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ACCEPTED AND FILED SUSPENSION

Chelsea, Massachusetts, December 5, 2016

A Regular meeting of the Chelsea City Council was held. The meeting was held at the Chelsea City Hall located at 500 Broadway, Chelsea, Massachusetts 02150. The following Councilors were present: Councilors Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson. Councillor Rodriguez was absent. Councillor Cortell presided over the meeting. The meeting opened at 7:00 p.m.

Memoriums and celebratory resolutions:

The following Resolution was introduced by Councilors Lopez and Recupero. A motion from Councilor Lopez to adopt under suspension was adopted.

RESOLUTION

- Whereas,** Hector E. Claudio worked for the Department of Public Works for 33 years in the City of Chelsea and has retired June 30, 2016; and
- Whereas,** Hector E. Claudio was born in 1952 in Puerto Rico, and then moved to Chelsea in 1960; and Then moved to Chelsea in 1960; and
- Whereas,** Hector E. Claudio has been married for 44 years, has 4 daughters and 8 grandchildren; now Therefore be it,
- Resolved;** That we the members of the Chelsea City Council, on behalf of the Citizens of Chelsea, wish to congratulate Mr. Claudio on his recent retirement and we wish that he enjoys many more years of health and happiness with his family and friends.

Public Speaking:

The public speaking portion was opened at 7:05 p.m.

No one came forward to speak and it was closed at 7:06 p.m.

The minutes of the City Council meeting dated November 21, 2016 were approved at the request of Councillor Robinson under suspension.

Communications from City Manager:

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councillor Robinson to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Licenses and Permits for Delinquent Taxpayers*

Dear Councilors:

The Municipal Modernization Act which took effect on Nov. 7th included a change to M.G.L. c. 40, §57, the statute which allows for municipalities to withhold licenses and permits from delinquent taxpayers. Specifically, the amended Section 57 now allows municipalities, if they wish, to withhold licenses and permits from any person or entity that has failed to pay taxes or fees starting from the first day the taxes or fees are delinquent. The previous version of Section 57 required that the person or entity be delinquent for a full twelve months before this penalty could be applied.

I am requesting that the City Council take advantage of this new enforcement tool and implement this latest version of Section 57. To do so, the City Council will need to accept formally the new M.G.L. c. 40, §57 **and** amend its existing Ordinance pertaining to this rule (Chapter 2, Section 2-199) by eliminating the current reference to the 12 month requirement. Copies of the required Order and the Ordinance change are attached.

Please note that, even with this change, enforcement of this penalty remains discretionary with the City. Licensing and permitting authorities in the City may, but need not, deny the license or permit if the taxpayer is delinquent. This discretion ensures that, in extenuating circumstances, the City retains the ability to grant a license or permit despite the fact that a person may be slightly behind in paying taxes or fees.

Based upon the above, I respectfully ask that the City council vote to accept the new M.G.L. c. 40, § 57 and amend the corresponding Ordinance.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication from City Manager Thomas G. Ambrosino was read. A motion from Councillor Avellaneda to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Community Preservation Community Ordinance*

Dear Councilors:

As you know, on Election Day, Chelsea residents, by a 2-1 margin, adopted the Community Preservation Act and approved a 1.5% CPA property tax surcharge. The Act takes effect for the January 2017 tax bills.

One requirement of the Act's implementation is the establishment by Ordinance of the Community Preservation Committee. The role of this Committee is to analyze projects proposed for CPA funding and make final recommendations to the City Council. The Council has the final vote on all CPA expenditures.

Attached you will see my proposal for this CPA Committee. I have proposed a committee made up of nine members, which provides for the maximum amount of resident participation.

I ask that the City Council approve this Ordinance.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Vidot to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Administration Order on Youth Commission*

Dear Councilors:

Pursuant to Section 6-1(a) of the City of Chelsea Charter, I am writing to notify you that I have promulgated a new Administration Order re-organizing the Chelsea Youth Commission. As you will see, the most significant change is to reduce the composition of the Commission from 18 members to a more manageable 11 members. I hope to submit to the Council names of prospective candidates for this Commission sometime in early 2017.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson moved it to a second reading under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Appointments*

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend the following individuals to Boards and Commissions in the City.

For appointment to the Chelsea Licensing Commission, Mr. James R. Guido, 118 Warren Avenue, Chelsea to fill the unexpired term of Mr. Ken Umemba, who has resigned. The unexpired term ends on March 31, 2019. A copy of Mr. Guido's resume is attached.

For re-appointment to the Board of Registrars, Mr. Jacob Resnek, 68 Captains Row Rear, for a three year term expiring in 2019.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City HALL
500 Broadway
Chelsea, Massachusetts 02150

Re: *Request for Approval of Union Contract with SEIU Local 888*

Dear Councilors:

Pursuant to Section 4-3(1) of the Chelsea City Charter, I am writing to request City Council approval for the cost items of the new collective bargaining agreement negotiated with SEIU Local 888 employees for the period July 1, 2016 through June 30, 2019. A copy of the Memorandum of Agreement is attached.

There are four significant cost items to this Memorandum.

The first are the annual raises in the following amounts. FY17-2.5%; FY18-2.75%; and FY19-3%. The total cost of this item is approximately \$150,000.00.

The second is the increase in sick leave buyback of an additional \$300.00 annually. Assuming all members of the bargaining unit qualify for this benefit, the total cost is \$12,300 annually.

The third cost item, which takes effect in FY18, is the additional \$50 per month (from \$325.00 to \$375.00) in reimbursement for SEIU employees who use their personal vehicles for City business. The cost of this item is \$6,000 annually.

The final cost item is the additional Step in the Wage scale, which will only impact those at the top of the wage scale. This additional step takes effect in the last year of the contract. The total cost of this item in FY19 is expected to be approximately \$29,000.00.

I respectfully ask that the City Council approve the cost items of this contract, as well as a transfer from Salary Reserve Account to accommodate this request. A copy of the proposed Order is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Request for Approval of Union Contract with United Steelworkers*

Dear Councilors:

Pursuant to Section 4-3(1) of the Chelsea City Charter, I am writing to request City Council approval for the cost items of the new collective bargaining agreement negotiated with United Steelworkers Local 9427 employees for the period July 1, 2016 through June 30, 2019. A copy of the Memorandum of Agreement is attached.

There are three cost items to this Memorandum.

The first are the annual raises in the following amounts: FY17-2.5%, FY18-2.75%; and FY19-3%. The total cost of this item is approximately \$215,000.00.

The second is a new provision for Overtime hours for IT employees working on weekends. This is a bit of a guesstimate, but I don't believe the Overtime cost will exceed \$15,000 for any year.

The third cost item, which takes effect in FY18, is the additional \$200 annually for Longevity for those who have more than 20 but less than 25 years of service, and for those who have completed 30 years of service. This should be only \$2,400 annually during the term of the contract.

I respectfully ask that the City Council approve the cost items of this contract, as well as a transfer from Salary Reserve Account to accommodate the funding needed this fiscal year. A copy of the proposed Order is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Approval for School Department to Pay Prior Year Expenses*

Dear Councilors:

I am writing to request approval for the School Department to make certain payments of prior year expenses from its current budget. There are adequate funds in the School Department's FY17 Budget to cover these payments.

From time to time, municipal agencies are unable to effectuate payments to a vendor in the year that the goods or service are provided. When such instances occur, the City Council must approve the payments from the current year department budget for the prior year's obligations.

In this case, the School Department has identified various outstanding bills from FY15 and FY16 that total \$27,605.58. The detail is attached. I respectfully request that the City Council approve payment of these bills from the School Department's FY17 Budget. A copy of the proposed Order is also attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City HALL
500 Broadway
Chelsea, Massachusetts 02150

Re: Salary Transfer for Exempt Employees

Dear Councilors:

I am writing to request approval of a 2.5% salary increase for exempt employees for Fiscal Year 2017.

Exempt employees are those employees who work in City government who are not covered by collective bargaining agreements. At present, we have 18 employees in this category. Most of these employees are Department Heads or person who work in confidential positions such as the City Manager's Office, the City Solicitor's Office or the Human Resources department.

You have previously approved 2.5% salary increases in FY17 for all of the unions that have reached agreement with the City. This increase for exempt employees will simply allow their salaries to keep pace with their union co-workers. The total cost of this increase for exempt employees in FY17 is \$35,229.00.

For the above reasons, I ask that the City Council approve a transfer from Salary reserve to the appropriate individual salary accounts to accommodate this increase. A copy of the proposed Order is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City manager Thomas G. Ambrosino. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: *Three Requests for Funding*

Dear Councilors:

I am writing with three requests for funding from the Operating Stabilization Fund. The first would provide funds to purchase a new vehicle and hire two additional DPW employees to create a dedicated graffiti/grime removal crew. The second would provide funds to repair the traffic signals at the intersection of Broadway and Eastern Avenue. And, the third would add necessary funds to cover anticipated deficits in the advertising and medical services budgets of the Human Resources Department.

Dedicated Graffiti/Grime Removal Truck and Crew -- \$170,000

I have long been frustrated by the amount of graffiti in the City. Our DPW does an admirable job attempting to keep up with its removal. But, the fact that this task must be squeezed in among all of the other responsibilities of our current DPW employees, and the lack of the best graffiti removal equipment, often means that too much time passes before the graffiti is removed, and that, after removal, traces of the graffiti remain. My goal is to purchase a vehicle equipped with the best tools for effectively removing graffiti and having two new employees assigned to that vehicle on a daily basis. Other municipalities with such a dedicated vehicle and crew, such as Cambridge, have found this to be an effective way to better address graffiti.

Keep in mind that this will not be a magic bullet. Even once in place, this vehicle and crew will not entirely eliminate the graffiti problem in the City. But, I do expect that, with this dedicated vehicle and crew in operation, graffiti should be reduced, and our graffiti removal efforts will be more satisfying.

Based upon information we have gathered, we believe we could acquire a fully equipped graffiti/grime removal vehicle for \$70,000. The two new hires would cost approximately \$50,000 each. The total cost of this effort will be \$170,000.

Full Traffic Signals at Eastern/Broadway - \$20,000

As you are well aware, the intersection of Broadway and Eastern Avenue is governed by a flashing traffic signal. This is due in part to the fact that the traffic signal control box for this location was damaged in an accident. The damage to the signal controls do not allow for the operation of pedestrian lights. This makes the intersection very dangerous for those trying to cross the street.

The cost to fully fix the traffic signal control box for this intersection is approximately \$20,000. Once repaired, pedestrians seeking to cross the street will be able to bring traffic in all directions to a red light stop.

There is one further important point to make. Once the traffic control box is repaired, not only will pedestrians be able to activate the pedestrian signal, but the City will also have the option to eliminate the flashing lights and make this intersection a fully controlled traffic signal location. I understand that, at one time, this intersection did operate with fully functioning lights, but the lights were switched to flashing due to traffic flow concerns. I would suggest that, once we have the capability of returning these lights to full functioning, we engage in a traffic study to determine if the flashing lights still offer the best balance of traffic flow and safety. Naturally, per the Charter, any change to traffic signalization at this intersection would need approval from the Chelsea Traffic & Parking Commission. But, in the meantime, as we deliberate on this larger change, pedestrians will at least be able to cross this intersection safely.

Additional Funds for HR Department – Advertising \$7,000; Medical Services \$21,000

The final request is to cover anticipated deficits in the advertisement and medical services accounts of the HR Department.

As you may be aware, we have filled, and are still trying to fill, many job openings this year in numerous departments including the DPW, Auditing, Assessing, the Clerk's Office, Licensing, Planning and the new Recreation & Cultural Affairs Division. The cost of advertising for these job openings has exceeded the original approved advertising budget of \$2,500. We anticipate that, to complete all the hiring we seek to accomplish through the end of this fiscal year, we will need another \$7,000 in advertising funds.

The HR Department also coordinates the hiring process for the Police and Fire Departments. Candidates for these positions must undergo drug testing, psychological testing and pre-employment medical testing administered through a third party contract at city expense. Although the testing costs are fixed, the number of candidates we have processed for new positions has far exceeded projections, and so the original budget of \$12,000 is inadequate. We anticipate that, to complete the testing protocol for new public safety hires this fiscal year, the HR Department will require an additional \$21,000.

Based upon the above, I respectfully ask that the City Council approve funding from Operating Stabilization for the following: a dedicated DPW graffiti/grime removal crew in the amount of \$170,000; repairs to the Broadway/Eastern Ave. traffic signals in the amount of \$20,000; and additional HR funds for advertising of job openings in the amount of \$7,000 and medical services funds in the amount of

\$21,000. I will be available to answer any questions which you may have. The specific orders for approval of these requests are attached.

Sincerely,
Thomas G. Ambrosino
City Manager

Second Readings:

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson. Councilor Rodriguez was absent.

WHEREAS, the City of Chelsea (hereinafter referred to as the "City") and Maple Hotel Company (hereinafter referred to as "Maple Hotel") have been in negotiation relative to the mutual desire of each party to secure the necessary assistance to make it economically feasible for Maple Hotel to renovate and operate a hotel in Chelsea; and

WHEREAS, in return for participation in the State's Economic Development Incentive Program, Maple Hotel will invest approximately \$9,859,565 in property renovation, reconstruction and equipment acquisition at 201 Everett Avenue (hereinafter referred to as the "Business Site"); and

WHEREAS, the Maple Hotel project will result in the retention of jobs over the next five years, with Maple Hotel agreeing to conduct a local hiring search to backfill any jobs which may become available in subsequent years; and

WHEREAS, Maple Hotel is seeking a Tax Increment Financing exemption from the City, in accordance with the Massachusetts Economic Development Incentive Program and Chapter 23 A of the Massachusetts General Laws, and the City has agreed to provide tax relief as outlined in the Tax Increment Financing Agreement agreed to by the parties; and

WHEREAS, the Maple Hotel Project, as located at the Business Site, is fully located within the boundaries of the Revere-Winthrop-Chelsea Economic Target Area (ETA) as approved by the City of Chelsea and by the Massachusetts Economic Assistance Coordinating Council on December 18, 2013, and the Chelsea Economic Target Area (ETA) for the Everett Avenue Economic Opportunity Area (EOA), as approved by City of Chelsea on September 29, 1997 and the Massachusetts Economic Assistance Coordinating Council on October 27, 1997; and

WHEREAS, the Maple Hotel project is consistent with the City's overall economic development strategies of focusing investment in the Airport-Related and Downtown Boston Support sectors, two of six priority areas the City has identified for intensive investment support;

NOW THEREFORE BE IT ORDERED, that the City Council approves the Certified Project Application of Maple Hotel and forwards said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement; and

BE IT FURTHER ORDERED, that the City Council authorizes the City Manager to enter into a Tax Increment Financing Agreement between the City and Maple Hotel, with said agreement providing Maple Hotel an exemption on property taxes based on the growth portion of the assessed valuation of the

property at the Business Site, and a concurrent exemption on personal property tax at a rate of 60% for Year 1, 55% for Year 2, 50% for Year 3, 40% for Year 4, and 30% for Year 5; beginning in FY 2019 according to the requirements and regulations established that govern the implementation of such Tax Increment Financing Agreements.

The following order was introduced by Councilor Recupero and read for the second time. Councilor Recupero made a motion to adopt under suspension. Councilor Cortell moved not to send it to conference by roll call. The roll call failed to carry the request by a 5-5-1-0 vote. Voting yes were Councilors Vidot, Recupero, Lopez, Tejada, and Garcia. Voting no were Councilors Frank, Murphy, Avellaneda, Cortell, and Robinson. Councilor Rodriguez was absent. The order was upheld under suspension. Council Chairman Cortell stated that those voting yes wanted it to go to conference and those voting no did not want to go to conference. The outcome is to be determined because of a Request for a Legal opinion.

Ordered, that the City Manager, in the upcoming FY'18 Budget, propose a new Fund that would provide a subsidy of \$250.00 for any owner-occupant of a residential property whose tax bill increased in any one year by more than 18%.

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson. Councilor Rodriguez was absent.

ORDERED, that the City Council approves the cost items of the Teamsters Local 25 (DPW) Contract, July 1, 2016 through June 30, 2019, and;

ORDERED, that the Chelsea City Council authorizes the transfer of \$19,138.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Department of Public Works Administration – Streets and Sidewalks Division - Salaries Account #0142251-510200.

The following order was introduced by Councilor Robinson and read for the second time a motion from Councilor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson. Councilor Rodriguez was absent.

ORDERED, that the City Council approves the cost items of the Teamsters Local 25 (Dispatchers E911) Contract, July 1, 2016 through June 30, 2019, and;

ORDERED, that the Chelsea City Council authorizes the transfer of \$16,734.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Department of Emergency Management – Salaries Account #0123051-510200.

The following order was introduced by Councilor Robinson and read for the second time. A

motion from Councilor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilor Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell and Robinson. Councilor Rodriguez was absent

ORDERED, that the City Council approves the cost items of the AFSCME Local 708 (Library Employees) Contract, July 1, 2016 through June 30, 2019, and;

ORDERED, that the Chelsea City Council authorizes the transfer of \$7,724.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Department of Health and Human Services – Library Division – Salaries Account #0161051-510200.

New Business:

The following order was introduced by Councilor Cortell. A motion from Councilor Robinson moved the order to a second reading under suspension.

ORDERED, that the City of Chelsea hereby accepts the provisions of General Law Chapter 40, Section 57 as amended.

The following order was introduced by Councilor Cortell. A motion from Councilor Avellaneda moved the order to a second reading under suspension.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea;
WHEREAS, the City of Chelsea wishes to enact a new law passed by the Massachusetts Legislature to allow for the City to withhold licenses and permits for those delinquent in taxes or fees regardless of how long the delinquency has existed;
WHEREAS, adoption of this new law requires a minor change in the City's current Ordinance.

NOW, therefore be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

That Chapter 2, Section 2-199(a) be amended by:

- (1) adding in line 3, after the word "annually", the words "and may periodically"; and
- (2) striking out in lines 7 and 8 the words "for not less than a 12-month period."

The new full version of Chapter 2, Section 2-199(a) shall read as follows:

Sec. 2-199. - Licenses and permits of delinquent taxpayers.

- (a) *Tax collector to provide name of delinquent taxpayers.* The treasurer/collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges (hereinafter referred to as the treasurer/collector) shall annually, and may periodically, furnish to each department, board or commission which issues licenses or permits, including renewals and transfers (hereinafter referred to as the licensing authority), a list of any person, corporation or enterprise (hereinafter referred to as party) that has neglected or refused to pay any local taxes, fees,

assessments, betterments or other municipal charges, and which has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

- (b) *Denial, suspension or revocation of license or permit.* Any licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on the list furnished to the licensing authority from the treasurer/collector; provided, however, that written notice is given to the party and the treasurer/collector, as required by applicable provisions of law. Upon written request, a party shall be given a hearing by the treasurer/collector, to be held not earlier than 14 days after such notice, unless agreed to by all parties. Said list shall be prima facie evidence for denial, revocation, or suspension of the license or permit to any party.
- (1) The treasurer/collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the treasurer/collector with respect to such license or permit denial, revocation or suspension shall be made only for the purpose of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license or permit denial, revocation or suspension.
 - (2) Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority or permit granting authority receives a certificate issued by the treasurer/collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the municipality as the date of issuance of said certificate.
- (c) *Payment agreement.* Any party may be given the opportunity to enter into a payment agreement with the treasurer/collector, thereby allowing the licensing authority to issue a license. The validity of such license shall be conditioned upon the satisfactory compliance with such agreement. Failure to comply with such agreement shall be grounds for the suspension or revocation of such license or permit; provided, however, that the holder shall be given notice and a hearing as required by applicable provisions of law shall be held.
- (d) *Waiver.* The city manager may waive such denial, suspension or revocation if the city manager finds that the property owner, its officers or stockholders, if any, or members of the immediate family of the property owner, its officers or stockholders, as the term "immediate family" is defined in M.G.L. c. 268A § 1, has no direct or indirect business interest in the business or activity conducted in or on such property.
- (e) *Exclusion of certain licenses and permits.* This section shall not apply to the following:
- (1) Open burning permissions under M.G.L. c. 48, § 13;
 - (2) Sales of articles for charitable purposes licenses issued under M.G.L. c. 101, § 33;
 - (3) Clubs, associations dispensing food or beverage licenses under M.G.L. c. 140, § 21E;
 - (4) Dog licenses under M.G.L. c. 140, § 137;
 - (5) Fishing, hunting, trapping licenses under M.G.L. c. 131, § 12;
 - (6) Marriage licenses under M.G.L. c. 207, § 28; and
- (7) Theatrical events, public exhibition permits under M.G.L. c. 140, § 181.

The following order was introduced by Councilors Cortell, Frank, and Avellaneda. Councilor Avellaneda moved the order to a second reading under suspension.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea and to implement municipal policies;

WHEREAS, the residents of the City of Chelsea recently voted to adopt the Community Preservation Act allowing for a tax surcharge in order to promote open space, historic preservation and affordable housing; and

WHEREAS, the Community Preservation Act mandates that a municipality that approves such a surcharge establish by Ordinance a Community Preservation Committee to make recommendations on expenditures authorized by the Community Preservation Act; and

WHEREAS, adoption of the Community Preservation Committee is necessary to fully implement the will of the voters.

NOW THEREFORE, be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

By adding to Chapter 2, Article VII Boards and Commissions, a new Division 3 Community Preservation Committee that reads as follows:

DIVISION 3 COMMUNITY PRESERVATION COMMITTEE

Sec. 2-327. Establishment of the Community Preservation Committee

- (a) There is hereby established a Community Preservation Committee ("Committee") consisting of nine voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:
- (1) One member of the Planning Board as designated by the Board for a term of three years;
 - (2) One member of the Conservation Commission as designated by the Commission for a term of three years;
 - (3) One member of the Historical Commission as designated by the Commission for a term of three years;
 - (4) One member of the HHS Recreation & Cultural Affairs Division as designated by the City Manager for a term of three years;
 - (5) One member of the Chelsea Housing Authority as designated by the Chelsea Housing Authority for a term of three years; and
 - (6) Four members of the general public not City employees or currently holding elected or appointed positions, for a term of three years, appointed by the City Manager. All members appointed by the City Manager shall be approved by the City Council in same manner as all other appointees to boards and commissions.
- (b) No member shall serve more than two consecutive terms. In order to stagger the terms of the members, the initial appointments of the Housing Authority member, the Planning Board member and one member of the general public appointed by the City Manager shall be for two years; and the initial appointments of the HHS Recreation & Cultural Affairs Division and two members of the general public appointed by the City Manager shall be for one year.
- (c) Any vacancy on the Committee shall be filled by the commission, authority, board or person that designated the member who creates the vacancy by designating another member for the unexpired term.
- (d) Should any of the commissions, boards, or authorities who have appointment authority under this chapter be no longer in existence for whatever reason, then any other commission, board or authority performing substantially the same duties as those with appointment authority under this chapter shall have the authority to appoint a member of the committee as provided herein. In the event that there is no such commission, board, or authority then the City Manager shall have the authority to appoint to

the Committee a person acting in the capacity of, or performing like duties of the commission, board or authority in question.

- (e) The Committee shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations and establish any subcommittees as it deems appropriate.
- (f) The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by a majority vote of the quorum.

Sec. 2-328 Procedure for Appointment of Public Members

For the four members of the general public, there shall be a public announcement of the open positions, with at least a three-week period for submittal of an application to the City Manager. The public announcement shall be posted on the City's website and advertised in a newspaper of general circulation in the City. The four members of the general public should include citizens who have demonstrated interest in open space, recreation, historic preservation and/or affordable housing.

Sec. 2-329. Powers and Duties of the Community Preservation Committee

(a) The Committee shall study the needs, possibilities and resources of the City regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Chelsea Housing Authority and the HHS Division of Recreation & Cultural Affairs, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the City regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the City. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.

(b) The Committee shall make recommendations to the Chelsea City Council for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

(c) The Committee may include in its recommendations to the Chelsea City Council a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

(d) The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote. Recommendations to the Chelsea City Council shall include their anticipated costs.

Sec. 2-330. Action by the City Council

The City Council shall consider recommendations of the Committee similar to appropriation requests from the City Manager, and City Council action on such recommendations shall be governed by the same rules in the City Charter applicable to appropriation requests.

The remaining orders were all introduced by Councilor Robinson Chairman of the Sub-Committee on Finance. Councilor Avellaneda moved to refer all of the remaining orders to a second reading under suspension.

Ordered, that the Chelsea City Council authorize the appropriation of \$100,000 from Operating Stabilization Fund #7023 to supplement the Fiscal Year 2017 DPW Streets & Sidewalks Salaries Account #0142251-510200.

Ordered, that the Chelsea City Council authorize the appropriation of \$7,000 from Operating Stabilization Fund #7023 to supplement the Fiscal Year 2017 Personnel Advertising Account #0115252-522100.

Ordered, that the Chelsea City Council authorize the appropriation of \$21,000 from Operating Stabilization Fund #7023 to supplement the Fiscal Year 2017 Personnel Medical Services Account #0115252-531200.

Ordered, that the Chelsea City Council authorize the appropriation of \$70,000 from Operating Stabilization Fund #7023 to supplement the Fiscal Year 2017 DPW Streets & Sidewalks Capital – Acquisition of Vehicles – Account #0142258-584000.

Ordered, that the Chelsea City Council authorize the appropriation of \$20,000 from Operating Stabilization Fund #7023 to supplement the Fiscal Year 2017 DPW Streets & Sidewalks Traffic Signals Account #0142252-521400.

ORDERED,

that the City Council approves the cost items of the SEIU Local 888 Contract, July 1, 2016 through June 30, 2019, and be it further;

ORDERED,

that the Chelsea City Council authorizes the transfer of \$29,277.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Salaries Account 510200 to fund the FY2017 Contract Wage and Benefits Increases, such payments to be allocated by Department in the following manner:

Department	Dept #	Amount
Purchasing	138	1,099.00
Treasurer	145	6,151.00
Central Billing	159	1,639.00
City Clerk	161	2,184.00
Planning/Develop	3030	1,371.00
Police	210	6,704.00
Fire	220	1,448.00
DPW Buildings	470	4,510.00
HHS Admin	510	2,848.00
HHS Elder Services	541	1,323.00

ORDERED,

that the City Council approves the cost items of the USWA Local 9427 Contract, July 1, 2016 through June 30, 2019, and;

ORDERED,

that the Chelsea City Council authorizes the transfer of \$54,415.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Salaries Account 510200 to fund the FY2017 Contract Wage Increases, such payments to be allocated by Department in the following manner:

Department	Dept #	Amount
Purchasing	138	1,831.00
Treasurer	145	3,436.00
Information Tech	155	19,400.00
Central Billing	159	1,452.00
City Clerk	161	3,634.00
Planning/Develop	3030	6,390.00
Police	210	1,776.00
Emergency Mgmt	230	1,454.00
DPW Streets	422	1,768.00
DPW Trash	430	1,242.00
DPW Buildings	470	1,900.00
HHS Admin	510	2,486.00
HHS Public Health	511	1,553.00
HHS Elder Services	541	2,970.00
HHS Veterans Svcs	543	1,553.00
Library	610	1,570.00

ORDERED,

that the Chelsea City Council authorizes the transfer of \$35,229.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Salaries Account 510200 to fund the FY2017 Exempt Employee Cost of Living Adjustment, such payments to be allocated by Department in the following manner:

Department	Dept #	Amount
Legislative	110	1,713.00
City Manager	123	8,570.00
Treasurer	145	2,400.00
Law	151	7,335.00
Personnel	152	5,270.00
Information Tech	155	2,469.00
Planning/Develop	3030	2,340.00
Police	210	2,878.00
Emergency Mgmt	230	2,254.00

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'16 and FY'15 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY'17 budget, that Council authorizes the expenditure of \$27,605.58 from the School Department expenditure lines to satisfy the unpaid balance from the prior years.

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Paul G. Casino".

Paul G. Casino
Clerk of the Chelsea City Council