Public Service Committee

Chairman Medeiros, Mortimer, Brodeur, Tramontozzi, Conn
Attending: Boisselle, Forbes, Infurna, McAteer-Margolis, Seaboyer, Wright
In attendance: Park Commission Chairman Mike Interbartolo, Superintendent of Parks Joan Bell

Public Service Committee is called to order by Chairman Medeiros at 7:06 p.m.

Order No. 11-03, APPROPRIATION Amount: $25,000.00 From: Mount Hood Reserve Fund To: A/C # 62000-590002 - Mt. Hood, Pilot Payment

Alderman Mortimer motions to suspend the rules to hear from Mr. Interbartolo, 2nd by Alderman Tramontozzi. All in favor.

Mr. Interbartolo says Mayor Dolan requested the Park Commission to fund 50% of the feasibility study at Pine Banks, which falls within the guidelines of the Enterprise Fund. The Park Commission voted for the appropriation.

Alderman Conn asks if Malden has voted their appropriation; Mr. Interbartolo says yes. Alderman Conn asks if the study will go out to bid; Mr. Interbartolo says the Park Commission is not involved in the selection process. Alderman Conn asks if the Pine Banks board will be selecting the company to perform the feasibility study; Mr. Interbartolo says yes. Alderman Conn asks if the Park Commission voted in favor of this appropriation; Mr. Interbartolo says yes.

Alderman Mortimer moves to recommend, 2nd by Alderman Tramontozzi. All in favor.

Order No. 11-04, APPROPRIATION Amount: $25,000.00 From: Raised and Appropriated To: A/C # 016522-529000 - Pine Banks, Professional Services as set forth herein.

Alderman Tramontozzi moves to recommend, 2nd by Alderman Brodeur. There is no discussion. On the motion to recommend, All in favor.

Alderman Mortimer motions to adjourn, 2nd by Alderman Tramontozzi. All in favor.

Public Service Committee adjourns at 7:10 p.m.

Finance Committee

Chairman Conn, Medeiros, Mortimer, Tramontozzi, Brodeur
Attending: Boisselle, Forbes, Infurna, McAteer-Margolis, Seaboyer, Wright

Finance Committee is called to order by Chairman Conn at 7:11 p.m.

Order No. 11-05, REAPPOINTMENT Of: Lee A. Phalen, 102 Clifford Street, Melrose, MA To: Board of Assessors Expiration: last day of February, 2013

Chairman Conn says Mr. Phalen has served on the Board of Assessors for a number of years, and this is a request from Mayor Dolan to reappoint him to the board.

Alderman Mortimer moves to recommend, 2nd by Alderman Tramontozzi. All in favor.

Alderman Mortimer motions for concurrent action on orders 11-03 and 11-04, 2nd by Alderman Tramontozzi.

Chairman Conn says orders 11-03 and 11-04 were just heard in the Public Service Committee and were referred to Finance. There is no discussion.

Alderman Mortimer recommends passage, 2nd by Alderman Tramontozzi. All in favor.

Chairman Conn says these orders will be referred to the full board for passage.

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

Finance Committee adjourns at 7:14 p.m.

Legal and Legislative Matters — Chairman Tramontozzi, Mortimer, Conn, Brodeur, Medeiros
Attending: Boisselle, Forbes, Infurna, McAteer-Margolis, Seaboyer, Wright

Legal and Legislative Matters Committee is called to order by Chairman Tramontozzi at 7:15 p.m.

Order No. 11-07, Amending Rules of Order of the Melrose Board of Aldermen; namely, Rule 8 and Rule 32 as set forth herein. (A-1)

Chairman Tramontozzi says the Commonwealth of Massachusetts has amended the Open Meeting Law. Before them are some small amendments to the Aldermen's Rules of Order to conform with the state's OML.

Alderman Mortimer moves to recommend, 2nd by Alderman Brodeur.

Alderman Brodeur says these are technical amendments. The Board of Aldermen puts all agendas online and electronic copies of orders are available by contacting the Clerk of Committees.

Alderman Mortimer says he is not opposed to sending it forward to the full board, but he thinks it needs more amending. In Rule 8, if an order does not appear on the agenda, it may be removed from committee as long as no alderman objects. The veto power is the same as a request for immediate consideration. According to the amended OML, whatever is discussed at a meeting has to be posted on the agenda. More work is needed on this.

Alderman Conn asks if the alderman is making a motion.

Alderman Mortimer moves to strike from Rule 8 the sentence: “A member may also remove an Order from committee that fails to appear on the Orders of the Day of the full Board meeting; however, should one or more members object, the Order shall be referred back to committee.”, 2nd by Alderman Medeiros.

Alderman Brodeur says he wrote that language sometime ago. Sometimes a surprise comes along. For clarity sake, he would prefer stating “An order that does not appear on the Orders of the Day shall not be eligible to be taken from committee.”

Chairman Tramontozzi asks if there is further discussion on the motion to strike the sentence.

Alderman Conn says he has a colleague who serves on a City Council; it’s their policy to make motions on matters that don’t appear on any agenda. He thinks it’s important to have rules that comply with the OML and to have every matter on agendas. He will support the position that it has to appear on an agenda.

Alderman Brodeur motions to amend by inserting “No member shall move to remove an order from committee that does not appear on the Orders of the Day.”, 2nd by Alderman Mortimer.

President Wright asks if it is the opinion that the orders that were approved in committee this evening can’t be taken from committee at tonight’s full board meeting. He believes there are matters before them tonight that could be heard at the full board meeting tonight.

Alderman Medeiros interprets the new law to mean the orders heard in committee this evening may not be taken from committee at tonight’s full board meeting. Going forward, orders heard during committee meetings on the same evening as a full board meeting could be placed on the Orders of the Day with a caveat like the Clerk of Committees does with committee agendas: *If recommended from Committee.*

President Wright says the state didn’t consult with municipalities when writing the new OML and has no rules to guide cities and towns – and won’t have any guidelines for months. Under the new OML, notice has to be posted within 48 hours of a meeting with a reasonable list of things that may be on the agenda; it’s not set in stone. The Commonwealth has to make a determination about how to deal with orders like the ones we heard in committee this evening.

Alderman McAteer-Margolis says Orders from Committee are part of the regular agenda; if committee agendas are also posted, the board should be in compliance with the OML. She agrees with striking the sentence but she isn’t sure about making a substitution yet.

Alderman Conn says he would not support agendas that list all kinds of orders that may be discussed. If they can’t have committee meetings prior to the full board, they’ll have to meet on other nights.

Alderman Brodeur says the law says to post what the board reasonably anticipates may be on the agenda.

Alderman Conn says he thinks the City Solicitor should weigh in on this.

Alderman Brodeur withdraws his motion to amend.

Alderman Mortimer withdraws his motion to amend.

Alderman Medeiros withdraws her motion to recommend.

Alderman Brodeur motions to send the proposed language to the City Solicitor re: orders out of order and orders from committee.

Alderman Mortimer motions to retain the order in committee and seek guidance from the City Solicitor, 2nd by Alderman Brodeur. All in favor.

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

Legal and Legislative Matters adjourns at 7:40 p.m.

Maribeth Harrington
Clerk of Committees