

P/M  
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SUSPENSION

ACCEPTED AND FILED

Chelsea, Massachusetts, December 4, 2017

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 Vidot, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilor Avellaneda arrived at 7:12 p.m. and Councilors Rodriguez and Garcia were absent. Council President Robinson presided over the meeting. The meeting opened at 7:00 p.m.

**Public Speaking:**

The public speaking portion of the meeting opened at 7:03 p.m. The following came forward to speak:

Paul Koolian 45 Jones Ave. Chelsea, spoke about the last time he addressed the City Council and apologized to Assistant Emergency Management Director Robert Verdone.

The public hearing closed at 7:07 p.m.

The minutes of the City Council meeting dated November 13, 2017 and November 20, 2017 were approved at the request of Councilor Murphy under suspension.

**Communications from City Manager:**

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

Chelsea City Hall  
500 Broadway  
Chelsea, Massachusetts 02150

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to the new Administer Code Section 1.12.02, I am writing to notify you of my intention to hire two non-residents for open position and grant them waivers from the residency requirement set in the Administrative Code, Part IV, Section 1.12.01.

The first candidate is Ms. Figueroa was a long time Chelsea resident, and a 2008 graduate of Chelsea High School, who only recently moved out of the City. Ms. Figueroa is the preferred candidate for this position. Her resume is attached.

The second candidate is Mr. Steve M. Staffier, 141 Bay View Ave. Winthrop for the position of Director of Emergency Management. Mr. Staffier will be the replacement for Allan Alpert, who is scheduled to retire on June 30, 2018. Mr. Staffier has experience in emergency management, E-911 dispatch and public safety related information technology. A copy of his resume is also attached. Mr. Staffier comes highly recommended by the Executive Office of Public Safety and Security. My intentions is to have Mr. Staffier commence employment in January and work together with Allan Alpert for six months.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waivers within seven days.

Sincerely,  
Thomas G. Ambrosino  
City Manager

*The following communication was received from City Manager Thomas Ambrosino. A motion from Councilor Murphy to accept and file was adopted under suspension.*

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

Re: *Appointments to Boards and Commissions*

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 Housing Authority, Mr. Bertram T. Taverna, 148 Grove Street, Chelsea, to take the place of Mr. Thomas Standish, who is resigning effective December 31, 2017. This term expires on September 26, 2021.

For appointment to the Planning Board, Ms. Gladys Vega, 116 Clark Ave., Chelsea, to take the place of Mr. Christopher Falbo, who has moved out of the City. This new term will expire on December 15, 2020.

For re-appointment to the Planning Board, Mr. Todd Taylor, 45 Nichols Street, Chelsea, for a new three year term expiring on October 6, 2020.

For re-appointment to the Planning Board, Mr. Olivier del Melle, 60 Dudley St., Chelsea, for a new three year term expiring on October 6, 2020.

For re-appointment to the Chelsea Board of Health, Mr. Emmanuel Tellez, 188 Broadway, Apt. 9, Chelsea, for a new three year term expiring on December 17, 2020.

For appointment to the Chelsea Historical Commission, Mr. Robert Pereira, 88 Gerrish Avenue, Apt. #101, Chelsea, to take the place of Ms. Ilana Ascher, who has resigned. This term expires on November 20, 2019.

For re-appointment to the Chelsea Traffic & Parking Commission, Mr. George Pazos, 59 Union Street, Chelsea, for a new three year term expiring on December 15, 2020.

For re-appointment to the Chelsea Cultural Council, Ms. Marlene Jennings, 33 Breakwater Drive, Chelsea, for a new three year term expiring on December 15, 2020.

For re-appointment to the Chelsea Licensing Commission, Mr. Mark Rossi, 55 Clark Avenue, Chelsea, for a new three year term expiring on December 7, 2020.

For re-appointment to the Chelsea Conservation Commission, Mr. Robert Lynch, 143 Shawmut St., #3, for a new three year term expiring on December 15, 2020.

For re-appointment to the Chelsea Historical Commission, Ms. Frances Mascolo, 45 Breakwater Drive, for a new three year term expiring on November 21, 2020.

I respectfully request your approval of these appointments. I have attached resumes for the persons not already working for or on existing boards of the City.

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

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

Re: Amendments to Condominium Conversion Ordinance

Dear Councilors:

In follow-up to last week's subcommittee meeting on the Condominium Conversion Ordinance, I am submitting for your review four (4) specific amendments to the original proposal Ordinance. These amendments will accomplish the changes that appeared to have unanimous support at the subcommittee meeting.

I ask that you approve these amendments, and then adopt the revised Ordinance. I have included for your review a final version of the Ordinance with these four amendments included.

Sincerely,

Thomas G. Ambrosino  
City Manager

*The following communication was received from City Manager Thomas G. Ambrosino. A motion from Councilor Ayellaneda to accept and file was made. Councilor Vidot requested that the Communication be sent to the sub-committee on conference under suspension.*

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

*RE: Request for Funding for Mid-Year Hiring*

Dear Councilors:

I am writing with a request for the City Council to support some mid-year hiring that I feel is important to ensure the effective functioning of certain City Hall Departments. I recognize that this represents a change of heart for me since discussion during budget hearings in the Spring. At that time, I indicated that, with the exception of the Inspectional Services Department, I believed we had adequate personnel in place. However, with the increased demands we are placing on our DPW, specifically with respect to capital projects and constituent services, and with additional work in the City Solicitor's Office created by the establishment of the Licensing Department, I feel these Departments now need some assistance. Rather than await FY19 and lose six months of progress, I would like to address the shortcomings now.

Of course, it is possible that, if financial circumstances change, the level of personnel I propose might not be sustainable in the long term. But, for the time being, the City has the financial wherewithal to maintain this level of hiring. For the reasons set forth below, I ask that it be implemented.

### **The Department of Public Works – 3 New Hires (\$70,769)**

As you know, the City restructured the DPW last year to create two Asst. Directors, one responsible for buildings, parks and general maintenance, and the other responsible mostly for horizontal infrastructure such as roadwork, sidewalks and underground utilities. This organizational change has worked extremely well. At the same time, with a robust capital improvement plan and many more demands being placed on the DPW for better constituent services, including more frequent cleaning of parks, more engagement with community groups, and quicker response to See Click Fix issues, both Asst. Directors, as well as the Director himself, have identified the need for increased personnel if we wish good service to continue. Further, the increased demands on DPW also require greater administrative support.

To meet these needs, I am proposing that we hire two additional full-time DPW laborers and one new administrative assistant. The two new laborers will ensure constituent services

continue to improve. The administrative assistant will ensure that the necessary financial analysis and documentation required by our enhanced capital improvement program is done timely and effectively. The combined cost for the three positions for the remainder of the fiscal year is \$70,769.

**The Law Department/Licensing Dept. – 1 Hire and Additional Hours (\$31,264).**

Last fiscal year, we reorganized the Law Department to create a new Licensing Department within its purview. Although that Licensing Department was created with a part time Licensing Administrator, the workload during renewal periods is more than anticipated, and some of the additional clerical work has spilled over to the Law Department. Further, within the Law Department itself, this is the first fiscal year where we are seeing the full administrative impact of three full time attorneys in the City Solicitor’s Office, and the work they are generating is starting to overwhelm the one support position in the Law Department.

For these reasons, I am requesting that we increase the hours of the part-time Licensing Administrator by 5 hours per week (from 25 to 30) for the three month renewal period *and* add another Exempt non-union support position to the Law Department. The new administrative support position in the Law Department should help manage the three full time attorneys as well as address any overflow from the Licensing Department. The cost of these hiring changes for the remainder of the year is \$31,264.

**The Inspectional Services Department – 2 Hires (\$62,145)**

The Inspectional Services Department is the one office that I did previously identify to the City Council as needing additional personnel, particularly to support the Food Inspection efforts. I had thought we could manage this shortage through FY18 and address the problem in the FY19 Budget. However, that changed with the mid-year loss of ISD Inspector Frank Henry, who transferred to the School Department.

Rather than just replace Mr. Henry, this seems like the opportune time to do some reorganization within the ISD. The goal is to hire a mid-level manager (a position that had previously been in ISD budgets, never filled, and removed this year) who can both oversee the Certificate of Habitability program and perform some actual housing inspections as support for existing personnel. In addition to that more managerial position, we would then also create a new second position – this one an inspector who would assist with Food Inspections, be responsible for rodent control issues and address in a timely fashion See Click Fix issues, which, for ISD, are mostly trash and vegetation related. With these two hires, I feel we can make up for the absence of Mr. Henry and fully address constituent service issues within ISD. The total cost of these positions for the remainder of FY18 is \$62,145.

**Temporary Part-Time City Hall Greeters (\$13,183)**

The final request is unrelated to any specific department but will improve our delivery of services to residents.

I have long stressed to Department Heads and employees the critical goal of providing better customer service to our residents and the need to make City Hall more “user-friendly.” The recent installation of a bi-lingual map in the foyer area has helped. And, we are working on a telephone-tree system to simplify the ability of telephone callers to reach the correct department.

However, it is till the case that many visitors to City Hall wander our corridors searching for their desired destination. They often end up asking for directions or assistance in other offices unrelated to their needs, creating frustration for both the visitor and our staff.

I wish to fix this problem by creating an information desk in the foyer area and staffing it with personable, preferably bi-lingual part-time employees who will be paid at approximately our Living Wage. Assuming that a few part-time employees can cover all of our existing City Hall hours, the total cost of this effort will be less than \$27,000 annually (39 hours x \$13.00 per hour x 52 weeks = \$26,364). In my opinion, this would be a small price to pay to gain enormous efficiency and, more importantly, significant goodwill among our residents. The cost for the remaining six months of this fiscal year is only \$13,183.

### **Conclusion**

I concede it is a bit unusual to be requesting mid-year personnel additions. But, the need to provide constituent services has always been a high priority for me, and I believe these changes will allow for much better responsiveness in this critical area.

I have attached the Financial Orders necessary to accomplish these personnel additions. I ask for the City Council’s approval. I will be available to answer any questions.

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 FY18 PARC Grant – O’Neil Playground*

Dear Councilors:

I am writing you with an update on the City’s pending PARC Grant submission for the O’Neil Playground. The City Council approved this grant proposal last June.

Last week, the City was notified by the Executive Office of Energy and Environmental Affairs (“EEA”) that PARC award announcements this year are slightly delayed. Notwithstanding this delay, EEA is requiring that all project proponents provide evidence of a City Council vote appropriating the full cost of the project no later than December 31, 2017.

As you may recall, the proposed renovations of O’Neil Playground include replacement of the playground’s rubber surfacing, introduction of new playground equipment, installation of a moderately-sized water feature, installation of new site furniture, lighting, and trash receptacles and the construction of a new entrance plaza with accessible ramp. Additionally, these renovations include new landscaping, such as shrubs and trees, and the pruning of existing trees. With a focus on modernizing this recreational facility for all users, highlighted as a priority in the City’s 2010 and 2017 (Draft) *Open Space and Recreation Plan*, this project will noticeably improve the O’Neil Playground neighborhood.

The City will complete its design of this park by June 30, 2017. That design process will include coordination with park users and neighborhood residents. Already, initial public meetings have been convened. We anticipate holding two additional public meetings to gather resident input on design features and park amenities during the Winter and Spring of 2018. Reconstruction of the playground will occur in FY19.

The PARC grant program operates as follows. The requested PARC grant of \$400,000 will finance 70% of the total project cost, based upon a preliminary grant application estimate at \$570,000. Per PARC Grant guidelines, the City is required to appropriate the full project cost in advance in order to execute a contract with EEA. Following completion of the project, the City will be reimbursed 70% of the project costs, up to the \$400,000 maximum grant reimbursement. What is different this year is that EEA is requiring this full appropriation vote to occur **before** it has actually awarded the grant. Nonetheless, we are confident that the City will be successful in obtaining this grant and anticipate that awards will be announced within the next few weeks.

As with other parks, it is possible that our costs for O’Neil Playground will actually exceed \$570,000. If that turns out to be the case, I will return to the Council for a further appropriation later in the fiscal year. Also, in the unlikely event that the City does not receive PARC Grant funding for this project, I will similarly come back to the Council with a different financial plan to accomplish this important park renovation.

Based upon the above, I respectfully request that the City Council approve the attached Resolution. As always, I will keep you apprised of this project’s progress.

Sincerely,  
Thomas G. Ambrosino  
City Manager

**Unfinished Business:**

Councilor Avellaneda moved to remove from Conference the Condo Conversion Ordinance under suspension. No objections and the Ordinance was properly before the Council. Councilor Avellaneda moved to adopt. Before the vote to adopt, amendments were offered. The first by Councilor Avellaneda passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The second amendment offered by Councilor Cortell passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The third amendment offered by Councilor Vidot passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The fourth amendment offered by Councilor Cortell passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The Fifth Amendment offered by Councilor Recupero passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The sixth amendment offered by Councilor Robinson passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez and Garcia were absent. The seventh and final amendment was offered by Councilor Robinson and passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilor Rodriguez and Garcia were absent. Councilor Avellaneda moved that the entire ordinance be adopted as amended by roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Robinson, and Frank. Councilors Rodriguez, and Garcia were absent.

Whereas, the need for housing that is affordable to a substantial number of Chelsea citizens is far greater than the supply; and

Whereas, this supply is decreasing as the overall housing market is inflating, and new housing developed in Chelsea tends to be higher cost than many current residents can afford; and

Whereas, Chelsea's housing stock is currently predominantly renter-occupied, but there is presently great interest in conversion of rental housing occupied by tenants to condominium units; and

Whereas, Chelsea's housing stock primarily consists of small, older, multifamily buildings that are currently comprised of rental units, but which tend to be targeted for conversion to condominium; and

Whereas, more than three-quarters of Chelsea renters are low income and nearly three-quarters of low-income renters are cost burdened, and therefore would struggle to secure alternative housing they can afford in Chelsea if the rental units they occupy were to be converted to condominium units; and

Whereas, the effects of condominium conversion cannot be addressed solely by production of new rental housing through the private market so the removal of rental units from the market must be regulated and controlled lest lower-income Chelsea residents are displaced from the city; and



Whereas, the local conditions described above constitute an acute rental housing emergency requiring local action on account of the aggravating impact of the factors set forth above.

**NOW THEREFORE, be it Ordained**, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended by striking out the existing Section 6-4 and replacing it with the following:

Sec. 6-4. - Condominium and Cooperative conversion.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Condominium* means the land or the lessee's interest in any lease of such land which is submitted to the provisions of M.G.L. c. 183A, the buildings, all other improvements and structures thereon, and all easements, rights and appurtenances belonging thereto, which have been submitted to the provisions of M.G.L. c. 183A.

*Condominium unit* is a unit in housing condominium as that term is defined in M.G.L. c. 183A.

*Cooperative unit* is a unit in a housing cooperative as set forth in M.G.L. c. 157B.

*Convert or Conversion* means the initial offer, in any manner, for the sale and transfer of title to any residential unit as one or more condominium units pursuant to an individual unit deed or, in the case of a cooperative, an individual proprietary lease.

*Owner* means a person who holds title in any manner to a building or housing accommodation, including without limitation a corporation, partnership or trust, and any employee, agent, servant or other representative of such owner.

*Unit or residential unit* means the room or group of rooms within a building which is used or intended for use as a residence by one household.

(b) *Purpose.* The purpose of this section is to ensure that measures are taken by property owners to notify the city of the conversion of residential rental units to condominium or cooperative units and to comply with state requirements when they do so. This notification and permitting process is to alleviate the disruption in providing city services, to aid in the determination of the appropriate assessments of properties within the city, and to ensure that condominium and cooperative owners comply with state mandated protections for tenants.

(c) *Notice of intended conversion to condominium or cooperative.*

(1) Any person who (i) holds title to a multiple-unit rental property within the city, (ii) who intends to take title to a multiple-unit rental property within the city and convert said multiple-unit rental property to condominiums or a cooperative, as herein defined, or (iii) any person who intends to establish a condominium or cooperative within the city shall be required to send written notice by certified mail, return receipt requested, to the following city departments to be received by said city departments at least 90 days prior to the filing of a master deed with the county registry of deeds:

- a. Office of the city clerk;
- b. Office of the city tax collector;

- c. Office of the city assessor;
- d. Department of public works;
- e. Inspectional services department;
- f. Department of planning and development.

(2) This notice shall include the following information:

- a. The property address as listed at the county registry of deeds prior to the proposed conversion;
- b. The street address assigned by the department of public works prior to the proposed conversion as to the final number of separate condominium units which shall result;
- c. The final number of units proposed post conversion and proposed square unit of each unit;
- d. Name and contact information for the condominium association, if already established.

(3) Any person required to send notice under subsection (c)(1) of this section is required to supplement said notice, if any of the information contained in the original notice becomes inaccurate prior to the recording of any master deed or unit deed.

(d) *Notice of intended consolidation/cancellation of condominium or cooperative.*

(1) Any person who (i) holds title to condominium or cooperative property within the city or (ii) who intends to take title to a condominium or cooperative property within the city and convert said condominiums or cooperative from that form of ownership interest to some other form of ownership interest, including but not limited to commonly owned multiple-unit rental property, shall be required to send written notice by certified mail, return receipt requested, to the following city departments, to be received by said city departments at least 30 days prior to the filing of documentation with the county registry of deeds, cancelling or converting the form of ownership interest in the real property from condominium or cooperative to such other form of ownership:

- a. Office of the city clerk;
- b. Office of the city tax collector;
- c. Office of the city assessor;
- d. Department of public works;
- e. Inspectional services department;
- f. Department of planning and development.

(2) This notice shall include the following information:

- a. The property addresses as listed at the county registry of deeds prior to the proposed conversion;
- b. The street addresses assigned by the department of public works, including unit numbers prior to the proposed cancellation/consolidation;

- c. The final number of separately owned units proposed post-cancellation/consolidation and square footage of each unit;
- d. Title references at the county registry of deeds for all properties affected by the cancellation/consolidation.
- e. Name and contact information for the condominium association and its successor in interest.

(3) Any person required to send notice under subsection (d)(1) of this section is required to supplement said notice, if any of the information contained in the original notice becomes inaccurate prior to the recording of any documentation with the county registry of deeds.

(e) *Conversion Permit.*

(1) Any person who (i) holds title to a multiple-unit rental property within the city, (ii) who intends to take title to a multiple-unit rental property within the city and convert said multiple-unit rental property to condominiums or a cooperative, as herein defined, or (iii) any person who intends to establish a condominium or cooperative within the city shall apply to the Director of Inspectional Services for a conversion permit.

(2) The application required by subsection (e)(1) shall contain an affidavit from the person proposing to establish a condominium or cooperative swearing on pains and penalties of perjury that they have complied with the provisions of this section and with the provisions of Section 4 of Chapter 527 of the Acts of 1983. Specifically the affidavit will aver that the owner:

- 1) Has given each tenant notice of the owner's intent to file a master deed at the registry of deeds or articles of incorporation with the Secretary of the Commonwealth;
  - 2) Has given each tenant notice that the tenant will have a period of time stated in the notice from the date of receipt of the notice before the tenant will be required to vacate the housing accommodation;
  - 3) Has given each tenant notice that the tenant will have a period of time stated in the notice to purchase the unit occupied by the tenant on terms or conditions which are at least as favorable as those which the owner extends to the public for ninety days following the expiration of the tenant's right to purchase;
  - 4) Has given each tenant notice that the owner will pay relocation expenses to the extent required by Section 4 of Chapter 527 of the laws of 1983 to any tenant choosing not to purchase their unit;
  - 5) And has given each tenant notice that the owner will assist any elderly, handicapped, or low or moderate income tenant to find comparable rental housing within Chelsea.
- (3) The owner will attach the required notices, including contact information for the tenants, to the affidavit. The period of notice required above shall be no less than the

expiration of any written agreement between the owner and the tenant governing the tenant's occupancy of the housing accommodation or one year whichever is greater; except that for any tenant who is elderly, handicapped or of low or moderate income, the period of notice shall be no less than the greater of the period of a such agreement or two years.

- (4) The above responsibilities and notices are intended to be consistent with the requirements of Chapter 527 of the Acts of 1983. To the extent they might differ, the notices required by Chapter 527 will satisfy the requirements of this section.
- (5) The application shall include a plan of the proposed common areas and a parking plan.
- (6) For any building or structure with ten or fewer units which is subject to this section, the applicant shall be required to install for each unit a separate water meter to measure water usage within the individual condominium unit.
- (7) The fee for such conversion permit shall be established from time to time by the Director of Inspectional Services.

(f) *Inspections.*

- 1) Prior to the issuance of any Conversion Permit, the Inspectional Services Department shall make an inspection of the units to determine if they are in compliance with all applicable provisions of the State Sanitary Code, applicable regulations of the Board of Health, the State Building Code, the Fire Safety Code, the City of Chelsea Zoning Ordinances and the rules and regulations of all other regulatory agencies of the City of Chelsea.
- 2) For any building or structure with less than ten units, the Department of Public Works shall make an inspection to confirm that each unit has a separate water meter.

(g) The Director of Inspectional Services shall issue a conversion permit only after confirming that:

- (1) City departments have been properly notified of the conversion;
- (2) each unit complies with all Sanitary Code, Fire Safety Code, Building Code, the City of Chelsea Zoning Ordinance and other regulatory requirements and has a valid occupancy permit for each unit;
- (3) for buildings with ten or less units, each unit has a separate water meter; and
- (4) the owner has complied with the notice and other requirements of Chapter 527 of the Acts of 1983.

(h) *Violations; penalties.*

- (1) *Fines/penalties.* Any present or former owner of property within the city who by the terms of this section was required to comply with the provisions of this section and who fails to do so in a timely fashion shall be fined \$500.00 for each converted unit.

- (2) *Violations.* Each notice required under the provisions of this section shall constitute a separate notice. The failure to send any one of the required notices shall constitute a separate violation of this section and is subject to a separate fine or penalty. Further, any notice required to be filed pursuant to the terms of this section which does not contain any of the content required as described in subsections (c) and (d) of this section shall be deemed not to have been sent. Each such failure to send required notice shall constitute a separate violation.
- (i) *Enforcement.* Any violation contained herein shall be deemed a criminal offense pursuant to criminal enforcement; or the city, at its sole discretion, may elect to pursue any violation of this section, non-criminally, pursuant to the provisions of section 1-8, as amended, in which instance civil tickets will be issued to the violators in accordance with the terms of this section. All fines and penalties issued pursuant to this section shall be listed on the certificate of municipal liens and shall not be removed unless and until such fines or penalties have been paid in full.
- (j) *Noncriminal disposition; designated enforcement officers.*
- (1) If the city elects to pursue this matter pursuant to section 1-8, civil tickets will be issued to the violators by the following designated enforcement officers:
- a. Director of public works or designee; and,
  - c. Director of inspectional services or designee.
- (2) For the purposes of this section, the city may deem that the failure of any notice to any required recipient by any person required to provide such notice shall constitute a separate offense and shall be subject to a separate fine.
- (k) *Applicability.* The provisions of this section shall apply to all multiple-unit property, whether commercial or residential in nature. The city does not intend to regulate the form of ownership of these properties, but intends to ensure that the city has adequate notice of any newly created condominium units or cooperatives or newly cancelled or consolidated units to ensure the efficient and accurate information is available upon request, including but not limited to the accuracy of any final water and sewer bills, the accuracy of information provided on certificates of municipal liens, and to ensure compliance with state protections for tenants.
- (l) *Severability.* The provisions of this Ordinance or Section shall be severable and if any section, part, or portion hereof shall be held invalid for any reason by any court, the decision of such court shall not affect or impair any remaining section, part or portion thereof.
- (m) This Ordinance shall be effective thirty (30) days from the date of adoption.

1<sup>st</sup> Amendment, That the proposed Condominium and Cooperative Conversion Ordinance originally submitted in February 2017 is hereby amended by Section E(7) by striking Director of Inspectional Services and inserting Chelsea City Council.

2<sup>nd</sup> Amendment, That the proposed Condominium and Cooperative Conversion Ordinance originally submitted in February 2017 is hereby amended by adding at the end of Section e(2)(4) the terms: "except that the relocation expenses shall not exceed \$750 per tenant, or \$1,000 if the tenant is elderly, handicapped, or low or moderate income."

3<sup>rd</sup> amendment, That the proposed Condominium and Cooperative Conversion Ordinance originally submitted in February 2017 is hereby amended by adding at the end of Section e(3) the following sentence: “Notwithstanding any language to the contrary in Chapter 527 of the Acts of 1983, in no situation shall the period of notice exceed two years, regardless of relocation efforts, unless expressly set forth in a written agreement between the tenant and owner.”

4<sup>th</sup> amendment, that the proposed Condominium and Cooperative Conversion Ordinance original submitted in February 2017 is hereby amended by adding at the end of Section e(4) the terms: “except as set forth in Section e(3) above.”

5<sup>th</sup> amendment, that the proposed Condominium and Cooperative Conversion Ordinance originally submitted in February 2017 is hereby amended by adding at the end of the first sentence of Section (k) the following: “except for owner occupied two and three family homes, provided that the owner occupant has occupied such building for more than two years.”

6<sup>th</sup> amendment, That a landlord must provide elderly, disabled, or low or moderate income tenants with reasonable assistance in locating accessible and comparable apartments with preference in the City of Chelsea.

7<sup>th</sup> amendment, Rent increases are restricted during the notice period to the percentage increase in the Consumer Price Index (CPI) or 10% whichever is less. add at the end of Sub. Sec. E3.

**New Business:**

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$25,425 from Operating Stabilization Fund #7023 to the Fiscal Year 2018 Department of Public Works Administration– Salaries Account # 0142151-510200 to provide for a new administrative staff position.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$45,344 from Operating Stabilization Fund #7023 to the Fiscal Year 2018 Department of Public Works – Streets and Sidewalks - Salaries Account # 0142251-510200, to provide for 2 new laborer positions.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$31,264 from Operating Stabilization Fund #7023 to the Fiscal Year 2018 Law

Department - Salaries Account # 0115151-510200, to provide for a new clerical position, and additional hours for an existing part-time clerical position.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$62,145 from Operating Stabilization Fund #7023 to the Fiscal Year 2018 Inspectional Services Department - Salaries Account # 0124051-510200, to provide for two new code enforcement positions, and reclassification of two other existing positions.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$13,183 from Operating Stabilization Fund #7023 to the Fiscal Year 2018 Department of Public Works - Structures and Grounds - Salaries Account # 0147051-510200, to provide for part-time greeter positions in City Hall.

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

ORDERED, that a Sub-Committee on Conference be scheduled with CCTV, IT Dept., Social Media Specialist, City Solicitor and the City Manager to discuss the implementation of a system to support live streaming of City Council meetings.

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

**Whereas,** The City owns O'Neil Playground, located at the corner of Beacon and High Streets; and

**Whereas,** The renovation of multi-use playground facilities, such as O'Neil Playground, are a priority detailed in the City's 2010 *Open Space and Recreation Plan* and the draft version of the City's 2017 *Open Space and Recreation Plan*, which has been conditionally approved by the state and is on-going; and

**Whereas,** The proposed renovations of O'Neil Playground calls for the replacement of playground equipment, installation of an expanded water spray feature, replacement of rubber surfacing, reconstruction of the site's entryway with an accessible ramp and seating plaza, replacement of site utilities, and introduction of new landscaping and trees; and

**Whereas,** The City has applied for funding from The Executive Office of Energy and Environmental Affairs (EEA) Parkland Acquisitions and Renovations for

Communities (PARC) Program (301 CMR 5.00), a reimbursable grant that the City has applied for to finance the O'Neil Playground Renovations; and

**Whereas,** The renovation of Highland Park has an estimated cost of \$570,000, and the grant will reimburse the City 70%, up to \$400,000, of the total project cost; and

**Whereas,** the City is required by PARC grant guidelines to set aside the full amount of the project and certify that full funding, including the State share, is available for the project prior to reimbursement; and

**Whereas** An impending decision on funding will be made by the PARC Program by the end of the calendar year, yet the Program has requested that applicants certify the availability of full project funding, to be reimbursed, before December 31<sup>st</sup>, 2017; and

**Whereas,** the City has appropriated \$175,000 as part of the FY18 Capital Improvement Plan, to supplement anticipated PARC Program funds, based upon the City's positive historical performance in obtaining such funds; and

**Whereas,** the City Manager shall formally inform the City Council in the event that PARC Program funding is not awarded, rescinded, or unavailable; therefore

**Ordered,** By this vote, the Chelsea City Council endorses the project for the receipt of PARC funds, appropriates the balance of the total project cost of \$400,000 from Operating Stabilization Fund #7023, certifies the City Manager's authority to enter into an agreement for receipt of these funds, and directs the City Manager to take any and all action necessary to accomplish the project.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Council