

February 17, 2015 Chelsea, Massachusetts

A Special Meeting of the Chelsea City Council was held. The meeting was held at the Chelsea City Hall located at 500 Broadway, Chelsea, Massachusetts. The following Councilors were in attendance: Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank. Barton, and Cortell. Councillor Cataldo was absent. Council President Robinson presided over the meeting. The meeting opened at 7:00 P.M.

Memoriums and celebratory resolutions.

The following Resolution was introduced by Councillor Robinson and all members of the City Council. Councillor Robinson moved to adopt under suspension and it was adopted.

RESOLUTION

WHEREAS, the late Reverend Dr. Martin Luther King, Jr. was a leader of great courage and skill who became known as a drum major of the American Civil Rights Movement to enfranchise black citizens; and

WHEREAS, Dr. King's life was tragically cut short by an assassin's bullet in April of 1968 in Memphis, Tennessee while he was there to champion the cause of underprivileged workers; and

WHEREAS, due to the efforts of many dedicated people who believe Dr. King deserves national recognition, the third Monday in January is nationally recognized as a day to remember Dr. King, his legacy, and the causes for which he so gallantly fought and died; and

WHEREAS, Massachusetts had the privilege of Dr. King's presence when he lived and studied in Boston at Boston University School of Divinity, receiving his PHD. In 1953; and

WHEREAS, Dr. King's life will always shine as a light for those without hope and as an example to be emulated by all who care about their fellow human beings, regardless of race, religion, class or nationality; now therefore be it

RESOLVED, that the Chelsea City Council hereby recognizes January 19, 2015 as Reverend Dr. Martin Luther King, Jr. Day in the City of Chelsea and ask all citizens to reflect upon the significance of this extraordinary man's life.

Public Speaking:

The public speaking portion of the meeting opened at 7:04 p.m.
The following came forward to speak:

Joan Corey Representative Local 25 Teamsters, spoke about E-911 Labor Charges

Resident, Boatswain Way, spoke about Williams Street Sidewalk not cleared of snow.
Also a bus stop near Chelsea Floor Covering near Chestnut Street & Everett Avenue.

The public speaking portion closed at 7:14 p.m.

The minutes of City Council meetings of December 8, 2014, December 15, 2014, Special Meeting of January 5, 2015 and Special Meeting of January 6, 2015 were approved at request of Councillor Barton under suspension.

Communications from City Manager:

The following appointments and reappointment were received from the City Manager. Councillor Hatleberg moved to affirm the appointments by one roll call. The roll call passed 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

Nanda Rust of 441 Washington Avenue for appointment to the Community Schools Advisory Board.

Johanna Mateo of 31 Lambert Avenue for appointment to the Planning Board.

Lad L. Dell of 14 Breakwater Drive for appointment to the Planning Board.

Donald Kingsbury, 260 Clark Avenue, reappointment, Chelsea Housing Authority.

The following communication was received from Acting City Manager Ned Keefe. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

Chelsea City Council
City Hall
500 Broadway
Chelsea, MA 02150

Re: Highland Street Green Corridor

Dear Councillors:

I submit for your review and consideration a resolution providing for Bellingham Hill Park and the new park to be created at 97 Library Street to be dedicated in perpetuity to parkland.

As you know, the City has received a PARC grant to develop the Highland Street Green Corridor, which consists of improvements to Bellingham Park, the creation of a new small park at 97 Library Street, and streetscape connections between the parks and extending to the future Silver Line stop at the end of Highland Street. The PARC grant will be used for the Bellingham Hill Park and 97 Library Street park work.

As with all the PARC grants we receive, a condition of the grant is the City must dedicate the parks to parkland in perpetuity. This requires a vote of the Council.

I have attached a resolution to effectuate the dedication of the vacant parcel at 97 Library Street parcel and the land at Bellingham Hill Park as parkland in perpetuity. By way of explanation the dedication of Bellingham Hill Park as parkland is a confirmatory vote of an earlier vote taken some years ago.

I am free to discuss this matter with you if you have any questions.

Sincerely
Ned Keefe
Acting City Manager

The following communication was received from Acting City Manager Ned Keefe. A motion from Councillor Cortell to accept and file was adopted under suspension.
Chelsea City Council
City Hall Room 306
Chelsea, MA 02150

Re: Amendment to WIOD District

Dear Honorable City Councilors;

The City Administration submits for your review and consideration a petition to amend the Chelsea Zoning Ordinance. The City Administration believes it is beneficial to allow the two uses related to moving companies in a special district where such uses are currently not allowed, the Waterfront Industrial Overlay District. Specifically the amendment involves adding new paragraphs (14) and (15), as shown on the attached Proposed Zoning Amendment text. I respectfully request that the City Council take up this matter at its January 26, 2015 meeting, and in accordance with MGL Chapter 40A, Section 5, and with Section 34-4 (Zoning) of the City of Chelsea, Massachusetts Code of Ordinances, and move the matter to a public hearing.

It is the opinion of the Administration that moving companies are suitable and acceptable to the purpose of the Waterfront Industrial Overlay District for they promote economic development in that district; provide for continuous public access along the water's edge; and to allow certain commercial, general industrial and water-dependent industrial uses by special permit to ensure more effective environmental protection. This Zoning Amendment to the Waterfront Industrial Overlay District (WIOD) will provide for two uses to be allowed by special permit by the Chelsea Zoning Board of Appeals.

In accordance with the above cited law and ordinance, the Council should accept the submission, move the matter for a recommendation from the Planning Board and further move for a public hearing. The Planning Board can hold its hearing as early as February 24, 2015, which will allow the Council to hold its public hearing and take final action on March 9, 2015.

As always, I am available to discuss this matter with you.

Sincerely
Edward Keefe
Acting City Manager

The following communication was received from Acting City Manager Ned Keefe. A motion from Councillor Cortell to accept and file was adopted under suspension.
Chelsea City Council
City Hall, Room 306
Chelsea, MA 02150

Re: Amendment to Light Industrial 2 Zoning District

Dear Honorable Chelsea City Councilors:

The City Administration submits for your review and consideration a petition to amend the Chelsea Zoning Ordinance. The City Administration proposes to allow private clubs in a district where the use is currently not allowed, in the Light Industrial 2 (L1-2) Zoning District. I respectfully request that the City Council take up this matter at its January 26, 2015 meeting, and in accordance with MGL Chapter 40A, Section 5, and with Section 34-4 (Zoning) of the City of Chelsea, Massachusetts Code of Ordinances, and move the matter to a public hearing.

It is the opinion of the Administration that private clubs or lodges fit a similar purpose as uses allowed in the Light Industrial 2 (L1-2) district, and the L1-2 district would serve as an appropriate district for future private club and lodge establishments to be located.

The amendment to Section 34-300, Article XIII, Table of Principal Use Regulations will provide for private clubs or lodges to be allowed in the Light Industrial 2(L1-2) district by special permit and the permit granting authority will be the Chelsea Zoning Board of Appeals.

In accordance with the above cited law and ordinance, the Council should accept the submission, move the matter for a recommendation from the Planning Board and further move for a public hearing. The Planning Board can hold its hearing as early as February 24, 2015, which will allow the Council to hold its public hearing and take final action on March 9, 2015.

As always, I am available to discuss this matter with you.

Sincerely
Edward Keefe
Acting City Manager

The following communication was received from Acting City Manager Edward Keefe. A motion from Councillor Hatleberg to accept and file was adopted under suspension.
The Honorable City Council
City Hall
Chelsea, Massachusetts 02150

Re: Appropriation of Funds from Free Cash to the General Fund-\$8,500
Supplemental Funds for Emergency Management Department
City-Wide Fire Alarm System Maintenance Contract-Aetna Fire Alarm Services

Dear City Council

I submit for Council consideration and approval a request to secure supplemental funds in the amount of \$8,500 for the FY'15 Emergency Management-Fire Alarm Maintenance Contract.

The FY'15 budget allocated \$15,000 for the Fire Alarm Maintenance Contract services that has been expended to i) conduct the regular emergency and maintenance of the city-wide fire alarm system, ii) cover a FY'14 expense of \$5,500 paid from the FY'15 account (after securing Council approval in November).

The rate of expenditure of this account has been slightly higher than projected due primarily to three instances of an open circuit that required considerable effort to resolve. Proper documentation of these repairs in as built documents will reduce the effort to track future failures. The requested funds are projected to cover costs through the end of the year.

As an appropriation order, this matter requires two readings and a two-thirds vote of the Council. Your timely action on this appropriation request would be appreciated, as is your continued support of the City legal management efforts.

Sincerely,
Edward Keefe
Acting City Manager

The Capital Improvement Plan for FY'16-20 was received from Acting City Manager Edward Keefe. Councillor Hatleberg moved to send the CIP to the Subcommittee on Conference and schedule a public hearing when the Conference is completed. The motion was adopted under suspension.

Communications and petitions to the Council:

A copy of a communication was received from Councillor Robinson regarding Martin Luther King Jr. Remembrance Day. A motion from Councillor Brown to accept and file was adopted under suspension.

A copy of a communication was received from Councillor Robinson regarding the proposed Chelsea City Manager's Profile proposed in consultation with the Collins Center. Along with the communication was the complete Profile. A motion from Councillor Robinson to accept the communication and the Profile by roll call passed 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

A copy of a communication was received from Deborah A. Clayman, City Clerk/Parking Clerk, regarding the following actions approved at the December 16, 2014 Traffic and Parking Commission Meeting. A motion from Councillor Hatleberg to accept by roll call passed 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

Second Readings:

The following order was introduced by Councillor Hatleberg and read for the second time. A motion from Councillor Hatleberg to adopt by roll passed 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

Ordered, that the Chelsea City Council authorize the appropriation of \$20,000.00 from Free Cash to supplement the Fiscal Year 2015 Legislative-City Manager Search Expense Account 0111051-531400 series.

New Business:

The following order was introduced by Councillor Perlatonda. A motion by Councillor Perlatonda moved the order to the sub-committee on conference under suspension.

ORDERED, that a meeting be set up with Acting City Manager Ned Keefe and all concerned parties to discuss revising the residential parking program.

The following order was introduced by Councillor Robinson. A motion from Councillor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

WHEREAS, It is the express purpose of municipal zoning to promote the health, safety, and general welfare of the inhabitants of the City of Chelsea; and

WHEREAS, A specific objective of the City of Chelsea's Zoning Ordinance states the need to encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City Administration has recommended allowing the use of private clubs and lodges to be allowed by special permit in Light Industrial 2 District (LI-2).

NOW, THEREFORE BE IT ORDERED,

That the following petition for the adoption of an amendment the Light Industrial 2 District (LI2) to the City of Chelsea Zoning Ordinance be reviewed and that a public hearing be scheduled on March 9, 2015, to discuss the proposed zoning amendment pursuant to Mass. Gen. Laws c. 40A.

BE IT FURTHER ORDERED,

That the petition be forwarded to the Chelsea Planning Board for a recommendation of the Zoning Amendment pursuant to Mass. Gen. Laws c. 40A.

The following order was introduced by Councillor Robinson. A motion from Councillor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

WHEREAS, It is the express purpose of municipal zoning to promote the health, safety, and general welfare of the inhabitants of the City of Chelsea; and

WHEREAS, A specific objective of the City of Chelsea's Zoning Ordinance states the need to encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City Administration has recommended allowing the use of moving companies to be allowed by special permit in the Waterfront Industrial Overlay District (WIOD).

NOW, THEREFORE BE IT ORDERED,

That the following petition for the adoption of an amendment of the Waterfront Industrial Overlay District (WIOD) to the City of Chelsea Zoning Ordinance be reviewed and that a public hearing be scheduled on March 9, 2015 to discuss the proposed zoning amendment pursuant to Mass. Gen. Laws c. 40A.

BE IT FURTHER ORDERED,

That the petition be forwarded to the Chelsea Planning Board for a recommendation of the Zoning Amendment pursuant to Mass. Gen. Laws c. 40A.

The following order was introduced by Councillor Hatleberg. Councillor Hatleberg moved the order to a second reading under suspension.

Ordered, that the Chelsea City Council authorize the appropriation of \$8,500.00 from Free Cash to supplement the Fiscal Year 2015 Emergency Management Department-Alarm System Maintenance Services Account 0123052-524300.

The following order was introduced by Councilors Recupero and Perlatonda. Councillor Recupero moved to adopt by suspension. Councillor Hatleberg moved for roll call. The roll call defeated the order 2-8-1-0. Voting yes were Councilors Perlatonda and Recupero. Voting no were Councilors Robinson, Hatleberg, Murphy, Cunningham, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

Ordered, that the City Manager notify the City Councilors by email, phone or text when department heads are going to be out of town or on leave for any period of time along with anything of extreme importance that affects the city such as but not limited to school closing, power outages, street closures and water main breaks.

The following order was introduced by Councillor Murphy. A motion from Councillor Murphy adopted the order under suspension.

Ordered, that a meeting on public safety be held with the Chelsea Fire Department to discuss the recent fire that took place on December 21, 2014 at 77 Essex Street.

The following order was introduced by Councillor Hatleberg. A motion from Councillor Hatleberg to adopt by roll call passed 10-0-1-0. Voting yes were Copuncilors, Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

Whereas, The City has received a Parkland Acquisition and Renovation for Communities (PARC) grant to renovate Bellingham Hill Park and to create a new Park at 97 Library Street; and

Whereas, The PARC grant requires that the land be dedicated pursuant to Article 97 of the Amendments of the Massachusetts Constitution;

Whereas, The Council has endorsed the grant and voted all funds required to support the project: be it therefore;

Now therefore be it hereby ordered that two parcels be dedicated as playgrounds pursuant to Article 97 of the Amendments of the Massachusetts Constitution:

- i) The parcel shown on the Chelsea Assessors Map as Plot 30, Lot 142 with the address of 111 Bellingham Street and generally known as Bellingham Hill Park shall be dedicated to parkland in perpetuity.

- ii) The parcel shown on the Chelsea Assessors Map as Plot 40, Lot 4 with the address of 97 Library Street shall be dedicated to parkland in perpetuity.

The following order was introduced by Councillor Robinson. A motion from Councillor Hatleberg adopted the order by roll call 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

**ORDER
PROVIDING FOR THE CREATION OF THE
UPPER BROADWAY DEVELOPMENT DISTRICT
ECONOMIC OPPORTUNITY AREA**

WHEREAS, the City Council of the City of Chelsea strongly supports increased economic development to provide additional jobs for city residents, and expanded commercial and industrial activity within the city to promote and develop a healthy economy and stronger tax base; and

WHEREAS, the City of Chelsea was designated an Economic Target Area (ETA) in May 1994, by the Massachusetts Economic Assistance Coordinating Council (EACC); and

WHEREAS, the City Council of the City of Chelsea desires a beneficial economic use and improving neighborhood presence for the parcels to be included in the proposed Upper Broadway Development District with the intention of eliminating blighting and decadent areas with upgraded commercial development that expands the City's tax base, creates additional jobs within the community and addresses brownfields issues left over from previous heavy industrial uses in the area; and

WHEREAS, the City Council of the City of Chelsea desires that the Upper Broadway Development District Economic Opportunity Area be created on the following parcels known and numbered on the City of Chelsea tax maps: 76-9, 76-11, 76-12 and 73-13.

WHEREAS, the City Council of the City of Chelsea finds that the Upper Broadway Development District EOA meets the definition of Blighted Open Area and Decadent Area as defined by 402 CMR 2.03; and,

WHEREAS, the City Council of the City of Chelsea finds that the Upper Broadway Development District EOA meets the local criteria set forth in the approved City of Chelsea ETA application; and

WHEREAS, the City Council of the City of Chelsea supports and endorses the economic development goals for the Upper Broadway Development District EOA; and

WHEREAS, the City Council of the City of Chelsea supports and endorses the strategy and action steps to streamline permitting for projects within the Upper Broadway Development District EOA; and

WHEREAS, the ability of the municipality, the needs of proposed economic development projects, and the community benefits of proposed projects will be reasonably proportional to state tax incentives offered through the Massachusetts Economic Development Incentive Program, and the resulting economic development benefits to the municipality.

NOW THEREFORE BE IT ORDERED by the City Council of the City of Chelsea that the following activities as necessary pursuant to an application for an EOA be authorized:

1. The City Council hereby authorizes the submission of the newly created Upper Broadway Development District EOA application to the Massachusetts Economic Assistance Coordinating Council, substantial in the form attached and identified “APPLICATION FOR DESIGNATION OF ECONOMIC OPPORTUNITY AREA(S).”
2. The Upper Broadway Development District EOA is defined as the following parcels known and numbered on the City of Chelsea tax maps as: 76-9, 76-11, 76-12 and 76-13. A map of said area is attached and marked as “Upper Broadway Development District EOA, December 2014.”
3. The City Council agrees to authorize the use of either tax increment financing or a special tax assessment for each qualified certified project located within said Economic Opportunity Area.

The following order was introduced by Councillor Robinson. A motion from Councillor Hatleberg adopted the order by roll call 10-0-1-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. Councillor Cataldo was absent.

**ORDER
PROVIDING FOR THE EXPANSION OF THE
MARGINAL STREET DEVELOPMENT DISTRICT
ECONOMIC OPPORTUNITY AREA**

- WHEREAS,** the City Council of the City of Chelsea strongly supports increased economic development to provide additional jobs for city residents, and expanded commercial and industrial activity within the city to promote and develop a healthy economy and stronger tax base; and
- WHEREAS,** the City of Chelsea was designated an Economic Target Area (ETA) in May 1994, by the Massachusetts Economic Assistance Coordinating Council (EACC); and
- WHEREAS,** the City Council of the City of Chelsea desires a beneficial economic use and improving neighborhood presence for the parcels to be included in the proposed Marginal Street Development District with the intention of eliminating blighting and decadent areas with upgraded commercial development that expands the City's tax base, creates additional jobs within the community and address brownfields issues left over from previous heavy industrial uses in the area; and
- WHEREAS,** on October 21, 2013, the City Council of the City of Chelsea created the Marginal Street Development District Economic Opportunity Area with the following parcels known and numbered on the City of Chelsea tax maps: 6-5, 14-22, 14-22A, 14-22B, 14-24, 14-25, 14-26, 14-27, 14-28, 14-29, 14-29A, 14-30 and 14-32; an area of approximately 11 acres,
- WHEREAS,** the City Council of the City of Chelsea finds that the Marginal Street Development District EOA meets the definition of Blighted Open Area and Decadent Area as defined by 402 CMR 2.03; and,
- WHEREAS,** the City Council of the City of Chelsea finds that the Marginal Street Development District EOA meets the local criteria set forth in the approved City of Chelsea ETA application; and
- WHEREAS,** the City Council of the City of Chelsea supports and endorses the economic development goals for the Marginal Street Development District EOA; and

WHEREAS, the City Council of the City of Chelsea supports and endorses the strategy and action steps to streamline permitting for projects within the Marginal Street Development District EOA; and

WHEREAS, the ability of the municipality, the needs of proposed economic development projects, and the community benefits of proposed projects will be reasonably proportional to state tax incentives offered through the Massachusetts Economic Development Incentive Program, and the resulting economic development benefits to the municipality.

NOW THEREFORE BE IT ORDERED by the City Council of the City of Chelsea that the following activities as necessary pursuant to an application for the expansion of an EOA be authorized:

1. The City Council hereby authorizes the submission of the amended Marginal Street Development District EOA application to the Massachusetts Economic Assistance Coordinating Council, substantial in the form attached and identified “APPLICATION FOR AMENDMENT OF ECONOMIC OPPORTUNITY AREA(S).”
2. The Marginal Street Development District EOA is re-defined as the following parcels known and numbered on the City of Chelsea tax maps as: 5-1A, 5-2, 6-5, 6-10, 6-11, 6-12, 6-13, 6-14, 6-15, 13-1, 13-2, 14-22, 14-22A, 14-22B, 14-24, 14-25, 14-26, 14-27, 14-28, 14-29, 14-29A, 14-30 and 14-32. A map of said area is attached and marked as “Marginal Street Development District EOA, December 2014.”
3. The City Council agrees to authorize the use of either tax increment financing or a special tax assessment for each qualified certified project located within said Economic Opportunity Area.

A moment of silence was conducted for the passing of Dana Marshall, and Beatrice Esparza at the request of Councilors Brown and Robinson.

The meeting adjourned at 8: 05 p.m.

Respectfully submitted,

Paul G. Casino
Clerk of the Chelsea City Council