

Public Service Committee

Chairman Infurna, Wright, Heavey,
Boisselle, Brodeur
Attending: President Mortimer
In attendance: Susan Murphy,
Conservation Commission Chair

Public Service called to order by Chairman Infurna at 10:12 p.m. Alderman Boisselle motions to open Public Participation, 2nd by Alderman Brodeur. All in favor. No one comes forward. Alderman Boisselle motions to close Public Participation, 2nd by Alderman Brodeur. All in favor.

Order No. 07-008, Amending Melrose Revised Ordinances, Chapter 15, Article II by adding Section 15-10. Wetlands Protection Ordinance as set forth herein.

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

Conservation Commission Chairman Susan Murphy says this ordinance addresses the Conservation Commission's function in protecting wetlands. She would like to address the impact that smaller projects can have on neighborhoods. There are problems with storm water controls in the City. Melrose is a heavily developed community where small wetlands were filled in during construction of neighborhoods. There are technical issues distinctive to Melrose that are not addressed by state law. This will give the Conservation Commission authority to manage these situations. The Conservation Commission used a model that already exists in devising these changes.

Alderman Brodeur asks if this change does not reclaim wetlands. Ms. Murphy says that is correct.

Alderman Boisselle says the letter from the Planning Board mentions specifics and asks if those differ from the state. Ms. Murphy says they do.

Alderman Wright says that §10 Regulations is subject to Board of Aldermen approval. He asks Ms. Murphy what is intended by "impose reasonable fines". She says that is defined in §14. Alderman Wright says he is more concerned about the Conservation Commission's authority. He asks if there is a proposed schedule of reasonable fines. He believes any type of fines need Board of Aldermen approval. Ms. Murphy says the Conservation Commission intends to discuss what the fines will be but wanted to have this approved first.

Alderman Brodeur asks Alderman Wright if he is talking about a fine schedule or the ability to assess fines. Alderman Wright says originally he was discussing a fine schedule but under §14 it is capped at \$300. The Conservation Commission plans to deliver a schedule of fines which he believes requires Board of Aldermen approval.

Alderman Brodeur moves to recommend the amended document dated 8 January 2007, 2nd by Alderman Boisselle.

Alderman Wright further amends by inserting after the words "After public notice and public hearing," the words "with the approval of the Board of Aldermen", 2nd by Alderman Brodeur. All in favor.

Alderman Brodeur moves to recommend as amended, 2nd by Alderman Boisselle. All in favor.

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

Public Service adjourns at 10:30 p.m.

Legal and Legislative Matters

Chairman Wright, Heavey, Boisselle,
Brodeur, Infurna
Attending: President Mortimer

Legal and Legislative Matters called to order by Chairman Wright at 10:30 p.m.

Order No. 07-134, Be it ordered that the Melrose Board of Aldermen accept Chapter 41, Section 91 of the Massachusetts General Laws. The section of the law addresses appointment and removal of constables.

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

As the maker of the order, Alderman Brodeur he is seeking the Board's approval of this provision of MGL which formally authorizes of the City to appoint and remove constables. He filed this order after reading a series of articles in the Boston Globe regarding constables and the misuse of their authority. This is the first step to be sure the City does not let this type of thing happen here in Melrose.

Chairman Wright asks if it is the maker's intention to include Chapter 91B. Alderman Brodeur says he will be filing another order taking this a step further.

On the motion to recommend, All in favor.

Order No. 07-008, Amending Melrose Revised Ordinances, Chapter 15, Article II by adding Section 15-10. Wetlands Protection Ordinance as set forth herein.

President Mortimer says he is aware of the conversation that took place in Public Service regarding the Board of Aldermen giving final approval to the schedule of fines. Chairman Wright says it is his understanding that the amendment reserving approval of the Board of Aldermen would bring that section back under the state's guidelines.

Alderman Brodeur moves to recommend as amended in Public Service committee, 2nd by Alderman Boisselle. All in favor.

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

Legal and Legislative Matters adjourns at 10:35 p.m.

Maribeth Harrington
Clerk of Committees