

Protection and License Committee

Chairman Infurna, Forbes, Brodeur,
Seaboyer, Medeiros
Attending: McAteer-Margolis,
Mortimer, Tramontozzi, Wright,
Boisselle
In attendance: Police Chief Mike
Lyle; City Solicitor Robert Van
Campen; Fire Chief John O'Brien

Protection and License Committee called to order by Chairman Infurna at 7:30 p.m.
Alderman Medeiros motions to open Public Participation, 2nd by Alderman Seaboyer. All
in favor. No one comes forward. Alderman Medeiros motions to close Public
Participation, 2nd by Alderman Seaboyer. All in favor.

Order No. 09-207, ACCEPTANCE OF A DONATION Item: One (1) 1996 VW Cabrio
Convertible From: Allen Swartz of the Swartz & Lenhardt Insurance Agency,
Winchester, MA

Alderman Medeiros motions to suspend the rules to hear from Chief Lyle, 2nd by
Alderman Seaboyer. All in favor.

Chief Lyle says Allen Swartz is a member of the community who has helped out with the
TIPS line and the Substance Abuse Coalition. He has purchased a new vehicle and
would like to donate this one for police department use.

Alderman Medeiros moves to recommend, 2nd by Alderman Brodeur. All in favor.

Order No. 09-225, TRANSFER Amount: \$15,500.00 From: A/C #012111-511000 -
Police – Salary & Wages

To:	A/C #012112-527700, Police Building Repair	\$1,500.00
	A/C #012112-530501, Police Misc. Supplies	\$2,500.00
	A/C #012112-535400, Police Prisoner Food	\$1,000.00
	A/C #012112-535500, Police Uniforms	\$6,000.00
	A/C #012112-535700, Police Ammunition	\$3,500.00
	A/C #012112-540500, Police Dues	\$ 700.00
	A/C #012112-540702, Police Training	<u>\$ 300.00</u>
		\$15,500.00

Alderman Medeiros moves to recommend, 2nd by Alderman Seaboyer.

Chief Lyle says all items are housekeeping items for the remainder of the fiscal year.
Alderman Seaboyer says the funds are coming out of Salary and Wages and asks how
that will affect that line-item. Chief Lyle says he'll wrap up the year with funds in the
budget.

On the motion to recommend, All in favor.

Order No. 09-226, Amending Melrose Revised Ordinances, Chapter 24, Article I, Section
24-5. Powers and duties of Chief of Police, as set forth herein.

Alderman Medeiros moves to recommend, 2nd by Alderman Seaboyer.

Attorney Van Campen says the current ordinance is somewhat antiquated and it hamstrings the Chief's ability to manage the department. This language will allow the chief to designate an individual within his discretion to lead the department in his absence or in the event of disability, and will allow the Mayor to choose an individual to run the department if the chief is disabled.

Alderman Seaboyer asks for a definition of "leave of absence". Chief Lyle says a leave of absence is when he is out of the building for more than 4 consecutive days.

Alderman Medeiros asks Chief Lyle if he supports this; Chief Lyle says yes.

Alderman Brodeur asks who decides if the chief has suffered a disability. Attorney Van Campen says the Mayor would make the call. This is the same authority the Mayor currently has with the Fire Chief.

Alderman Mortimer asks if the designated individual has to be a sworn police officer; Attorney Van Campen says it would have to be a member of the Melrose Police Department.

Alderman Wright says the reason the position of Chief of Police was taken out of Civil Service was to give the Mayor control over who would lead the department.

Alderman Seaboyer asks if the individual has already been identified. Chief Lyle says no, but the designee would likely come from the rank of lieutenant.

Alderman Brodeur asks if it would be determined on a case-by-case basis. Chief Lyle says yes.

On the motion to recommend, All in favor.

Order No. 09-222, TRANSFER Amount: \$5,100.00 From: A/C #012212-560200 - Education Reimbursement \$1,100.00; A/C #012212-568000 - Fire - New Hose \$4,000.00 To: A/C #012212-522500 - Fire - Electricity \$5,100.00 This transfer is necessary to pay outstanding utility bills.

Alderman Medeiros motions to join orders 09-222, 09-223, and 09-224, 2nd by Alderman Brodeur. All in favor.

Chief O'Brien says this is year-end housekeeping to pay outstanding bills.

Alderman Medeiros moves to recommend, 2nd by Alderman Seaboyer.

Chairman Infurna reads orders 09-223 and 09-224 into the record:

Order No. 09-223, TRANSFER Amount: \$1,500.00 From: A/C #012212-560200 - Education Reimbursement To: A/C #012212-522600 - Fire – Gas This transfer is necessary to pay outstanding utility bills.

Order No. 09-224, TRANSFER Amount: \$1,500.00 From: A/C #012212-530702 - Jaws of Life To: A/C #012212-527311 - Life/Safety Equipment This transfer is necessary to pay outstanding bills.

On the motion to recommend, All in favor.

Order No. 09-227, Licenses renewed by the City Clerk commencing May 1, 2009

Alderman Medeiros moves to recommend, 2nd by Alderman Forbes. All in favor.

Order No. 09-228, Communication from Mass. State Lottery Commission Re: Keno License for: Melrose Mobil - 386 Main St., Melrose RD'S Delicatessen - 463 Franklin St., Melrose

Alderman Medeiros motions to suspend the rules to hear from City Solicitor Van Campen, 2nd by Alderman Seaboyer. All in favor.

Attorney Van Campen says he has had conversations with Chairman Infurna and Alderman Mortimer. There are several Keno-to-go agents in the City of Melrose. They sell Keno tickets in the store but do not have a Keno monitor in the store. The Lottery has identified these two locations to expand their Keno operations. Melrose has 21 days to vote and object; the Lottery Commission has agreed to extend the deadline to June 15.

Alderman Seaboyer asks if these locations approached the Lottery or if the Lottery approached them. Attorney Van Campen says the Lottery identified these locations as places they would like to expand.

Alderman Brodeur asks how many Keno-to-go agents there are in Melrose. Attorney Van Campen says he doesn't know the exact number but there are several. He says the statute requires an official act by the authorizing board. All the Board of Aldermen has to do it vote in the negative and transmit that action with the President of the Board of Aldermen's signature to the Lottery Commission. There is no need for a public hearing. If the Board of Aldermen fails to act by June 15 the Lottery Commission would assume authority to expand Keno-to-go at these two locations. The statue requires that if the local authority objects to the expansion, the local authority must deem it as not in the public's interest.

Alderman Wright says he is concerned because within the last month the State Treasurer, despite a municipality's objection to a Keno parlor in Cohasset, is allowing one to be put there. Attorney Van Campen says the Board of Selectmen voted to object to expansion. One selectmen failed to lay out why the town objected to the expansion. If the Board of Aldermen objects he would advise he go to the appeal.

Alderman Medeiros asks if Attorney Van Campen is aware if the State Lottery Commission has approved other Keno-to-go establishments. Attorney Van Campen says he does not.

Alderman McAteer-Margolis asks if the City has heard from these retailers. Attorney Van Campen says no. Alderman McAteer-Margolis asks if aside from additional

revenue from lottery sales if these retailers would see an increase in revenue from other sales. Attorney Van Campen says he isn't sure. Alderman McAteer-Margolis asks if the City would see an increase in revenue. Attorney Van Campen says there would be an increase in lottery aid.

Alderman Medeiros asks if another order is needed if the Board of Aldermen doesn't want this to go forward. Attorney Van Campen says a certified vote in the negative and a letter signed by the President outlining the reasoning behind the objective is all that is needed.

Alderman Brodeur motions to refer the matter to the full board with the request that the City Solicitor draft a letter of objection to the Lottery Commission to be received at the June 1, 2009 full board meeting, 2nd by Alderman Medeiros. All in favor.

Alderman Brodeur motions to adjourn, 2nd by Alderman Seaboyer. All in favor.

Protection and License Committee adjourns at 8:08 p.m.

Health, Education and Welfare Committee

Chairman Medeiros, Brodeur,
Seaboyer, Forbes, Infurna
Attending: McAteer-Margolis,
Mortimer, Tramontozzi, Wright,
Boisselle
In attendance: Veterans Agent John
Dunne; City Auditor/CFO Patrick
Dello Russo; Cemetery Director
Mike Hughes; City Engineer Bob
Beshara

Health, Education and Welfare Committee called to order by Chairman Medeiros at 8:08 p.m.

Order No. 09-208, TRANSFER Amount: \$19,000.00 From: A/C #017522-549100 – Temporary Debt Interest To: A/C #015432-544000 – Veteran's Benefits This money will be used to pay anticipated costs for remainder of Fiscal 2009.

Alderman Forbes motions to suspend the rules to hear from the veteran's agent, 2nd by Alderman Seaboyer. All in favor.

Mr. Dunne says this money is 75% reimburseable for veterans benefits; he hopes the whole amount won't be used up.

Mr. Dello Russo says he expects this amount is enough to get through to the end of the fiscal year.

Alderman Forbes asks if this money is strictly for veterans benefits; Mr. Dunne say yes. Alderman Forbes asks if he is serving 22 veterans. Mr. Dunne says there are 18 active, 2 in transition stages, and he anticipates 1 more next month.

Alderman McAteer-Margolis asks if this is money he anticipates he'll have to pay out, not already obligated. Mr. Dunne says most of it is obligated. Alderman McAteer-Margolis asks how much will be reimbursed this year. Mr. Dello Russo says he doesn't know but it comes back in the state aid line-item. Alderman McAteer-Margolis asks if it goes back to the veterans benefits line-item; Mr. Dello Russo says no – it goes to the General Fund.

Alderman Forbes moves to recommend, 2nd by Alderman Seaboyer. All in favor.

Order No. 09-209, TRANSFER Amount: \$22,000.00

From Cemetery:

A/C #014911-512000 – Part Time Salaries	\$ 1,500.00
A/C #014911-513000 – Overtime	\$ 1,000.00
A/C #014912-529000 – Professional Services	\$12,750.00
A/C #014912-530800 – Heating Fuel	\$ 750.00
A/C #014912-535000 – Sand & Gravel	\$ 2,500.00
A/C #014912-535200 – Landscape Supplies	\$ 3,500.00

To Cemetery:

A/C #014912-524000 - Hired Equipment	\$22,000.00
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This transfer is necessary to balance the FY2009 budget.

Alderman Infurna moves to recommend, 2nd by Alderman Seaboyer.

Mr. Hughes says this is basic housekeeping. Funds are being transferred from the Cemetery working capital account to be used for hired equipment.

Alderman Infurna says most of these are relatively low figures and asks about the \$12,500 for Professional Services. Mr. Hughes says these funds had been set aside to look at the possible expansion but it was decided that it was more critical to use for hired equipment.

Alderman Seaboyer asks what hired equipment refers to. Mr. Hughes says that under the master mowing contract the cemetery had the opportunity to sign on for spring and fall cleaning. Mr. Beshara says DPW put the cemetery out for bid for mowing; spring and fall clean up was reasonable. The funds will be used to get the cemetery ready for Memorial Day.

On the motion to recommend, All in favor.

Alderman Infurna motions to adjourn, 2nd by Alderman Seaboyer. All in favor.

Health, Education and Welfare Committee adjourns at 8:25 p.m.

Public Works Committee

Chairman Seaboyer, Infurna,
Brodeur, Forbes, Medeiros
Attending: McAteer-Margolis,
Mortimer, Tramontozzi, Wright,
Boisselle
In attendance: City Auditor/CFO

Patrick Dello Russo; City Engineer
Bob Beshara, Deputy City Engineer
John Scenna

Public Works Committee called to order by Chairman Seaboyer at 8:25 p.m.

Order No. 09-210 TRANSFER Amount: \$184,935.00

From: 014011-511000 PW, Admin, Salaries	\$ 3,000.00
014012-540600 PW, Admin, Education/Seminars	\$ 235.00
014022-522500 PW, City Hall, Electricity	\$ 9,000.00
014112-560200 PW, Eng, Education Reimbursement	\$ 400.00
014221-511000 PW, Highway, Salaries	\$65,000.00
014332-522700 PW, Sanitation, Trash Disposal	\$73,000.00
014751-511000 PW, Trees, Salaries	\$34,300.00
To: Various PW Accounts as set forth herein	

Alderman Infurna moves to recommend for discussion purposes, 2nd by Alderman Forbes.

Alderman Forbes motions to suspend the rules to hear from Mr. Beshara, 2nd by Alderman Infurna.

Mr. Beshara says some items are housekeeping to balance the budget, some items are to supplement items with increases, and some are to add contract negotiated wages that weren't funded in the overtime line-item. He would like to reinstate programs that were cut at the beginning of the fiscal year.

Alderman Brodeur says the street light electricity is a big number. Only \$210,000 was budgeted for FY2010; he asks Mr. Beshara if he expects he'll have to request a transfer at the end of FY2010. Mr. Beshara says the rate in the energy transmission contract increased by 3 or 4 cents.

Alderman Infurna asks if \$10,000 for sidewalk repair is a good amount. Mr. Beshara says it's to supplement the existing budget. Alderman Infurna asks if work will be done off the sidewalk list; Mr. Beshara says yes.

Alderman Medeiros asks about the traffic line painting. Mr. Beshara says it includes the parade route, crosswalks and Main Street; the work should be completed in 3-4 weeks.

Alderman Conn asks about the Howard and Ruggles Streets crosswalks. Mr. Beshara says they are on the list for next week.

Alderman McAteer-Margolis asks if the money transferred from Highways and Sanitation Salary and Wages is due to positions not being filled. Mr. Beshara it's a result of the cuts made by the Mayor in February and a voluntary lay-off. Alderman McAteer-Margolis asks about the money transferred from Sanitation Trash Disposal. Mr. Beshara says he changed the tipping location from Danvers to Haverhill and subsequently is saving money in the tipping fee.

Alderman Wright asks about the sidewalk in the vicinity of Cleveland Street on the

school route in the Washington/W. Wyoming area. Mr. Beshara says it will be done during W. Wyoming construction.

On the motion to recommend, All in favor.

Order No. 09-211, TRANSFER Amount: \$30,064.43 From: A/C #019111-511010 - Pensions, Contributory Retirement To: A/C #014232-534900 - Public Works – Snow, Salt & Chemicals This money will be used to lower the snow deficit.

Alderman Infurna moves to recommend for discussion purposes, 2nd by Alderman Forbes.

Alderman Forbes asks the balance of the snow deficit. Mr. Dello Russo says the City expended just over \$1.1 million; if the Board of Aldermen approve orders 09-211, 09-212 and 09-219, the City will still have a deficit going into next year of over \$513,000, but strategically it's a good effort.

Alderman Medeiros motions to join orders 09-211, 09-212, and 09-219; 2nd by Alderman Infurna.

Alderman Infurna withdraws the motion to recommend; Alderman Forbes withdraws his second.

On the motion to join the orders, All in favor.

Order No. 09-212, APPROPRIATION Amount: \$309,638.50 From: Available Free Cash To: A/C #014232-534900 - PW, Snow, Salt & Chemicals

Order No. 09-219, APPROPRIATION Amount: \$46,966.23 From: A/C #27902-590000 - Ban/Bond Premium, Transfer Out To: A/C #014232-534900 - PW, Snow, Salt & Chemicals

Alderman Medeiros asks how the \$500,000 deficit affects this year and next year's budget. Mr. Dello Russo says it is a bill the City is obligated to pay and it's the first one it has to pay next fiscal year. That \$500,000 is taken away from another use. The City only brings in \$900,000 in new revenue – right away more than half is lost. Alderman Medeiros asks if there are currently contractors that haven't been paid; Mr. Dello Russo says no. Alderman Medeiros asks about the Ban/Bond Premium. Mr. Dello Russo says the City recently went out for a note. Part of the process involves a bidding process which includes a premium, or dollars put forth to the City. The City received a premium of \$275,000. The premium may be used for any lawful purpose so voted by this board.

Alderman McAteer-Margolis asks if this transfer depletes the Free Cash account. Mr. Dello Russo says yes, if so voted by this board. Alderman McAteer-Margolis asks if there is no money for snow and ice coming from the state. Mr. Dello Russo says no. Alderman McAteer-Margolis asks if more money can't be taken from the Ban/Bond Premium. Mr. Dello Russo says it will be appropriated to other items at the next meeting.

Alderman Conn says he would like to see the average expenditure for snow for the last

10 years and use that figure to work into the budget.

Alderman Brodeur says he would like to see where most of it is being spent. Mr. Beshara says the City is getting crushed on salt; it's nearly tripled in cost.

Alderman Medeiros moves to recommend the joined orders, 2nd by Alderman Infurna. All in favor.

Order No. 09-213, APPROPRIATION Amount: \$205,343.65
From: A/C #84052-590000 - Capital Stabilization Fund, Transfer Out
To: A/C #019313-551044 - Pine Banks, Ballfield#1 \$50,000.00
A/C #019313-551058 - Pine Banks, Ballfield #2 \$65,662.78
A/C #019313-551002 - PW Vehicle & Equip \$89,680.87

Alderman Infurna moves to recommend, 2nd by Alderman Medeiros.

Alderman Brodeur asks if these are ongoing payments. Mr. Beshara says it's the final payment for the sidewalk plow and a new trash truck. Mr. Dello Russo says it's the third year of 10 for the ballfields.

Alderman Conn asks the balance of the Capital Fund. Mr. Dello Russo says after this order \$224.39 will remain in the account. Alderman Conn asks the amount budgeted for this fiscal year. Mr. Dello Russo says \$201,000 was added to the existing amount. He had anticipated putting more in but decided to apply funds to the snow deficit account because it was significant. Alderman Conn applauds the Administration for purchasing vehicles out of available funds rather than bonding them; it's sound municipal policy.

Alderman Seaboyer asks if the trash truck being replaced will stay in duty. Mr. Beshara say it will be used as a spare.

On the motion to recommend, All in favor.

Alderman Infurna motions to adjourn, 2nd by Alderman Brodeur. All in favor.

Public Works adjourns at 8:56 p.m.

Maribeth Harrington
Clerk of Committees