes Increased Limit Min. Prem.)

Audit Period: ANNUAL

Installment Term: Full Pay (100%Down)

The policy is not binding unless countersigned by our authorized representative.

Countersigned by Susan J. Castaneda
Authorized Representative

03/21/25
Date

INFORMATION PAGE (Continued)

Policy Number: 08 WEC BP9S

3. A. Workers Compensation Insurance: Part one of the policy applies to the Workers Compensation Law of the states listed here: MA

B. Employers Liability Insurance: Part Two of the policy applies to work in each state listed in Item 3.A.

The limits of our liability under Part Two are:

Bodily injury by Accident	\$1,000,000	each accident
Bodily injury by Disease	\$1,000,000	policy limit
Bodily injury by Disease	\$1,000,000	each employee

C. Other States Insurance: Part Three of the policy applies to the states, if any, listed here:

ALL STATES EXCEPT NORTH DAKOTA, OHIO, WASHINGTON, WYOMING, U.S.TERRITORIES AND STATES DESIGNATED IN ITEM 3.A. OF THE INFORMATION PAGE.

D. This policy includes these endorsements and schedule:

SEE ENDORSEMENT-WC 99 03 68

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required below is subject to verification and change by audit.

Classifications Code Number and Description	Premium Basis Total Estimated Annual Remuneration	Rates Per \$100 of Remuneration	Estimated Annual Premium
Total Standard Premium			\$1,340
Expense Constant			\$338
Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement			\$72
Estimated Annual Premium (before Surcharges)			\$1,750
Total Estimated Surcharges			\$70

*See the attached Schedule(s) of Operations for Location and State Level Premium Information

Total Estimated Annual Premium:	\$1,820
Deposit Premium:	
Policy Minimum Premium:	\$276 MA (Includes Increased Limit Min. Prem.)

Interstate/Intrastate Identification Number: Refer to Schedule of Operations

Labor Contractors Policy Number:

NAICS: 722511

SIC: 5812



SCHEDULE OF OPERATIONS

This Schedule of Operations forms a part of the policy effective on the inception date of the policy unless another date is indicated below:

INSURER: HARTFORD ACCIDENT AND INDEMNITY COMPANY

Company Code: 5

Policy Number: 08 WEC BP9SPG

Schedule Number: 01-20-01

Effective Date: 03/20/25 Effective hour is the same as stated on the Information Page of the policy.

Named Insured and Location Address of operations covered by this schedule:

Bangkok Bar Shi Corp
462 MAIN ST
MELROSE MA 02176

FEIN: 99-3109

NAICS: 722511

SIC: 5812

NO. OF EMPL: 5

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All information required below is subject to verification and change by audit.

Classifications Code Number and Description	Premium Basis Total Estimated Annual Remuneration	Rates Per \$100 of Remuneration	Estimated Annual Premium
9079 RESTAURANT NOC	240,000.00	0.620000	1,488
Total State Summary			
Total Class Premium			1,488
Rate Deviation Premium Credit		0.150000	-223
Emp liab increased limits		0.020000	25
Employer Liability Increase Limits balance to Minimum Premium			50
Total Estimated Annual Standard Premium			1,340
Expense constant			338
Terrorism Risk Insurance Program Reauthorization Act	240,000.00	0.030000	72
Disclosure Endorsement			
MA DIA Private/Public Assessment (CBAI 62) Surcharge		4.680000	70
Total Estimated Annual Premium			1,820

Countersigned by _____

Authorized Representative



EXTENSION OF THE INFORMATION PAGE - ITEM 3.D - ENDORSEMENTS

Policy Number: 08 WEC [REDACTED] **Endorsement Number:**
Effective Date: 03/20/25 Effective hour is the same as stated on the Information Page of the policy.
Named Insured and Address: Bangkok Bar Shi Corp
 462 MAIN ST
 MELROSE MA 02176

Item 3.D. of the Information Page is completed to include the following endorsements:

WC000000C	WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY
WC000001A.1	INFORMATION PAGE
WC000001A.2	INFORMATION PAGE
WC000308	PARTNERS, OFFICERS AND OTHERS EXCLUSION ENDORSEMENT
WC000403	EXPERIENCE RATING MODIFICATION FACTOR ENDORSEMENT
WC000414	NOTIFICATION OF CHANGE IN OWNERSHIP
WC000422C	TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT
WC200301	APPLICATION OF LIMITS OF LIABILITY ENDORSEMENT - MASS
WC200302A	MASSACHUSETTS - ASSESSMENT CHARGE
WC200303D	MASSACHUSETTS NOTICE TO POLICYHOLDER ENDORSEMENT
WC200405	MASSACHUSETTS PREMIUM DUE DATE ENDORSEMENT
WC200601A	MASSACHUSETTS CANCELLATION ENDORSEMENT
WC990001K	Signature/Copyright
WC990002	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY BUSINESS INSURANCE POLICY
WC990005	SCHEDULE OF OPERATIONS
WC990300D	WORKERS COMPENSATION BROAD FORM ENDORSEMENT
WC990368	EXTENSION OF THE INFORMATION PAGE - ITEM 3.D. - ENDORSEMENTS

Attachment: Bangkok Bar Shi license Common Vict application (12865 : Bangkok Bar Shi new Common Virtual License)

BANGKOK BENTO LLC
103 BIGELOW ST
QUINCY, MA 02169-5403

2158

53-13/110 MA
26959

DATE 06/18/2025

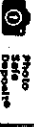
PAY
TO THE
ORDER OF

City of Melrose

\$ 60.00

Sixty dollars

DOLLARS



BANK OF AMERICA

ACH R/T 011000138

FOR

⑈002158⑈ ⑆011000138⑆



cash

BANGKOK BENTO LLC
103 BIGELOW ST
QUINCY, MA 02169-5403

2159

53-13/110 MA
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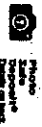
PAY
TO THE
ORDER OF

City of Melrose

\$ 100.00

One hundred dollars

DOLLARS



BANK OF AMERICA

ACH R/T 011000138

FOR

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cash



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12884)

Calling the Local Election for Tuesday, November 4th 2025 from 7:00 am to 8:00 pm at the Melrose Veterans Memorial Middle School gymnasium complex.

BE IT ORDERED

BE IT ORDERED that in accordance with Massachusetts General Laws and the City Charter, the City Clerk is hereby authorized and directed to notify and to warn the inhabitants of the City of Melrose, as are qualified to vote, to assemble at the polling places in their respective wards as designated on the warrant herein, on **Tuesday, the 4th day of November, 2025 from 7:00 a.m. to 8:00 p.m.**, to cast their votes in the Local Election for the City of Melrose.

A City Council consisting of eleven members for terms of two years, one member from each ward to be elected by and from the qualified voters of such wards, and four members at-large to be elected by the qualified voters of the entire city;

A School Committee consisting of seven members: three (3) school committee candidates receiving the highest number of votes shall be declared elected to a four (4) year term to be elected by and from the qualified voters of the entire city, the terms of office shall be so arranged that three (3) such terms are to be filled at each biennial election; the Mayor shall serve, by virtue of office, as the seventh member.

POLLING LOCATION

Ward Precinct

1	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
1	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
2	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
2	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
3	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
3	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
4	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
4	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
5	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
5	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
6	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
6	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST

Order (ID # 12884)

Meeting of August 18, 2025

7	1	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST
7	2	MELROSE MEMORIAL MIDDLE SCHOOL GYM	90 MELROSE ST

HISTORY:**07/21/25** **City Council****ASSIGNED TO COMMITTEE**

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12885)

Requesting City Council approval of the Board of Registrars of Voters Recommendations relative to In Person Early Voting and Mail In Voting for the November 4, 2025 Local Election

BE IT ORDERED

Be it ordered, that the Melrose City Council, in accordance with the provisions of the Votes Act of 2022, approve the following early in-person hours and days for the November 4, 2025 Local Election as recommended by the Board of Registrars of Voters:

IN-PERSON VOTING

Saturday, October 25	9 a.m. - 5 p.m.
Monday, October 27	8:30 a.m. - 4 p.m.
Tuesday, October 28	8:30 a.m. - 4 p.m.
Wednesday, October 29	8:30 a.m. - 4 p.m.
Thursday, October 30	8:30 a.m. - 4 p.m.
Friday, October 31	8:30 a.m. - 12:30 p.m.

In-person early voting will take place in the Council Chambers located on the first floor of Melrose City Hall, 562 Main Street, Melrose.

MAIL IN VOTING

Last Day and hour to apply for a mail-in ballot (absentee or early) for the November 4th election, G. L. c. 54 ss 25B, 89 will be Wednesday October 29th at 5pm.

HISTORY:

07/21/25 City Council

ASSIGNED TO COMMITTEE

Order (ID # 12885)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Chapter 92
of the Acts of 2022

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

In the One Hundred and Ninety-Second General Court

AN ACT FOSTERING VOTER OPPORTUNITIES, TRUST, EQUITY AND SECURITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith voter opportunities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. _____

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1F of chapter 51 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the words "eight o'clock post meridian of the twentieth" and inserting in place thereof the following words:- 5:00 p.m. of the tenth.

SECTION 2. Section 26 of said chapter 51, as so appearing, is hereby amended by striking out, in lines 10 and 11, the words "eight o'clock in the evening" and inserting in place thereof, in each instance, the following words:- 5:00 p.m.

SECTION 3. Said section 26 of said chapter 51, as so appearing, is hereby further amended by striking out, in line 10, the word "twentieth" and inserting in place thereof the following word:- tenth.

SECTION 4. Said chapter 51 is hereby further amended by striking out section 28, as so appearing, and inserting in place thereof the following section:-

Section 28. Registrars shall hold a continuous session from 9:00 a.m. until 5:00 p.m. on the last day for registration established under section 26; provided, however, that a town having less than 1,500 voters may hold a session from 9:00 a.m. until 11:00 a.m. and from 3:00 p.m. until 5:00 p.m.

SECTION 5. Section 33A of said chapter 51, as so appearing, is hereby amended by adding the following sentence:- The state secretary shall make the online portal accessible in English, Spanish, Portuguese, Chinese and such additional languages as the state secretary deems necessary or required by law.

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SECTION 6. Section 42G% of said chapter 51, as so appearing, is hereby amended by inserting after the word "vote", in line 57, the following words:- pursuant to subsection (d) of section 65.

SECTION 7. Said section 42G% of said chapter 51, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) In accordance with the memorandum of understanding required by subsection (b), each eligible applicant for services at an automatic voter registration agency who meets the qualifications to register to vote and does not decline to register to vote under subsection (d) of section 65 shall be registered as a voter under said section 65 as of the date the registrars add the person's name and address to the register of voters, pursuant to paragraph (4) of said subsection (d) of said section 65; provided, however, that an applicant who meets the qualifications to register to vote, does not decline to register to vote under said subsection (d) of said section 65 and completes a qualifying transaction with an automatic voter registration agency not less than 10 days before an election shall be entitled to vote in that election. If necessary to comply with federal law, the division of medical assistance and the commonwealth health insurance connector authority may allow an applicant to decline to register to vote at the time of application. Otherwise, all automatic voter registration agencies, including the registry of motor vehicles, shall transmit records of all eligible applicants as provided in subsection (e) and these applicants may decline to register to vote only after receiving notice from the registrars under paragraph (3) of said subsection (d) of said section 65.

SECTION 8. Section 47C of said chapter 51, as so appearing, is hereby amended by adding the following paragraph:-

To the extent feasible, the state secretary shall make the statewide list of registered voters contained in the central registry of voters established in this section available to the local election officers at each polling location.

SECTION 9. Chapter 54 of the General Laws is hereby amended by striking out section 14, as so appearing, and inserting in place thereof the following section:-

Section 14. For any primary or election, if the city or town clerk determines in writing that there is a deficiency in the number of required election officers within the 6 weeks preceding the primary or election, the appointing authority may appoint election officers without regard to

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political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to sections 11B and 12. If the position of warden, clerk or inspector, or deputy of any such officer, if any, is vacant within the 3 weeks preceding any primary or election, the city or town clerk may fill the vacancy by appointing a competent person willing to serve, without regard to political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to said sections 11B and 12.

SECTION 10. Said chapter 54 is hereby further amended by striking out section 25B, as so appearing, and inserting in place thereof the following 2 sections:-

Section 25B. (a)(1) The election officers and registrars of every city or town shall allow any registered voter qualified under section 1 of chapter 51 to vote early by mail for any municipal preliminary or election or presidential or state primary or election, including any such special preliminary, primary or election, or any primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress; provided, however, that the select board, board of selectmen, town council or city council of each city and town may, after a public hearing and by recorded and public vote not less than 45 days prior to the date of the preliminary or election, opt out of the provisions of this subsection for any regular or special municipal preliminary or municipal election; provided further, that any registered voter qualified under section 1 of chapter 51 shall be allowed to vote early by mail for any municipal preliminary or municipal election held on the same day as any presidential or state primary or election or any primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress; and provided further, that this subsection shall not apply to an annual or special town meeting.

(2) Any registered voter wanting to vote early by mail may file with the voter's local election official an application for an early voting ballot for a preliminary, primary or election or for all preliminaries, primaries and elections authorized pursuant to this subsection during the calendar year. Any form of written communication evidencing a desire to have an early voting ballot sent for use for voting at a preliminary, primary or election shall be given the same effect as an application made in the form prescribed by the state secretary. Applications shall be acceptable if they are signed or submitted electronically; provided, however, that any electronic signature

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shall be written in substantially the same manner as a handwritten signature. No application shall be deemed to be seasonably filed unless it is received in the office of the city or town clerk or registrars of voters before 5 p.m. on the fifth business day preceding the preliminary, primary or election.

(3) A family member of a person qualified to vote early by mail may apply in the manner described under paragraph (2) on behalf of such person. Such applicant shall state the applicant's relationship to the early voter, shall sign the application under the pains and penalties of perjury and shall transmit the application to the clerk of the city or town where the early voter is registered.

(4) A voter wishing to apply to vote early by mail in any presidential or state primary or election or any primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress and who needs accommodation by reason of disability and is unable to independently mark a paper ballot may apply for such accommodations in a form and manner prescribed by the state secretary. Accommodations shall include, but not be limited to: (i) clear and accessible electronic instructions for completion, printing and returning of the ballot; (ii) an accessible blank electronic application that can be: (A) completed by the voter electronically; (B) signed with a wet signature, a hand drawn electronic signature or the voter's typewritten name as a signature if the voter is unable to independently insert a hand-drawn signature on the application due to a disability; and (C) submitted electronically, by mail or by delivering it, in person or by a family member, to the office of the appropriate city or town clerk; (iii) an authorized accessible blank electronic ballot that can be filled out electronically, printed and signed; provided, however, that the accessible electronic ballot marking system the voter utilizes to access their blank electronic ballot shall not collect or store any personally identifying information obtained in the process of filling out the ballot; (iv) an accessible electronic affidavit that may be used for certification of an accessible electronic ballot and signed with a wet signature, a hand-drawn electronic signature or the voter's typewritten name as a signature if the voter is unable to independently insert a hand-drawn signature on the ballot due to a disability; (v) an envelope to return the ballot to the voter's town or city clerk with postage guaranteed; and (vi) hole punched markers in place of a wet signature required for certification if an electronic affidavit of certification is not utilized. A voter with accommodations in receipt of a ballot pursuant to this section may complete and return the ballot by: (i)

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submitting it electronically; (ii) delivering it, in person or by a family member, to the office of the appropriate city or town clerk or a secured municipal drop box for the city or town where the voter is registered; or (iii) mailing it to the appropriate city or town clerk; provided, however, that the state secretary shall provide an envelope to allow for returning the ballot pursuant to clause (ii) or (iii).

(5) A voter wishing to apply to vote early by mail in a municipal preliminary or election authorized pursuant to this subsection and who needs accommodation by reason of disability and is unable to independently mark a paper ballot may request an accommodation from their local election official. The request shall be received by the local election official not later than the seventh business day preceding the preliminary or election. Upon receiving such a request from a registered voter by phone or electronically, the local election official shall grant reasonable accommodations to the voter.

(6) The state secretary shall establish, implement and maintain an internet portal on the secretary's website to allow a voter to request an early voting ballot for preliminaries, primaries and elections authorized pursuant to this subsection or an absent voting ballot for primaries and elections authorized pursuant to section 86. The voter shall be able to request that the ballot be mailed to the voter's home address, or a different mailing address as designated by the voter, or provided electronically if the voter is approved to utilize an accessible electronic ballot as an accommodation under paragraph (4). Any request under this paragraph shall not require the voter's wet signature.

(7) (i) Not later than 45 days before any presidential or regular state primary or biennial state election or a primary held pursuant to section 140 to fill a vacancy for senator in congress, the state secretary shall mail to all registered voters who are registered to vote not less than 60 days before such primary or election, at their residential addresses or mailing addresses if different from their residential address listed in the central registry, an application for an early voting ballot for the applicable primary or election and any city or town election held on the same day as such primary or election. The application shall also allow a voter to request an early voting ballot for: (A) the remaining state primary or election in the calendar year; or (B) if applicable, the election held pursuant to section 140 to fill a vacancy for senator in congress. The state secretary need not mail an application to a voter whose previous application for an absent

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voting ballot or early voting ballot for the applicable primary or election has been accepted.

(ii) Each application mailed pursuant to this paragraph shall: (A) be pre-addressed to the city or town clerk with return postage guaranteed; (B) be provided in any language required by the bilingual election requirements of the federal Voting Rights Act, 52 U.S.C. 10503; (C) be in a form prescribed by the state secretary in accordance with state and federal law; (D) include clear instructions for completing and returning the application; and (E) allow a voter to designate the mailing address to which the ballot shall be sent.

(iii) Each application mailed pursuant to this paragraph to a voter in the city of Boston shall include an option, which shall appear prominently on the application, to request a ballot printed in any language available at the voter's polling location pursuant to chapter 166 of the acts of 2014.

(iv) To minimize mailings and costs, the state secretary may seek to include said applications in any other mailings required by this chapter or otherwise issued to such registered voters at such time; provided, however, that such a mailing shall clearly indicate that applications to vote early by mail are contained therein and that any voter who previously returned an accepted application for an absent voting ballot or early voting ballot in the calendar year need not return an additional application for the applicable primary or election.

(v) The applications required pursuant to this paragraph shall be made available on the website of: (A) the state secretary; and (B) each city and town.

(8) The election officers and registrars of every city or town shall include an application for an early voting ballot with the acknowledgment notice sent to any person registering to vote or changing their voter registration address; provided, however, that the application shall be in the form prescribed by the state secretary pursuant to paragraph (7).

(9) Upon receipt of an early voting application, the election officers shall verify the voter's information and, if confirmed, shall record the voter as "EV" on the voting list. If the election officers find that the person signing the application is not a duly registered voter or the family member of a voter, they shall send the voter written notice to that effect and shall preserve the application during the time fixed by law for the preservation of ballots cast in the coming election, after which time the application shall be destroyed.

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(10) Early voting ballots authorized pursuant to this section shall be mailed by the appropriate local election officials as soon as such materials are available. The mailing of an early voting ballot shall include: (i) instructions for early voting; (ii) instructions for completing the ballot; (iii) an inner envelope where the ballot shall be placed after voting that contains an affidavit of compliance to be filled out by the voter and notice of the penalties under section 26 of chapter 56; and (iv) an outer envelope that is pre-addressed to the local election official with postage guaranteed. To the extent feasible, the state secretary shall include on the outer envelope a system that generates a postmark for determining the date upon which the envelope was mailed.

(11) Early voting ballots authorized pursuant to this section shall be provided to the voter in the language required pursuant to clauses (ii) and (iii) of paragraph (7).

(12) The provisions of section 81 relative to spoiled ballots shall apply to early voting ballots under this section; provided, however, that a request for a substitute ballot from a voter who has received a ballot by mail shall not be valid unless it is accompanied by the spoiled ballot and received in the office of the city or town clerk or the registrars before 5 p.m. on the fifth day preceding the election for which such substitute voting ballot is requested.

(13) An early voting ballot received by mail may be returned by the voter or a family member by: (i) delivering it in person to the office of the appropriate city or town clerk; (ii) delivering it to an early voting location for the appropriate city or town during the early voting in-person hours; (iii) dropping it in a secured municipal drop box for the city or town where the voter is registered; or (iv) mailing it to the appropriate city or town clerk.

All early voting ballots submitted by mail, delivered in person to the office of the city or town clerk, returned to a secured municipal drop box for the city or town where the voter is registered or returned electronically pursuant to the accommodations granted to a voter by reason of disability under paragraph (4) shall be received by the city or town clerk before the hour fixed for closing the polls on the day of a preliminary, primary or election; provided, however, that an early voting ballot mailed on or before the day of a biennial state election shall be accepted until 5 p.m. on the third day after the election and shall be processed in accordance with section 95. A postmark, if legible, shall be evidence of the time of mailing.

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(14) Upon receipt of a completed early voting ballot, the local election official shall open the outer mailing envelope and examine the inner secrecy envelope without opening it, compare the signature thereon with the signature on the application therefor, except if a family member signed the application or the voter received assistance in signing the application or the envelope, and examine the affidavit on each such envelope. If the affidavit has been improperly executed or does not sufficiently indicate that the ballot was marked and mailed or delivered as required by this section, the local election official shall mark across the face thereof "Rejected as defective" and shall notify the voter and send the voter a new ballot. If the early voting ballot is accepted, the local election official shall record the date and secure the ballot in its envelope until processing in accordance with law.

(b) (1) The local election officers and registrars of every city or town shall allow any registered voter qualified under section 1 of chapter 51 to vote early in person for any: (i) presidential or state primary or biennial state election or primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress; and (ii) city or town election held on the same day as a primary or election enumerated in clause (i). Any voter wishing to vote early in person in such primaries or elections may do so at the time, manner and location prescribed in this section.

(2) Early voting in person shall be conducted:

(i) from the seventeenth day through the fourth day, inclusive, preceding a biennial state election and any city or town election held on the same day as a biennial state election; and

(ii) from the tenth day through the fourth day, inclusive, preceding any: (A) presidential or state primary or primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress; and (B) city or town election held on the same day as a primary or election enumerated in subclause (A).

(3) Early voting in person shall be conducted on weekend dates during the early voting period as follows: (i) for municipalities with less than 5,000 registered voters, for not less than 4 hours each weekend, with at least 1 day per weekend, for not less than 2 hours on a weekend day in which voting is conducted; (ii) for municipalities with not less than 5,000 registered voters but less than 25,000 registered voters, for not less than 6 hours each weekend, with at least 1 day per weekend, for not less than 3 hours on a weekend day in which voting is conducted; (iii) for municipalities

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with not less than 25,000 registered voters but less than 40,000 registered voters, for not less than 4 hours each weekend day; (iv) for municipalities with not less than 40,000 registered voters but less than 75,000 registered voters, for not less than 6 hours each weekend day; and (v) for municipalities with not less than 75,000 registered voters, for not less than 8 hours each weekend day. For each other day during the early voting period, early voting in-person shall be conducted as follows: (i) for municipalities with less than 5,000 registered voters the city council of a city or board of selectmen or select board of a town may, at a public meeting held not less than 20 days before the first day of the early voting period, vote to provide early voting hours of not less than 25 per cent of the usual business hours of the town clerk; (ii) for municipalities with more than 5,000 registered voters but less than 40,000 registered voters: (A) for the fifteenth day to the eleventh day, inclusive, preceding a biennial state election, the city council of a city or board of selectmen or select board of a town may, at a public meeting held not less than 20 days before the first day of the early voting period, vote to provide early voting hours of not less than 50 per cent of the usual business hours of the city or town clerk; and (B) for the eighth day to the fourth day, inclusive, during the usual business hours of each city or town clerk; and (iii) for municipalities with more than 40,000 registered voters, during the usual business hours of the city or town clerk. A city or town may, in its discretion, provide for additional early voting hours beyond the hours required by this paragraph.

(4) Each city and town shall establish an early voting site that shall include the local election office for the city or town; provided, however, that if the city or town determines that the office is unavailable or unsuitable for early voting, the registrars of each city or town shall identify and provide for an alternative public building that is centrally-located, suitable and convenient within the city or town as an early voting site; and provided further, that when designating early voting sites, a city or town shall consider, to the extent feasible, diverse geographic locations and whether such sites would have an impact on access to the polls on the basis of race, national origin, disability, income or age. A city or town may also provide for additional early voting sites at the discretion of the registrars for that city or town. Each early voting site shall be accessible to persons with disabilities in accordance with state and federal law.

(5) The designation of an early voting site shall be made not less than 14 days prior to the beginning of the early voting period established in this

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section. Not less than 5 business days prior to the beginning of the early voting period and at least once during the early voting period, the registrars for each city and town shall publish notice of the location of the early voting sites as well as the applicable dates and hours. Such notice shall be conspicuously posted: (i) in the office of the city or town clerk and on the principal official bulletin board of each city or town; (ii) on any other public building considered necessary; (iii) on the city or town's website; and (iv) on the website of the state secretary.

(6) Prior to the beginning of in-person early voting, the local election officials for each city and town shall prepare a list for the early voting sites, containing the names and residences of all persons qualified to vote at each voting site as the names and residences appear upon the annual register, and shall reasonably transmit the applicable list to the local election officers at each early voting site designated by the registrars.

(7) A voter seeking to vote in person at an early voting site shall provide their name and address to the local election officer who shall, upon finding the voter's name and address upon the list, repeat it loudly and clearly, mark the list and provide the voter with an early voting ballot and an envelope containing an affidavit, which shall include a notice of penalties under section 26 of chapter 56. The registrar or presiding election officer at the early voting site shall cause to be placed on the voting list opposite the name of a qualified voter who participates in early voting, the letters "EV" designating an early voter.

(8) Upon marking their early voting ballot, enclosing it in the secrecy envelope and executing the affidavit, the voter shall return the ballot envelope to a local election officer at the early voting site who shall review the envelope to ensure the affidavit has been signed by the voter. After a ballot envelope has been accepted, it shall be securely stored at the early voting site until such time as it is transported to the office of the local election official, but not later than the close of early voting for that day.

(c)(1) The select board, board of selectmen, town council or city council of each city and town may vote to authorize early in-person voting for any other city or town preliminary or election not included in subsection (b). Such vote may only be taken after a request from not less than 50 percent of the registrars of the city or town recommending in-person early voting; provided, however, that such vote shall occur not less than 5 business days prior to the proposed beginning of early voting.

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(2) As part of the vote to allow early in-person voting under this subsection, a city or town shall set the early voting period to begin not sooner than 17 days before the preliminary or election and end not later than 2 business days preceding the preliminary or election.

(3) Early voting under this subsection shall be conducted during the usual business hours of the city or town clerk unless different hours are set as part of the vote to allow early in-person voting, including any weekend hours.

(4) The city or town clerk shall establish an early voting site for early in-person voting under this subsection that is centrally-located, suitable and in a convenient public building. Notice of the early voting location, dates and hours shall be posted not less than 48 weekday hours before the early voting period begins.

(5) A voter voting early in person under this subsection shall be provided with a ballot and an envelope where the ballot is placed after voting that contains an affidavit of compliance to be filled out by the voter. A voter voting early in person shall complete an affidavit under the regulations promulgated by the state secretary for the administration of early voting, as applicable, which shall include a notice of penalties under section 26 of chapter 56.

(d) The registrars shall prepare lists of all voters casting ballots during the early voting period pursuant to this section and update the voter list in a manner prescribed by the state secretary. Once an early voting ballot is cast, the voter shall not vote again.

(e) The early voting ballot of any voter who was eligible to vote at the time the ballot was cast shall not be invalid solely because the voter became ineligible to vote by reason of death after casting the ballot. For purposes of this subsection, the term "cast" shall mean that the voter has: (i) deposited the early voting ballot in the mail for ballots mailed; (ii) returned the early voting ballot to the appropriate local election official either by hand or by depositing it in a secured municipal drop box, where available, for the city or town where the voter is registered; (iii) completed voting in person at an early voting location; or (iv) submitted a ballot electronically pursuant to the accommodations granted to a voter by reason of disability under paragraph (4) of subsection (a).

(f) Sections 37 and 38 of chapter 53 shall apply to unenrolled voters and voters enrolled in political designations voting early in primaries. The registrar or presiding election official at the early voting site shall cause

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the name of the party of the ballot being voted to be recorded on the voting list. Once the party selection has been recorded on the voting list, a voter shall not request or vote on the ballot of another party.

(g) Not less than 30 days prior to each presidential primary, state primary, state election, and primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress, the state secretary shall deliver to each city and town, in quantities as the state secretary determines necessary, the following papers: (i) official early voting ballots similar to the official ballot to be used at the election; provided, however, that a sufficient quantity of such ballots are printed in the languages necessary to accommodate the selection of a bilingual ballot by voters pursuant to clauses (ii) and (iii) of paragraph (7) of subsection (a); (ii) envelopes of sufficient size to contain the ballots specified in clause (i) bearing on their reverse the voter's affidavit; (iii) return envelopes, pre-addressed to the local election official with postage guaranteed, for any ballot requested for voting by mail; and (iv) instructions for voting by mail to be sent to each voter who requests to cast a ballot by mail. The voting period for early voting by mail shall begin as soon as all necessary early voting materials have been received by the local election official pursuant to this subsection.

(h) Any early voting ballot cast pursuant to this section may be opened and deposited into a tabulator in advance of the date of the preliminary, primary or election in accordance with regulations promulgated by the state secretary; provided, however, that municipalities that do not have a tabulator may open and deposit early voting ballots into a ballot box; provided further, that such ballots shall be kept secured, locked and unexamined and that no results shall be determined or announced until after the time polls close on the date of the preliminary, primary or election; and provided further, that notice of the date, time and location of any such opening or depositing shall be posted not less than 2 business days in advance of the opening or depositing; and provided further, that the opening or depositing shall be open to the public. Disclosing any such result before such time shall be punished as a violation of section 14 of chapter 56.

All envelopes referred to in this section shall be retained with the ballots cast at the preliminary, primary or election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

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(i) The state secretary shall promulgate regulations to implement this section including, but not limited to, a process for establishing additional early voting sites and a process for applying for, receiving, separating, compiling, recording and securing early ballots and advance depositing.

(j) Section 72 shall not apply to this section; provided, however, that a city or town, at the discretion of its election officers and registrars, may detail a sufficient number of police officers or constables for each early voting site at the expense of the city or town to preserve order, protect local election officers and supervisors from any interference with their duties and aid in enforcing the laws relating to elections.

(k) Not later than 45 days after each presidential primary, regular state primary, biennial state election and primary or election held pursuant to section 140 to fill a vacancy for senator or representative in congress, the state secretary shall submit a report to the house and senate committees on ways and means and the joint committee on election laws on the costs to implement subsection (a) of this section. The report shall include, but not be limited to: (i) the number of ballot applications with postage guaranteed mailed to voters; (ii) where available, the number of ballot applications with postage guaranteed returned requesting a ballot; (iii) the total number of ballots cast by mail; (iv) total cost and amounts paid for using federal funds; and (v) where available, the number of ballot applications that were returned as undeliverable and a description of the reasons why each application was returned, including, but not limited to, a change of address or the intended recipient being deceased.

Section 25C. (a) For the purposes of this section, the following words shall have the following meanings:

"Applicable statewide election", a presidential or regular state primary or biennial state election or a primary or election held pursuant to section 140 to fill a vacancy for senator in congress.

"Facility", a correctional facility, house of correction, jail or department of youth services.

(b) The officer in charge of a facility shall develop and publish policies and procedures that govern the facilitation of voting and voter registration for eligible voters in the facility; provided, however, that the policies and procedures shall include, but not be limited to:

(i) the distribution of voter education and election information provided by the state secretary, including, but not limited to: (A) the display of posters in prominent locations visible to individuals who are

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incarcerated at the facility; and (B) the dissemination of written notices about voting rights and procedures to all individuals who are incarcerated at the facility and who may be eligible to vote;

(ii) for any preliminary, primary or election, assisting an individual who is incarcerated at the facility and who may be eligible to vote in registering as a voter and in applying for an early voting by mail or absent voting ballot, including as a specially qualified voter; provided, however, that such assistance shall include, but not be limited to: (A) distributing forms prepared by the state secretary for those purposes, including ballot applications or voter registration forms; (B) providing an individual with access to a writing implement sufficient to properly complete the registration and application forms; (C) providing records that may serve as proof of residence for the purpose of voter registration or that provide a voter with their last known address, such as intake forms, arrest records or other forms in the possession of the facility; (D) providing voter information packets generated by the state secretary and, where possible, by nonpartisan community groups, nonpartisan volunteers or other nonpartisan stakeholders; and (E) facilitating the timely return of an application for an eligible voter to be permitted to vote early by mail;

(iii) facilitating the expeditious and timely receipt and return of an early voting by mail or absent voting ballot by an eligible individual who is incarcerated at the facility, including, but not limited to, by: (A) providing access to a writing implement sufficient to properly complete the ballots; (B) establishing locations where voters may complete ballots and other paperwork in private, where feasible; and (C) facilitating the mailing of completed mail ballots as soon as practicable; provided, however, that an employee, contractor, agent, official or representative of the department of correction shall not open or inspect any completed mail ballot unless it is to investigate reasonable suspicion of a prohibited activity;

(iv) providing means of tracking: (A) complaints by an individual who is incarcerated at the facility related to voting or registration; (B) numbers of individuals who are incarcerated who sought to vote; and (C) the outcome of their requests; and

(v) policies for collaboration with local election officials, civic engagement community groups and other stakeholders.

(c) The officer in charge of a facility shall:

(i) not later than 45 days before an applicable statewide election, display or distribute any informational posters or packets provided by the

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state secretary pursuant to subsection (d) or, if received after such date, immediately upon receipt; provided, however, that the distribution and announcements of such information shall be continued through the conclusion of such election;

(ii) not later than 14 days before an applicable statewide election, file a written report with the state secretary, in a form prescribed by the state secretary, that details the actions taken under this section; provided, however, that the report shall be a public record; and

(iii) appoint a subordinate officer at the facility to supervise the actions required by this section.

(d) Not later than 90 days before an applicable statewide election, the state secretary shall: (i) create and distribute to sheriffs and superintendents of facilities voter information signs and information for display and distribution in facilities; and (ii) distribute to local election officials information on: (A) the qualifications and rights of eligible incarcerated voters; (B) how to process a voter registration or ballot application from an eligible incarcerated voter; (C) current law pertaining to those rights and processes; and (D) the presumed residence for voting purposes of an eligible incarcerated voter and instances in which an eligible incarcerated voter can maintain the facility in which they are confined as their address for voting purposes.

(e)(1) Prior to the expiration of the term for a person who is incarcerated in a correctional facility, the officer in charge of the facility shall provide, in writing, a document prepared by the state secretary explaining: (i) the voting rights of a person who is incarcerated in a correctional facility upon discharge from a correctional facility; and (ii) instructions for the person to register to vote following discharge from the facility. The officer in charge of the facility shall provide the person with a voter registration form with a postage guaranteed envelope, and assistance, if requested, to complete such form.

(2) The state secretary shall prepare and transmit the document required pursuant to paragraph (1) to the local election officials for each city and town.

(f)(1) For each applicable statewide election, following the close of registration pursuant to section 26 of chapter 51 but not later than the day of the election, the officer in charge of a facility, except for the department of youth services, shall transmit to the state secretary: (i) a list containing information about persons who are newly incarcerated in the

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correctional facility due to a felony conviction since the time of last reporting under this section; (ii) a list containing information about persons who were incarcerated in the correctional facility due to a felony conviction but were discharged since the time of last reporting under this section; and (iii) a list containing information about persons in the facility who are detained pre-trial or convicted of a misdemeanor.

(2) The lists required by paragraph (1) shall include, for each person listed: (i) name; (ii) date of birth; (iii) last 4 digits of social security number or driver's license number, if available; (iv) address on-file, including street, city or town and state; and (v) the name and address of the facility where the person is detained.

(g) The state secretary shall submit a report to the joint committee on election laws not later than 6 months following each applicable statewide election, including anonymized, aggregated data on the number of: (i) eligible incarcerated voters at the time of the election in each municipality; and (ii) incarcerated voters who requested an early voting by mail or absent voting ballot and the outcome of that request in each municipality, including the reasons for rejection, if applicable. The state secretary may coordinate with local election officials and officers in charge of facilities to aggregate such data, where available. The submitted report shall be a public record, but other materials generated for the purpose of the state secretary's compilation of the report shall not be public records.

(h) Not later than 30 days before any municipal, state or presidential election, each city or town clerk shall post on the city or town's website and report to the state secretary any measures undertaken to facilitate voting for eligible incarcerated voters.

SECTION 11. Section 65 of said chapter 54, as so appearing, is hereby amended by adding the following paragraph:-

This section shall apply to early voting locations under section 25B while voting is being conducted.

SECTION 12. Said chapter 54 is hereby further amended by striking out section 67, as so appearing, and inserting in place thereof the following section:-

Section 67. One voting list shall be delivered to the ballot clerks and another may be delivered to the officer in charge of the ballot box; provided, however, that the city or town clerk may opt to use only 1 voting list at the check in. When a ballot is delivered to a voter, the voter's name shall be checked on the voting list and, except where the city or town clerk

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has opted to not use a check-out list, it shall be checked on the second voting list when the voter deposits the ballot. Where a check-out list is used, the officer in charge of the ballot box and the officer in charge of the voting list shall either: (i) be of different political parties; or (ii) not be of the same political party if the election officers have been appointed pursuant to section 14 without regard to political party membership. No person shall vote if the person's name is not on the voting list, nor until the local election officer shall check the person's name thereon, unless the person presents a certificate from the registrars of the city or town as provided by section 51 or section 59 of chapter 51 or unless the person is voting by provisional ballot under section 76C. A city or town may vote to use electronic poll books rather than paper voting lists in accordance with section 33I.

SECTION 13. Said chapter 54 is hereby further amended by striking out section 72, as so appearing, and inserting in place thereof the following section:-

Section 72. The select board, board of selectmen, town council or city council of each city and town, in consultation with its election officers and registrars, shall detail a sufficient number of police officers or constables for each building that contains the polling place for 1 or more precincts at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections.

SECTION 14. Said chapter 54 is hereby further amended by striking out section 83, as so appearing, and inserting in place thereof the following section:-

Section 83. In a precinct at which a check-out table is used, a voter, after marking the voter's ballot, shall give the voter's name, and, if requested, residence, to an officer in charge of the ballot box, who shall distinctly announce the voter's name and, if requested, residence. If the name is found on the voting list by the local election officer, the local election officer shall distinctly repeat the name and check it on the voting list. The voter may then deposit the ballot in the ballot box. No ballot without the official endorsement, except as provided in section 61, shall be deposited in the ballot box. A city or town clerk may opt to eliminate the use of a voting list at the check-out table but shall maintain an officer in charge of the ballot box.

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SECTION 15. Subsection (d) of section 87 of said chapter 54, as so appearing, is hereby amended by adding the following paragraph:-

To the extent feasible, the state secretary shall include on the envelopes required pursuant to this subsection a system that generates a postmark for determining the date upon which the envelope was mailed.

SECTION 16. Section 89 of said chapter 54, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- No application for an absent voting ballot to be sent by mail shall be deemed to be seasonably filed unless it is received in the office of the city or town clerk or registrars before 5 p.m. on or before the fifth business day preceding the election for which the ballot is being requested.

SECTION 17. Section 91B of said chapter 54, as so appearing, is hereby amended by inserting after the word "prepaid", in line 5, the following words:- and with return postage guaranteed.

SECTION 18. Said chapter 54 is hereby further amended by striking out section 91C, as so appearing, and inserting in place thereof the following section:-

Section 91C. (a) For the purposes of this section, "voter" shall mean an individual voting pursuant to the federal Uniformed and Overseas Citizens Absentee Voting Act.

(b) A voter wishing to cast an absentee ballot in any preliminary, primary or election may apply for such ballot in a form and manner prescribed by the state secretary; provided, however, that the secretary shall permit a voter to apply through an electronic application that: (i) includes clear instructions for completing and returning the application; and (ii) can be: (A) completed by the voter electronically; (B) signed with a wet signature or hand-drawn electronic signature; and (C) submitted electronically, by mail or by delivering it to the office of the appropriate city or town clerk. The most recent version of the Federal Post Card Application shall be one such application that shall be accepted by the state secretary pursuant to this section.

(c) An application pursuant to subsection (b) shall permit a voter to request to receive an absentee ballot: (i) by mail, in accordance with section 91B; (ii) by fax; (iii) by email; or (iv) electronically through an electronic system that is approved by the state secretary and allows a voter to receive, mark, verify and cast a ballot electronically; provided, however, that any electronic system approved by the state secretary under this section

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shall: (A) provide an electronic voter affidavit that may be used for certification of an electronic ballot and signed with a wet signature or hand-drawn electronic signature; and (B) not store personal identifying information beyond the time necessary to confirm the identity of the voter.

(d) Upon receipt of a properly executed application for an absentee ballot from a voter, the city or town clerk shall retain the application and, without delay, enter the application in the voter registration information system. The city or town clerk shall expeditiously transmit a ballot or access to an electronic ballot to all voters for whom an application was received in accordance with subsection (c).

(e) The state secretary shall provide clear instructions to voters for returning the marked absentee ballot to the appropriate city or town clerk to be counted; provided, however, that the voter may return the ballot to the city or town clerk: (i) by mail; (ii) by fax; (iii) by email; (iv) electronically through the electronic system approved by the state secretary, subject to the regulations promulgated by the secretary; or (v) by delivering it to the office of the city or town clerk or a secured municipal drop box for the city or town where the voter is registered.

(f) If a request for an absentee ballot is received from a voter 45 or more days before a federal election and the state secretary has determined that the city or town clerk is unwilling or unable to transmit the ballot not less than 45 days before the election, the state secretary may, on behalf of the city or town clerk, after notice to the city or town clerk and in accordance with the voter's choice, electronically transmit or mail the appropriate absentee ballot and instructions to the voter not later than 45 days prior to the federal election. The state secretary shall enter in the voter registration information system the transmission date on which absentee voters were sent ballots by the state secretary pursuant to this subsection.

(g) The state secretary shall promulgate regulations to implement this section.

SECTION 19. Section 92 of said chapter 54, as so appearing, is hereby amended by adding the following subsection:-

(d) The absent voting ballot of any voter who was eligible to vote at the time the ballot was cast shall not be deemed invalid solely because the voter became ineligible to vote by reason of death after casting the ballot. For purposes of this subsection, the term "cast" shall mean that the voter has: (i) deposited the absent voting ballot in the mail for ballots mailed; (ii) returned the absent voting ballot to the appropriate local election

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official either by hand or by depositing it in a secured municipal drop box, where available, for the city or town where the voter is registered; or (iii) returned the absent voting ballot electronically pursuant to section 91C.

SECTION 20. Said chapter 54 is hereby further amended by striking out section 93, as so appearing, and inserting in place thereof the following section:-

Section 93. All absent voting ballots submitted by mail, delivered in person to the office of the city or town clerk, returned to a secured municipal drop box for the city or town where the voter is registered or returned electronically pursuant to section 91C shall be received by the city or town clerk before the hour fixed for closing the polls on the day of a primary or election; provided, however, that an absent voting ballot mailed on or before the day of a biennial state election shall be accepted until 5 p.m. on the third day after the election and shall be processed in accordance with section 95. A postmark, if legible, shall be evidence of the time of mailing.

SECTION 21. Section 95 of said chapter 54, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following 2 paragraphs:-

Any absent voter ballot cast pursuant to section 86 may be opened and deposited into a tabulator in advance of the date of the primary or election in accordance with regulations promulgated by the state secretary; provided, however, that municipalities that do not have a tabulator may open and deposit early voting ballots into a ballot box; provided further, that such ballots shall be kept secured, locked and unexamined and that no results shall be determined or announced until after the time polls close on the date of the primary or election; and provided further, that notice of the date, time and location of any such opening or depositing shall be posted 2 business days in advance of the opening or depositing; and provided further, that the opening or depositing shall be open to the public. Disclosing any such result before such time shall be punished as a violation of section 14 of chapter 56.

If not advance deposited, the city or town clerk, on the day of the election but not later than 1 hour after the hour for the closing of the polls, shall transmit all envelopes purporting to contain official absent voting ballots received on or before the close of business on the day preceding the day of the election, and that have not been marked "Rejected as Defective" as provided in section 94, to the local election officers in the

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several precincts where the voters whose names appear on such envelopes assert the right to vote or to a central tabulation facility designated in accordance with regulations promulgated by the state secretary. The local election officer in charge of the polling place or central tabulation facility shall immediately, after receipt of any such envelopes, distinctly announce the name and residence of each such voter and check the voter's name on the voting lists referred to in section 60 of chapter 51, on the voter's certificate of supplementary registration attached to such lists as provided in section 51 of said chapter 51 or on the lists of specially qualified voters, if it has not already been so checked. The city or town clerk shall open the envelopes in which the ballot is enclosed in such a manner as not to destroy the affidavit thereon, take the ballot therefrom without opening it or permitting it to be examined and deposit it in the ballot box. All envelopes referred to in this section shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

SECTION 22. Section 100 of said chapter 54 is hereby repealed.

SECTION 23. Not later than July 1, 2022, the state secretary shall enter into the agreement with the Electronic Registration Information Center, Inc. as required by section 47C of chapter 51 of the General Laws.

SECTION 24. Not later than 30 days after the effective date of this act, the state secretary shall conduct a public awareness campaign to inform voters in the commonwealth of the provisions of this act, including, but not limited to, measures to promote public awareness of: (i) expanded early voting options; (ii) the requirements and procedures for early voting by mail, including, but not limited to, information related to the ability of a voter who requests but does not return an early voting by mail ballot to vote in person on election day; (iii) the availability of accommodations for voters with disabilities; (iv) the availability of assistance under section 79 of chapter 54 of the General Laws for voters who have limited English proficiency; and (v) information explaining that the processing of mail ballots and the tabulating of the results of the election may extend a few days past the day of the election. The public awareness campaign shall: (i) be linguistically diverse and culturally competent; (ii) be provided in multiple formats for viewing and include, but not be limited to, outreach through digital and social media; and (iii) ensure specific outreach is conducted for groups and communities that have historically underused mail voting and early voting.

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SECTION 25. The electronic instructions and accommodations prescribed by the state secretary pursuant to paragraph (4) of subsection (a) of section 25B of chapter 54 of the General Laws, as inserted by section 10, shall comply with requirements contained in Title II of the federal Americans with Disabilities Act and shall conform, to the extent feasible and required under law, with the Web Content Accessibility Guidelines 2.1 Level AA and best practices from the National Institute of Standards and Technology.

SECTION 26. Sections 1 to 4, inclusive, shall take effect 30 days after the effective date of this act.

SECTION 27. Not later than 30 days after the effective date of this act, the state secretary shall implement the internet portal required by paragraph (6) of subsection (a) of section 25B of chapter 54 of the General Laws, as inserted by section 10.

SECTION 28. Section 18 shall take effect on December 1, 2022. The state secretary shall promulgate regulations necessary to implement section 91C of chapter 54 of the General Laws, as inserted by section 18, not later than January 1, 2023.

SECTION 29. Sections 6 and 7 shall take effect on January 1, 2023.

SECTION 30. Section 25C of chapter 54 of the General Laws, as inserted by section 10, shall take effect on January 1, 2023.

House of Representatives, June 16, 2022.

Preamble adopted,

Kate H—, Speaker.

In Senate, June 16, 2022.

Preamble adopted,

W. U. Brown, President.

House of Representatives, June 16, 2022.

Bill passed to be enacted,

Kate H—, Speaker.

In Senate, June 16, 2022.

Bill passed to be enacted,

W. U. Brown, President.

June 22, 2022.

Approved,
at *2* o'clock and *55* minutes, *P*. M.

Charles D. Baker
Governor.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12729)

Amending Chapter 4 of the Revised Ordinances of the City of Melrose, to Insert a New Section 4-15, Payment of Taxes as Condition of City Facility Rental

BE IT ORDERED

Amending Chapter 4 of the Revised Ordinances of the City of Melrose, to Insert a New Section 4-15, Payment of Taxes as Condition of City Facility Rental.

ORDINANCE CHANGE

Respectfully request the following changes to Chapter 4 of the Revised Ordinances of the City of Melrose to insert new section 4-15 (Payment of Taxes as Condition of City Facility Rental) as set forth herein.

HISTORY:

05/19/25	City Council	ASSIGNED TO COMMITTEE
07/21/25	Legal & Legislative	NO ACTION TAKEN
07/21/25	City Council	ASSIGNED TO COMMITTEE

Order (ID # 12729)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Chapter 4 Administration of Government.**Add new § 4-15. Payment of taxes as a condition of City Facility Rental.**

1. Any Department, Board, Multiple-Member Body, Commission, Division or Officer of the City of Melrose with the authority to engage in the rental of City facilities (i.e. parks, property, or structures owned or operated by the City, including school and city buildings, Memorial Hall, the Beebe Estate and the Milano Senior Center) ("the rental authority") shall deny City facility rental to any person, corporation, organization, or business enterprise ("the party"), who has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges or fees payable to the City of Melrose, as informed by the Treasurer/Collector or their designee.
2. Prior to accepting a new rental agreement for the use of a City facility, the rental authority shall confirm with the Treasurer/Collector, or their designee, that the party is in good standing with respect to all local taxes, fees, assessments, betterments, or other municipal charges owed to the City.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12742)

Amending Chapter 198 of the Revised Ordinances of the City of Melrose Solid Waste and Recycling to update language to reflect current programs.

BE IT ORDERED

The Department of Public Works formally requests review and approval of proposed amendments to the Revised Ordinances of the City of Melrose Chapter 198 Solid Waste and Recycling. Attached to this order are the relevant documents for review and consideration.

This request is made to make minor updates to the Ordinance to make consistent with current programs.

Thank you very much for your consideration.

HISTORY:

07/21/25 City Council

ASSIGNED TO COMMITTEE

Order (ID # 12742)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Chapter 198**SOLID WASTE AND RECYCLING****ARTICLE I
Compost Areas**

§ 198-1. Construction and location.

**ARTICLE II
Collection and Disposal**

§ 198-2. Dumping; obstructing sidewalks; placement of refuse containers.

§ 198-3. Ashes and rubbish; yard waste; metal goods; collection fees.

§ 198-4. Curbside recycling.

§ 198-5. Public dumping areas.

**ARTICLE III
Dumpsters**

§ 198-6. Location and maintenance.

§ 198-7. Violations and penalties.

§ 198-8. Temporary dumpster permit.

§ 198-9. Dumpster placement.

**ARTICLE IV
Transfer Stations**

§ 198-10. Fees; transferability of permits.

**ARTICLE V
Recyclable and Reusable Bags**

§ 198-11. Use of recyclable and reusable bags.

**ARTICLE VI
Reduction in Single-Use Plastic Beverage Straws and Beverage Stirrers in Business Establishments**

§ 198-12. Purpose and intent.

§ 198-13. Definitions.

§ 198-14. Use regulations.

§ 198-15. Enforcement; violations and penalties.

**ARTICLE VII
Sustainable Food Containers and Packaging**

§ 198-16. Short title.

§ 198-17. Declaration of findings and policy; scope.

§ 198-18. Definitions.

§ 198-19. Prohibited use and distribution of food ware and packaging.

§ 198-20. Effective date.

§ 198-21. Enforcement; violations and penalties.

§ 198-22. Severability.

[HISTORY: Adopted by the Board of Aldermen of the City of Melrose as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Compost Areas

[Adopted 6-18-1990 by Ord. No. 90-257; amended 2-20-2007 by Ord. No. 07-107A]

§ 198-1. Construction and location.

No person shall construct, erect, place or locate an area for the accumulation of organic material for the purpose of composting unless it conforms to the following requirements:

- A. No compost area shall be placed within three feet of a property line.
- B. Compost areas shall be sufficiently screened to restrict access of scavenging animals.
- C. Compost materials shall be regularly treated with lime in amounts sufficient, as determined by the Board of Health, to prevent odors.
- D. Compost shall consist of plant-based material and shall exclude meat scraps and bones.

E. Curbside compost carts for collection by private compost haulers shall be tightly lidded and shall meet the same requirements as curbside trash and recycling receptacles as specified in Article II of this Section with regard to placement for collection.

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; 5-21-2012 by Ord. No. 2012-158; 8-21-2017 by Ord. No. 2018-4; 9-20-2021 by Ord. No. 2022-25¹; 2-22-2022 by Order No. 2022-65; 6-24-2024 by Order No. 2024-4]

- 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, whether public or private, or in any brook, waterway, or pool rubbish, limbs, brush, barrels, boxes, or the likes.
- 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 placed by permission of the City Engineer.
- C. The City shall provide one sixty-four-gallon trash and one sixty-four-gallon recycling receptacle ("receptacle" or "receptacles") to each property for the purpose of providing automated curbside collection of solid waste and recycling. Only City-issued receptacles shall be collected by the hauler. Additional receptacles may be made available for purchase and subject to additional fees as published on the Department of Public Works website. In addition to City-issued receptacles, residents may also use approved overflow bags in accordance with the guidelines of the solid waste and recycling program. Such overflow bags will be made available for purchase at designated retailers and locations throughout the City and as defined and published on the City website. Residents are not permitted to place any items for curbside pickup in bags aside from the approved overflow bags. Overflow bags shall not be placed curbside until after 5:00 a.m. on the scheduled pickup day.
- D. Receptacles shall be tightly covered whenever refuse of any amount is contained therein, have it be on private property, a private way, or a public sidewalk. Refuse shall be stored in City-issued receptacles as described in this section except for material which may be placed at curbside in approved overflow bags or under City-sponsored source reduction and/or source separation collection programs in accordance with the guidelines of such programs. Pickup of bulky items not eligible for large metal goods collection shall be scheduled directly with the contracted hauler for a fee to be paid directly to the hauler. The schedule of fees shall be published on the Department of Public Works website.
- E. Refuse receptacles shall be placed at the curb by 7:00 a.m. on the scheduled collection day, not prior to 5:00 p.m. the preceding day, and shall be removed from the sidewalk within 12 hours after collection. Refuse receptacles shall be placed on the sidewalk in a way that does not obstruct or interfere with pedestrians, if applicable, otherwise shall be placed on the edge of the public way in front of the household's property. Refuse receptacles must also be placed in accordance with the requirements of the hauler for proper automated pickup. Items not placed in accordance with these requirements may not be collected.

1. Editor's Note: This order also stated that enforcement is set to begin 3-1-2022.

F. The following shall apply to Subsections A through ~~ED~~ of this section:

- (1) Whoever violates any provision of the aforementioned subsections shall be penalized in accordance with MGL c. 40, § 21D, or MGL c. 270, § 16, not to exceed \$100 for each violation, provided that each and every day of the violation shall constitute a distinct and separate offense.
- (2) Property owners or their agents shall be responsible for the retrieval and pickup of any and all scattered refuse stemming from a violation of this section. Failure to comply with this provision shall constitute a separate violation, which may be enforced as authorized above.
- (3) The Board of Health, the Department of Public Works, and the Police Department, through their authorized agents and employees, are hereby empowered to enforce the provisions of this section pursuant to MGL c. 40, § 21D, and MGL c. 270, § 16.
- (4) No property owner shall be cited for a violation of this section until a written warning is first served upon the party.

G. Any party fined hereunder shall have a right of appeal in accordance with MGL c. 40, § 21D.

§ 198-3. Ashes and rubbish; yard waste; metal goods; collection fees. [Amended 9-24-1990 by Ord. No. 91-10; 11-1-1990 by Ord. No. 91-33; 1-21-1992 by Ord. No. 92-119; 3-16-1992 by Ord. No. 92-241; 3-7-1994 by Ord. No. 94-176; 7-18-1994 by Ord. No. 94-343; 6-26-2002 by Ord. No. 02-367; 6-26-2002 by Ord. No. 02-368; 6-26-2003 by Ord. No. 03-292; 6-7-2004 by Ord. No. 04-264A; 6-7-2004 by Ord. No. 04-264B; 6-7-2004 by Ord. No. 04-264C; 6-21-2004 by Ord. No. 04-264D; 6-23-2005 by Ord. No. 05-243; 6-5-2006 by Ord. No. 06-172; 2-2-2009 by Ord. No. 09-109; 5-21-2012 by Ord. No. 2012-158; 6-25-2015 by Ord. No. 2015-168; 9-20-2021 by Ord. No. 2022-16; 2-22-2022 by Order No. 2022-65; 6-24-2024 by Order No. 2024-4]

The Director of Public Works shall, in addition to the duties prescribed by law and the Charter, have charge of the collection and disposal of ashes and other household rubbish, including garbage, under proper regulations approved by the Mayor and City Council.

- A. The Director of Public Works shall maintain and publish a Waste and Recycling Services Schedule of Fees on the Department of Public Works website for curbside pickup services, City Yard dropoff items, and special City Yard events.
- B. For solid waste collection, residents shall use City-issued receptacles or approved overflow bags, except for material which may be placed at curbside under City-sponsored source reduction and/or source separation collection programs in accordance with the guidelines of such programs.
- C. The Director of Public Works shall, for a period beginning on or around April 15 and ending about December 15, collect at curbside, biweekly or monthly as defined in its annual collection calendar, all leaves and grass clippings, provided that such materials do not violate any regulation or rule authorized by this section. Leaves and grass clippings shall be placed at curbside for City pickup in plain brown paper bags or barrels, subject to such reasonable limits as may be set by the Director of Public Works. No loose materials will be collected. The Director of Public Works shall operate a dropoff yard waste collection program in conjunction with this subsection.
- D. There shall be a collection of large metal goods by the Public Works Department either once or twice a week at the Director's discretion and under the following regulations:
 - (1) Metal goods include refrigerators, sinks, stoves, bathtubs, toilets, shower stalls, radiators, metal file cabinets, metal desks, dismantled play sets, metal pipes tied together in a bundle weighing

not in excess of approximately 30 pounds and any other metal goods requiring special pickup.

- (2) Each metal goods item as defined in Subsection D(1) will be picked up at curbside for a fee, listed in the Schedule of Fees as "metal goods item pickup" and payable to the City of Melrose. The homeowner/resident wishing to dispose of such items will obtain a receipt from the Department of Public Works after payment is made for each item. Any item that has no sticker will not be picked up by the City or its agents.
 - (3) The collection of these fees is to be in accordance with Chapter 56, Officers and Employees, § 56-21.
 - (4) Moneys collected under this Subsection D shall be set aside in a special fund suggested by the Auditor.
 - (5) Non-metal bulk items not collected by the Public Works Department shall be collected by the City's contracted hauler for a fee to be paid directly to the hauler. Such items and fees shall be maintained and published in the Schedule of Fees on the Department of Public Works website.
- E. There shall be a collection of mattress(es) and/or box spring(s) made by a vendor at the discretion of the Director of Public Works. This collection shall be made pursuant to the following:
- (1) Each mattress or box spring will be picked up curbside for a fee, as listed in the Schedule of Fees as "mattress pickup." This fee shall be paid to the City of Melrose or its agents in advance of any curbside pickup.
 - (2) The collection of these fees is to be in accordance with Chapter 56, Officers and Employees, § 56-21.
- F. No person, except an authorized employee or agent of the Public Works Department, shall remove any article or material deposited or placed upon a street or sidewalk for the purpose of being collected by the Public Works Department or its agents.
- G. No dumpster may be placed on City streets without first obtaining a permit from the Engineering Division of the Department of Public Works.
- H. Solid waste collection fee; opting out; discounts; billing.
- (1) Residential. As established effective July 1, 2005, all property owners of residential structures of six units or fewer shall be charged a solid waste collection fee per dwelling unit, as listed in the Schedule of Fees published and maintained on the DPW website.
 - (2) Opt-out. Owners are allowed to "opt out" of City curbside trash and recycling services for any reason by following the opt-out process set forth on the DPW website. The solid waste collection fee shall not be charged to property owners who opt out of the City curbside collection services for their properties. If an owner opts out of the fee, the City will not pick up curbside recycling or trash at the property. Individuals or entities who do not use the City's services may utilize any other lawful method of disposal which does not endanger any person and complies with the State Sanitary Code and City ordinances. Owners who opt out of the City's collection services must coordinate with DPW to pick up the receptacles.
 - (3) Discount.
 - (a) Effective July 1, 2024, any resident of Melrose who owns and occupies a single-family home or condominium with an income of \$65,870 or less for a single person, \$75,280 or

less for married couples, will be eligible for a 50% discount for this fee.

- (b) Effective July 1, 2024, any resident of Melrose who owns and occupies a single-family home or condominium with an income of \$45,000 or less for a single person, \$50,000 or less for married couples, will be eligible for a 100% discount for this fee. Effective July 1, 2025, any resident of Melrose who owns and occupies a single-family home or condominium with an income of \$55,000 or less for a single person, \$65,000 or less for married couples, will be eligible for a 100% discount for this fee.

- (c) Proviso. Eligibility should be determined by using the ~~adjusted~~ gross income number (not total taxable) found on the IRS 1040 form.

(4) (Reserved)

(5) Billing. The Collector shall issue bills quarterly.

I. Billing period; place of payment; delinquent payments.

- (1) All bills for solid waste and recycling shall be made out and rendered by the Public Works Department to consumers quarterly, and all such bills shall be payable within 30 days at the office of the City Collector.
- (2) Bills not paid within 30 days shall be subject to the following:
 - (a) Demand charge of \$5.
 - (b) Interest penalty of 14% from the due date.
 - (c) Lien fee of \$10, to be applied only on those solid waste and recycling bills that become lien on real estate tax bills.

§ 198-4. Curbside recycling. [Added 1-22-1991 by Ord. No. 91-123; amended 8-15-1994 by Ord. No. 94-344; 2-20-2007 by Ord. No. 07-107B; 9-20-2021 by Ord. No. 2022-16]

A. General provisions.

- (1) The City of Melrose will provide for the curbside collection of acceptable recyclable waste from residences with six units or fewer in accordance with the provisions of § 198-3 and this section.
- (2) "Acceptable recyclable waste" is defined by the Director of Public Works, in accordance with waste disposal bans established by the Massachusetts Department of Environmental Protection (MassDEP) and the guidelines of the materials recovery facility (MRF) to which the recyclable waste is hauled.

B. Recycling containers; usage, placement.

- (1) The recycling containers must be placed at curbside in accordance with the schedule to be announced by the Department of Public Works and will be collected by a contractor as agent for the City of Melrose. If material placed in the recycling container is not acceptable recyclable waste as defined in Subsection A, it will be left in the recycling container, and the resident shall remove the unacceptable recyclable waste before placing the recycling container at curbside for the next collection.

~~(2) Residents shall use plastic or metal barrels/bins under 50 gallons and 45 pounds for their single~~

~~(3)(2) stream recycling. Barrels/bins should be clearly labeled as recycling. City-issued receptacles only for curbside recycling. [Amended 2-22-2022 by Order No. 2022-65]~~

~~(4)(3)~~ Source separation of acceptable recyclable waste shall be performed by the residents according to the instructions given by the Department of Public Works.

- C. Authorized collection of acceptable recyclable waste. No person, except those individuals and companies authorized by the City of Melrose, shall collect or pick up or cause to be collected or picked up any acceptable recyclable waste which has been placed for collection pursuant to the provisions of this section. The individuals or companies so authorized shall supply the City of Melrose with receipts for collected accepted recyclable wastes, and all collections of accepted recyclable wastes shall take place according to the trash pickup schedule determined by the Department of Public Works but no earlier than 7:00 a.m. and no later than 6:00 p.m. of the same day, unless arranged in advance with the Director of Public Works to accommodate special circumstances.

§ 198-5. Public dumping areas. [Amended 9-17-2007 by Ord. No. 07-107C²; 5-21-2012 by Ord. No. 2012-158]

The City Engineer shall have charge of the maintenance and management of all places authorized by the Board of Health to be used as public dumps. The City Engineer shall have authority to regulate by suitable signs or by rules issued by him/her the use of such dumps by employees of the City, contractors and all other persons and to require compliance therewith. The City Engineer shall furnish copies of all rules made under authority of this section to the Chief of the Police Department, and it shall be the duty of the police officers to enforce such rules. Any person who violates any regulation or rule authorized by this section shall be punished by a fine of not more than \$300 for each violation and will be responsible for the cleaning of the area.

State law reference — Assignment by Board of Health of places for public and private dumps, MGL c. 111, § 150A.

2. Editor's Note: This ordinance also repealed former § 198-6, Unlawful deposits, added 6-19-1995 by Ord. No. 95-281.

ARTICLE III

Dumpsters**[Adopted 3-7-1994 by Ord. No. 94-177]****§ 198-6. Location and maintenance. [Amended 9-17-2007 by Ord. No. 07-107C; 8-21-2017 by Ord. No. 2018-4]**

- A. Each dumpster must be located at a distance from the lot line, as defined in Chapter 235, Zoning, § 235-5, so as not to interfere with the safety and convenience or health of any abutters or residents. Specific dumpster locations may be directed by the Director of Public Health as approved by the Board of Health.
- B. The dumpster site may be required to be enclosed or screened when deemed necessary by the Director of Public Health in a manner to be prescribed by the Director of Public Health as approved by the Board of Health.
- C. All dumpsters, except temporary roll-off construction-type dumpsters, shall be equipped with lids that shall be closed, except during filling or emptying. When closed, dumpsters may be required to be locked as deemed necessary by the Director of Public Health as approved by the Board of Health.
- D. It shall be the responsibility of the property owner or owners being serviced to maintain the dumpster and dumpster site free of all nuisances, including but not limited to scattered debris, overflowing debris, undue odor and pests and rodents.
- E. The property owner or owners shall have the dumpster washed, deodorized, sanitized or steamed as deemed necessary by the Director of Public Health as approved by the Board of Health.

§ 198-7. Violations and penalties. [Amended 9-17-2007 by Ord. No. 07-107C]

- A. Any person, whether contractor, owner, tenant or occupant, being serviced or other person or company who or which shall violate any provisions of these regulations and upon written notification does not comply with the order or causes or allows repeated violations shall be fined no more than \$300 for each violation.
- B. Each day's failure to comply with any order shall constitute a separate violation.
- C. These regulations shall apply to all dumpsters in the City of Melrose, whether for residential, commercial or industrial use. These regulations shall be enforced by the Director of Public Health and the Board of Health. **[Amended 8-21-2017 by Ord. No. 2018-4]**

§ 198-8. Temporary dumpster permit. [Added 5-16-1994 by Ord. No. 94-178; amended 9-17-2007 by Ord. No. 07-107C]

A temporary dumpster permit (roll-off or gondola type) may be issued to a property owner or authorized agent ~~for a period not to exceed 60 days~~ in connection with construction or demolition or for any similar temporary need. ~~Permits may be renewed for an additional 60 days.~~ All provisions of §§ 198-6 and 198-7 shall be complied with. Failure to obtain a temporary dumpster permit shall constitute a violation subject to the provisions of § 198-7A herein.

§ 198-9. Dumpster placement. [Added 9-17-2007 by Ord. No. 07-107C]

- A. No dumpster may be placed on public ways without first obtaining written permission from the City

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

- B. No dumpster shall be placed on any public way, sidewalk, private way or alley without first obtaining a sidewalk or street occupancy permit from the Director of Public Works. The permit shall be valid for 30 days and renewable in additional thirty-day intervals. **[Amended 8-21-2017 by Ord. No. 2018-4]**

ARTICLE IV

Transfer Stations

[Adopted 12-15-2003 by Ord. No. 04-116;³ amended 9-17-2007 by Ord. No. 07-107C]

§ 198-10. Fees; transferability of permits.

Fees authorized for permitting transfer stations under MGL c. 16 and the Department of Environmental Protection (DEP) shall ~~be not exceed~~ the maximum allowed under the Code of Massachusetts Regulations (CMR); said permits shall not be transferable.

3. Editor's Note: This amendment provided that it shall have a sunset clause of three months.

ARTICLE V
Recyclable and Reusable Bags
[Adopted 12-18-2017 by Ord. No. 2018-53]

§ 198-11. Use of recyclable and reusable bags.

A. Purpose.

- (1) The reduction in the use of single-use plastic bags is a public purpose that protects the land and marine environment and waterways, minimizes litter, and reduces greenhouse gas emissions. Furthermore, single-use plastic bags create a burden for solid waste collection and recycling facilities, clog storm drainage systems, and require the use of millions of barrels of crude oil nationally for their manufacture. Reduction in use of single-use plastic bags is consistent with and supports the City of Melrose's participation in the Metro Boston Climate Preparedness Commitment and its goal to achieve net-zero carbon-free status by 2050.
- (2) The purpose of this article is to reduce the number of single-use plastic bags that are being used, discarded, and/or littered and to promote the use of reusable bags and recyclable paper bags by retail establishments in the City of Melrose (the "City").

B. Definitions. For the purposes of this article, the following words shall, unless the context clearly requires otherwise, have the following meanings:

CITY — The City of Melrose, Massachusetts.

CHECKOUT BAG — A carryout bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include:

- (1) Bags, whether plastic or not, in which loose produce or products are placed by a consumer to deliver such items to the point of sale or checkout area of a retail establishment;
- (2) Laundry or dry-cleaner bags;
- (3) Newspaper bags; or
- (4) Bags used to contain or wrap products, whether prepackaged or not, to prevent or contain moisture.

RECYCLABLE PAPER BAG — A paper bag that:

- (1) Is 100% recyclable, including the handles;
- (2) Contains at least 40% post-consumer recycled paper content; and
- (3) Displays the words "recyclable" and "made from 40% post-consumer recycled content" (or greater amount) in a visible manner on the outside of the bag.

RETAIL ESTABLISHMENT — Any person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods or materials directly to the customer, whether for or not for profit, including, but not limited to, convenience and grocery stores, restaurants, pharmacies, stores that sell wine, beer or spirits, seasonal and temporary businesses, jewelry stores and household goods stores.

REUSABLE BAG — A sewn bag with stitched handles that is specifically designed for multiple reuse that:

- (1) Can carry 25 pounds;
 - (2) Is machine washable or is made of a material that can be cleaned or disinfected 125 times;
 - (3) Is made of either polyester, polypropylene, cotton or other natural fiber material; and
 - (4) Has a thickness of greater than 4.0 mils.
- C. Requirements.
- (1) If a retail establishment provides checkout bags to customers, such bags shall be either a recyclable paper bag or a reusable bag.
- D. Education. The City shall send written notice detailing the requirements imposed by this article to the retail establishments at least six months prior to the effective date of this article. Thereafter, the City Clerk and/or Health Department will notify all retail establishments, upon the next license renewal or initial application, of the requirements imposed by this article.
- E. Penalties.
- (1) This article shall be enforced by the Health Department, Inspectional Services Department, City Clerk, or any other department having jurisdiction for licensing, inspectional services and code enforcement.
 - (2) If the City determines that a violation of this article has occurred at or by a retail establishment, such retail establishment shall be penalized as provided for in Section 21D of Article 40 of the Massachusetts General Laws, and as adopted by the City in § 1-19 of Chapter 1 of the Code of Ordinances of the City, in the amounts set forth in this article.
 - (3) The penalties for any violation of this article shall be as follows:
 - (a) First violation: written warning, which will enable the violator to cure such violation within 30 days.
 - (b) Second violation: if, after 30 days, the violation has not been cured, the penalty shall be \$25.
 - (c) Third violation and all subsequent violations: \$100.
 - (4) In the event any retail establishment continues to violate this article after a third violation, such continuing violation shall constitute a separate offense hereunder resulting in a fine of \$100 per day.
- F. When effective. This article shall become effective six months after the last day of the month of its passage for retail establishments with an interior finished floor area of more than 8,000 square feet and nine months after the last day of the month of its passage for all other retail establishments.
- G. Severability. Each section of this article is an independent section; and in the event any section or part thereof is determined by a court of competent jurisdiction to be unconstitutional, void or ineffective for any reason, such determination shall not invalidate any other sections or parts thereof.

ARTICLE VI

Reduction in Single-Use Plastic Beverage Straws and Beverage Stirrers in Business Establishments
[Adopted 9-3-2019 by Order No. 2019-112]

§ 198-12. Purpose and intent.

This article is enacted for the purpose of reducing the distribution of single-use plastic straws and beverage stirrers by all business establishments.

§ 198-13. Definitions.

BUSINESS ESTABLISHMENT — The following businesses: a retail store; general department store; restaurant and take-out restaurant, and any other common victualler, serving hot or cold liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption; bar, tavern, lounge; not including supermarkets, pharmacies, hospitals, nursing homes or nursing care or assisted living facilities or doctors or nurses or emergency medical technicians providing straws to patients.

CITY EVENT — Any event organized or sponsored by the City of Melrose, any department of the City of Melrose, or on the premises of any City-owned premises.

PLASTIC BEVERAGE STIRRER — A device that is used to mix beverages, intended for only one-time use, and made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant source. "Plastic beverage stirrer" includes compostable and biodegradable petroleum or biologically based polymer stirrers, but does not include stirrers that are made from nonplastic materials, such as, but not limited to, paper, sugar cane, wood and bamboo.

PLASTIC BEVERAGE STRAW — A tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, for transferring a beverage from its container to the mouth of the drinker. "Plastic beverage straw" includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from nonplastic materials, such as, but not limited to, paper, sugar cane, and bamboo.

§ 198-14. Use regulations.

- A. Effective December 1, 2019, plastic beverage straws shall not be used or dispensed or sold in conjunction with the serving by business establishments, or at any City event, of hot or cold liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption, unless requested by a customer or other patron. If requested, the customer shall be advised not to dispose of it if intending to use a plastic straw for more than one beverage, as only one plastic straw shall be provided each customer, unless otherwise requested.
- B. Effective December 1, 2019, plastic beverage stirrers shall not be used or dispensed or sold in conjunction with the serving by business establishments or at any City-sponsored event of hot or cold liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption.
- C. Nothing in this article prohibits the sale of plastic straws by supermarkets and pharmacies in packages, not in conjunction with the service of hot or cold liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption.
- D. Nothing in this article prohibits customers from using their own straws of any material for personal use in any business establishment.

§ 198-15. Enforcement; violations and penalties.

This article may be enforced by any agents of the Board of Health. This article may be enforced through any lawful means in law or in equity, including, but not limited to, noncriminal disposition pursuant to MGL c. 40, § 21D, by which any business establishment which violates any provision of this regulation shall be subject to the following penalties:

- A. First offense: written warning.
- B. Second offense: fine of \$25.
- C. Third and subsequent offenses: \$50.

ARTICLE VII

Sustainable Food Containers and Packaging
[Adopted 12-2-2019 by Order No. 2020-21]

§ 198-16. Short title.

This article may be cited as the "Sustainable Food Containers and Packaging Ordinance" of the City of Melrose.

§ 198-17. Declaration of findings and policy; scope.

The City Council hereby finds that the prohibition on the use of foam polystyrene food and packaging containers by food service establishments and the sale or use of these products by any business in the City of Melrose is a public purpose that protects the public health, welfare and environment, advances solid waste reduction, protects waterways and aids the City in its fight against climate change.

§ 198-18. Definitions.

The following words shall, unless the context clearly requires otherwise, have the following meanings:

BIODEGRADABLE — That which is entirely made of organic materials such as wood, paper, bagasse or cellulose; or bioplastics that meet the American Society for Testing and Materials (ASTM) D7081 standard for biodegradable plastics in the marine environment or any other standard that may be developed specifically for an aquatic environment and are clearly labeled with the applicable standard.

COMPOSTABLE — Bioplastic materials certified to meet the American Society for Testing and Materials International Standards D6400 or D6868, as those standards may be amended. ASTM D6400 is the specification for plastics designed for compostability in municipal or industrial aerobic composting facilities. D6868 is the specification for aerobic compostability of plastics used as coatings on a compostable substrate. Compostable materials shall also include products that conform to ASTM or other third-party standards (such as Vincotte) for home composting. Any compostable product must be clearly labeled with the applicable standard on the product.

DEPARTMENT — The Melrose Board of Health of the City of Melrose.

DIRECTOR — The Director of the Board of Health of the City of Melrose.

DISPOSABLE FOOD CONTAINER — All food and beverage containers, bowls, plates, trays, cartons, cups, designed for one-time or nondurable uses on or in which any food vendor directly places or packages prepared foods on the food provider's premises or which are used to consume foods. This includes, but is not limited to, food service ware for takeout foods and leftover food from partially consumed meals prepared at food establishments.

FOAM POLYSTYRENE — A nonbiodegradable petrochemical thermoplastic made from aerated forms of polystyrene and includes several methods of manufacture. Expanded polystyrene (EPS) or extruded polystyrene (XPS) are forms of polystyrene. "Styrofoam" is a Dow Chemical Co. trademarked form of extruded polystyrene and is commonly used to refer to foam polystyrene. These are generally used to make insulated cups, bowls, trays, clamshell containers, meat trays, foam packing materials and egg cartons. The products are sometimes recognized by a No. 6 resin code on the bottom.

FOOD ESTABLISHMENT — A business or governmental establishment that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, including but not limited to any establishment requiring a permit to operate in accordance with the state food code.

PACKING MATERIAL — Polystyrene foam used to hold, cushion, or protect items packed in a container for shipping, transport, or storage. This includes, without limitation, packing "peanuts" and shipping boxes, coolers, ice chests, or similar containers made, in whole or in part, from polystyrene foam that is not wholly encapsulated or encased within a more durable material.

PREPARED FOOD — Any food or beverage packaged or prepared for consumption on the food provider's premises, using any cooking or food preparation technique or provided for further food preparation.

RECYCLE — Refers to material that can be sorted, cleansed, and reconstituted using Melrose's curbside municipal collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

RETAIL ESTABLISHMENT — A business establishment engaged in the retail sale of goods directly to consumers.

REUSABLE — Refers to products that will be used more than once in its same form by a food establishment. Reusable food service ware includes tableware, flatware, food or beverage containers, packages or trays, such as, but not limited to, soft drink bottles and milk containers that are designed to be returned to the distributor.

RIGID POLYSTYRENE — A nonbiodegradable petrochemical thermoplastic made from a nonaerated form of polystyrene. Also known as "oriented polystyrene," the material is generally clear or solid in appearance and is used to make clear clamshell containers, cups, plates, straws, lids and utensils. The products are sometimes recognized by a No. 6 resin code on the bottom.

§ 198-19. Prohibited use and distribution of food ware and packaging.

- A. Food establishments are prohibited from dispensing food or beverages to any person in disposable food containers made from foam or rigid polystyrene.
- B. All food establishments are strongly encouraged to use reusable food service ware in place of using disposable food service ware for all food served on the premises. Food establishments using any disposable food service ware are strongly encouraged to use biodegradable, compostable, reusable or recyclable food service ware.
- C. Retail establishments are prohibited from selling or distributing disposable food containers made from foam or rigid polystyrene to customers.
- D. Retail establishments are prohibited from selling or distributing polystyrene foam or rigid packing material to customers.

§ 198-20. Effective date. [Amended 6-24-2020 by Order No. 2020-119; 4-5-2021 by Order No. 2021-97]

This article shall take effect for any food establishment or retail establishment with an interior finished floor area of more than 8,000 square feet on January 1, 2022. It shall thereafter take effect for all other food establishments and retail establishments on July 1, 2022.

§ 198-21. Enforcement; violations and penalties.

- A. Fine. Any food or retail establishment which violates any provision of this article or any regulation established by the Director shall be liable for a fine as follows: first offense, warning; second offense, \$100; and subsequent offenses, \$100. Each day a violation continues shall constitute a separate

offense.

- B. Whoever violates any provision of this article or any regulation established by the Director may be penalized by a noncriminal disposition as provided in MGL c. 40, § 21D.
- C. This article shall be enforced by the Director of the Health Department or his or her designee.

§ 198-22. Severability.

Each separate provision of this article shall be deemed independent of all other provisions herein, and if any provision of this article be declared to be invalid by a court of competent jurisdiction, the remaining provisions of this article shall remain valid and enforceable.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12743)

Amending Chapter 202 of the Revised Ordinances of the City of Melrose
Streets and Sidewalks

BE IT ORDERED

Requesting review and approval of proposed amendments to the Revised Ordinances of the City of Melrose Chapter 202 Streets and Sidewalks. Attached to this order are the relevant documents for review and consideration.

This request is made to make minor updates to the Ordinance to make consistent with current programs.

Thank you very much for your consideration.

HISTORY:

07/21/25 City Council

ASSIGNED TO COMMITTEE

Order (ID # 12743)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Chapter 202

STREETS AND SIDEWALKS

ARTICLE I General Provisions		§ 202-17.	Approval of building method required for acceptance.
§ 202-1.	Permit required to occupy street or public place.	§ 202-18.	Applications and petitions for construction or discontinuance; notice of construction in subdivisions.
§ 202-1.1.	Reservation of space for City use; rights and privileges of City therein.	§ 202-19.	Referral to Committee on Public Works and Planning Board.
§ 202-2.	Protective railings and fences; restoration.	§ 202-20.	Hearing by City Council.
§ 202-3.	Riding or driving on sidewalk.	§ 202-21.	Order to lay out, alter or discontinue; notice of taking land.
§ 202-3.1.	Use of gas-powered vehicles: scooters, powerboards and mini-motorbikes.	§ 202-22.	Recording and filing of order.
§ 202-4.	Gates or doors.	§ 202-23.	Filing of plans and profiles.
§ 202-5.	Firewood, coal and other fuel.	§ 202-24.	Repairs and reconstruction on certain private ways.
§ 202-6.	Vehicles in private ways obstructing fire apparatus.	§ 202-25.	Temporary repairs on certain private ways.
§ 202-7.	Vehicles crossing sidewalks.	§ 202-25.1.	Reconstructing or resurfacing streets.
§ 202-8.	Moving buildings.		
§ 202-9.	Opening roadways or sidewalks.		
ARTICLE II Services to Property Owners			ARTICLE IV Sidewalks
		§ 202-26.	City Engineer to direct work.
		§ 202-27.	Construction material.
		§ 202-28.	Application to have work performed.
		§ 202-29.	Order to reconstruct sidewalk.
			ARTICLE V Names, Boundaries and Numbering of Public Ways
		§ 202-30.	Changing names of public ways.
		§ 202-31.	Naming and changing names of streets not public ways.
ARTICLE III Streets		§ 202-32.	Street name signs; marking of street lines.
		§ 202-33.	Marking lines of public streets.
§ 202-15.	Width and grade.		
§ 202-16.	Sidewalk area; street pavement.		

MELROSE CODE

§ 202-34.	Disturbing street bounds.	§ 202-35.	Numbering of buildings.
		§ 202-36.	Care and custody of plans, numbers, signs and posts.

[HISTORY: Adopted by the Board of Aldermen of the City of Melrose as Rev. Ords. 1976, §§ 13-8, 13-9, 13-11, 13-19 to 13-22, 13-24, 20-23 to 20-43 and 20-66 to 20-69 (Rev. Ords. 1989, §§ 15-41 to 15-44, 15-81 to 15-88, 15-101 to 15-111, 15-121 to 15-124 and 15-141 to 15-147). Amendments noted where applicable.]

GENERAL REFERENCES

Assessments — See Ch. 9.

Water and sewers — See Ch. 228.

Poles and wires — See Ch. 182.

ARTICLE I
General Provisions

§ 202-1. Permit required to occupy street or public place. [Amended 5-21-2012 by Ord. No. 2012-158]

No person, except an employee of the Department of Public Works in the performance of his/her duties, shall dig up the pavement or ground in any public street, lane or alley or any sidewalk in the City or erect any staging for building thereon or place any materials or rubbish thereon without first obtaining from the City Engineer a written permit stating the space in the street or other public place that may be occupied and the time allowed for such occupancy, and such other provisions as he/she may deem best, and filing with him/her a written agreement under seal, with sureties, if required, to comply strictly with the terms of the permit and indemnify the City from all loss, cost or expense that it may suffer by reason of such occupancy.

§ 202-1.1. Reservation of space for City use; rights and privileges of City therein. [Added 4-19-2016 by Ord. No. 2016-138]

In all underground conduits sufficient and necessary space as shall be determined by the City Council, upon consultation with the IT Director, shall be reserved free of expense for the use of the fire, police and other information technology, telegraph and telephone signal wires and/or cables belonging to the City and used exclusively for municipal purposes, and the City, by its Inspector of Wires and/or other proper servants, shall be allowed access to such conduits at all times. The City shall be allowed equal facilities and privileges with others using such conduits in putting in, taking out and repairing wires. In the alternative, another conduit, also known as a "shadow conduit," of equal size and length may be laid along with the permitted conduit, which shall be for the exclusive use, and under the exclusive control of, the City.

§ 202-2. Protective railings and fences; restoration. [Amended 5-21-2012 by Ord. No. 2012-158]

- A. No street, lane, alley, sidewalk or other public place in the City shall, under any permit granted as provided in § 202-1, be dug up, obstructed or otherwise rendered inconvenient or unsafe for travel unless the person receiving such permit shall put, and at all times keep up, a suitable railing or fence around the section of the street, lane, alley or other public place so obstructed, so long as the same shall remain unsafe or inconvenient, and shall also keep, as specified by the City Engineer, lighted lanterns, fixed in some proper manner, every night from twilight through the whole night so long as such obstruction shall remain.
- B. The person receiving such permit shall also, within such reasonable time as the City Engineer shall direct, repair such street, lane, alley, sidewalk or public place in such manner as shall meet the approval of the City Engineer.

§ 202-3. Riding or driving on sidewalk.

No person shall ride, drive, wheel, draw or push any cart, wheelbarrow, bicycle or other vehicle of burden or pleasure upon or along any sidewalk in the City's business districts, except for the purpose of crossing such sidewalk to go into or out of some adjoining enclosure, provided that this section shall not apply to children's carriages propelled by hand, invalids' tricycles or chairs of persons with a disability, and bicycles pushed by hand. In all instances, wheeled vehicles of pleasure must yield to pedestrians on sidewalks. Aside from those required for mobility, no motorized vehicles of any kind are permitted on City sidewalks.

§ 202-3.1. Use of gas-powered vehicles: scooters, powerboards and mini-motorbikes. [Added 11-8-2004 by Ord. No. 05-035]

- A. Definition. This section refers to scooters, powerboards, and mini-motorbikes that have two or more wheels, that are designed to be stood upon or sat upon by the operator, and that are gas-powered by an engine or motor capable of propelling the vehicle with or without human thrust.
- B. Prohibition from sidewalks. No person may use, ride or otherwise operate a gas-powered scooter, powerboard, or mini-motorbike on a sidewalk in the City of Melrose.
- C. Prohibition from streets and other areas. No person may use, ride or otherwise operate a gas-powered scooter, powerboard, or mini-motorbike on a public way or street unless that person is 16 years of age or older and is carrying a valid driver's/operator's license. No person shall operate said vehicle on the grounds of any public school or other City property, including parks.
- D. Penalties. Any person violating the provisions of this section shall be subject to a fine of \$50.
- E. Enforcement. The Melrose Police Department shall have the authority to enforce this section. The provisions of MGL c. 40, § 21D, may be used to enforce this section.
- F. Impoundment. The Melrose Police Department shall have the authority to impound any vehicle used in violation of this section. The City shall return any impounded vehicle only upon payment of an impoundment fee of \$100 and a daily storage fee of \$10 per day.
- G. Exceptions. Nothing in this section shall prevent the legal use of:
 - (1) Any mechanical or motorized device designed and used to assist a person with a disability affecting ambulation or a device for which the user has a medical necessity;
 - (2) A moped that has been registered with the Registry of Motor Vehicles; or
 - (3) A motorized bicycle that has been registered with the Registry of Motor Vehicles.
- H. Regulatory authority. The Chief of the Melrose Police Department shall have the authority to promulgate rules and regulations necessary to implement and enforce this section.

§ 202-4. Gates or doors.

No person shall allow any gate or door belonging to premises owned or occupied by him/her or under his/her control to swing on, over or into any street or sidewalk in the City.

§ 202-5. Firewood, coal and other fuel.

No firewood, coal or other fuel shall be allowed to remain unnecessarily on any sidewalk or in any street, lane or alley of the City, and, in case it must so remain after twilight or through the night, the owner shall place and keep a sufficient light upon the same.

§ 202-6. Vehicles in private ways obstructing fire apparatus.

No vehicle shall be left unattended within the limits of any private way in such a position that it would obstruct the access of fire apparatus to any part of a tenement house, private dwelling or apartment house, as defined in MGL c. 145, § 2.

§ 202-7. Vehicles crossing sidewalks. [Amended 5-21-2012 by Ord. No. 2012-158]

No person shall cross with a horse-drawn or commercial motor vehicle any concrete, brick or granolithic

sidewalk in the City, except over regularly recognized driveways, without first obtaining from the City Engineer a written permit stating the place to be crossed and filing with the City Clerk a written agreement under seal, with sureties if required, approved by the City Engineer to indemnify the City from all loss, cost or expense that it may suffer by reason of such crossing.

§ 202-8. Moving buildings.¹ [Amended 5-21-2012 by Ord. No. 2012-158]

No person shall move, or cause to be moved, any building through any public street in the City without first obtaining from the City Engineer a written permit therefor stating the streets through which, and the time within which, the building may be moved, and any other provision that he/she may deem best, and filing with him/her a written agreement under seal, with sureties if required, to comply with the terms of such permit and indemnify the City for all loss, cost or expense it may suffer by reason of the moving of such building.

State law reference — Moving buildings, MGL c. 85, § 18.

§ 202-9. Opening roadways or sidewalks. [Added 6-20-1994 by Ord. No. 94-345; amended 12-16-2002 by Ord. No. 02-060A]

A. Fees, deposits and insurance.

- (1) A nonrefundable application fee as provided in § 202-14 of this chapter is required for each location where a permit is requested. **[Amended 8-21-2017 by Ord. No. 2018-4]**
- (2) ~~A five hundred dollar (cash or certified check) refundable deposit is required and will be held until the permanent trench repair has been completed and approved by the City Engineer or his/her designee. Interest earned, if any, on said deposit will become the property of the City of Melrose and is not refundable. Trenches not inspected due to the failure of the permittee to properly notify the City Engineer shall be subject to loss of deposit and/or repeat of reconstruction procedures.~~ RESERVED **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (3) A ~~ten~~five-thousand-dollar performance and payment bond is required for each roadway/sidewalk opening permit granted. Blanket bonds in the amount of \$50,000 may be substituted for City-wide operations. This bond will cover all street or sidewalk permits issued to a particular contractor or permittee for work within the City during a specified period of time.
- (4) Any contractor(s) representing the permittee must provide the City of Melrose with a valid insurance certificate meeting all coverage limits as required by ~~furnish the City of Melrose with a certificate of insurance for general liability in the amount of \$500,000~~ the City of Melrose.

B. Permit issuance.

- (1) Permits shall be issued by the City Engineer after proper presentation of the above documentation per § 202-1. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (2) Work shall not begin prior to 7:00 a.m. unless required by the City Engineer.
- (3) Traffic (vehicular and pedestrian) control shall be the responsibility of the permittee.
- (4) Permits shall be granted for a thirty-calendar-day period. Extensions may be granted at the discretion of the City Engineer. **[Amended 5-21-2012 by Ord. No. 2012-158]**

1. Editor's Note: See also Ch. 56, Officers and Employees, § 56-8.

- (5) Agents of the City who are performing work directly for the City of Melrose shall be exempt from the permitting process. However, the trench repair standards established by this section shall apply to all excavations in the City of Melrose.

C. Notification.

- (1) Dig-Safe must be notified.
- (2) The City Engineer shall be notified 24 hours prior to the commencement of any work and again 24 hours prior to the final pavement repair. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (3) The Melrose Police and Fire Departments shall be notified, as applicable.

D. Construction procedures. The following conditions must be adhered to unless otherwise dictated in writing by the City Engineer or their designee:-

- (1) The pavement shall be precut and may only be disturbed within the area requiring excavation for repair, replacement or new installation. When the opening occurs within two feet of the curb and/or edge of the hardened surface, the paved area between the excavation and the curb and/or edge must be removed. All final pavement cuts shall be straight lines with ninety-degree angles at all corners.
- (2) In the backfill process, the backfill shall be comprised of suitable material as approved/determined by the City Engineer or his/her designee. Cement concrete shall be used around all electrical and telephone conduit in trenches. Controlled-density fill (CDF) may be required. Compaction (when CDF is not used) shall be executed in six-inch lifts. Each lift shall be 95% compacted by mechanical means. When the total surface area of an individual opening in bituminous concrete is less than nine square feet, all backfill material(s) will be placed to within a minimum of six inches of the pavement surface or the thickness of the original pavement structure, whichever is greater. For individual openings with surface areas of nine square feet and larger, the backfill material(s) will be installed to within four inches of the pavement surface or the thickness of the existing structure, whichever is greater. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (3) The hardened pavement shall then be cut back and removed six inches to 12 inches from all sides of the initial excavation to the depth of the original pavement structure, exposing the undisturbed gravel subbase. Edges will be cut perpendicular to the surrounding surface and have a clean, vertical face, particularly in the corners. All structures shall be leveled to the lines with ninety-degree angles at the point(s) of intersection.
- (4) All surplus and/or unacceptable excavated materials shall be removed from the job site immediately. The excavation site shall be maintained in a clean and safe condition at all times. Sidewalks and roadways shall be cleaned and opened to traffic at the end of each working day, unless otherwise authorized by the City Engineer. Access to properties is to be maintained. The removal and disposal of materials, including pavement, is the responsibility of the permittee and shall be achieved in such a manner as to minimize interference with pedestrian and vehicular traffic. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (5) The permittee shall be liable for the condition of the roadway and sidewalk openings and protection thereof prior to the temporary repair and will be held responsible for any and all damage due to any failure of barricades, barriers, warning signs, lights or steel plates used to properly protect the work from traffic, pedestrians or other causes. All open ditches shall be protected by uniform traffic control devices in conformance with the Massachusetts Department

of Transportation manual. All excavations must be properly secured to ensure the safety of the traveling public and immediately reported to the City Engineer when secured, unsecured or changed for any reason. **[Amended 5-21-2012 by Ord. No. 2012-158; 8-21-2017 by Ord. No. 2018-4]**

- (6) Temporary patching shall be performed only by contractors approved by the City Engineer and shall be the financial responsibility of the permittee. All barricades and/or safety devices shall be immediately removed from the vicinity upon completion of the temporary bituminous patching application. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (7) Any improperly prepared excavations, including those left with unacceptable backfill material or insufficient pavement depth, ~~shall may~~ be temporarily paved by a municipal contract representative and charged to the ~~refundable deposit of the~~ permittee. ~~The deposit shall immediately be replenished to the original amount.~~ At a later date, the trench shall be reexcavated and prepared correctly by the permittee. Under these conditions the permittee may also be subject to permit cancellation, ~~loss of deposit~~ and any and all expenses incurred by the City with respect to the excavation.
- (8) All excavations will be allowed to settle and/or consolidate for a period of time before the final opening is attempted. This term will be defined as a minimum of 30 days when CDF was used as a backfill material. Compacted gravel subbase must experience at least one seasonal freeze/thaw cycle. The Public Works Department reserves the right to address any subbase deficiency within or adjacent to the original excavated area with whatever measure is deemed necessary during this period. These corrective procedures will be the financial responsibility of the permittee.
- (9) Immediately after the specified settling period, the excavation shall be permanently restored by the contract representative for the City in accordance with Department of Public Works requirements and the approval of the City Engineer. The following procedures will be strictly adhered to: **[Amended 5-21-2012 by Ord. No. 2012-158]**
 - (a) The infrared method will be utilized for trenches in bituminous concrete that do not exceed 100 linear feet.
 - (b) A compacted, one-and-one-half-inch bituminous concrete overlay will be required (curb to curb) for sections of asphalt pavement affected by trenches exceeding the one-hundred- foot restriction.
 - (c) Microsurfacing may be substituted for the bituminous concrete overlay at the sole discretion of the City Engineer.
 - (d) An approved petroleum resin sealant may be required as a substitution for, or in addition to, the bituminous concrete overlay as determined by the City Engineer. Material formulation and application will be established in the field when this condition is exercised.
 - (e) All temporary asphalt patches installed in concrete sidewalks will be reexcavated to the extremities of the square(s) in which the excavation is contained. All excavated materials shall be properly disposed of. The finished concrete will be replaced to the depth, strength and contour of the original structure.
 - (f) All other surfaces, i.e., brick, grass, wood, etc., are to be replaced consistent with the

original and in strict accordance with Department of Public Works guidelines and with the approval of the City Engineer.

- (g) Under the permanent restoration provisions above, the permittee will also be responsible for any or all necessary appurtenant measures, including but not limited to surface profiling, resetting utility structures, compatible crack filling, tack coating, infrared heating of the seams, etc. Auxiliary measures will be determined by site inspection with an authorized representative of the City Engineer.
- (h) All restoration procedures shall be the financial obligation of the permittee.
- (10) Pavement cracks that develop after the permanent repair has been performed within and immediately adjacent to the excavated area will be filled and/or sealed by a contract representative of the City in accordance with Department of Public Works requirements and the City Engineer's approval. These crack repairs shall be the financial responsibility of the permittee. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- (11) The permittee shall be responsible for any settlement, subbase failure and pavement cracks that develop in or adjacent to the original excavated area for a period of three years from the date of final accepted permanent repair or, if CDF is used, for a period of one year from the date of the final accepted permanent repair. Any surface disorder caused by settlement and/or subbase movement within the general area containing a street or sidewalk opening shall be addressed by the Department of Public Works or private vendor at the direction of the City Engineer. All related corrective measures will be charged to the permittee, and the term of obligation will begin again. **[Amended 5-21-2012 by Ord. No. 2012-158]**

E. Penalties.

- (1) Anyone opening streets or sidewalks without a permit is subject to cancellation and refusal of existing and future permits, license revocation and associated fines.
- (2) Any entity excavating without a permit ~~shall~~may be penalized a sum ~~equal up~~up to 10 times the cost of a permit per day per excavation, i.e., each excavation each day will be assessed up to 10 times the permit cost for each day of unauthorized activity. **[Amended 8-21-2017 by Ord. No. 2018-4]**
- (3) Any entity excavating with a permit beyond the permit's expiration date ~~shall~~may be penalized a sum ~~equal up~~up to four times the cost of a permit per day.

F. Billing and collections.

- (1) Police protection, if required, shall be paid by the permittee ~~either directly or billed by the City contract representative at cost, plus handling charges.~~
- (2) ~~At the direction of the City, the appropriate contract representative shall bill the permittee for the above-cited services.~~ Payment for these services will be rendered within 30 days. On past-due invoices a service charge of 1 1/2% per month will be allowed on accounts 30 days past due, provided that the rate does not exceed the amount which is permitted by law. ~~Invoices exceeding 90 days shall be paid by the City. The City will then exercise the right to fine the permittee accordingly. Under these conditions total accrued service charges, together with all costs of collection, including attorney's fees, will become the financial obligation of the permittee.~~
- (3) The City reserves the right to assume the billing function, including assessment and conveyance

of reasonable handling charges, as provided by Massachusetts General Laws.

- G. Modifications and exceptions. The City reserves the sole right to make changes or exceptions to this regulation, subject to written notice and as authorized by the City Engineer. **[Amended 5-21-2012 by Ord. No. 2012-158]**

ARTICLE II
Services to Property Owners

§ 202-10. Public Works Department authorized to perform work. [Amended 5-21-2012 by Ord. No. 2012-158]

Except in the case of construction of improvements under the law authorizing the assessment of betterments and except in cases of extreme emergency under Chapter 228, Water and Sewers, § 228-17B, the Public Works Department may perform any service or furnish any materials authorized under this article, including the construction and repair of private drains and particular sewers, water service pipes and sidewalks and edgestones, and may perform such other services or furnish such other materials as the City Engineer may deem expedient, all or any part of the cost of which is to be paid by the owner of any premises, provided that such owner or his/her accredited agent shall make written application therefor in duplicate to the City Engineer upon forms furnished by him/her.

§ 202-11. Estimate of cost of work; deposit with City. [Amended 5-21-2012 by Ord. No. 2012-158]

Upon receipt of an application for service to be rendered by the Public Works Department, the City Engineer shall, without delay, make an estimate of the cost of the work to be done or the materials to be furnished and shall transmit such estimate to the applicant, and the City Engineer shall endorse upon the duplicate copy of such application the amount of such estimate and shall transmit such copy to the City Auditor. The applicant shall, within 90 days after receipt of such estimate, deposit with the City Treasurer the amount so estimated or the portion thereof which such applicant may be required to pay, and each such deposit shall be held as a separate fund.

§ 202-12. Treasurer to give notice of deposit. [Amended 5-21-2012 by Ord. No. 2012-158]

Whenever the City Treasurer shall receive any deposit under § 202-11, he/she shall notify the City Engineer and the City Auditor forthwith, and no such work shall be commenced nor any such material furnished until such notice has been given.

§ 202-13. Work and materials charged at actual cost; statement; difference paid by party debtor.

All work performed and all materials furnished as authorized by this article shall be charged at the actual cost to the City. A statement thereof shall be furnished to the applicant, the City Collector and the City Auditor, and the difference between such actual cost and the amount of the estimate made at the time of the application and deposited, as aforesaid, shall be paid by the party debtor.

§ 202-14. Schedule of service charges. [Added 3-16-1992 by Ord. No. 92-120; amended 3-16-1992 by Ord. No. 92-175]

The Engineering Division shall charge ~~the following~~ for services provided to the public according to the Schedule of Fees as set by the City of Melrose Engineering Division.:

- ~~A.—Photocopies: \$0.50 each.~~
- ~~B.—Microfilm copies: \$1.50.~~
- ~~C.—Blue lines prints: \$2 each.~~
- ~~D.—Computer generated plans: \$10 each.~~
- ~~E.—Research time:~~

~~(1) Up to one hour: no charge.~~

~~(2) Over one hour: \$20 per hour.~~

~~F. Block party permit: no charge.~~

~~G. Street opening permit: \$25 each occasion.~~

~~H. Sidewalk opening permit: \$25 each occasion.~~

~~I. Street occupancy permit: \$15 each occasion.~~

~~J. Sidewalk occupancy permit: \$15 each occasion.~~

ARTICLE III

Streets

§ 202-15. Width and grade.

- A. No street or way shall be accepted by the City as a public street or way unless the street is at least 50 feet in width, except such streets or ways that were in public use or which appear on any plan recorded in the Registry of Deeds or approved by the Board of Survey in the manner provided by MGL c. 41, §§ 74, 75 and 76, prior to October 20, 1941, and that are not less than 40 feet in width and do not have a grade exceeding 15% or unless the street leads from some accepted street or way, provided that a street or way which was in public use prior to the year 1900 and is less than 40 feet in width may be so accepted.
- B. In an extension of an existing street which is not 50 feet in width, the adjustment of bringing the two widths together shall be accomplished on lines to be approved by the City Engineer. **[Amended 5-21-2012 by Ord. No. 2012-158]**

State law references — Planning Board approval of ways in new developments, MGL c. 41, § 81O; procedures for laying out, relocating or altering streets, MGL c. 82, §§ 21 to 25.

§ 202-16. Sidewalk area; street pavement.

Any street or way ordered by the City Council to be constructed as a public way shall have a space reserved on each side thereof, extending not more than nine feet from the inside line of the street as ordered to be laid out by such Council, for a sidewalk, grass plot and edgestone. The portion of the street or way between the outside lines of the space so reserved shall be constructed with macadam or other pavement of similarly lasting character.

§ 202-17. Approval of building method required for acceptance. [Amended 5-21-2012 by Ord. No. 2012-158]

No street or way shall be accepted unless it is built in a manner satisfactory to the City Engineer.

§ 202-18. Applications and petitions for construction or discontinuance; notice of construction in subdivisions. [Amended 3-2-1998 by Ord. No. 98-214]

- A. Except in the case of ways in subdivisions constructed as required by the rules and regulations of the Planning Board governing the subdivision of land, all applications or petitions for laying out, altering, widening or discontinuing any street or way shall be made in writing and addressed to the City Council upon such forms or blanks as it shall prescribe and must be signed by 10 or more citizens or taxpayers. Such petitions shall state the names of the owners, if known, of the property affected by the proposed laying out, alteration, widening or discontinuance of the particular street or way named therein.
- B. The Planning Board shall forthwith, before a way in a subdivision has been constructed in a manner required by the rules and regulations of the Board governing the subdivision of land, give notice thereof to the City Council.

§ 202-19. Referral to Committee on Public Works and Planning Board. [Amended 5-21-2012 by Ord. No. 2012-158; 8-21-2017 by Ord. No. 2018-4]

- A. Upon receipt of a petition for the laying out, altering, widening or discontinuing of a street or way or of a notice from the Planning Board that a way has been constructed in a subdivision, the City Council shall refer such petition or notice to the Committee on Public Works, and the Clerk shall transmit a copy of each such petition to the Planning Board for report as required by MGL c. 41, § 81I. The Committee on Public Works shall make a report to the City Council on each such petition or notice referred to it, and, if such report recommends the laying out, widening, alteration or discontinuance of the way to which such petition or notice relates, it shall be accompanied by a plan and profile thereof, showing accurately and definitely the proposed line and grade, together with an estimate of the cost of construction, if required, made by the City Engineer.
- B. The report of the Committee on Public Works shall also state the names of the persons over whose lands such laying out, altering, widening or discontinuance is recommended, with the amount of damages, if any, which should be allowed to each, the manner in which the work should be performed and whether or not the work should be done under the laws authorizing the assessment of betterments.

§ 202-20. Hearing by City Council.

- A. If a favorable report of the Committee is accepted or an unfavorable report is rejected, the City Council shall, by an order, appoint a time for hearing all parties interested therein, at the rooms of the City Council, and direct that notice of its intention to lay out, alter, widen or discontinue such street or way and to do the same under the provisions of law authorizing the assessment of betterments, if such be the case, be given in the manner provided by law. The notice may be served by any constable of the City, who shall make his/her return on the original order.
- B. The City Council shall hear all parties interested and all persons claiming damages by reason of such proposed laying out, alteration, widening or discontinuance at the time and place appointed for the hearing.

§ 202-21. Order to lay out, alter or discontinue; notice of taking land. [Amended 12-16-2002 by Ord. No. 02-060A]

- A. If, after hearing all the parties interested, the City Council is of the opinion that the laying out, altering, widening or discontinuance of the street or way as requested is of common convenience and public necessity, it shall request the City Solicitor to draft and present to the Council, for action thereon, an order to the effect that the street or way shall be laid out, altered, widened or discontinued, as the case may be, which order shall define the boundaries, grade and measurements of the street or way to be laid out, altered, widened or discontinued and shall also state the names of all persons sustaining damages by such laying out, alteration, widening or discontinuance, the amount of compensation which such persons shall receive therefor and the time allowed the owners of land taken to remove all property which may obstruct the building of such street or way.
- B. The City Engineer shall, upon like request, prepare a plan and profile showing accurately and definitely the line and grade as finally adjusted and fixed by the City Council and showing the date of final action by the Council and signed by him/her. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- C. If such street or way is laid out, altered, widened or discontinued under the provision of law authorizing the assessment of betterments, the order shall be in the form and shall be recorded in the manner provided by MGL c. 80, § 2.
- D. Whenever any taking is made under the provisions of this section, the City Council shall immediately, after the land is entered upon, cause notice thereof to be given to every person whose property has

been taken or who is otherwise entitled to damages on account of such taking in the manner provided by MGL c. 79, § 7C.

- E. Such notice shall be in writing and shall describe in general terms the purpose and extent of the taking and shall state the amount of damages, if any, awarded to the person to whom it is sent or, if no damages have been awarded, the time within which he/she may petition for an award of damages and also the time within which he/she may petition the Superior Court to determine his/her damages. Such notice may be served by personal service or by leaving an attested copy thereof at the last and usual place of abode of the person to be notified, if he/she is a resident of the commonwealth, by any person authorized to serve civil process, or notice may be given to persons within or without the commonwealth by registered mail or other suitable means.

§ 202-22. Recording and filing of order. [Amended 5-21-2012 by Ord. No. 2012-158]

Every order for the laying out, altering, widening or discontinuing of any street or way shall be recorded by the City Clerk in a book kept for that purpose, and a copy thereof shall be filed with the City Engineer.

§ 202-23. Filing of plans and profiles. [Amended 5-21-2012 by Ord. No. 2012-158]

Plans and profiles relating to the laying out, altering, widening or discontinuing of any street or way shall be filed in the office of the City Engineer.

§ 202-24. Repairs and reconstruction on certain private ways. [Amended 3-4-1985 by Ord. No. 788; 5-21-2012 by Ord. No. 2012-158]

The Councilors may, if they so declare and in their judgment, for the preservation of the public convenience and public necessity, for work of a temporary and emergency nature, order the making of repairs or reconstruction on private ways which have been open to public use for six years or more, as authorized by MGL c. 40, § 6N, and Chapter 693 of the Acts of 1977, and may provide, in such order, for the assessment of betterments upon the owners of estates which derive particular benefit or advantage from making such repairs on any such private way a sum equal, in the aggregate, to 1/2 of the cost thereof and, in the case of each such estate, in proportion to the frontage thereof on such way. All applications or petitions for making repairs must include all abutters to such ways, to be made in writing and addressed to the City Council upon such forms or blanks as it shall prescribe. The City Engineer will determine whether drainage is required in the subsurface of such ways, and the City shall not be liable for damages caused by such repairs to any greater extent than if such work were done on public ways. Any repair or reconstruction of such way requires a cash deposit of 10% of the total cost.

§ 202-25. Temporary repairs on certain private ways. [Added 3-4-1985 by Ord. No. 788A]

- A. The City Engineer may make temporary repairs on private ways which have been open to public use for six years or more and shall request an annual appropriation which he/she deems adequate for such temporary repairs. Such temporary repairs shall include only filling of holes in the subsurface of such ways and repairs to the surface thereof similar to those used for existing surfaces, but may include the oiling or tarring of such ways and the covering of such oil or tar with sand or gravel. There shall be no assessments for pothole repairs. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- B. The City shall not be liable for damage caused by such repairs to any greater extent than if such work were done on public ways.

§ 202-25.1. Reconstructing or resurfacing streets. [Added 6-1-2009 by Ord. No. 09-097; amended

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

No street opening permit shall be granted between and including the 15th day of November and the 15th day of April to any utility, corporation, person or other entity, except in a case of actual necessity as certified to and approved by the City Engineer and by the Mayor.

ARTICLE IV

Sidewalks

§ 202-26. City Engineer to direct work. [Amended 5-21-2012 by Ord. No. 2012-158]

No sidewalk shall be built, altered, repaired or discontinued, nor shall any edgestone be placed or reset, on any of the public streets except by and under the direction of the City Engineer.

State law reference — Sidewalks generally, MGL c. 83, §§ 25 to 29; MGL c. 85, § 4 et seq.

§ 202-27. Construction material. [Amended 5-21-2012 by Ord. No. 2012-158]

All sidewalks shall be constructed of artificial stone known as "granolithic" or such other material as shall be recommended by the City Engineer and shall have a granite edgestone set along the gutter or outside edge, with sodding between the edgestone and outside edge of the granolithic, unless the City ~~Council~~ Engineer shall specify that either the sidewalk, edgestone or sodding be omitted in certain cases.

§ 202-28. Application to have work performed. [Amended 5-21-2012 by Ord. No. 2012-158]

Any person wishing to have a sidewalk built, altered or repaired, or an edgestone placed or reset, in front of his/her premises shall first make and file in the office of the City Engineer a written application therefor and agreement to pay 1/2 of the cost thereof. Applications under this section shall be subject to the provisions of §§ 202-10 and 202-13.

§ 202-29. Order to reconstruct sidewalk. [Amended 5-19-1997 by Ord. No. 97-315; 8-21-2017 by Ord. No. 2018-4]

The Councilors may, if in their judgment the safety and convenience of the general public so require, order the reconstruction of a sidewalk with materials of a more permanent character than that which may currently exist. Assessments shall be levied against the various properties which abut such sidewalks. Such assessments shall be calculated on the basis of 1/2 the actual cost of work prorated over the frontage of the properties involved. Assessments may be calculated a value less than 1/2 the cost of work only in the case of roadways which are designated by the Massachusetts Department of Transportation and the Federal Highway Administration as either a rural major collector roadway, an urban minor artery or an urban other principal artery.

ARTICLE V

Names, Boundaries and Numbering of Public Ways**§ 202-30. Changing names of public ways.**

The City Council may, by a majority vote of the whole Council, change the name of any public street, way or square in the City, provided that whenever the City Council intends to change any such name it shall, before final action thereon, appoint a time and place for hearing all persons interested therein and direct that notice of such hearing and of its intention to change such name of a street, way or square be given in the manner required in the case of the laying out of streets.

State law reference — Changing names of streets, MGL c. 85, § 3.

§ 202-31. Naming and changing names of streets not public ways.

The naming of streets not public ways shall be under the jurisdiction of the Planning Board, and, whenever such Board intends to change the name of any such street, it shall, before final action thereon, appoint a time and place for hearing all persons interested therein and shall give notice of such hearing and of its intention to change the name of such street in the manner required in the case of the laying out of streets and also as provided by MGL c. 41, § 74.

State law reference — Naming unaccepted ways, MGL c. 85, §§ 3A and 3B.

§ 202-32. Street name signs; marking of street lines.

- A. The names of all streets and highways shall be properly marked by signs, and, except as otherwise provided in the rules and regulations of the Planning Board governing the subdivision of land, the placing of signs and guide boards shall be provided for out of the highway appropriation.
- B. The placing of street signs and the marking of street lines and boundaries shall be done by or under the direction of the City Engineer. **[Amended 5-21-2012 by Ord. No. 2012-158]**

§ 202-33. Marking lines of public streets.

The lines of all public streets or highways hereafter laid out shall be marked with granite monuments wherever possible and in all cases by permanent and accessible marks at all street intersections, angles and at both ends of every curve.

§ 202-34. Disturbing street bounds. [Amended 5-21-2012 by Ord. No. 2012-158]

No person shall move or disturb street bounds except by and under the direction of the City Engineer or some person delegated by him/her to do so.

§ 202-35. Numbering of buildings. [Amended 4-5-1999 by Ord. No. 99-200; 5-21-2012 by Ord. No. 2012-158]

All buildings shall be numbered with suitable metal or painted numbers which are a minimum of three inches tall visible from the curb identifying their address assigned by the City Engineer. The number shall be affixed adjacent to the street door.

State law reference — Numbering buildings, MGL c. 40, § 21, cl. (10).

§ 202-36. Care and custody of plans, numbers, signs and posts. [Amended 5-21-2012 by Ord. No. 2012-158]

All plans, numbers, signs, posts and such other material belonging to the City and pertaining to the numbering of buildings, placing of street signs and guide boards or street bounds shall be in the care and custody of the City Engineer.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12744)

Amending Chapter 228 of the Revised Ordinances of the City of Melrose Water, Sewers, and Drains

BE IT ORDERED

Requesting review and approval of proposed amendments to the Revised Ordinances of the City of Melrose Chapter 228 Water, Sewers, and Drains. Attached to this order are the relevant documents for review and consideration.

This request is made to make minor updates to the Ordinance to make consistent with current programs and regulatory requirements.

Thank you very much for your consideration.

HISTORY:

06/02/25	City Council	ASSIGNED TO COMMITTEE
07/21/25	City Council	ASSIGNED TO COMMITTEE

Order (ID # 12744)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Chapter 228**WATER, SEWERS, AND DRAINS****ARTICLE I
General Provisions**

- § 228-1. Applicability; when effective; repealer; severability.
- § 228-2. Commitment of charges for collection.
- § 228-3. Billing period; place of payment; delinquent payments; abatement procedure.

**ARTICLE II
Water**

- § 228-4. Definitions.
- § 228-5. Right of entry.
- § 228-6. Laying of service pipes.
- § 228-7. Size and material of service pipes and meters.
- § 228-8. Separate service pipes required; protection and maintenance.
- § 228-9. Additional service pipes.
- § 228-10. Laying mains in public and private ways; assessments.
- § 228-11. Laying mains in private property.
- § 228-12. Turning on and shutting off water; charges.
- § 228-13. Water to be supplied to customers.
- § 228-14. Water meters.
- § 228-15. Rates set by Mayor and Council; Water Rate Review Committee.
- § 228-16. Water used for building purposes.
- § 228-17. Application for use of water or other work; emergencies.
- § 228-18. Minimum charges in case of vacancy.

- § 228-19. Opening or interfering with fire hydrants.
- § 228-20. Discount program.

**ARTICLE III
Backflow and Cross-Connections**

- § 228-21. Authority.
- § 228-22. Purpose.
- § 228-23. Responsibility of Water Division and customers.
- § 228-24. (Reserved)
- § 228-25. Requirements and responsibilities.
- § 228-26. Enforcement; violations and penalties.
- § 228-27. Procedure policy.

**ARTICLE IV
Sewer Use**

- § 228-28. Purpose.
- § 228-29. Definitions.
- § 228-30. Sewer service rates; minimum charges.
- § 228-31. Discount program.
- § 228-32. Damaging or tampering with facilities, right of entry.
- § 228-33. Connections to be regulated.
- § 228-34. Separation of surface waters and wastewater required.
- § 228-35. Unlawful deposit of waste.
- § 228-36. Untreated discharge to natural outlet prohibited.
- § 228-37. Septic tank use restricted.
- § 228-38. Connection to public sewer required.
- § 228-39. Contributions by industrial users.
- § 228-40. Pretreatment requirements.

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§ 228-41.	Time frame for compliance with standards.	§ 228-65.	Installation of private sewer services.
§ 228-42.	Traps required for flammable wastes.	§ 228-66.	Maintenance responsibilities.
§ 228-43.	Maintenance of pretreatment equipment.	§ 228-67.	Disposition of assessment for betterment.
§ 228-44.	Meters and measuring devices for industrial wastes.	§ 228-68.	(Reserved)
§ 228-45.	Protection from discharges; notice of accidental discharge.	§ 228-69.	Responsibility for plumbing.
§ 228-46.	Information for employees.	§ 228-70.	Individual sewer service required for every building; exception.
§ 228-47.	Penalties imposable by City.	§ 228-71.	Use of old sewers.
§ 228-48.	Penalties imposable by MWRA.	§ 228-72.	Establishment of specifications.
§ 228-49.	Disposal of septage.	§ 228-73.	Specifications to apply in absence or amplification of code provisions.
§ 228-50.	Precedence of more stringent regulations.	§ 228-74.	Gravity flow or means of lifting required.
§ 228-51.	Recourse for violations.	§ 228-75.	(Reserved)
§ 228-52.	Implementation and enforcement.	§ 228-76.	Private sewer services.
§ 228-53.	Publication of list of industrial users.	§ 228-77.	(Reserved)
§ 228-54.	Calculation of sewer cost; collection of assessment.	§ 228-78.	Infiltration and inflow mitigation fees.
§ 228-55.	Permits for industrial users.		ARTICLE V
§ 228-56.	Minimum discharge requirements.		Stormwater
§ 228-57.	Types of substances prohibited from discharge.	§ 228-79.	Purpose.
§ 228-58.	Enumeration of prohibited substances.	§ 228-80.	Authority.
§ 228-59.	Discharge of unpolluted waters.	§ 228-81.	Enforcement.
§ 228-60.	Dilution prohibited.	§ 228-82.	Definitions.
§ 228-61.	Wastes of unusual strength or character.	§ 228-83.	Applicability.
§ 228-62.	Permit required for sewer hookup; fee.	§ 228-84.	Exemptions.
§ 228-63.	Classes of sewer service permits; application form; supplemental information.	§ 228-85.	Discharge of unpolluted waters to sanitary sewers
§ 228-64.	(Reserved)	§ 228-86.	Untreated discharge to natural outlet or MS4.
		§ 228-87.	Catch basins and traps.
		§ 228-88.	Private drains.
		§ 228-89.	Stormwater permits.

[HISTORY: Adopted by the Board of Aldermen of the City of Melrose as Rev. Ords. 1976, §§ 20-46 to 20-65 (Rev. Ords. 1989, §§ 16-1 to 16-4 and 16-16 to 16-32); by the City Council of the City of Melrose 9-20-2021 by Ord. No. 2022-21. Amendments noted where applicable.]

WATER, SEWERS, AND DRAINS

GENERAL REFERENCES

Assessments — See Ch. 9.

Streets and sidewalks — See Ch. 202.

Sewage disposal — See Ch. 194.

ARTICLE I
General Provisions

§ 228-1. Applicability; when effective; repealer; severability. [Amended 6-26-1985 by Ord. No. 1108]

- A. Except as otherwise specifically ordered by the City Council, the provisions set out in this chapter shall be applicable to every person who uses the City water and sewer services, receives benefits from the public drainage system, and is permitted for the installation and maintenance of private drainage systems. Every person who takes water and uses the sewers and drains in the City of Melrose shall comply with the regulations set forth herein.
- B. This chapter shall take effect immediately upon passage, approval, and publication as provided by law.
- C. Prior water, sewer, and drainage ordinances of the City of Melrose or parts thereof in conflict with this chapter are hereby repealed. Any provision of this chapter that is found to be unenforceable in any court of the Commonwealth of Massachusetts shall not affect the validity of any other provision of this chapter.

§ 228-2. Commitment of charges for collection. [Amended 6-17-1985 by Ord. No. 1046]

All charges for water and sewer service shall be committed forthwith by the Department of Public Works (DPW) to the City Collector for collection, and, whenever charges are so committed, such Department shall file with the City Auditor a report, in writing, of the total amount of the charges in each such commitment. The Department shall forthwith give notice, in writing, to the City Auditor of every correction in and abatement of a charge for water and sewer services.

§ 228-3. Billing period; place of payment; delinquent payments; abatement procedure. [Amended 6-17-1985 by Ord. No. 1045; 7-21-1986 by Ord. No. 1417; 7-28-1986 by Ord. No. 1455; 12-19-1988 by Ord. No. 2217; 10-19-1992 by Ord. No. 93-50]

- A. All bills for water and sewer shall be made out and rendered by the DPW to consumers quarterly or monthly, at the choice of the customer. All quarterly bills shall be payable within 30 days and monthly bills within 21 days at the office of the City Collector.
- B. Bills not paid within the specified timeframes shall be subject to the following:
 - (1) Demand charge of \$5.
 - (2) Interest penalty of 14% from the due date.
 - (3) Lien fee of \$10, to be applied only on those water and sewer bills that become lien on real estate tax bills.
- C. Abatement procedure. A one-time water and/or sewer abatement will be considered during any ten-year period for any given customer address, upon filing of an abatement application meeting all requirements of the DPW for such request. Applications must be submitted within 45 days of the issuance date of the bill in dispute. No leak adjustments will be granted if the property has an active water leak or a known leak has not been repaired. In the event that the owner cannot determine the source or cause of unexplained high consumption, data logs will be gathered from the meter to show when water was being used. Abatement applications will only be accepted for accounts that are

current, in good standing, and have a working radio meter installed. No more than two consecutive bills are eligible for an adjustment.

ARTICLE II

Water**§ 228-4. Definitions.**

As used in this article and in Article III, the following terms shall have the meanings indicated:

ANSI — The American National Standards Institute, Inc.

APPLICANT — A person, persons or corporation who applies for an account, a service connection, or the installation of other infrastructure for water, sewer, or drainage.

APPROVED — Accepted by the City of Melrose Department of Public Works (DPW) as meeting an applicable specification stated or cited in this regulation or as suitable for the proposed use.

AWWA — The American Water Works Association.

BACKFLOW — The flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable public water supply system from any source or sources other than the intended source.

BACKFLOW INSPECTION — The physical examination and testing of an installed backflow prevention device to verify that the backflow prevention device is functioning properly.

BACKFLOW PREVENTER — A device or means designed to prevent backflow or backsiphonage. Allowable backflow devices in the Commonwealth of Massachusetts are defined in 310 CMR 22.22.

BACKSIPHONAGE — The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable public water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable public water supply system.

CERTIFICATION EXAMINATION — An examination approved by the Commonwealth of Massachusetts for the purpose of testing competency in all areas of cross-connection control and backflow prevention device testing.

CERTIFIED BACKFLOW PREVENTION DEVICE TESTER — An individual who holds a valid Massachusetts backflow prevention device tester's certificate issued by the commonwealth.

CITY — The City of Melrose.

CITY ENGINEER — The City Engineer of the Melrose Department of Public Works or their designee.

COMMONWEALTH — The Commonwealth of Massachusetts.

CONTAMINANT — A physical, chemical, biological or radiological substance or matter in water.

CROSS-CONNECTION — Any actual or potential connection between a distribution pipe of potable water from a public water system and any pipe of nonpotable water.

CUSTOMER — The person or party responsible for a water and/or sewer account.

DIRECTOR — The Director of the Melrose Department of Public Works or their designee.

DIVISION — The City of Melrose DPW Water Division.

DPW (also known as "Department") — The City of Melrose Department of Public Works.

FIRE SERVICE CONNECTION – All the lines and materials from the water mains to the customer's fire suppression system and is equivalent to "fire service."

INSPECTION AND MAINTENANCE REPORT FORM — A report form, designated by the Commonwealth of Massachusetts, which is to be used by certified testers to record all pertinent testing information.

IRRIGATION SYSTEM — Any equipment that conveys water for irrigation purposes and that is permanently connected to the public water supply.

MASSDEP — The Massachusetts Department of Environmental Protection, which is the regulatory agency for the Federal Safe Drinking Water Act.

METER — A device installed for the measurement of water quantities to be used as a basis for determining charges for water and sewer service.

METER PIT — An underground chamber along a service line, suitable for installation of a water meter and for protecting the meter from the effects of weather.

OWNER — The owner of record of any property.

SCHEDULE OF FEES — The City of Melrose Water, Sewer, and Drainage Schedule of Fees, which includes all charges for water and sewer use, permits, application fees, and all other rates or fees associated with the City of Melrose water, sewer, and drainage systems. This Schedule of Fees shall be revised periodically as appropriate by the Department of Public Works. All water and sewer volumetric rates and base fees as listed in the Schedule of Fees shall be approved in advance by the City Council.

WATER MAIN — The City of Melrose water supply pipe laid in the right-of-way or easement from which potable water service connections are made.

WATER SERVICE CONNECTION — All the lines and materials from the water main to the customer's water system and is equivalent to "water service."

WATER, NONPOTABLE — Water which is not safe for human consumption or which is of questionable potability, including private wells.

WATER, POTABLE — Water from a public source which has been approved by the Massachusetts Department of Environmental Protection and the United States Environmental Protection Agency for human consumption.

§ 228-5. Right of entry. [Amended 5-21-2012 by Ord. No. 2012-158]

- A. The owners or occupants of any premises served by the City of Melrose water system shall, upon presentation by Department personnel of their credentials, authorize entry to their premises during normal business hours, as provided for under MGL c. 165, § 11D, for the purpose of inspecting and surveying their water system for new installations or cross-connections, or to remove, repair or replace any water meter, or to conduct water quality sampling and testing. When such access is refused, the water shall be shut off after proper notice has been provided until such access has been allowed and fees have been paid for shutting off and turning on the water.
- B. Duly authorized employees of the Department, bearing proper credentials and identification, shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

State law reference – Authority of municipalities to make regulations relative to pipes through which water is supplied, MGL c. 40, § 21, cl. (7).

§ 228-6. Laying of service pipes.

- A. Except as otherwise provided by the rules and regulations of the Planning Board governing the subdivision of land, water service pipes will be replaced from the main to the line of the street without charge and from the line of the street to the building at the expense of the applicant, provided that the whole or part of the work from the street line to the building may be done by the property owner or their agent, subject to the approval of the City Engineer, if the property owner so elects or as required in Section 228-6(F). All new water service pipes and appurtenances associated with new construction or redevelopment shall be paid for and installed by the private property owner and their agents, following approval by the City Engineer. No work shall be performed on any component of the water system, including both public and private water mains and/or services connected to the City's water system, without a written permit application and approval from the DPW Engineering Division. All pipes and appurtenances shall conform to the Department's standards as described in the City of Melrose Design and Construction Standards.
- B. Approval of applications shall be valid for six months. If applicants do not make a service connection within six months of the date of approval, then the approval shall be revoked, unless extended in writing by the City Engineer.
- C. The approval of an application for a water service account will be contingent upon the existence of a water main in the public or private way in front of the property to be served, unless otherwise allowed by the City Engineer. Furthermore, the pressure and carrying capacity of the water main must be sufficient to serve the applicant without adversely affecting the service to existing users.
- D. The main must be extended (including necessary hydrants and appurtenances) to the furthest limit of the property to be served by water unless otherwise approved by the City Engineer. A waiver can be obtained if hardship is demonstrated at the discretion of the City Engineer. The applicant shall pay for the cost of permits, installation, and inspection in accordance with the Schedule of Fees.
- E. An applicant requesting extension of water mains in a private right-of-way must comply with the City of Melrose Design and Construction Standards, and must convey to the Division any easements necessary to maintain the pipe and appurtenances, along with ownership of the main itself when applicable.
- F. That portion of a water service connection with a maximum size of 2-inches in diameter, installed within a public way and terminating at a shutoff shall be considered the property of the City upon its construction and acceptance unless otherwise specified by the City Engineer. The Department shall be responsible for its maintenance unless otherwise specified by the City Engineer. That portion of a service connection not lying within the public way, or the entirety of a water service line greater than 2-inches diameter, shall remain the property of the customer, who shall be responsible for its maintenance. The entire portion of a fire service connection, regardless of size, from building to the water main shall be the property of the owner of the premises that is served, and all maintenance, improvements, and replacement shall be the responsibility of the property owner.
- G. If a property is subdivided, then each of the resulting properties must have its own service connection. This may require replacing an existing service connection with a main.
- H. In case of a leak in the customer's service connection or water system, such leak must be repaired as soon as possible upon discovery by the customer or upon report to the customer by the Department, as a condition of continued service. The customer may be billed for the estimated water use if repairs are not made within two weeks. The City also reserves the right to make repairs to private service lines and bill the customer for the expense if repairs are not made, when the City deems the level of water loss to be unacceptable, regardless of the length of time that has passed since the leak was discovered.
- I. Any contractor performing work on utilities connected to the City of Melrose's water system must

provide all bonds and insurance required by the DPW Engineering Division permitting process.

§ 228-7. Size and material of service pipes and meters. [Amended 5-21-2012 by Ord. No. 2012-158]

No water service pipe less than one inch will be laid or allowed, except upon special consent of the City Engineer. Allowable residential meter sizes are 5/8 inch, 3/4 inch, or one inch, unless otherwise approved by the City Engineer. For a water service ~~or meter~~ larger than one inch, the owner will be responsible for the cost. Meter costs are as specified in § 228-14. All pipe laid on private property shall be of such material and size as may be approved by the City Engineer and in accordance with the applicable water and sewer design and construction standards.

§ 228-8. Separate service pipes required; protection and maintenance. [Amended 5-21-2012 by Ord. No. 2012-158]

No two buildings shall be supplied with domestic water through the same service pipe, unless otherwise approved by the City Engineer. The service pipe from the street line to the building must include a stop and waste cock, properly located inside the building. The building owner must keep the service pipe, stop and waste cock, and all fixtures connected therewith on their premises in good repair and protected from frost, and they will be held liable for all damage which may result from a failure to do so. Fire service, where required, shall be provided using a separate pipe from the water main.

§ 228-9. Additional service pipes.

Any person desiring or requiring more than one water service pipe for any one building will be required to pay the entire cost of such pipe and shall obtain approval from the City Engineer prior to installation. The owner is required to show that all requirements for cross connection control are being met. Furthermore, the City may require new development projects to assume all costs associated with new or re-laid water services.

§ 228-10. Laying mains in public and private ways; assessments. [Amended 5-21-2012 by Ord. No. 2012-158]

- A. Applications for the original laying of pipes in public and private ways for the conveyance and distribution of water shall be made, in writing, to the City Engineer in the form of an application for utility installation and shall include all plans and other documentation required by the City Engineer. Such work shall be performed entirely at the expense of the applicant, in accordance with all DPW design and construction standards in place at the time the application is made.
- B. Cases may arise where the City chooses, at the City's option, to lay a new water main and services where one did not previously exist. At the discretion of the City Engineer, a procedure may be used to assess betterments to the bettered properties in accordance with MGL c. 40, § 42k.
- C. This section shall not apply to the laying of water pipes for which provision is otherwise made by the rules and regulations of the Planning Board governing the subdivision of land.

§ 228-11. Laying mains in private property.

In the event the City determines that it is necessary to install a water main on private property, a permanent water easement shall be sought.

§ 228-12. Turning on and shutting off water; charges. [Amended 1-21-1992 by Ord. No. 91-264A]

- A. No person except the Department's licensed primary water distribution system operator, or those authorized by them, shall at any time turn or let on water to any house or building or in any way interfere with any gate valve, fire hydrant or standpipe. **[Amended 5-21-2012 by Ord. No. 2012-158]**

§ 228-7

WATER, SEWERS, AND DRAINS

§ 228-12

B. Charges for turning water on or off, testing meters, and conducting other activities related to the

provision of water by the City are defined in the Schedule of Fees.

- C. Any person who turns City water service on or off without permission from the DPW Operations Manager or the primary distribution system operator may be subject to fines as described in the Schedule of Fees.

§ 228-13. Water to be supplied to customers.

- A. No customers shall operate apparatus on their water lines, water meter or elsewhere on their premises that will adversely affect the operating conditions of the City's water system or its equipment or ability to serve other customers.
- B. Customers are responsible for notifying the Department if a building becomes vacant and requesting that the water service be shut off.
- C. Variations in water pressure will not be considered a violation of this chapter when they arise from unusual or extraordinary conditions, or arise from the operation of the customer's own fixtures or appliances. It is the customer's responsibility to install suitable equipment to protect private piping, equipment and property from variations in water pressure.
- D. The Department reserves the right to interrupt service temporarily in order to perform maintenance or repairs on the water system. Whenever possible, the Department will notify customers of scheduled interruptions. However, in case of an emergency, the Department reserves the right to interrupt service without first giving notice of such action if, in its opinion, it is necessary to do so in order to facilitate the making of repairs or alterations, or other necessary purposes. In such cases, no person shall be entitled to receive damages or refunds of payments because of any such interruption or any consequent conditions.
- E. A customer shall not be permitted to supply another property with water, except in emergencies, and then only with the permission of the Department.
- F. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the water system. Any person violating this provision shall be subject to appropriate criminal proceedings.

§ 228-14. Water meters.

- A. No person except the DPW Operations staff will be allowed to set, take off or repair water meters owned by the City. **[Amended 8-21-2017 by Ord. No. 2018-4]**
- B. All water meters up to 5/8 inch in size will be furnished, placed and maintained by the City. For any premises requesting a 3/4- or one-inch meter, the meter will still be furnished, placed, and maintained by the City, with the exception that the property owner shall pay the difference in cost between the price of the standard 5/8-inch meter and the larger size meter requested (up to one inch), which will be charged directly to the water bill. Any premises requiring a meter over one inch is the owner's responsibility to purchase, install, and maintain. Any damage to any meter done or caused by the carelessness or neglect of the owner or occupant will be charged to their next bill. Nonpayment will result in fees consistent with nonpayment of water bills. **[Amended 6-24-2024 by Order No. 2024-39]**
- C. Effective October 1, 2017, a manual read fee as specified in the Schedule of Fees shall be charged to any account that cannot be remotely read by the City of Melrose. **[Added 6-19-2017 by Ord. No. 2017-10]**

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- D. A tampering fee shall be assessed to any customer, contractor, or other individual or company who deliberately and knowingly tampers with a water meter in order to change the meter reading, the value of which is specified in the Schedule of Fees. Assessment of this fee does not preclude the City or others from imposing any applicable criminal or other charge.
- E. Installation and repair of meter pits must be approved by the City Engineer and shall be done at the customer's expense. Meter pits may be required at the discretion of the City Engineer.
- F. All meters installed must meet the City of Melrose standards for both the metering and communications devices.
- G. It shall be the responsibility of every customer to ensure that meters on service connections are readily accessible to Division personnel, regardless of where the meters are located.
- H. If a customer requests that a device be installed to transfer meter registration information off the premises for the customer's convenience, it shall require the approval of the City Engineer and shall be installed at the customer's expense. The Division maintains the right of access to the premises in order to verify the consistency of the meter registration with the remote registration. The meter having actual contact with water shall serve as the primary measuring device and shall govern all billing and billing adjustments.
- I. The Division has the right to replace and repair meters or test meters in order to verify or ensure their accuracy. The cost of periodically testing and replacing all meters larger than one inch in size shall be the responsibility of the customer.
- J. For meters over one inch in size, if the customer is unable to provide an opportunity to change, repair or test the meter during normal working hours, it is the responsibility of the customer to provide an acceptable bypass of the meter in order to accomplish replacement, make repairs or conduct in-place testing. All bypasses shall be metered unless the Department waives this requirement.
- K. Customers may request to have the meter which is currently in place and being used for billing by the City tested for accuracy. All meters will be tested for accuracy in accordance with industry standards for the type of meter in use as published by the American Water Works Association. A written report of the meter accuracy test will be provided to the customer and a one-time charge will be assessed according to the current Schedule of Fees. If the meter is found to be over registering, then the Division will assume the full amount of the charge for testing the meter, and the water user fees based on readings from the meter shall be adjusted in accordance with the result of the test.
- L. The property owner is responsible for all costs and fees associated with the purchase and installation of a secondary water meter for outdoor water use. All plumbing work and meter installations must be done by a licensed plumber with all applicable permits obtained. Plumbing must effectively isolate all exterior uses from interior uses, and all exterior water uses must have no connection to the sanitary sewer. Second water meters for lawn sprinklers shall be installed after the primary water meter and so that they measure only exterior water use. Plumbing to exterior uses must be properly isolated by use of both ball valves and a proper backflow prevention device. Both the primary and secondary water meters must be consistent with all current standards of the DPW.

§ 228-15. Rates set by Mayor and Council; Water Rate Review Committee. [Amended 5-15-1978 by Ord. No. 19837; 6-5-1978 by Ord. No. 19917; 7-17-1978 by Ord. No. 19837A; 9-6-1989 by Ord. No. 90-2; 10-15-1990 by Ord. No. 90-278; 9-9-1991 by Ord. No. 92-22; 1-6-1992 by Ord.

No. 92-137; 1-21-1992 by Ord. No. 92-166; 6-6-1994 by Ord. No. 94-221; 7-18-1994 by Ord. No. 94-221A; 6-17-1996 by Ord. No. 96-335; 6-27-2001 by Ord. No. 01-323; 6-26-2002 by Ord. No. 02-358; 12-16-2002 by Ord. No. 02-060A; 6-26-2003 by Ord. No. 03-290; 6-21-2004 by Ord. No. 04-268; 6-30-2005 by Ord. No. 05-248; 6-26-2006 by Ord. No. 06-248; 7-17-2006 by Ord. No. 06-248A; 7-16-2007 by Ord. No. 07-179; 5-19-2008 by Ord. No. 08-225; 10-20-2008 by Ord. No. 08-269; 6-15-2009 by Ord. No. 09-202; 5-17-2010 by Ord. No. 10-160; 6-20-2011 by Ord. No. 11-170; 5-21-2012 by Ord. No. 2012-158; 6-18-2012 by Ord. No. 2012-189; 8-20-2012 by Ord. No. 2013-4; 3-4-2013 by Ord. No. 2013-118; 6-27- 2013 by Ord. No. 2013-204; 5-19-2014 by Ord. No. 2014-117; 6-15-2015 by Ord. No. 2015-143; 6-16- 2016 by Ord. No. 2016-163; 5-15-2017 by Ord. No. 2017-136; 6-19-2017 by Ord. No. 2017-146]

- A. Except as provided by § 228-16, all bills for water furnished by the City shall be rendered at intervals of three months (quarterly) or one month (monthly) at rates established by the Mayor and City Council.
- (1) Tiered water rates per 100 cubic feet, following approval, shall be documented in the Schedule of Fees. **[Amended 6-18-2018 by Order No. 2018-178]**
 - (2) The water rate shall be applied to all properties in the City of Melrose classified under Commonwealth of Massachusetts Department of Revenue (DOR) Property Classification Code of April 2019, or latest version, as commercial, industrial, or residential. Properties owned and operated by the City of Melrose shall not receive a water bill unless otherwise determined by the City Auditor. Water at said properties will still be metered for the purpose of accounting for water use and promoting conservation.
 - (3) Owners of property are responsible for payment of all fees for water service. The Department shall not bill tenants or contractors, although they may receive a copy of bills upon request. Customers shall be charged fees and held responsible for service until the Department is notified in writing that they no longer desire to use the public water supply. The Department is not responsible for leaks on the customer's property. Water passing through a meter shall be considered used by the customer.
 - (4) A minimum charge shall be assessed for water service from the date the water is turned on, regardless of the amount of water used, according to the current Schedule of Rates. The City reserves the right to charge base fees when the water is turned off.
 - (5) If a meter fails to work, the customer shall be charged a user fee based on the average daily consumption of water as shown by the meter when it was working, for the corresponding billing period of the preceding year. If this methodology is not feasible, a different method of estimating water usage deemed appropriate to the Department shall be used.
- B. There is hereby created a Water and Sewer Rate Review Committee, to consist of the Director of Public Works, City Engineer, Auditor, Treasurer-Collector, a member of the City Council appointed by the President of the City Council, and two citizens of Melrose appointed by the President of the City Council. The Committee shall meet at least quarterly to review the water rate charges established pursuant to this section, the costs of operating and maintaining the water system, and any capital improvements to the system. The Committee shall hold at least one meeting per year after 7:00 p.m. It shall report its findings and any recommendations to the City Council in conjunction with submission of the annual operating budget. **[Amended 10-2-2017 by Ord. No. 2018-23]**

State law reference — Law of commonwealth making water rates a lien on real estate, MGL c. 40, §§ 42A to 42F.

§ 228-16. Water used for building purposes. [Amended 6-17-1985 by Ord. No. 1047; 12-16-2002 by Ord. No. 02-060A]

- A. The following rates shall be charged for water used for building purposes except as provided in § 228-16B:
 - (1) The minimum charge for construction of new buildings shall be the same as three months' minimum charges (base fees).
 - (2) For extraordinary additions or repairs, the rate shall be assessed by the City Engineer. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- B. The City Engineer shall have the right to require the applicant to pay by meter instead of the foregoing schedule for building purposes. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- C. The fees for water for building purposes which are to be paid in advance include the charge for turning on and shutting off water; no allowance will be made if water is obtained from other premises. A refundable deposit may also be assessed. Charges for metered use during construction shall be assessed on a schedule as determined by the Department.
- D. Water used for demolition and construction shall be in accordance with Department policies governing such uses.

§ 228-17. Application for use of water or other work; emergencies.

- A. Applications for the use of water for service pipes, for thawing frozen pipes, or for any other work to be done or materials to be furnished in connection with the supplying of water to any premises shall be made to the City Engineering Division.
- B. In cases of extreme emergency, of which the City Engineer shall be the judge, such application shall not be required, provided that as soon as may be after the furnishing of such water or materials or the completion of such work, the City Engineer shall render a bill therefor, in an amount representing the actual cost to the City, to the owner of the premises. Such bill shall be payable on presentation. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- C. In no case shall water be turned on for specific purposes until all charges are paid or, for fractional parts of the year, until the proportional part of the minimum charge is paid up to the first day of January next following. Fractional parts of a month shall be considered a full month, and the three- month base fee shall be the minimum amount charged.

§ 228-18. Minimum charges in case of vacancy. [Amended 12-16-2002 by Ord. No. 02-060A; 5-21-2012 by Ord. No. 2012-158]

In case of vacancy, base fees may be suspended at the discretion of the Department. No suspension of fees shall be allowed or made unless notice of vacancy is given, in writing, at the office of the City Engineer and the fee paid for shutting off the water, which sum shall include the expense of turning on again. No premises will be considered vacant unless such notice is given in writing and water so shut off.

§ 228-19. Opening or interfering with fire hydrants. [Amended 5-21-2012 by Ord. No. 2012-158]

- A. No person except the City's primary water distribution system operator or those authorized by them, and the officers of the Fire Department in case of a fire, shall open or otherwise interfere with any fire hydrant, tie or fasten a horse or any other animal to any fire hydrant, or place any obstruction in the way of its free use by the firefighters.
- B. Written approval of the DPW Director or their designee is required in order to use a hydrant as a temporary source of water. Charges for such temporary use shall be assessed in accordance with the Schedule of Fees.
- C. Fire hydrants and water mains on private property may be inspected periodically by the City. Any repairs necessary for proper operation of hydrants or the proper functioning of water mains on private property shall be the responsibility of the property owner. Such repairs shall be completed within 30 days after due notice has been given in writing to the owner by the Department.
- D. No water shall be taken or used through private fire systems for testing unless the DPW issues written permission. Such test must be conducted in the presence of a representative of the Department.

§ 228-20. Discount program. [Added 4-3-1989 by Ord. No. 2324; amended 5-6-1996 by Ord. No. 96-237]

- A. A 20% discount on water bills shall be given upon application to the office of the City Engineer in accordance with the following procedure: **[Amended 5-21-2012 by Ord. No. 2012-158]**
 - (1) The applicant must have reached or already been over age 65 in the calendar year prior to that in which they are making application for discount. In the case of joint home ownership, either spouse/owner must have reached age 65 by the prior year.
 - (2) The applicant must be the owner of record of the property for which the discount is requested, their name must appear on the water bill for that property, and they must have lived at the subject property for a minimum of one year.
 - (3) The yearly consumption of water by the applicant's household shall not exceed 6,250 cubic feet. **[Amended 6-16-2016 by Ord. No. 2016-166]**
 - (4) The discount shall only apply to owners of one-family or two-family homes who are able to demonstrate their primary residence in said single- or two-family home. **[Amended 6-16-2016 by Ord. No. 2016-166]**
 - (5) Otherwise eligible condominium owners will be entitled to a discount which shall be equal to the average single-family discount provided for in this section for the immediately preceding fiscal year. **[Added 6-16-2016 by Ord. No. 2016-166]**
 - (6) Senior citizen owners of owner-occupied two-family homes who meet the 6,250 cubic feet per year usage threshold per dwelling unit and all other requirements of this section shall be entitled to a discount which shall be equal to the average single-family discount provided for in this section for the immediately preceding fiscal year. **[Added 6-24-2024 by Order No. 2024-39]**
- B. Applicants who have not reached 65 will also qualify for discount if:
 - (1) They are in conformity with the other provisions of this section.
 - (2) Their yearly gross income does not exceed \$35,000 for a single person and \$40,000 if filing

jointly. Eligibility shall be determined using the gross income (not total taxable) found on the owner's IRS 1040 form. **[Amended 6-24-2024 by Order No. 2024-39]**

- C. Administration of the discount program set forth in Subsections A and B above shall be in accordance with reasonable policies established by the Director, or their designee, and shall be in strict compliance with this section. **[Added 6-16-2016 by Ord. No. 2016-166]**

ARTICLE III
Backflow and Cross-Connections
[Added 6-2-1997 by Ord. No. 97-323]

§ 228-21. Authority.

In accordance with the Safe Drinking Water Act of 1974 and the Commonwealth of Massachusetts regulations 310 CMR 22.22 of the Massachusetts Drinking Water Supply Regulations, the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water supply system.

§ 228-22. Purpose.

A. The purpose of this article is to:

- (1) Protect the public potable water supply served by the City of Melrose Water Division from the possibility of contamination or pollution by isolating within its customers' internal distribution system(s) such contaminants or pollutants which could backflow or backsiphon into the public water supply system.
- (2) Promote the elimination or control of existing cross-connections, actual or potential, between its customers' in-house/in-plant potable water system(s) and nonpotable systems.
- (3) Provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all public potable water systems by cross-connection.

B. Backflow prevention shall be required at facilities identified in 310 CMR 22.22(8), and all work shall comply with the State Plumbing Code 248 CMR 10.00.

§ 228-23. Responsibility of Water Division and customers.

The City of Melrose DPW Water Division shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants. If, as a result of a survey of any premises, the Department determines that an approved backflow prevention device is required at the City's water service connection to any customer's premises for the safety of the public water supply system, the Department or its designated agent shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to their premises. The customer shall, within 60 days, install such approved device or devices at their own expense. Failure, refusal or inability on the part of the customer to install said device or devices within 60 days may result in a fine, as described in the Schedule of Fees, or the turning off of water to the property.

§ 228-24. (Reserved)¹

§ 228-25. Requirements and responsibilities.

A. Water Division.

- (1) On new installations, the DPW Water Division or its designated certified backflow prevention

1. Editor's Note: Former § 228-24, Definitions, as amended 4-7-2008 by Ord. No. 08-129 and 8-21-2017 by Ord. No. 2018-4.

device tester will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required and will notify the owner of plan approval requirements by the appropriate reviewing authority. It is the responsibility of the owner to initiate and complete this process prior to building occupancy.

- (2) For premises existing prior to the start of this program, the DPW Water Division will perform surveys of the premises and reviews of as-built plans and issue a cross-connection violation form to the owner detailing any corrective action required, the method of achieving the correction and the time allowed for the correction to be made. The time period allowed shall depend upon the nature of the potential cross-connection.
- (3) The Department will not allow any cross-connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to ensure satisfactory operation.
- (4) If the Department determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.

B. Owner responsibility.

- (1) The owner shall be responsible for the elimination or protection of all cross-connections on their premises.
- (2) The owner shall be responsible for applying for and obtaining all necessary approvals and permits for the maintenance of cross-connections and installation of backflow prevention devices and applying annually for the renewal of each permit.
- (3) The owner shall have any device that fails an inspection or test repaired immediately by a licensed plumber.
- (4) The owner shall inform the Department of any proposed or modified cross-connection and also of any existing cross-connections of which the owner is aware but which have not been found by the DPW.
- (5) No owner or private contractor shall install bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operation for testing of the device(s) must supply additional devices necessary to allow testing to take place.
- (6) The owner shall install backflow preventers in a manner approved by the Commonwealth of Massachusetts per 310 CMR 22.22 and by the Melrose DPW. The type of backflow preventers installed shall be as prescribed by 310 CMR 22.22 for the applicable use.
- (7) The owner shall be responsible for the payment of all fees for permits, device testings, and retestings in the case that the device fails to operate correctly and second reinspections for noncompliance with state or local requirements.
- (8) Any existing backflow preventer shall be allowed by the Department to continue in service unless the degree of hazard is such as to exceed the effectiveness of the present backflow preventer or result in an unreasonable risk to the public health. Where a change in use increases the degree of hazard, any existing backflow preventer must be upgraded.

C. Testing.

- (1) All approved backflow prevention devices shall be tested in accordance with applicable state and federal laws pertaining to cross-connection control in potable water systems, including 310 CMR 22.22.
- (2) (Reserved)
- (3) Any backflow preventer which fails during a periodic test must be repaired or replaced immediately by a licensed plumber. When repairs are necessary, upon completion of the repair, the device will be retested at the owner's expense to ensure proper operation. High-hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date in accordance with state regulations will be established. The owner is responsible for spare parts, repair tools or a replacement device.
- (4) Parallel installation of two devices by the owner is allowed and encouraged to ensure uninterrupted water service during testing or repair of devices.

§ 228-26. Enforcement; violations and penalties.

- A. Right of entry. All owners or operators of commercial, industrial or institutional premises served by a public water supply system shall authorize agents and employees of the City of Melrose DPW and/or the Massachusetts Department of Environmental Protection, upon presentation of their credentials, to enter their premises without a warrant for the purpose of inspecting and surveying their water systems for cross-connections and assuring compliance with these regulations, whether or not evidence exists that their water system is in violation of an applicable legal requirement.
- B. The DPW shall not allow a cross-connection to exist with the public water system unless it is considered necessary and all appropriate approvals and permits have been issued.
- C. Failure of the owner to comply with any applicable section of this article will constitute a violation of 310 CMR 22.22 and will be subject to termination of water service by the City of Melrose DPW Water Division.
- D. Fine. Whoever maintains a cross-connection without a permit or after revocation of the permit to maintain such connection and whoever maintains a cross-connection without installing the appropriate backflow prevention device required by these regulations and by the reviewing authority shall be punished by a fine as determined in 310 CMR 22.22(16) and as listed in the Schedule of Fees.

§ 228-27. Procedure policy.

The procedure for backflow prevention should comply with the latest version of AWWA Manual M14, Backflow Prevention and Cross Connection Control. Where any inconsistency exists with 310 CMR 22.22, the laws of the commonwealth shall govern.

ARTICLE IV

Sewer Use

[Added 5-4-1981 by Ord. No. 20841, App. B (Rev. Ords. 1989, §§ 16-51 to 16-70, 16-81 to 16-86, 16-91 to 16-99, 16-111 to 16-117 and 16-131 to 16-145)]

§ 228-28. Purpose.

The purpose of this article is to regulate the use of public and private sewers, the installation and connection of sewer services, and the discharge of waters and wastes in the public sewer system in the City.

§ 228-29. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ACT — The Clean Water Act of 1977, Public Law 95-217, as amended from time to time.

APPROVED — Accepted by the City of Melrose Department of Public Works (DPW) as meeting an applicable specification stated or cited in this regulation or as suitable for the proposed use.

BOD or BIOCHEMICAL OXYGEN DEMAND — The quantity of oxygen utilized in five days at 20° C., expressed in milligrams per liter, in the biochemical oxidation of wastewater as determined by a procedure described in Standard Methods.

CITY — The City of Melrose.

CITY ENGINEER — The City Engineer of the Melrose Department of Public Works or their designee.**[Amended 5-21-2012 by Ord. No. 2012-158]**

COMMONWEALTH — The Commonwealth of Massachusetts.

COMPATIBLE POLLUTANT — A substance that is amenable to removal in substantial amounts by the wastewater treatment plant. Compatible pollutants include, but are not limited to, coliform bacteria, suspended solids and those that exert BOD.

CONNECTION — The joining together of pipes so that substances can be transferred from one pipe to another.

COOLING WATER — The clean wastewater from air conditioning, industrial cooling, condensing, and similar apparatus and from hydraulically powered equipment. In general, cooling water will include only water that is sufficiently clean and unpolluted to be discharged, without treatment or purification, into any natural area without offense.

CUSTOMER — The person or party responsible for a water and/or sewer account.

DIRECTOR OF PUBLIC WORKS — The Director of the Melrose Department of Public Works or their designee.**[Added 5-21-2012 by Ord. No. 2012-158]**

DPW (also known as "Department") — The City of Melrose Department of Public Works.

EXCESSIVE — More than the limits established in these regulations or of such magnitude that, in the judgment of the MWRA, may cause damage to any facility or be harmful to the wastewater treatment process or reduce its efficiency, cannot be removed in the wastewater treatment plant to the degree required to meet the Act, creates any hazard in the receiving waters, exceeds the capacity of the local or MWRA sewerage system, or otherwise endangers life, limb or public property or constitutes a public nuisance.

FOG — Fat, oil, or grease in a physical state such that it will separate by gravity from wastewater by

treatment in an approved pretreatment facility.

GARAGE — Any building wherein are kept or stored one or more motor vehicles, including, among others, a public or private garage, carport, motor vehicle repair shop or paint shop, service station, lubritorium, car wash or any building used for similar purposes.

GARBAGE — For the purposes of this chapter, "garbage" refers to wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce. This is also commonly referred to as "food waste."

INCOMPATIBLE POLLUTANT — A substance that is not amenable to removal in substantial amounts by the wastewater treatment plant. Incompatible pollutants include, but are not limited to, toxic metals and persistent organics.

INDUSTRIAL USER — Any user identified in 314 CMR as an industrial discharger to the wastewater system, based on their code as established in the Standard Industrial Classification Manual of the United States Office of Management and Budget.

INDUSTRIAL WASTES — Any solid, liquid or gaseous wastes resulting from industrial processes as defined by state regulations including 314 CMR.

INFILTRATION — Water other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through means which include, but are not limited to, defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

INFILTRATION/INFLOW — Water originating from both infiltration and inflow without distinguishing the source.

INFLOW — Water other than sanitary flow that enters a sewer system (including sewer service connections) from sources which include, but are not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, sump pumps, manhole covers, cross-connections between storm sewers and sanitary sewers, catch basins, cooling towers, stormwaters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.

INTERNAL SEWER SERVICE — That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the sewer service, from the inside of the building to 10 feet outside the inner face of the building wall.

MASSDEP — The Commonwealth of Massachusetts Department of Environmental Protection.

MUNICIPAL SEWER — A sewer controlled by the City of Melrose.

MWRA — Massachusetts Water Resources Authority (formerly Metropolitan District Commission).

MWRA RULES AND REGULATIONS — The most recent Rules and Regulations of the MWRA, as defined in 360 CMR or any related or referenced regulation of the MWRA governing sewer use.

MWRA SEWER INTERCEPTOR — A sewer controlled by the MWRA.

MWRA SEWERAGE DISTRICT — All cities, towns and sewer districts served by the MWRA in accordance with legislation.

MWRA SEWERAGE SYSTEM — The sewerage works under the control of the MWRA, including conveyance and treatment facilities such as MWRA sewer interceptors, pumping stations, and the Deer Island Wastewater Treatment Facility.

NATURAL OUTLET — Any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other

body of surface water or groundwater.

pH — The logarithm of the reciprocal of the hydrogen ion concentration, expressed in moles per liter. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .

PLUMBING CODE — The existing rules and regulations enforced through the Melrose Plumbing Inspector. Such rules and regulations shall conform to Commonwealth of Massachusetts Regulations (248 CMR).

PROPERLY SHREDDED GARBAGE — Garbage (also known as "food waste") that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in municipal sewers. No particle shall be greater than 1/2 inch or 1.27 centimeters in any dimension.

PUBLIC SEWER — A common sanitary sewer controlled by the City or the MWRA.

SANITARY SEWER — A sewer pipe that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any quantities of groundwater, stormwater and surface water that are not admitted intentionally.

SANITARY WASTEWATER — Liquid or water-carried human and domestic wastes from residences, commercial buildings, industrial plants and institutions, exclusive of groundwater, stormwater and surface water and exclusive of industrial wastes.

SCHEDULE OF FEES — The City of Melrose Water, Sewer, and Drainage Schedule of Fees, which includes all charges for water and sewer use, permits, application fees, and all other rates or fees associated with the City of Melrose water, sewer, and drainage systems. This Schedule of Fees shall be revised periodically as appropriate. All water and sewer volumetric rates and base fees as listed in the Schedule of Fees shall be approved in advance by the City Council.

SEPTAGE — The liquid and solid wastes of sanitary wastewater origin that are removed from a cesspool, septic tank or similar receptacle.

SEWER — A pipe or conduit that carries wastewater. (See "sanitary sewer.")

SEWER SERVICE CONNECTION (also called "house connection" or "sewer lateral") — The wastewater connection from the building to a public sewer.

SEWERAGE SYSTEM — Any device, equipment or works used in the transportation, pumping, storage, recycling and reclamation of wastewater.

SLUDGE — Waste containing varying amounts of solid contaminants removed from sanitary wastewater by physical, chemical and biological treatment.

SLUG — Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration of flows during normal operation and which may adversely affect the sewerage system.

STANDARD METHODS — The current edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, American Water Works Association and Water Environment Federation. **[Amended 8-21-2017 by Ord. No. 2018-4]**

STORM DRAIN — A pipe or conduit for conveying stormwater or surface water or relatively unpolluted water from any source, which shall be kept separate from sanitary sewers.

SUSPENDED SOLIDS — Solids that either float on the surface of or are in suspension in water, wastewater or other liquids and are removable by a laboratory filtering procedure as described in Standard Methods.

TITLE 5 FLOW — The design flow of sanitary wastewater from a building or buildings as defined by the State Environmental Code, Title 5: Minimum Requirements for the Subsurface Disposal of Sanitary Sewage.

TOXIC WASTES — Wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant and those wastes so specified in these regulations and in the Act.

USER — Any municipality, governmental agency, public authority, property owner, person or permittee discharging wastewater directly or indirectly into any public sewer.

WASTEWATER (also known as "sanitary wastewater") — The spent water of a community, which may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surface water and stormwater that may be present.

WASTEWATER FACILITIES — The structures, equipment and processes required to collect, pump, carry away and treat domestic and industrial wastes and dispose of the effluent.

WATER POLLUTION CONTROL FEDERATION MANUAL OF PRACTICE FD-5 (ASCE MOP 60) — **GRAVITY SEWER DESIGN AND CONSTRUCTION** — The document prepared by a joint task force of the American Society of Civil Engineers and the Water Environment Federation.

§ 228-30. Sewer service rates; minimum charges. [Added 6-26-1985 by Ord. No. 1108; amended 3-17-1986 by Ord. No. 1311; 7-21-1986 by Ord. No. 1108A; 8-29-1988 by Ord. No. 2127; 1-3-1989 by Ord. No. 2240; 9-6-1989 by Ord. No. 90-2; 10-15-1990 by Ord. No. 90-279; 6-17-1991 by Ord. No. 91-304; 1-9-1992 by Ord. No. 92-138; 6-6-1994 by Ord. No. 94-222; 7-18-1994 by Ord. No. 94-222A; 6-15-1998 by Ord. No. 98-360; 6-27-2001 by Ord. No. 01-324; 6-26-2002 by Ord. No. 02-359; 12-16-2002 by Ord. No. 02-060A; 6-26-2003 by Ord. No. 03-289; 6-21- 2004 by Ord. No. 04-269; 6-30-2005 by Ord. No. 05-247; 6-26-2006 by Ord. No. 06-249; 7-17-2006 by Ord. No. 06-249A; 7-16-2007 by Ord. No. 07-180; 5-19-2008 by Ord. No. 08-226; 6-15-2009 by Ord. No. 09-203; 5-17-2010 by Ord. No. 10-161; 6-20-2011 by Ord. No. 11-171; 5-21-2012 by Ord. No. 2012-158; 6-18-2012 by Ord. No. 2012-188; 8-20-2012 by Ord. No. 2013-3; 6-27-2013 by Ord. No. 2013-205; 5-19- 2014 by Ord. No. 2014-118; 6-15-2015 by Ord. No. 2015-144; 6-16-2016 by Ord. No. 2016-164; 6-19- 2017 by Ord. No. 2017-147]

- A. All bills for sewer service furnished by the City to City sewer users shall be rendered at intervals of three months (quarterly) or one month (monthly) at tiered rates per 100 cubic feet of wastewater flow as calculated below, as defined in the most recent version of the Schedule of Fees and approved by City Council. [Amended 6-18-2018 by Order No. 2018-177]
- B. Wastewater flow shall be based on a percentage of metered water consumption on the following schedule:
 - (1) Residential users with one meter contribute 90% of metered water consumption as wastewater flow.
 - (2) Residential users with separate lawn and garden service meters contribute 100% of their domestic metered water consumption and 0% of their metered lawn and garden service water consumption as wastewater flow.
 - (3) Industrial/commercial users, including hospitals, contribute on a percentage basis up to 90% of metered water consumption. This percentage shall equal 90% except in cases where the City

Engineer has determined that product retention of water, cooling tower loss and other evaporative water losses have occurred in the process. The wastewater flow as a percentage of metered water consumption will be set on an individual basis in those cases by the City Engineer.

- (4) Customer accounts with no sewer connection will not be billed sewer fees for any proportion of their metered water use.
- (5) In most cases as determined by the City Auditor, municipal facilities will not be billed for sewer usage. Water will still be metered for the purpose of accounting for water use and promoting conservation.

§ 228-31. Discount program. [Added 2-20-1996 by Ord. No. 96-185; amended 5-6-1996 by Ord. No. 96-238]

- A. A 20% discount on sewer bills shall be given upon approval of application to the office of the City Engineer if applicants meet all the requirements for a discount to water bills, as defined in Article II, § 228-20. **[Amended 5-21-2012 by Ord. No. 2012-158]**
 - (1) The applicant must have reached or already been over age 65 in the calendar year prior to that in which he/she is making application for discount. In the case of joint ownership, either spouse/owner must have reached age 65 in the prior year.
 - (2) The applicant must be the owner of record of the property for which the discount is requested, their name must appear on the sewer bill for that property, and they must have lived at the subject property for a minimum of one year.
 - (3) The yearly consumption of water by the applicant shall not exceed 6,250 cubic feet.
 - (4) The discount shall only apply to owners of one-family or two-family homes who are able to demonstrate their primary residence in said single- or two-family home. Three-family homes or larger are excluded.
 - (5) Otherwise eligible condominium owners will be entitled to a discount which shall be equal to the average single-family discount provided for in this section for the immediately preceding fiscal year.
 - (6) Senior citizen owners of owner-occupied two-family homes who meet the 6,250 cubic feet per year water usage threshold per dwelling unit and all other requirements of this section shall be entitled to a discount which shall be equal to the average single-family discount provided for in this section for the immediately preceding fiscal year. **[Added 6-24-2024 by Order No. 2024-39]**
- B. Applicants who have not reached 65 will also qualify for discount if:
 - (1) They are in conformity with the other provisions of this section.
 - (2) Their yearly gross income does not exceed \$35,000 for a single person and \$40,000 if filing jointly. Eligibility shall be determined using the gross income (not total taxable) found on the owner's IRS 1040 form. **[Amended 6-24-2024 by Order No. 2024-39]**
- C. Administration of the discount program set forth in Subsections A and B above shall be in accordance with reasonable policies established by the Director, or their designee, and shall be in strict

compliance with this section.

§ 228-32. Damaging or tampering with facilities, right of entry.

- A. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or other applicable charge.
- B. Any person who wantonly or maliciously destroys or injures any part of the City's or MWRA's sewer system shall be subject to all penalties and other provisions of the MWRA or the Commonwealth of Massachusetts as applicable, in addition to all City fees and criminal penalties as applicable. **[Amended 8-21-2017 by Ord. No. 2018-4]**
- C. The Director, the City Engineer, and other duly authorized employees or agents of the City or the MWRA, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these rules and regulations. This shall include smoke and dye tests, as well as visual inspections inside buildings in order to test for unauthorized or excessive discharges into the sewer system.
- D. The Director of Public Works and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within the easement. All entry and subsequent work, if any, on the easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. **[Amended 8-21-2017 by Ord. No. 2018-4]**

§ 228-33. Connections to be regulated.

- A. All users which connect to any municipal sewers in the City, either directly or indirectly, shall do so subject to the direction, control and regulation of the MWRA, the City, and Massachusetts General Laws.
- B. Requests for the installation of a new sewer service connection to the public sewers and/or the repair or replacement of an existing sewer service connection must be made in writing to the office of the City Engineer. No work shall commence without a permit issued by the DPW Engineering Division.
- C. At a minimum, the approval of an application for a sewer service connection will be subject to the following requirements:
 - (1) No service connection shall be allowed unless a parcel of real property abuts an existing gravity sewer main, or the requested property creates an easement for sewer utility across any applicable parcels, unless otherwise approved by the City Engineer.
 - (2) An approved application for sewer service shall constitute a sewer service connection permit, subject to the terms and conditions stated and referred to therein. Such permit shall be valid for a period of six months from the date of issue, unless extended in writing by the City Engineer.
 - (3) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without an approved DPW application for

sewer service.

- (4) When applicable, approved permits from MassDEP for Sewer Extension or Connection (314 CMR 7.00) shall be secured.
- D. Requests for the installation of a new sewer main to extend the system of public sewers must be made in writing to the City Engineer. Each new sewer main constructed within the City right-of-way or an accepted easement shall be granted to Melrose as a public sewer, unless otherwise specified by the City Engineer.
- E. Except as specifically provided in writing with reference to a particular sewer connection, sanitary sewers shall be used only for the conveyance and disposal of sanitary wastewater as defined in these regulations and for approved, diluted, water-carried industrial wastes which are not objectionable as provided for herein.
- F. No person or party shall discharge or put into any public sewer or into any sewer or fixture which thereafter discharges into any public sewer or appurtenance thereof any waste or substance other than such kinds or types of water or water-carried wastes for the conveyance of which the particular sewer or appurtenance is intended and designed.

§ 228-34. Separation of surface waters and wastewater required. [Amended 4-7-2008 by Ord. No. 08-129]

- A. The plumbing of any estate or premises shall be so arranged as to keep any groundwater, stormwater, surface water, or unpolluted waters, including all infiltration and inflow, separate from the sanitary sewer. Such waters shall be connected to a storm drain, watercourse, or subsurface device designed for the discharge of stormwater, or shall discharge to the surface within the subject property.
- B. No person shall maintain or make a connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a sewer service or internal sewer service or waste pipe which in turn is connected directly or indirectly to a public sanitary sewer.

§ 228-35. Unlawful deposit of waste.

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or objectionable waste.

§ 228-36. Untreated discharge to natural outlet prohibited. [Amended 4-7-2008 by Ord. No. 08-129]

- A. Illicit discharges. No person shall dump, discharge, or cause or allow to be discharged any wastewater or pollutant discharge into the municipal separate storm sewer system (MS4), into a receiving water, or into the waters of the commonwealth.
- B. Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection for wastewater to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

§ 228-37. Septic tank use restricted.

Except where connection to a public sewer is deemed infeasible by the City Engineer, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for

the disposal of wastewater.

§ 228-38. Connection to public sewer required. [Amended 5-21-2012 by Ord. No. 2012-158]

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City is hereby required, at the owner's expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 90 days after date of official notice to do so, provided that such public sewer is within 100 feet of the property line. This requirement for connection may be waived when permitted by the City Engineer.

§ 228-39. Contributions by industrial users.

The MWRA may deny or condition new or increased contributions of pollutants to the MWRA sewerage system by industrial users.

§ 228-40. Pretreatment requirements.

Users shall make wastewater acceptable in accordance with these regulations, as well as MassDEP and federal regulations, before discharging to any public sewers. Any facilities required to pretreat wastewater to a level acceptable to the MWRA shall be provided and maintained at the user's expense. A description and detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the MWRA in accordance with the implementation schedule incorporated in the user's permit. The review of plans and operating procedures will in no way relieve such user from the responsibility of modifying the pretreatment facility as may be necessary to produce an effluent acceptable to the MWRA under the provisions of these regulations and requirements of federal and state agencies. Any subsequent changes in a pretreatment facility or method of operation shall be reported to the MWRA before modification of such facility. Pretreatment, including but not limited to parameters considered, limits, and testing, shall conform to all requirements of MassDEP and all other applicable state and federal regulations.

§ 228-41. Time frame for compliance with standards.

Any user to which City, MWRA, federal or state pretreatment standards are applicable shall be in compliance with such standards within the time required by such regulations.

§ 228-42. Traps required for flammable wastes.

Garages and other establishments where gasoline is used or where wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients can be discharged and which are connected with municipal sewers shall be provided with a suitable trap or separator. All traps or separators shall be of a type and capacity approved by the MWRA and the City and shall be located so as to be readily and easily accessible for cleaning and inspection. The City may request proof of proper maintenance of such infrastructure at any time.

§ 228-43. Maintenance of pretreatment equipment.

Where pretreatment or flow-equalizing facilities or traps or separators are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner or the user at his/her own expense.

§ 228-44. Meters and measuring devices for industrial wastes. [Amended 12-16-2002 by Ord. No. 02-060A]

- A. When required by the MWRA or by the City, the owner or user of any property discharging industrial wastes shall install a suitable control or measuring device, together with manholes, chambers, meters and other appurtenances, in the sewer service to facilitate observation, sampling and measurement of the wastes. Such manholes, chambers or meters shall be accessibly and safely located, shall be constructed in accordance with plans approved by the MWRA and by the City, shall be installed by the owner at their expense, and shall be maintained by the owner in good operating condition at all times. The records from the meters and measuring devices shall be furnished to the MWRA or to the City upon request.
- B. The facilities shall be constructed in accordance with all applicable construction standards and specifications. Construction shall be completed in accordance with a time schedule established by the MWRA and/or MassDEP, as applicable.
- C. The Director of Public Works or other duly authorized City employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold from the City information considered confidential if the industry establishes that the revelation to the public of the information in question might result in an advantage to competitors. While performing necessary work on private properties, the Director of Public Works or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company. **[Amended 8-21-2017 by Ord. No. 2018-4]**
- D. The MWRA or the City may inspect the facilities of any user to ascertain whether these regulations are being met. Persons or occupants of premises where wastewater is generated or discharged shall allow representatives of the MWRA or the City ready access at all reasonable times to all parts of the premises for inspection or sampling or in performance of any of their duties. The MWRA or the City shall be deemed to be performing a governmental function for the benefit of the general public, and neither the MWRA, the City, nor the representatives of either shall be liable for any loss or damage as a result of the performance of such governmental function. Where a user has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the MWRA or from the City will be permitted to enter without undue delay for the purpose of carrying out their specific responsibilities.
- E. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with Standard Methods and shall be determined at the control manhole or chamber provided or by use of suitable samples taken at the control manhole or chamber. If no special manhole or chamber has been provided, the control point shall be a sampling point acceptable to the MWRA and the City. Sampling shall be carried out by customarily accepted methods. The particular analyses involved will determine whether a composite or grab sample is taken. If there is any question concerning the sampling, the MWRA, the City, or MassDEP will make the final decision.
- F. All information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be made available, upon request, to other governmental agencies and to the public without restriction unless the user specifically requests otherwise and is able to demonstrate, to the satisfaction of the MWRA and the City, that the release or communication of such information would divulge methods or processes entitled to protection as

trade secrets or would violate applicable provisions of law.

§ 228-45. Protection from discharges; notice of accidental discharge.

Each user shall provide protection from any discharges, including accidental discharges, in violation of these regulations. Users shall notify the MWRA and the City immediately upon discharging wastes in violation of these regulations in order for countermeasures to be taken to minimize the damage to all public sewers and to receiving waters. This notification shall be followed, within 15 days of the date of occurrence, by a detailed written statement to the City describing the causes for the accidental discharge and the measures being taken to prevent future occurrence. Additionally, any reporting requirements of the MWRA and MassDEP for accidental discharges shall be met. Such notification will not relieve users of liability for any expense, loss or damage to any public sewers or for any fines imposed on the MWRA or on the City.

§ 228-46. Information for employees.

Industrial users shall inform their employees of the existence of these regulations, and at least one copy shall be permanently posted on the user's bulletin board. Each user shall permanently post a notice advising employees as to who in its organization has been designated as the responsible individual for compliance with these regulations and who should be notified of any accidental discharges in violation of these regulations.

§ 228-47. Penalties imposable by City.

- A. Any person who discharges wastes in a manner in violation of this article will be subject to penalties or charges as permissible by law.
- B. When a discharge of wastes causes an obstruction, damage or any other impairment to the sewerage system, the DPW may assess a charge against the discharger for the work required to clean or repair the facility.
- C. Any person who violates the provisions of this article shall be fined as defined in the Schedule of Fees. Each day of the existence of any such violation shall be deemed a separate offense.
- D. Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with the Department or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this article shall be punished by a fine as defined in the Schedule of Fees.
- E. Whenever a discharge of wastes is in violation of the provisions of this article or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance, the City Solicitor may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such discharge. This does not limit the City's ability to pursue all other applicable legal action as deemed appropriate by the City Solicitor.
- F. The penalties included in this section are in addition to any which may be levied by the MWRA or other governmental or regulatory body.

§ 228-48. Penalties imposable by MWRA.

Any user who violates any provision of these regulations or any user who knowingly makes any false statement, representation, record, report, plan or other document filed with the City or the MWRA or who

falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this regulation shall be punished by a fine as specified in the Schedule of Fees and/or as prescribed by the MWRA for each day such violation continues, or shall be subject to a civil penalty per day of such violation, which may be assessed in an action brought on behalf of the commonwealth in any court of competent jurisdiction.

§ 228-49. Disposal of septage.

Septage shall be disposed of in accordance with the following provisions:

- A. No user shall discharge or cause to be discharged or allow to be discharged into any public sewer any septage from within the City of Melrose.
- B. No user shall discharge or cause to be discharged or allow to be discharged into any public sewer any septage generated outside the City of Melrose.
- C. No user shall discharge septage or other wastes from recreational vehicles (RVs), campers, boats, or other temporary storage tanks into the City's or the MWRA sewer system within the City.

§ 228-50. Precedence of more stringent regulations.

If federal or state agencies or the MWRA enacts or promulgates laws or regulations more stringent than these regulations, the federal, state or MWRA requirements shall take precedence.

§ 228-51. Recourse for violations.

When the MWRA or the City finds that a discharge of wastes has been taking place or threatens to take place in violation of these regulations or the provisions of a permit, the following actions may be taken:

- A. The MWRA or the City may issue an order to cease and desist any such discharge or violation to any user not complying with such prohibitions, limits, requirements or provisions and direct such user as follows:
 - (1) To comply forthwith;
 - (2) To comply in accordance with a time schedule set forth by the MWRA or by the City; or
 - (3) To take appropriate remedial preventive action in the event of a threatened violation.
- B. The MWRA and the City may require the user to submit a detailed time schedule setting forth specific actions to be taken, subject to modifications as the MWRA or the City deems necessary for the user to follow in order to prevent or correct a violation. The MWRA and the City may issue an implementation schedule to the user containing specific actions and time schedules.

§ 228-52. Implementation and enforcement. [Amended 12-16-2002 by Ord. No. 02-060A]

In the implementation and enforcement of these requirements, the following provisions shall be observed:

- A. Whenever the MWRA issues, denies or modifies a permit, issues an order or assesses charges for damage or other violations occasioned by noncompliance with any permit or other lawful requirement, the user's rights for appeal or reconsideration shall be as prescribed by the MWRA.
- B. Any proposal by the MWRA to revoke a permit shall be executed in the manner specified by MWRA

regulations.

- C. The City shall be notified by the MWRA of any permit modifications or revocation.
- D. The MWRA reserves the right to take direct enforcement action through the courts, pursuant to MGL c. 92, App. § 1-24, in any case of violation of these regulations.

§ 228-53. Publication of list of industrial users.

A list of industrial users will be posted on the City of Melrose website every year in the month of January as a form of public participation. Included in the list will be all industrial users which were not in compliance with the applicable pretreatment requirements during the previous 12 months. A summary of the control actions taken by the MWRA or by the City will also be published in conjunction with the list.

§ 228-54. Calculation of sewer cost; collection of assessment.

The actual cost of each public sewer laid and constructed shall be determined as follows:

- A. Applications for the original laying of pipes in public and private ways for the conveyance of wastewater shall be made, in writing, to the City Engineer in the form of an application for utility installation and shall include all plans and other documentation required by the City Engineer. Such work shall be performed entirely at the expense of the applicant and in accordance with all DPW design and construction standards in place at the time the application is made.
- B. Cases may arise where the City chooses, at the City's option, to lay a new sewer main and services where one did not previously exist. At the discretion of the City Engineer, a procedure may be used to assess betterments to the bettered properties in accordance with MGL c. 80, § 1, and c. 83.
- C. This section shall not apply to the laying of sewer pipes for which provision is otherwise made by the rules and regulations of the Planning Board governing the subdivision of land.

§ 228-55. Permits for industrial users.

- A. Requirements and conditions. Every user discharging industrial wastes to any public sewer shall obtain a joint permit from the MWRA and from the City. Industrial users proposing new discharges shall obtain such permits prior to constructing a sewer service. The MWRA and the City may change the conditions of a permit from time to time as circumstances, including regulations enacted or promulgated by the state or federal government or its agencies, may require. The MWRA and the City may stipulate special conditions and terms upon which the permit will be issued. No user may increase the daily volume, strength or rate of their permitted discharge without first securing an amendment to their permit.
- B. Applications. It is the responsibility of every industrial user to obtain a permit. Should an industrial user be identified who does not have a permit, they will be notified to apply for a permit. Permit application forms shall be filed within 30 calendar days of notification, or as prescribed by regulations of MassDEP and the MWRA, whichever is sooner.
- C. Evaluation of application; imposition of conditions. The MWRA and the City shall evaluate the adequacy of data furnished in the application form. If insufficient data has been furnished, the MWRA will notify the industrial user to provide additional data within a specified time. After acceptance of data, the MWRA and the City will issue the permit. The MWRA and the City may stipulate special conditions and terms upon which the permit may be issued.

D. Permit conditions. Permits may contain the following conditions:

- (1) Limits on rate, time and characteristics of discharge or requirements for flow regulation and equalization.
- (2) Installation of inspection, flow measurement and sampling facilities, including access to such facilities.
- (3) Specifications for monitoring programs which may include flow measurement, sampling, chemical and biological tests, recording of data and reporting schedules.
- (4) Pretreatment requirements and schedules for implementation, including schedules for reporting progress towards meeting these requirements.
- (5) Submission of discharge reports.
- (6) Schedules for the payment of industrial cost recoveries as required under Section 204 of the Act.
- (7) Special service charges or fees.
- (8) Other conditions as deemed appropriate by the MWRA or by the City to ensure compliance with these regulations and with applicable requirements of state or federal law, including requirements to meet all local limits for industrial pretreatment for prescribed parameters.

E. Permit not assignable. A permit shall not be reassigned or transferred.

F. Revocation and modification of permit. If an industrial user discharges amounts or rates of pollutants in violation of these regulations, the MWRA or the City may revoke the existing permit in accordance with § 228-52. If an industrial user shows that changes in the industrial process have improved the characteristics and volume of its discharge, the permit may be modified upon application by the industrial user to the MWRA.

G. Enforcement of permit conditions. The conditions of all permits shall be enforced by the MWRA and the City in accordance with the provisions of these regulations.

H. Reports. When required by the permit, each industrial permittee shall submit a duly signed report to the MWRA and the City containing all information requested by the MWRA or the City and in a form acceptable to the MWRA and the City. The MWRA and the City will evaluate the data furnished. If insufficient data has been furnished, additional information may be required.

I. Sources of charges and recovery payments information. The MWRA and the City may use the information provided in the permit applications, permits and discharge reports as the basis for determining user charges and industrial recovery payments.

§ 228-56. Minimum discharge requirements.

The City's sanitary sewer system discharges into the MWRA sewerage system. All discharges into the public sanitary sewers shall, as a minimum, conform to the requirements of 310 CMR 10.00: Sewer Use (also known as "Rules and Regulations of the MWRA").

§ 228-57. Types of substances prohibited from discharge.

No user shall discharge or shall cause or allow to be discharged any substances, water or wastes that the MWRA or the City has identified as likely, either singly or by interaction with other substances, to:

- A. Harm either the sewerage system or the wastewater treatment process;
- B. Be otherwise incompatible with the treatment process;
- C. Cause a violation of federal and state discharge permits issued to the MWRA or to the City;
- D. Adversely affect receiving waters;
- E. Endanger life, limb or public property; or
- F. Constitute a nuisance.

§ 228-58. Enumeration of prohibited substances. [Amended 12-16-2002 by Ord. No. 02-060A]

No user shall discharge or cause or allow to be discharged any of the following substances:

- A. Gasoline, benzene, naphtha, fuel oil, crude oil, lubricating oils and flammable or explosive liquids, solids or gases or any other oils or greases of hydrocarbon or petroleum origin.
- B. Waters or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, sewerage systems and personnel.
- C. Solids or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage systems, such as but not limited to sand, metal, glass, wood, plastics, rubber, latex, cloth, nondispersible wipes, and lime slurries.
- D. Liquids or vapors having a temperature higher than 150° F. or 65° C.
- E. Waters or wastes containing fats, wax, grease or oils of vegetable or animal origin in excess of 100 milligrams per liter or containing other substances (not specifically prohibited by Subsection A) which may solidify or become viscous at temperatures between 32° F. or 0° C. and 150° F. or 65° C. Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible oils, fats and greases. The use of chemical or physical means, such as temperature variation, emulsifying agents or mechanical mixers, to bypass or release fats, oils and greases into the municipal sewerage system is prohibited. If the discharge concentration for any fats, oils and greases is in excess of 100 milligrams per liter after treatment, the MWRA may increase the discharge concentration limit on a case-by-case basis when the user demonstrates to the MWRA's satisfaction that its discharge is not contributing to nuisance conditions.
- F. Garbage that has not been properly shredded.
- G. Metals.
 - (1) Waters or wastes containing amounts of toxic or objectionable metals in excess of the concentrations obtainable by acceptable control technology, including but not limited to the following:

Antimony

Chromium

Nickel

Arsenic

Copper

Selenium

Barium

Iron

Silver

Beryllium	Lead	Tin
Boron	Manganese	Zinc
Cadmium	Mercury	

- (2) In general, wastes containing the above metals shall be treated to reduce their concentrations to the minimum levels attainable by chemical precipitation processes or other equally effective methods. In no case, however, shall allowable metal concentrations be higher than those concentrations allowed by applicable state or federal law, including all specifically established local limits.

H. Nonmetals.

- (1) Waters or wastes containing amounts of toxic or objectionable nonmetals in excess of concentrations attainable by acceptable control technology, including but not limited to:

Ammonia	Pesticides	Chlorides
Cyanides	Phenols	Polychlorinated biphenyls (PCBs)
Herbicides	Sulfates	Sulfides

- (2) In no case, however, shall allowable nonmetal concentrations be higher than those concentrations allowed by applicable state or federal law, including all specifically established local limits.

- I. Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the MWRA in compliance with state or federal regulations.
- J. Sludges or deposited solids resulting from an industrial or pretreatment process.
- K. Substances causing excessive discoloration or turbidity.
- L. Slugs as defined herein.
- M. Substances which exert unusual BOD, chemical oxygen demand or chlorine requirements in quantities such that when received in the composite wastewater at the wastewater treatment facility they exceed the limits established for such discharges.
- N. Substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or not amenable to treatment as necessary for the wastewater treatment plant effluent to meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- O. Any substances that may attack, damage or alter by either abrasion or chemical action the materials of which the sewer and its appurtenances are composed or built.
- P. Substances causing excessive discoloration (such as, but not limited to, dye wastes or vegetable tanning solutions).
- Q. Sticks, stones, rubbish, rags, unground, unshredded, or improperly shredded garbage, refuse or portions of any animal carcass having particles more than 1/4 inch in longest dimension.
- R. Wastewater containing considerable quantities of animal guts or tissues, entrails, offal, blood,

feathers, hair, hides, scraps, unshredded vegetables, straw or cinders.

- S. Hazardous wastes and/or material as defined by the Commonwealth of Massachusetts Department of Environmental Protection Regulations (310 CMR), or successor regulations as amended.
- T. Based on the composition of wastewater, the Director reserves the right to:
 - (1) Reject sanitary wastewater that does not comply with the regulations herein.
 - (2) Require pretreatment to an acceptable condition for discharge to public sewers.
 - (3) Require control over the quantities and rates of discharge.
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.

§ 228-59. Discharge of unpolluted waters. [Amended 4-7-2008 by Ord. No. 08-129]

- A. No person shall discharge or cause to be discharged any unpolluted waters, such as groundwater, stormwater, surface water, roof runoff, tidewater, subsurface drainage, uncontaminated cooling water or uncontaminated industrial process water, to any sanitary sewer. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water either directly or indirectly into a sanitary sewer system. All connections of infiltration and/or inflow to the public sewer system are illegal according to state plumbing codes.
- B. Stormwater and all other unpolluted drainage shall be discharged to a natural outlet within the owner's property or to drainage pipes when approved in writing in advance by the City Engineer, as specified in Article V. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- C. Property owners shall allow an employee of the City or a designated representative of the City to inspect the building to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. Such inspections may include smoke tests or dye tests on private property. The City may periodically reinspect any building or premises to determine compliance with the requirements of this section.
- D. Any property owner who previously made any connection or installation in violation of this section shall immediately remove such connection or correct such an installation. If not removed or corrected within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the City may impose a surcharge in the amount defined in the latest version of the Schedule of Fees. Such a surcharge may also be imposed upon any property owner, after a thirty-calendar-day notice has been delivered, and if the owner refuses to allow his or her property to be inspected. The owner of a building or premises found to be not in conformance with this section during periodic reinspections may also be subjected to a surcharge as defined in Article V.

§ 228-60. Dilution prohibited.

The attainment of specific levels for discharge to public sewers by dilution in the absence of treatment shall be prohibited.

§ 228-61. Wastes of unusual strength or character.

Notwithstanding the limitations set forth in § 228-58 above, a special temporary permit or amendment to

an existing permit between the MWRA and the City and the user may be issued by the MWRA whereby a waste of unusual character or strength may be accepted on an interim basis when, in the opinion of the MWRA, unusual or extraordinary circumstances compel special terms and conditions of temporary duration. Such permit or amendment will be issued only when, in the opinion of the MWRA, it would not cause any interference with or disruption in the treatment works, would not violate the National Pollutant Discharge Elimination System (NPDES) permit or commonwealth water quality standards, and would not force additional controls on other dischargers to achieve compliance with effluent limitations.

§ 228-62. Permit required for sewer hookup; fee. [Amended 4-7-2008 by Ord. No. 08-129]

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the DPW. A permit and inspection fee for a residential or commercial sewer service permit shall be paid to the City at the time the application is filed. Fees are defined in the Schedule of Fees.
- B. Except as otherwise provided by the rules and regulations of the City Planning Board governing the subdivision of land, the material required in the construction of sewer services and appurtenances thereof shall be provided and the labor thereon shall be performed by the private property owner.
- C. No person shall be allowed to make any alteration in, or make any connection with, any sewer service other than that intended in the original permit without making another application and obtaining permission to do so from the DPW. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- D. The City Engineer or DPW Operations Division staff shall have the right to inspect sewer services, sewer laterals, private sewers, grease traps, oil traps, particle separators, improperly connected sump pumps, and other facilities tributary to the City's wastewater system, at any reasonable time while such construction is underway. After obtaining a permit, the owner shall notify the City Engineer when such facility is installed and ready for final inspection and before the facility is connected to the City's wastewater systems. More frequent inspections may be required by the City Engineer. Connection to the City's wastewater system shall be made in the presence of an authorized representative of the City. No facility shall be covered over until approval has been given by the City Engineer or DPW Operations Division staff. **[Amended 5-21-2012 by Ord. No. 2012-158]**

§ 228-63. Classes of sewer service permits; application form; supplemental information.

- A. There shall be two classes of sewer service permits:
 - (1) For residential and commercial service; and
 - (2) For service to establishments producing industrial wastes.
- B. In either case, the owner shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the City Engineer and as specified in the DPW design and construction standards. For further information concerning industrial permits, see § 228-55. **[Amended 5-21-2012 by Ord. No. 2012-158]**
- C. The design, construction, and materials of a sewer main or service connection, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall conform to the City of Melrose Public Works design and construction standards, building and plumbing code, and other applicable rules, regulations and ordinances of the City. In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in the appropriate specifications of

the ASTM and WPCF Manual of Practice No. FD-5 shall apply.

- D. All new sewer mains shall remain within public ways for their entire length except where this is not practical. In such cases, easements deemed appropriate by the Division for the operation and maintenance of the sewer shall be conveyed to the City without cost to the City.
- E. Special service fees for administrative, inspection and construction services for each connection shall be assessed according to the Schedule of Fees, the full amount of which shall be paid to the City before work commences.

§ 228-64. (Reserved)

§ 228-65. Installation of private sewer services.

- A. Private sewer service shall be laid to and through the cellar wall and shall be provided with a cleanout in the direct line of the pipe.
- B. All pipes through or under the wall of any building, and for a distance of 10 feet outside of the wall or building, ~~shall be of extra heavy cast iron and~~ are subject to the jurisdiction of the applicable plumbing code.

§ 228-66. Maintenance responsibilities.

- A. Every sewer service shall be under the control of, and shall be maintained and kept clean by the property owner. All costs and expense incident to the installation and connection of sewer services shall be borne by the owner of the premises served by the same. Additionally, all cleaning of, repairs to or renewals of sewers shall be made at the expense of the owner of the premises served by such sewer, provided that any labor on such sewer which may be required as a result of defects or obstructions in the main public sewer shall be paid for by the City.
- B. Whenever any service connection to any public sewer shall become clogged, broken, obstructed, out of order or detrimental to the use of a public sewer, or unfit for carrying sewage, the owner, agent, occupant or person having charge of any building or lot of land or premises in which such service connection is located shall, upon notification by the Director and/or the City Engineer, remove, reconstruct, alter, clean or repair such service connection as the condition thereof may require. In case of neglect or refusal to comply with such notice within five days after the same is given, the Director and/or the City Engineer may cause the service connection to be removed, reconstructed, repaired, altered or cleaned, as he or she may deem expedient, at the expense of such owner, agent, occupant or other person so notified, who shall also be liable to a penalty for such neglect or refusal.

§ 228-67. Disposition of assessment for betterment.

Whenever a betterment for a public sewer constructed pursuant to an order of the City Council has been assessed on the premises with respect to which an application for connection has been made, an agreement for payment of such assessment must be entered into by the property owner with the City prior to connection to the public sewer.

§ 228-68. (Reserved)

§ 228-69. Responsibility for plumbing.

All pipes and fixtures outside the building shall be considered part of the sewer service and shall be regulated by the DPW. The sewer service, from 10 feet outside of the house to the sewer main, including all chimney connections, shall be the property of the owner of the premises that is served, and all maintenance, improvements, and replacement shall be the responsibility of the property owner. All pipes and fixtures within any buildings, and for 10 feet outside the building, shall be considered a part of the plumbing and shall be under the regulatory jurisdiction of the Building Department and State Plumbing Code.

§ 228-70. Individual sewer service required for every building; exception. [Amended 12-16-2002 by Ord. No. 02-060A]

- A. A separate and independent sewer service shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In such case, the sewer service from the front building may be extended to the rear building and the whole considered as one sewer service, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any single connection aforementioned. The City may also require proof of maintenance agreements and/or easements to allow such jointly owned sewer service connections.
- B. Any property which is subdivided into multiple properties must make separate connections to the sewer main for each property; shared services will not be permitted unless a hardship is indicated and approval is given by the City Engineer.
- C. Unless a different determination is made by the City Engineer, each parcel is entitled to one single sewer service, and separate services shall not be connected to the public sewer main from multiple buildings on the same property. Accessory buildings, such as a garage or barn or an approved in-law apartment, should be connected to the sewer service for the primary use building.
- D. The City Engineer may determine that it is in the best interests of the City to allow more or fewer service connections than described in this section.

§ 228-71. Use of old sewers.

Old sewer services shall not be used for new building construction or substantial reconstruction. If the City Engineer deems that it is in the best interest of the City to allow reuse of an old connection, and, on examination, the service meets all requirements of this article and DPW standards for integrity, the City Engineer may waive this requirement. All evaluations of the existing service pipe shall be performed at the expense of the owner.

§ 228-72. Establishment of specifications.

The DPW shall, from time to time, establish standard requirements or specifications to regulate the sizes, materials, methods and workmanship to be used in the construction of sewers, house connections and other similar work and appurtenances thereto connected or intended to be connected into or to discharge, directly or indirectly, into any public sewer of the City. These requirements shall be recorded in the DPW design and construction standards and shall not conflict with any requirements of the City Building Commissioner. Such standard requirements shall provide for gastight and watertight connections and minimum requirements as to size, depth, slope or rate of grade for such pipes, shall regulate the kinds of pipe, fittings, methods of laying, jointing, materials used, manner of connecting to existing municipal

sewers and general consideration as to location and other pertinent features. When a private service connection is made directly to the MWRA sewerage system, all applicable applications and standards applied by the MWRA must be met and supersede City requirements when they are more stringent. All City requirements that are more stringent than MWRA requirement shall apply to sewer services within the City, whether connected to the City or MWRA sewerage systems.

§ 228-73. Specifications to apply in absence or amplification of code provisions. [Amended 8-21-2017 by Ord. No. 2018-4]

In the absence of code provisions, or in amplification thereof, the materials and procedures set forth in the appropriate specifications of the American Society for Testing and Materials (ASTM) and the Water Environment Federation (WEF) Manual of Practice No. FD-5 shall apply.

§ 228-74. Gravity flow or means of lifting required.

Whenever possible, the sewer service shall be brought to the building at an elevation below the basement floor. The preferred method for discharge of sanitary sewage from an individual building or a group of buildings to the City of Melrose sewer system is by gravity flow. In all buildings in which any internal sewer service is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such internal sewer service shall be lifted by an approved means and discharged to the sewer service. All grinder pump systems shall comply with the DPW's design and construction standards for such systems.

§ 228-75. (Reserved)

§ 228-76. Private sewer services.

All sewer services shall be installed in full accordance with the DPW's design and construction standards unless otherwise permitted in writing by the City Engineer following application for installation.

§ 228-77. (Reserved)

§ 228-78. Infiltration and inflow mitigation fees. [Added 6-16-2016 by Ord. No. 2016-200]

- A. Any person or entity changing, altering, repairing, adding to or improving their property in any way that may or should impact the sewer system within the City of Melrose, or any person or entity proposing to add additional wastewater to an existing sewer connection, or any applicant for a new building permit, shall be required to mitigate infiltration/inflow sources which add extraneous water to the sewer system, thereby reducing its capacity and capability to accommodate new flows, at a rate of one gallon of infiltration/inflow removal for each additional gallon of wastewater that will be discharged to the sewer system as a result of the subject project. In the event a connection is subject to a state sewer connection/extension permit under Code of Massachusetts Regulations Chapter 314, and such permit is conditioned upon the completion of removal of infiltration/inflow prior to connection, said removal of infiltration/inflow shall be credited toward complying with the requirements of this section.
- B. Title 5 (310 CMR 15) shall be used to determine flow rates, which will be used to calculate the value of the infiltration and inflow mitigation fee. Said fee shall be calculated based on the net change in Title 5 flows resulting from the subject project. The cost per gallon per day (gpd) of flow shall be as defined in the Schedule of Fees and as approved by the City Council. Existing conditions will be established based on records of the Melrose Assessor's office. For example, a project with a net increase of five bedrooms compared to existing conditions per Assessor's records has an associated

Title 5 flow increase of 550 gpd. This is a one-time fee required prior to the issuance of a building permit or any other permit, order or permission for any change, alteration, repair, addition or modifications improving the subject property.

- C. The fee assessment, or indication that no fee is required based on a determination of no net increase to sewer flows from the subject project, shall be determined by the Director of Public Works. The Director will not sign off on occupancy for any project for which an outstanding payment is due for any assessed infiltration and inflow mitigation fee, for the subject project or for any other project for which occupancy is sought by the same applicant.

ARTICLE V
Stormwater
[Added 6-21-2021 by Order No. 2021-147]

§ 228-79. Purpose.

The purpose of this article is to regulate and enforce the management and discharge of stormwater into the City's stormwater system, in accordance with state and federal laws. This article complies with the requirements of Phase II of the National Pollutant Discharge Elimination System (NPDES) stormwater program promulgated on December 8, 1999, and as may be subsequently amended, under the Federal Clean Water Act (CWA). Under the Phase II stormwater program, the United States Environmental Protection Agency (EPA) requires regulated municipalities to reduce the discharge of pollutants in stormwater to the maximum extent practicable and to adopt ordinances to address the control of sources of pollutants entering the municipal storm drain system.

§ 228-80. Authority.

- A. Stormwater authority. The Melrose Director of Public Works (Director), acting through the City Engineer, is hereby designated as the stormwater authority. The Director, or their agent, shall administer, implement and enforce this article and may delegate another City department, commission or board to act as their authorized agent for site inspections and enforcement of this article.
- B. Stormwater ~~rules and regulations~~ Design and Construction Standards (DCS). The Melrose Engineering Division's Design and Construction Standards address stormwater management and best practices. The Director may adopt, and periodically amend, ~~rules and regulations~~ design and construction standards relating to the terms, conditions, definitions, enforcement, procedures and administration of this article. Failure of the Director to promulgate such ~~rules and regulations~~ standards, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this article.
- C. Actions by the stormwater authority. The Director or their agent may take any of the following actions as a result of an application for ~~a stormwater management permit~~ any of the following, but not limited to, building permits, planning board approval, zoning board of appeals approval, and/or stormwater permits ~~as more specifically defined as part of the rules and regulations promulgated as part of this article~~: approval, approval with conditions, disapproval, or disapproval without prejudice.
- D. Appeal of action by the stormwater authority. Any action by the Director, acting in his or her capacity as the stormwater authority, shall be final. Further relief of an action by the Director made under this article shall be reviewable in the Superior Court in a complaint filed within 60 days thereof, in accordance with MGL c. 249, § 4.

§ 228-81. Enforcement.

- A. The Director or their authorized agent shall enforce this article and resulting regulations, standards, orders, violation notices, and enforcement orders, and may pursue all criminal and civil remedies, including injunctive relief and monetary damages and costs of litigation and attorney fees, for such violations and for abatement, mitigation, and/or compliance actions taken by the City.
- B. In the event of a suspected violation, the Director, or their authorized agent shall conduct a site investigation. The owner or applicant shall be notified of the day and time for the inspection and may be present if they so choose. Any person who violates any provision of this Ordinance, the DCS, or permit conditions shall be subject to fines and legal action, as described below.
- C. The Director may assess fines for noncompliance, payable to the City, in accordance with the current

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version of the Melrose Water, Sewer, and Drainage Schedule of Fees. In the event of a criminal violation, the City may bring an action in any court of competent jurisdiction.

§ 228-82. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ABUTTER – The Owner(s) of land directly abutting the activity.

APPURTENANCES – The items which are tributary to the City’s wastewater or storm drain systems, including, but not limited to, grease traps, oil traps, and particle separators.

APPLICANT — The person or organization applying for a stormwater ~~management~~ permit or submitting an application to another Board that requires a stormwater ~~management~~ permit.

BEST MANAGEMENT PRACTICE (BMP) — Structural, nonstructural, and managerial techniques that are recognized to be effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment.

CITY – The City of Melrose, including all authorized agents thereof.

CLEAN WATER ACT (CWA) – The Clean Water Act of 1977, Public Law 95-217, as amended from time to time.

DEVELOPMENT — The modification of land to accommodate a new use, revised use, or expansion of use, usually involving construction.

DIRECTOR — The Director of Public Works for the City of Melrose.

DPW — City of Melrose Department of Public Works.

ENGINEER – The City Engineer or their designee.

EROSION — The wearing away of the land surface by natural or artificial forces, such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

ILLICIT CONNECTION — A connection to the City's sewer or drainage system that is in violation of any City Ordinance or State or Federal law.

INFEASIBLE — Not technologically possible, or not economically practicable and achievable in light of best industry practices.

IMPERVIOUS SURFACE - Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using nonporous material, buildings, rooftops, structures, artificial turf and compacted gravel or soil.

INFEASIBLE — Not technologically possible, or not economically practicable and achievable in light of best industry practices.

LAND-DISTURBING ACTIVITY — Any activity that causes a change in the existing soil cover, which includes the position or location of soil, sand, rock, gravel, or similar earth material. Land-disturbing activities include, but are not limited to, clearing, clearing of trees, grubbing, grading, filling and excavation.

LOW IMPACT DEVELOPMENT (LID) - Site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and re-creating natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

MASSACHUSETTS STORMWATER HANDBOOK — The guidance document issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state bylaws promulgated under the authority of the Massachusetts Wetlands Protection Act, 310 CMR 10.00, and the Water Quality Regulations, 314 CMR 9.00, relating to stormwater.

~~MASSACHUSETTS STORMWATER MANAGEMENT POLICY — The policy issued by the~~

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~~Commonwealth of Massachusetts Department of Environmental Protection, as amended from time to time, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act, MGL c. 131, § 40, and Massachusetts Clean Waters Act, MGL c. 21, §§ 23 through 56. The policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and to control the quantity of runoff from a site.~~

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORMWATER SYSTEM — The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, public storm drain, public storm sewer, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the City of Melrose.

NPDES — National Pollutant Discharge Elimination System. The program under which the MS4 permits are issued and regulated.

SANITARY SEWER SYSTEM — The system of pipes, manholes, pumps and other infrastructure whose purpose is to collect and convey wastewater.

STORM DRAIN and STORM SEWER — A pipe or conduit for conveying stormwater, surface water or relatively unpolluted water from any source.

STORMWATER — Rainwater runoff, snowmelt runoff, and surface water runoff and drainage.

STORMWATER DESIGN AND CONSTRUCTION STANDARDS (DCS) — The Section of the City of Melrose DPW Design and Construction Standards that contain the guidance and specifications for stormwater systems and installation. City of Melrose Stormwater Construction Standards for the guidance and specifications of stormwater management installation.

STORMWATER ~~MANAGEMENT~~ PERMIT — A permit issued by the City Engineer, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment or the City from the deleterious effects of uncontrolled and untreated stormwater runoff. ~~A permit will also be required for connection of private drainage to the City's MS4.~~

~~STORMWATER RULES AND REGULATIONS (SWR&R) — City of Melrose rules and regulations for the management of the MS4, including fees and fines, as periodically updated and approved by the Director.~~

§ 228-83. Applicability.

This article shall be applicable to the following activities. Compliance with all provisions of this article, to the maximum extent practicable as determined by the City Engineer, shall be a requirement for issuance of a stormwater ~~management~~ permit.

- A. All subdivisions as defined in the Massachusetts Subdivision Control Law (MGL c. 41, §§ 81K through 81GG) requiring approval of a definitive subdivision plan.
- B. Land-disturbing activity that:
 - (1) Is equal to or greater than one acre of all contiguous properties occurring, at least in part, within the City of Melrose; or
 - (2) In the sole opinion of the City Engineer has caused or will cause stormwater-related problems within the City, regardless of predevelopment runoff rates; or
 - (3) ~~Does not otherwise require a permit or approval from the City or any other entity and r~~Requires a connection to the City's MS4 system.
- C. Single-family homes, condominium developments, and redevelopment projects may be required to obtain a stormwater permit if, in the opinion of the Director, site conditions present a potential for stormwater runoff to create a nuisance or damage to adjacent properties.
- D. The requirements of this article do not relieve an applicant of any of the requirements of the Massachusetts Wetland Protection Act, 310 CMR 10.00, or the City of Melrose Wetland Ordinance, Chapter 231.

~~D.E.~~ All other thresholds listed in the City of Melrose DCS.

§ 228-84. Exemptions.

The following activities are exempt from this article:

- A. Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04 and MGL c. 40A, § 3.
- B. Minor activities in the buffer zone, as defined by the Wetlands Protection Act regulation 310 CMR 10.02, that do not trigger other requirements in this Ordinance.
- B.C. Maintenance of existing landscaping, gardens or lawn areas associated with a single-family dwelling below the thresholds defined in the DCS.
- C.D. Repair or replacement of an existing roof of a single-family dwelling.

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D.E. The construction of any fence that will not alter existing terrain or drainage patterns.

E.F. The maintenance or surfacing (with pervious materials) of any unpaved public or private way, with no increase in length or width.

~~F.G.~~ Repairing, repaving, or replacing an existing driveway or parking area, with no increase to impervious area.

~~G.H.~~ Construction and/or maintenance of utilities (gas, water, sewer, electric, telephone, etc.) other than drainage, which will not alter terrain, grades, ground cover, or drainage patterns.

~~H.I.~~ Emergency repairs to any stormwater ~~management~~-facility, structure, or practice that poses a threat to public health or safety, or as deemed necessary by the City Engineer.

~~I.J.~~ Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects. Work shall improve existing conditions where feasible and are exempt from any of the parts listed above.

~~J.K.~~ Any work or projects for which all necessary approvals and permits have been issued before the effective date of this article. (This exemption does not apply to amendments or extensions of approved projects that have not started construction. In these cases, the applicant may need to redesign the project to comply with these requirements at the discretion of the City Engineer.)

§ 228-85. Discharge of unpolluted waters to sanitary sewers

A. No person shall discharge or cause to be discharged any unpolluted waters, such as groundwater, stormwater, surface water, roof runoff, tidewater, subsurface drainage, uncontaminated cooling water or uncontaminated industrial process water, to any sanitary sewer. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into a sanitary sewer system.

B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers (drains) or to a natural outlet approved by the City Engineer. Private connection to the storm drain shall be allowed only in accordance with the applicable Section of the DCS.

C. Cross connections of sewer and drainage pipe are not permissible under any circumstances. All stormwater discharges must meet the requirements of the City of Melrose Illicit Discharge Detection and Elimination (IDDE) Program.

D. Property owners shall allow an employee of the City or a designated representative of the City to inspect the building to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. The City may periodically reinspect any building or premises to determine compliance with the requirements of this section.

~~E.~~ Any property owner who previously made any connection or installation in violation of this section shall immediately remove such connection or correct such an installation. If not removed or corrected within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the City may impose a surcharge in the amount defined in the latest version of the SWR&RDCS and as approved by the City Council. Such a surcharge may also be imposed upon any property owner, after a thirty-calendar-day notice has been delivered, if the owner refuses to allow his or her property to be inspected. The owner of a building or premises found to be not in conformance with this section during periodic reinspections may be subjected to a surcharge as described above.

F. The City reserves the right to permanently disconnect any illegal connection to the storm sewer or the sanitary sewer, after providing 30-days' notice to owner of the property responsible for the connection.

§ 228-86. Untreated discharge to natural outlet or MS4.

A. Illicit discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or nonstormwater discharge into the MS4, into a receiving water, or into the waters of the ~~e~~CCommonwealth. The following nonstormwater discharges or flows are exempt from the prohibition of nonstormwater discharge, provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:

(1) Discharge or flow resulting from firefighting activities;

(2) Water line flushing;

(3) Flow from potable water sources;

~~(4) Springs;~~

~~(5)~~(4) Natural flow from riparian habitats and wetlands;

~~(6)~~(5) Diverted stream flow;

~~(7)~~(6) Rising groundwater;

~~(8)~~(7) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20) or uncontaminated pumped groundwater;

~~(9)~~(8) Permitted water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air-conditioning condensation;

~~(10)~~(9) Discharge from landscape irrigation or lawn watering;

~~(11)~~(10) Water from individual residential car washing;

~~(12)~~(11) Discharge from dechlorinated swimming pool water (less than one ppm chlorine), provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;

~~(13)~~(12) Discharge from street sweeping;

~~(14)~~(13) Dye testing, provided verbal notification is given to the City Engineer prior to the time of the test;

~~(15)~~(14) Nonstormwater discharge permitted under an NPDES permit or a surface water discharge permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Massachusetts Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and

~~(16)~~(15) Discharge for which advanced written approval is received from the DPW as necessary to protect public health, safety, welfare or the environment.

B. Obstruction of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the City Engineer.

C. Discharge from sources listed in 228.86 A to the City's MS4 will be allowed only if the capacity to receive that volume of water exists in the system. No connection or discharge to the MS4 shall cause it to overflow. Applicants requesting to discharge to the MS4 must demonstrate with engineering

calculations that no negative impacts will result from said discharge.

§ 228-87. Catch basins and traps.

The City Engineer may, at any time, require such catch basins and traps to be introduced along the line of any private drain, or on the discharge of any fixture connecting therewith, as he/she may deem necessary for the proper maintenance of such private drain or of the main drain. Catch basins and traps shall be constructed and maintained in accordance with the Melrose Construction Standards.

§ 228-88. Private drains.

Except by special consent of the City Engineer, no private drain will be allowed to connect with any public drain. All private drains shall be laid accurately to straight lines and grades. Proposals to connect a private drain to the City's drainage system shall include a letter explaining the need for the connection and a site plan stamped by a Massachusetts registered professional engineer. No connections of private drainage will be allowed to a municipal storm drain, unless the applicant provides sufficient evidence that all reasonable options for on-site handling of said stormwater have been explored and the recommended stormwater management system is approved by the City Engineer.

§ 228-89. Stormwater permits.

Any land alteration, including but not limited to any excavation, paving, curb cutting, street opening, or any activity that will alter the drainage characteristics of a parcel of land and meets the thresholds of § 228-83 above (Applicability) shall obtain a permit from the Department.

- A. Application: The applicant shall file a completed application package using the most current application form provided in the City's ~~SWR&R~~ Stormwater DCS. While the applicant may be a representative, the permittee must be the owner of the sites or holder of an easement. The application package shall include:
 - (1) A completed application form with original signatures of all owners.
 - (2) A set of plans depicting existing and proposed site conditions. The site plan showing all proposed stormwater infrastructure shall be stamped by a Massachusetts registered professional engineer.
 - (3) A stormwater management plan, including project description.
 - (4) An operation and maintenance plan, including a checklist of all operations and maintenance requirements along with their recommended frequency.
 - (5) An erosion and sediment control plan.
 - (6) A waste control plan.
- B. Inspection: By filing an application for a permit, the applicant grants the Department, or its agent, permission to enter the site to verify the information in the application and to inspect for compliance after issuance of the permit. At a minimum, an inspection shall be conducted at the following stages of construction:
 - (1) Inspection of erosion and sedimentation controls prior to land disturbance;
 - (2) Inspection of the excavation for the stormwater management system to ensure adequate separation of the stormwater system from groundwater and to confirm the presence of the approved soil type;
 - (3) Inspection of the completed stormwater management system prior to backfilling of any

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underground drainage structures; and

- (4) Final inspection to confirm the as-built features.
- C. As-builts. After construction is complete, applicants shall submit as-built plans to the Department. The as-built plan shall be signed and sealed by a Massachusetts registered professional engineer and shall comply with the City's ~~SWR&RDCS~~ and, as applicable, the subdivision rules and regulations. The plan must be satisfactory to the City Engineer, and any requested modifications or additions shall be made prior to approval.
- D. Performance criteria.
 - (1) The requirements herein shall comply with the latest version of the Massachusetts Department of Environmental Protection Stormwater Handbook, the City's ~~SWR&R~~Stormwater DCS, and all applicable state and federal regulations.
 - (2) No discharge of stormwater from any property shall have an adverse impact or cause damage to any other private property or public infrastructure.
 - (3) Low-impact development (LID) site planning and design strategies must be considered in order to reduce the discharge of stormwater from the development site.
 - (4) Stormwater systems on new development sites one acre or larger, where new development is defined as construction or land alteration on an area that has not previously been developed to include impervious cover, shall be designed to meet an average annual pollutant removal as required in the latest version of the City's MS4 permit.
 - (5) Stormwater systems on redevelopment sites shall be designed to meet an average annual pollutant removal as required by the latest version of the City's MS4 permit.
 - (6) Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements listed above fully.
- E. All proposed structural stormwater BMPs on sites in an area tributary to Ell Pond shall conform to the ~~SWR&R~~stormwater DCS and all applicable requirements of the City's MS4 permit.
- F. The applicant shall prepare and implement an erosion and sedimentation control plan to prevent the introduction of sediments into the City's stormwater system.
- G. The design of any facilities required pursuant to this section shall be subject to the approval of the City Engineer, and the design, installation and maintenance of such facilities shall be at the facility owner's expense. The City shall have the right to inspect such facilities.
- H. The applicant shall prepare and submit a plan to control waste materials that are expected to be generated or stored on the construction site. These wastes include, but are not limited to discarded building materials, concrete truck washout, chemicals, litter, sanitary waste, and material stockpiles. The applicant must describe in narrative form a plan to prevent pollutants from these materials, including storage practices, from running off-site or entering the MS4.
- I. The applicant shall submit to the DPW a description of all new BMPs including location, design and installation plans, vendor and manufacturer, and maintenance requirements.
- J. An operation and maintenance plan shall be required for all structural BMPs before final CityDPW approval for all projects. The project proponent, or future owner, shall be responsible for future maintenance of such BMPs. This requirement shall be recorded with the property deed. The operation and maintenance plan shall remain on file at the Engineering Division and shall be an ongoing

requirement. The operation and maintenance plan shall comply with the ~~SWR&R~~stormwater DCS.

K. A stormwater easement to the City is not required for privately owned BMPs on private property. The City will not operate or maintain private BMPs. If changes are made to existing City easements to accommodate private property work with City approval, the property owner is responsible for all related documentation and for recording the easements at the Middlesex County Registry of Deeds, including all filing costs and proof of filing provided to the City.

K.L. Stormwater management easements are required for all areas used for off-site stormwater control unless a waiver is granted by the DPW. Easements shall be recorded with the Middlesex County Registry of Deeds prior to issuance of a permanent occupancy permit.

L.M. Standard requirements or specifications to regulate the terms, conditions, definitions, enforcement, fees, procedures, and administration of this section shall be established in the stormwater DCS and the Water, Sewer, and Drainage Schedule of Fees, latest edition~~WR&R~~.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12795)

Amending Chapter 164-2(C)(6) of the Revised Ordinances of the City of Melrose to specify permitted hours and days for construction activities

BE IT ORDERED

Amending Chapter 164-2(C)(6) of the Revised Ordinances of the City of Melrose to specify permitted hours and days for construction activities

HISTORY:

06/16/25	City Council	ASSIGN TO COMMITTEE
07/21/25	Legal & Legislative	RECOMMEND PLACE ON FILE
07/21/25	City Council	NO ACTION TAKEN

Ordinance (ID # 12795)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date



CITY OF MELROSE

Inspectional Services

Albert Talarico
Building Commissioner
Director of Inspectional Services

City Hall, 562 Main Street
Melrose, Massachusetts 02176
atararico@cityofmelrose.org
Telephone – (781) 979-4135
Fax – (781) 662-3450

To: Melrose City Council
From: Al Talarico, Building Commissioner
CC: Mayor Jen Grigoraitis
Lauren Grymek, Chief of Staff
Shannon Phillips, City Solicitor
Date: June 10, 2025
Re: Amending Chapter 164 of the City's Ordinances

As the Building Commissioner and Director of Inspectional Services, I respectfully request that the City Council vote to amend the following language into Chapter 164 of the Revised Ordinances of the City of Melrose. This change will help address noise issues associated with construction work and provide my department with an additional tool to handle complaints we currently cannot enforce.

(6) **Permitted Construction Activities** ~~Constructing or repairing of buildings. Any construction activities related to a building permit, the erection, including excavating, or the demolition, alteration or repair of any building, other than between Monday through Friday 7:00 a.m. to 6:00 p.m., and Saturdays 9:00 a.m. to 6:00 p.m. No construction activities shall occur on Sundays or any Federal or State holidays. These permitted hours and days shall apply in all cases except as requested in writing and approved at the discretion of the Building Commissioner.~~ **except in cases of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Commissioner, which may be granted for a period of three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the Building Commissioner or his/her designee should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 6:00 p.m. and 7:00 a.m., and if he/she shall further determine that loss or inconvenience would result to any party in interest, he/she may grant permission for the work to be done between the hours of 6:00 p.m. and 7:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.**

The ordinance will apply to any applicant who is granted a building permit through the Inspectional Services Department.



CITY OF MELROSE

In City Council

August 18, 2025

AN ORDER

(ID # 12797)

Proposed Local Fee increase for Vital Record Production and Licensing to begin in FY26

BE IT ORDERED

Pursuant to MGL Chapter 262, Sec 34 the fees and charges which may be set by local authority be hereby modified as follows:

Vital records and Local Annual Licensing fees that comes out of the Clerks office to increase to cover the costs of producing and storing the records for eternity.

HISTORY:

06/16/25 City Council

07/21/25 Finance

ASSIGN TO COMMITTEE

TABLE

Request (ID # 12797)

Meeting of August 18, 2025

In the City Council
Ordained Roll Call

Passed August 18, 2025

Tanji Joy Cifuni, City Clerk

Leila B. Migliorelli, President
City Council

Jennifer Grigoraitis, Mayor

Date

Date

Melrose License Fees Compared to Surrounding Communities

	<u>MELROSE</u>	<u>NORTH READING</u>	<u>SAUGUS</u>	<u>READING</u>	<u>WOBURN</u>	<u>WAKEFIELD</u>
Copy of Vital Record	\$ 18.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Birth, death, marriage certificates	\$20.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 25.00
Certified copies of decisions	varies	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	VARIES
Correcting Vital Record/vital record	\$ 50.00	\$ 20.00	\$ 50.00	\$ 20.00	\$ 50.00	\$ 10.00
Common Victualler	\$ 100.00	\$ 100.00	\$ 100.00	\$ 50.00	\$ 100.00	\$ 50.00
DBA/Business certificate						
Discontinuance	\$60.00 / \$15.00	40.00 / \$20.00	\$35.00 / \$10.00	\$40.00 / \$20.00	\$25.00 / \$5.00	\$60.00 / \$10.00
Dog Licenses						
Intact	\$ 23.00	\$ 20.00	\$ 15.00	\$ 20.00	\$ 15.00	\$ 20.00
Spayed/Neutered	\$ 20.00	\$ 10.00	\$ 15.00	\$ 10.00	\$ 10.00	\$ 10.00
Late Fee after April 15th	\$ 15.00	\$ 10.00	\$ 20.00	\$ 10.00	\$ 15.00	\$ 20.00
Marriage Intentions	\$ 35.00	\$ 25.00	\$ 30.00	\$ 25.00	\$ 40.00	\$ 25.00
Gasoline and Fuel Storage	varies	varies	varies \$50.00 to \$150.00	varies	varies	varies
Junk Dealer & Second Hand Dealer	\$ 125.00	\$ 26.00	\$ 100.00		\$ 100.00	
Junk Collector	\$ 125.00	\$ 100.00	\$ 100.00		\$ 100.00	
Livery Service License	\$100 per vehicle	\$ 25.00	\$ 100.00	\$ 20.00	\$ 50.00	
	\$75.00 annual renewal	n/a	\$ 100.00			
Motor Vehicle Class I and II	\$ 100.00	\$ 100.00	\$ 200.00		\$100 for class I / \$ 200.00 for class II	
Raffle	\$ 50.00	\$ 10.00	\$ 50.00	\$ 10.00	\$ 10.00	\$ 10.00

Proposed Fees for City of Melrose Licenses

	<u>MELROSE (current)</u>	<u>Proposed</u>
Copy of Vital Record	\$ 18.00	\$ 20.00
Birth, death, marriage certificates Online orders	\$20.00	\$ 22.00
Certified copies of decisions	varies	varies depends
Correcting Vital Record/vital record	\$ 50.00	\$ 75.00
Common Victualler	\$ 100.00	\$ 175.00
DBA/Business certificate Discontinuance	\$60.00/ \$15.00	\$ 75.00
Dog Licenses		
Intact	\$ 23.00	\$ 25.00
Spayed/Neutered	\$ 20.00	\$ 23.00
Late Fee after April 15th	\$ 15.00	\$ 18.00
Marriage Intentions	\$ 35.00	\$ 75.00
Gasoline and Fuel Storage	varies	varies
Junk Dealer& Second Hand Dealer	\$ 125.00	\$ 150.00
Junk Collector	\$ 125.00	\$ 150.00
Livery Service License	\$100 per vehicle	\$ 175.00
	\$75.00 annual renewal	\$ 125.00
Motor Vehicle Class I and II	\$ 100.00	\$ 150.00
Raffle	\$ 50.00	\$ 50.00

Attachment: Proposed License Fees (12797 : Proposed Local Fee increase for Vital Record Production and Licensing to begin in FY26)