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ACCEPTED AND FILED

S. J. ROBINSON

Chelsea Massachusetts February 27, 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, Frank, and Garcia. Councilor Avellaneda arrived at 7:10 p.m. Councilors Rodriguez, and Robinson were absent. Council Vice-President Vidot presided over the meeting. The meeting opened at 7:00 p.m.

Memoriums and celebratory resolutions:

The following Resolution was introduced by Councilor Robinson and all members of the City Council. A motion from Councilor Murphy to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Reverend Dr. Sandra G. Whitley is the Pastor of the A.M.E. Church here in Chelsea and the current President of the Chelsea Rotary Club; and
WHEREAS, Reverend Whitley has truly committed herself to the residents of Chelsea, with programs helping homeless families and working with domestic abuse issues and others; and
WHEREAS, for several years Reverend Whitley has been promoting the annual Dr. Martin Luther King Jr. breakfast here in our city; now therefore, BE IT
RESOLVED, that the Chelsea City Council hereby recognizes February as Black History Month, wishes to thank Chelsea Black Community: One Strong Voice, and honors Chelsea trailblazers for their contributions to the City of Chelsea and beyond.

The following Resolution was introduced by Councilor Robinson and all members of the Chelsea City Council. A motion from Councilor Murphy to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Officer Sammy Mojica is Chelsea born and raised, and has been on the Chelsea Police department for about 17 years; and
WHEREAS, Officer Mojica has made the Chelsea Police department a more inclusive police department because of his dedication, hard work, and love for the job and the residents that he serves; and

WHEREAS, Officer Mojica also has, for many years, worked with the youth, multiple community organizations and others to make the City safer and better for us all. There is truly no one in the City that does not know of Officer Sammy Mojica and his amazing family; and

WHEREAS, Officer Mojica does an amazing job running the annual National Night Out event in our city; now therefore, BE IT

RESOLVED, that the Chelsea City Council hereby recognizes February as Black History Month, wishes to thank Chelsea Black Community: One Strong Voice, and honors Chelsea trailblazers for their contributions to the City of Chelsea and beyond.

The following Resolution was introduced by Councilor Robinson and all members of the Chelsea City Council. A motion from Councilor Murphy to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Trina and Reginal Wilkerson are lifetime residents of Chelsea that believe in giving back to the community; and

WHEREAS, since the passing of their mother a few years ago, Trina and Reginal have made it their mission to help raise funds to support the Gastrointestinal Cancer Research Fund; and

WHEREAS, every year Trina and Reginal have a family benefit fundraiser here in the city to help raise money for cancer research, which everyone should attend and support; now therefore, BE IT

RESOLVED, that the Chelsea City Council hereby recognizes February as Black History Month, wishes to thank Chelsea Black Community: One Strong Voice, and honors Chelsea trailblazers for their contributions to the City of Chelsea and beyond.

The following Resolution was introduced by Councilor Robinson and all members of the Chelsea City Council. A motion from Councilor Murphy to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Leo Robinson is a lifetime resident of Chelsea and has been a city leader of the Chelsea City Council for over 30 years and the current Council President; and

WHEREAS, Councilor Robinson and his brother, Ron Robinson, have worked tirelessly to keep the vision and the name of a city historian engineer, Mr. Lewis Howard Latimer, alive; and

WHEREAS, Leo and Ron both have worked with many young children and their families on many issues within our city for years; and

WHEREAS, Leo has pushed for our children to continue education, as both he and his brother were responsible for working with Jessie Thompson to establish

dual classes between Chelsea High School and Bunker Hill Community College; now therefore, BE IT
RESOLVED, that the Chelsea City Council hereby recognizes February as Black History Month, wishes to thank Chelsea Black Community: One Strong Voice, and honors Chelsea trailblazers for their contributions to the City of Chelsea and beyond.

The following Resolution was introduced by Councilor Robinson and all members of the Chelsea City Council. A motion from Councilor Murphy to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Robert Repucci is the Executive Director of Community Action Program Inter-City, (CAPIC) an organization in our city that helps the residents with programs from housing, heating assistance, healthcare issues and so much more; and
WHEREAS, Robert and his staff work hard, day and night, for the betterment of all city residents; and
WHEREAS, Just recently CAPIC has partnered with East Boston Health Care Center, for an urgent care assistance program and many other programs dealing with substance abuse issues; and
WHEREAS, Robert, working in health care in 1972, was responsible for working with Mass General to provide services to Chelsea when the Chelsea Memorial Hospital closed; and
WHEREAS, Robert has worked closely with Councilor Robinson in naming the nurse building on Bellingham Hill after a pioneer, Eleanor Clark, who was instrumental in helping Mass General locate in Chelsea; now therefore, BE IT
RESOLVED, that the Chelsea City Council hereby recognizes February as Black History Month, wishes to thank Chelsea Black Community: One Strong Voice, and honors Chelsea trailblazers for their contributions to the City of Chelsea and beyond.

The following Resolution was introduced by all members of the Chelsea City Council. A motion from Councillor Tejada to adopt under suspension was adopted.

RESOLUTION

WHEREAS, Zonta International is a leading global organization of professionals empowering women worldwide through services and advocacy; and
WHEREAS, the Zonta organization, which has been in Chelsea for 37 years, have now joined forces with HarborCov and Jose Ventura, owner of Ventura Taxi Co.; and
WHEREAS, together they can support women and the need to say "No" to violence against women; and

- WHEREAS,** aside from advocating for women and children internationally, they also provide scholarships for local high school children, promote health and wellbeing, support efforts of HarborCov, participate in Taste of Chelsea, and march in the Memorial Day Parade;
NOW THEREFORE, BE IT
RESOLVED, that we, the members of the Chelsea City Council, on behalf of the Citizens of Chelsea, congratulate the partnership of Zonta, HarborCov, and Jose Ventura and wish them continued success.

The following Resolution was introduced by all members of the Chelsea City Council. A motion from Councilor Cortell to adopt under suspension was adopted.

RESOLUTION

- WHEREAS;** February 17th was designated as "A Day Without an Immigrant" - a boycott movement in response to national anti-immigrant sentiments; and
- WHEREAS;** we are a nation of immigrants and a city made of and welcoming to them; and
- WHEREAS;** immigrants have been the foundation of the fabric of our city and nation and whose contributions can be seen in every aspect of our daily lives; and
- WHEREAS;** business owners, employees and students across the country participated in this organic and grassroots movement; and
- WHEREAS;** employees did so sacrificing anywhere from a day's pay to the potential of actual loss of employment and employers, a day's business; and
- WHEREAS;** many Chelsea business-owners chose to stand in solidarity with immigrants with whom they share experience, sympathy and empathy in our city, country and from all parts of the world; and
- WHEREAS;** the act of courage to stand in unity with the most vulnerable of communities at this critical time is worthy of recognition and support; now, therefore, **BE IT**
- RESOLVED;** that on behalf of the Citizens of Chelsea, we, the members of Chelsea City Council, recognize our local businesses and workers who participated in "A Day Without an Immigrant" for their sacrifice and continued contributions to making Chelsea the diverse, vibrant community it is.

The Resolution introduced by Councilor Garcia and all members of the Chelsea City Council that was listed on the agenda for the meeting was withdrawn.

City Manager Communications:

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Avellaneda moved the communication with regards to the appointments to Boards and Commissions to a second reading under suspension.

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

Re: *Appointments to Board 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 Advisory Board for Community Schools, Mr. Adam Wunische, 52 Chester Avenue, Chelsea, to fill the unexpired term of Ms. Sara Arman, ending on March 6, 2019. Ms. Arman has resigned.

For re-appointment to the Library Board of Trustees, for new three year term expiring in 2020, Ms. Alexandria Christmas, 67 Cook Avenue, Chelsea.

For re-appointment to the Council of Elder Affairs, for new three year terms expiring in 2020, Mr. Gerald DeStefano, 99 Great Woods Road, #1, Saugus and Ms. Laurel Newson, 216 Washington Avenue, Chelsea.

For appointment to the Traffic & Parking Commission, for a new three year term expiring in 2020, Ms. Carolyn Boumilla-Vega, 85 Blossom Street, Chelsea.

For appointment to the Chelsea Affordable Housing Trust Fund Board, Ms. Teri F. Weidner, 100 Captains Row, #103, Chelsea, to fill the unexpired term of Ned Keefe, ending on June 19, 2018. Deputy City Manager Keefe has resigned.

For appointment to the Chelsea Historical Commission, Devra Sari Zabot, 1016 Revere Beach Parkway, Chelsea, to fill the unexpired term of Allison Greenbaum, ending on November 21, 2017. Ms. Greenbaum has resigned.

I respectfully request your approval of these appointments. I have attached-resumes for the new appointees.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: *Request for State of the City Address*

Dear Councilors:

I am writing to request that the City Council allow me some time at the March 13, 2017 City Council meeting to provide a State of the City address. The address will include a short summary of work we have accomplished and goals for the year ahead. I expect the address to be relatively brief, lasting approximately 10-15 minutes.

Thank you in advance for your consideration.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: *Changes to the Chelsea Code of Ordinances Housing Provisions*

Dear Councilors:

I am writing to request the City Council consider for adoption two changes to our Code of Ordinances that pertain to housing. Copies of the new proposed Ordinances are attached. It is my opinion that each change will improve housing circumstances for our residents.

The first change is an update to our Condominium Conversion Ordinance, Section 6-4. As you may be aware, the relatively active housing market in Chelsea has created a lot of pressure on long term renters. In certain circumstances, investors are buying properties with an incentive to transform former rental units into condominiums. When that occurs, it creates a housing crisis for those renters, many of whom cannot afford to purchase a condominium.

To provide sufficient protection in these circumstances, and in particular to give renters adequate time to find alternative housing when such condominium conversion is proposed. I am recommending that

the City Council adopt the protections allowed by the Commonwealth in Chapter 527 of the Acts of 1986. In essence, these provisions will give renters at least one year, and in the case of elderly, disabled and low or moderate income tenants two years, to find a new home. It also requires payment of some relocation expenses.

The second proposed change is to our Certificate of Habitability program, Section 6-2. That program has been successful in identifying and requiring the repair of Sanitary Code violations in our rental housing stock. But, it has also helped to identify a pervasive problem of illegal units. When this occurs, the owner must remove the illegal unit before the Certificate of Habitability is issued. However, we have been concerned that certain duplicitous owners may be re-installing the illegal units once the Certificate issues. And, under our current rules, it may be as long as five years before our inspectors have an opportunity to re-inspect the building.

To address this problem, we are proposing a modest change in the Ordinance which will require that, in any circumstances where an illegal unit is found, removed and the CHO issued, the owner shall be required to undergo a subsequent inspection of all units in the building within one year to ensure that the problem has not resurfaced. We are hopeful that this may mitigate the illegal apartment problem.

Based upon the above, I respectfully ask that the City Council approve both changes.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: *Free Cash Requests*

Dear Councilors:

I am writing with four new requests for Free Cash appropriations to address some miscellaneous financial needs.

Continuity of Operations Planning-- \$15,000

The City is in the midst of adopting a comprehensive Continuity of Operations Plan ("COOP"). The total cost of the effort is \$60,000. The City hired a consultant, Fortress, for this work.

You may recall that the City Council appropriated \$25,000 in the Fall of 2015 for the first phase of this effort. Subsequently, the City Council received a \$20,000 grant under Governor Baker's Community Compact Initiative to assist with the Fortress contract. That left a remaining funding gap of \$15,000.

The first phase of the Fortress COOP projects is done, and we are now in the second and final phase of this work. The goal is to complete the study and have an operational COOP plan sometime this calendar year. At this point, to bring the project to completion, we need to provide the final funding of \$15,000. Accordingly, I ask that the City Council appropriate \$15,000 to finalize the COOP Plan.

Chelsea High School Capital Expenditures-- \$108,322.22

You are all well-aware of the major pest infestation problem that plagued Chelsea High School in December and led to a seven day shutdown of the building. Thankfully, the problem---several breaks in drainage/sewerage infrastructure underneath the foundation ---was identified and remedied. Unfortunately, the cost of this major underground infrastructure work was expensive, and it far exceeded the normal type of maintenance work that School Dept. operating budgets are allowed to absorb. For this reason, I am requesting that the funding for the cost of this work be paid from Free Cash. The total cost including some expended future work for this Summer, is \$108,382.22. A breakdown is attached.

Mass Gaming Commission Grant---\$15,000

The City of Chelsea has joined with the Metro North Regional Employment Board ("MNREB") and the municipalities of Everett, Malden, Cambridge and Somerville to apply for a grant from the Massachusetts Gaming Commission's Community Mitigation Fund Workforce Development Pilot Program. The goal is to help train our residents for employment with the new Wynn Boston casino.

The grant from the Mass Gaming Commission has a matching component. Each of the cities is providing matching funds based upon their size. The Chelsea contribution is \$15,000, which is the smallest of the matching funds. See attached email from MNREB. Our share of the grant will be used exclusively to ensure that Chelsea residents receive the necessary training and skills building to secure employment in the new casino industry. I ask that the matching funds be appropriated from Free Cash.

Spring Tree Planting---\$10,000

The City has the opportunity to partner with the Department of Conservation & Recreation to plant some trees as part of DCR's Greening the Gateway Cities Program. DCR will provide most of the trees, but the City does need some funds for loam, mulch and support. A small appropriation of \$10,000 should be sufficient.

For the above reasons, I respectfully ask that the City Council approve these requested Free Cash appropriations. The proposed Orders are attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The public speaking portion of the meeting opened at 7:20 p.m.

No one came forward to speak and the public speaking portion closed at 7:22 p.m.

The minutes of the City Council meeting dated February 6, 2017 were approved at the request of Councilor Garcia under suspension.

Second Readings:

The following order was introduced by Councilor Murphy and read for the second time. A motion from Councilor Murphy to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Frank, and Garcia. Councilors Rodriguez and Robinson were absent.

ORDERED that the Chelsea City Council authorize the appropriation of
\$548,000.00 from the Sewer Enterprise Fund – Retained Earnings
Account #6000 to the Carter Pump Station Project Account #55451416.

The following order was introduced by Councilor Murphy and read for the second time. A motion from Councilor Murphy to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Frank and GARCIA. Councilors Rodriguez and Robinson were absent.

Ordered, that pursuant to Section 2-192 of the City of Chelsea Ordinances, that the
City Manager may execute any and all documents to extend the Lease for
the tenancy at 324 Marginal Street, Chelsea until 2034.

The following order was introduced by Councilor Murphy and read for the second time. A motion from Councilor Murphy to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Frank and Garcia. Councilors Rodriguez and Robinson were absent.

ORDERED that the Chelsea City Council authorize the appropriation of
\$260,000.00 from the Free Cash Account to fund in CIP FY'17 Hawthorn
Street Roadway Project Account #554017 series.

The following order was introduced by Councilor Murphy and read for the second time. A motion from Councilor Murphy to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Recupero, Cortell, Murphy, Lopez, Frank and Garcia. Councilors Rodriguez and Robinson were absent.

ORDERED that the Chelsea City Council authorize the appropriation of
\$219,000.00 from the Water Enterprise Fund – Retained Earnings
Account #6010 to the Admirals Hill Pump Station Project Account
#55451718.

New Business:

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

REQUEST, that the Traffic and Parking Commission look into a way to give 15 minute parking to delivery vehicles that deliver on the corner of 29 Maverick St. and Shawmut St. and the corner of Essex St. and Shawmut St.

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

Request, for City Manager Tom Ambrosino to revise the Russell Waste Disposal contract to renegotiate the \$45 fee for the disposal of TV's and computer monitors.

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

Request, for the City Manager to instruct DPW Director to look into the cost and benefits of purchasing a mini Bobcat for sidewalk cleaning of public spaces and city owned property.

The following order was introduced by Councilor Cortell. A motion from Councilor Cortell to adopt under suspension was adopted.

Ordered, that a sub-committee on Conference be scheduled for March 7th, 2017 at 6 P.M. with consultants and City staff to discuss the City's housing needs and issues the housing strategy should address.

The following order was introduced by Councilor Robinson. A motion from Councilor Cortell 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 improve upon the existing Certificate of Habitability program by making certain changes which increase its effectiveness and ensure the safety of tenants.

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:

AN ORDINANCE REVISING PART II-SECTION 6-2 OF CHAPTER 6 OF THE CHELSEA CODE OF ORDINANCES REGARDING CERTIFICATES OF HABITABILITY

That the Code of the City of Chelsea is hereby amended by adding to Subsection 6-2(b) the following new sub-paragraph (4).

(4) Notwithstanding anything in subsections (1) and (2) above, and regardless of the date of any previous certificates of habitability, whenever a property owner has been required by ISD to remove a dwelling unit or space within a dwelling unit deemed illegal, the owner

shall be required to obtain a new certificate of habitability inspection for all dwelling units in that same building within one year of the date that ISD issues a building permit confirming removal of the illegal dwelling unit or illegal space.

The following order was introduced by Councilor Robinson. A motion from Councillor Cortell was made to refer it to a second reading. Councilor Avellaneda amended it to the sub-committee on conference.

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.

The following order was introduced by Councilor Tejada. A motion from Councilor Tejada to adopt under suspension was adopted.

Request, that the City Manager instruct DPW to install a sign "Video Surveillance" on the corner of Franklin Ave. and Forsyth St.

The following order was introduced by Councilor Tejada. A motion from Councilor Tejada to adopt under suspension was adopted.

Request, that the City Manager instruct DPW to install a sign "Dog Law Enforcement" at the corner of Franklin Ave. and Forsyth St.

The following order was introduced by Councilor Tejada. A motion from Councilor Tejada to adopt under suspension was adopted.

Request, that the City Manager instruct the animal control officer to enforce the dog laws at the corner of Franklin Ave. and Forsyth St.

The following order was introduced by Councilor Tejada. A motion from Councilor Tejada to adopt under suspension was adopted.

Request, that the City Manager instruct DPW to install a "No Sledding" sign on the corner of Franklin Ave. and Forsyth St.

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 \$15,000.00 from Free Cash to supplement Emergency Management-Contract Services-Account #0123052-530600.

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 \$108,322.22 from Free Cash to supplement the Fiscal Year 2017 School Department-Extraordinary Maintenance-Account #02314374-538000.

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

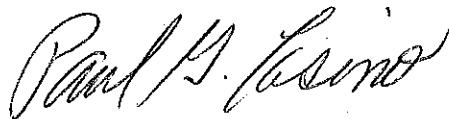
Ordered, that the Chelsea City Council authorize the appropriation of \$15,000.00 from Free Cash to supplement the Fiscal Year 2017 Planning and Development-Contract Services-Account #0117552-530600.

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 \$10,000.00 from Free Cash to supplement the Fiscal Year 2017 DPW Streets and Sidewalks-Trees-Account #0142252-543600.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Paul G. Casino".

Paul G. Casino
Clerk of the Chelsea City Council