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ACCEPTED AND FILED
SUSPENSION

Chelsea, Massachusetts October 16, 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, Avellaneda, Tejada, Rodriguez, Recupero, Cortell Murphy, Lopez, Robinson, Frank, and Garcia. Council President Robinson presided over the meeting. The meeting opened at 7:00 p.m.

Memoriums and celebratory resolutions:

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

RESOLUTION

- WHEREAS,** the City of Chelsea is committed to raising awareness about breast cancer and the impact it has on our loved ones, friends, colleagues and community members;
- WHEREAS,** thousands of women and men in our country take on the fight against breast cancer each year;
- WHEREAS,** screening and early detection can make a tremendous difference in overcoming breast cancer; NOW, THEREFORE, BE IT
- RESOLVED,** that we, the Members of the Chelsea City Council, acknowledge the importance of raising awareness of breast cancer in our community as we work to support survivors, those currently battling breast cancer and those who might detect it in its early stages, and that we recognize October 2017 as Breast Cancer Awareness Month in the City of Chelsea.

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

RESOLUTION

- WHEREAS,** the city of Chelsea is committed to ensuring the safety and security of all those living in and visiting Chelsea; and
- WHEREAS,** U.S. fire departments responded to 365,500 home fires in 2015, according to the National Fire Protection Association (NFPA); and
- WHEREAS,** U.S. home fires resulted in 2,560 civilian deaths in 2015, representing the majority (78 percent) of all U.S. fire deaths; and

WHEREAS, newer homes are built with lightweight materials that burn faster than older home constructions; and

WHEREAS, many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and

WHEREAS, these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sounds; and

WHEREAS, a home fire escape plan provides the skill set and know-how to quickly and safely escape a home fire situation; and

WHEREAS, a home fire escape plan includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home will meet upon exiting; and

WHEREAS, home fire escape plans should be developed by all members of the household; and

WHEREAS, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real fire situation;

WHEREAS, Chelsea first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Chelsea residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2017 Fire Prevention Week theme, "Every Second Counts: Plan 2 Ways Out!" effectively serves to educate the public about the vital importance of developing a home fire escape plan with all members of the household and practicing it twice a year; **NOW THEREFORE, BE IT**

RESOLVED, that We, the Members of the Chelsea City Council, do hereby proclaim October 8-14, 2017, as Fire Prevention Week throughout this community. We urge all the people of Chelsea to develop a home fire escape plan with all members of the household and practice it twice a year, and to participate in the many public safety activities and efforts of Chelsea's fire and emergency services during Fire Prevention Week 2017.

Public speaking:

The public speaking portion of the meeting opened at 7:10 p.m. The following came forward to speak:

Resident of 12 High Street, Chelsea Collaborative, spoke about Businesses operating from their homes and the many loop holes in the law.

Resident of 56 Clark Ave, Spoke about those that are not complying with the minimum wage law.

Barbara Richards Hooper Street, spoke about the street lights that are out at Eastern Ave. Broadway and Lewis Street area.

Resident of 159 Cherry Street, Spoke about the high cost of rents.

The public speaking portion closed at 7:25 p.m.

The minutes of the City Council Meeting dated September 25, 2017 were approved at the request of Councilor Cortell under suspension.

Communications from 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.

Honorable Chelsea City Council
Chelsea City Hall
Chelsea, MA 02150

Re: Yanespi Y. Alvarado Alfaro, Conflict of Interest Exemption

Dear Councilors:

I am writing to request a Conflict of Interest Exemption in order that Attached Yanespi Y. Alvarado Alfaro may hold a part-time ESOL Instructor position in the Community Schools Program. The position will be part-time for not more than six (6) hours per week. This request is made to establish the position as special under the M.G.L. Chapter 268A, Section 20. This request is necessary as Ms. Alvarado is also employed by the Chelsea School Department. As she will perform as a paid employee only part-time and for less than 800 hours in the year, the City seeks to obtain an exemption of the Conflicts of Interest Law from the City Council. MGL, Chapter 268A, Section 20, also known as the Conflicts of Interest Statue, provides for exemptions of this nature.

I would respectfully request that the Council approve the Conflict of Interest Exemption for Ms. Alvarado. I have attached a draft Order for your review and action. Please feel free to contact the Director of Human Resources and Administration, Diane Carey, with any questions or concerns.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. 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: *Request for Adoption of Complete Streets Policy*

Dear Councilors:

I am writing to request that the City Council approve the City's first Complete Streets Policy. This policy, aligned with the City's planning and design philosophy, sets forth the City's commitment to designing our roadways for all users, including pedestrians, bicyclists, vehicles and trucks, *but only when physically and economically feasible*. If adopted, this policy will unlock state-level planning, design and construction funds for "Complete Streets Projects."

Adopted by the Legislature in 2014, the Complete Streets program was created to promote livable communities through the provision of safe, accessible and comfortable roadway and sidewalk design. It

is administered by the Massachusetts Department of Transportation (“MassDOT”). The program incentivizes roadway and pathway design by providing state funding to enhance popular routes connecting residential, employment, recreation and retail destinations.

The state defines a Complete Street as one that provides safe and accessible travel options for all modes of travel, regardless of age and physical ability. This includes persons with disabilities, bicyclists, pedestrians, public transit and motorized vehicles. In practice, this means that a municipality will make a good faith effort to design roads with accommodations for everyone, when physically, financially and operationally possible, at the discretion of the municipality’s Chief Executive Officer.

The program is structured with three tiers. Tier 1 requires the development and passage of a “Complete Streets Policy,” following a forum for public comment. Approval of such a Policy is what I am requesting at this time. Once a Policy is approved, a municipality proceeds to Tier 2, which unlocks \$50,000 in state funding to produce a Complete Streets Prioritization Plan -- a city-wide plan for roadway improvements. Following the acceptance of a Tier 2 plan by MassDOT, a municipality then becomes eligible for Tier 3 funding. Tier 3 provides up to \$400,000 for construction to implement a Complete Streets project. In FY18, MassDOT disbursed approximately \$7.8 million to 22 communities for Complete Streets construction projects.

To commence the Tier 1 process in Chelsea, the City’s Planning & Development Department has drafted the attached Complete Streets Policy for review, public comment and approval by the City Council. A proposed Resolution for adoption is also attached. If approved, the policy will be sent to MassDOT for its own review.

It is my belief that the attached Complete Streets Policy advances safe and accessible design standards while providing sufficient discretion for the City to implement only what is practicable and financially feasible. Accordingly, I ask that the City Council set up a hearing for public comment on the Policy and subsequently adopt an acceptable version.

Respectfully,
Thomas G. Ambrosino
City Manager

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

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

Re: Fiscal Year 2018 Tax Rates

Dear Councilors:

I am writing to request that the Chelsea City Council schedule a meeting of the Sub-Committee on Conference on Monday, October 30, 2017, or on a more convenient date soon thereafter, for the purpose of discussing the Fiscal Year 2018 tax rates. My goal at that meeting is to provide a PowerPoint

presentation, and then answer questions, about FY18 valuations and the tax rate in a format similar to what I have done the past two years.

I also ask that the City Council schedule a public hearing with the Board of Assessors on Monday, November 13, 2017 for the purpose of voting on the Minimum residential Factor and setting of the tax rates for FY18.

Communications and petitions to the Council:

A copy of a communication was received from City Clerk/Parking Clerk Jeannette Cintron White regarding the Warrant for the City Election November 7, 2017. A motion from Councilor Murphy to accept and file was adopted under suspension. There will be an order pertaining to the Warrant under New Business.

A copy of a communication was received from Ms. Deborah Davis, School Committee Chair of the Northeast metropolitan Regional Vocational Technical School District Committee regarding the establishment of a Stabilization fund. A motion from Councilor Rodriguez to accept and file was adopted under suspension.

A copy of a communication was received from City Clerk/Parking Clerk Jeannette Cintron White regarding the actions approved at the October 3, 2017 Traffic and Parking Commission meeting. A motion from Councilor Cortell to accept and file was adopted under suspension.

Second Readings:

The following order was introduced by Councilor Murphy. A motion from Councilor Murphy to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Murphy, Lopez, Robinson, Frank, and Garcia.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

Ordered: That in accordance with Chapter 44, Section 20 of the General Laws, the sum of \$54,545.00 representing the unexpended portion of the \$700,000 borrowed under the Fiscal Year 2018 Capital Improvement Plan for the purpose of Vehicle Acquisition (Pumper) - Account 554011818-584000, but which is no longer needed to complete that project, is hereby abandoned/discontinued and funds transferred in the amount of \$54,545.00 to supplement the Assistance to Firefighters Grant – Vehicle Acquisition Project - Account 341318-584000.

The following order was introduced by Councilor Murphy. A motion from Councilor Murphy to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Murphy, Lopez, Robinson, Frank, and Garcia.

WHEREAS, the Commonwealth of Massachusetts makes available funds to reimburse 70% of total project cost up to a maximum of \$400,000 for the acquisition and/or development of local parkland under the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant (301 CMR 5.00; and

- WHEREAS,** the City's 2010 *Open Space and Recreation Plan Update*, the Administration and the Department of Planning and Development have identified open space goals and projects of interest and concern to the community, and recommend that the City apply for PARC funding to realize these specific goals; and
- WHEREAS,** the City has been awarded PARC Grant funds in the amount of \$400,000 to renovate Highland Park's basketball courts, playground, and seating areas, for which a design submission and public process was recently completed, and the City has appropriated \$170,000 in matching funds (in the FY17 CIP) for the PARC project; and
- WHEREAS,** Highland Park's parking lot warrants replacement, the introduction of new lighting fixtures and associated infrastructure, and the replacement of the perimeter irrigation system; and
- WHEREAS,** Highland Park's entryway and approach along Willow St. lack street lighting for pedestrians traveling to and from the park; and
- WHEREAS,** supplementary funds, in the amount of \$230,000 are necessary to absorb these additional, non-eligible grant costs,
- ORDERED,** By this vote, the City Council endorses the project for the PARC funds prepared by the Department of Planning and Development, appropriates the amount of \$230,000 from OPERATING STABILIZATION FUND #7023 to be utilized for the project at the discretion and direction of the City Manager, and reaffirms that the City Manager shall take any and all action necessary to accomplish the project.

New Business:

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

- WHEREAS,** The City of Chelsea has worked diligently at fostering safe and welcoming public ways, for people who bicycle, drive, take public transportation, and walk; and
- WHEREAS,** The City of Chelsea has historically undertaken planning studies and capital improvements to enhance public infrastructure for all users; and
- WHEREAS,** A number of municipalities, across Massachusetts and the United States, have adopted a formal Complete Streets Policy; and
- WHEREAS,** Complete Streets are designed, in a context sensitive manner, to enable safe transportation for all users, emphasizing vulnerable users and compliance with the Americans with Disabilities Act (ADA); and
- WHEREAS,** Pedestrians, bicyclists, motorists, and public transportation users of all ages and abilities are able to safely traverse roadways employing Complete Streets design principles; and
- WHEREAS,** Formalizing the City's commitment to Complete Streets will reinforce existing sustainable transportation policies, plans, and initiatives undertaken by the City

Manager, Department of Public Works, Department of Planning and Development, and Traffic and Parking Commission; and

WHEREAS, There are measurable, meaningful benefits when Complete Streets principles and practices are integrated into the planning, design, and construction of transportation infrastructure, including new construction, maintenance, reconstruction, rehabilitation, repair; and

WHEREAS, The key City departments involved in the design, construction and maintenance of transportation infrastructure are supportive of adopting a formal Complete Streets Policy, including the Department of Public Works, Department of Planning and Development, and the Traffic and Parking Commission; and

WHEREAS, MassDOT has created a new Complete Streets Program from which the City anticipates requesting up to \$50,000 in funding for the formulation of a Complete Streets Prioritization Plan, as well as funding of up to \$400,000 to municipalities for infrastructure construction;

NOW THEREFORE BE IT RESOLVED, That the City of Chelsea goes on record as endorsing and adopting the attached Complete Streets Policy, in accordance with all rules and regulations set forth by MassDOT's Complete Streets Program.

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

WHEREAS: Puerto Rico has seen unprecedented devastation in the aftermath of Hurricane Maria leaving US Citizens in life-threatening conditions. The need for food, water and medical assistance is critical; and

WHEREAS; The Jones Act of (Merchant Marine Act 1920, 46 USC 883) legislates that all imports and exports to the island are required to be transported on American ships, built in American shipyards, with American crews. Foreign flagged ships must pay substantial fines and adds a 15-20% cost increase on shipped goods that is passed onto the people of Puerto Rico as they grapple with a \$73 billion debt, and

WHEREAS; 3.4 million American citizens are in a humanitarian crisis; (100% of the island will be without electricity for the next 4-6 months; 44% of the island is without clean drinking water; over 80% of the islands crops have been wiped out; most schools remain closed leaving 700,000 student without access to formal education; flooded towns will have to deal with diseases that are common in contaminated drinking water), and

WHEREAS; The temporary 10-day lifting of the Jones Act from President Trump has expired re-imposing restrictions to the relief and long-term rebuilding efforts Puerto Rico will face, and

WHEREAS: 13% of Chelsea's population (according to 2010 census) is of Puerto Rican descent and the United States is home to over 5 million Puerto Rican families and it is our moral obligation to stand with members of our community and their families against any obstacles to Puerto Rico receiving critical life-saving aid, and

WHEREAS; Repeal of *The Jones Act* has been backed by the Heritage Foundation, Cato Institute, Manhattan Institute, Senator John McCain of Arizona, Representative Gary Palmer of

Alabama and several major publications, as well as a 12-month repeal from colleagues in Boston City Council, NOW

THEREFORE BE IT RESOLVED;

That the Chelsea City Council supports a repeal of The Jones Act (Merchant Marine Act 1920, 46 USC 883) which would allow foreign ships to bring lifesaving supplies directly to the island of Puerto Rico without further burdening the 3.5 million U.S. Citizens in Puerto Rico or their economy.

The following order was introduced by Councilor Robinson. A motion from Councilor Cortell to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Murphy, Lopez, Robinson, Frank, and Garcia.

ORDERED, that the warrant for the City Election November 7, 2017 be accepted.

The following order was introduced by Councilor Robinson. A motion from Councilor Cortell to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Murphy, Lopez, Robinson, Frank, and Garcia.

ORDERED, that the City Council of the City of Chelsea hereby approves a Conflict of Interest exemption, Pursuant to Massachusetts General Law Chapter 268A, Section 20B, for the temporary, part-time position of ESOL Instructor to be held by Yanepsi Alvarado as delineated on the attached documents.

The following order was introduced by Councilors Vidot and Lopez. Council President Robinson ruled the order out of order. Councilor Vidot challenged the Chair's decision. A roll call resulted and the decision of the Chair was upheld on a 2-9-0-0. Voting to override were Councilors Vidot and Lopez. Voting not to override were Councilors Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Murphy, Robinson, Frank, and Garcia.

The order in question reads as follows:

ORDERED, that a Sub-Committee on Conference be held to discuss the imposition of term-limits for all members of boards and commissions in the City of Chelsea to promote diversity of members, ideas and reflect the changing times.

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

ORDERED, that the City Manager consult with the Parking Clerk and report back an audit of how many businesses have more than 1 registered Commercial vehicle without off-street parking in residential zones

The following order was introduced by Councilors Vidot, Lopez, Tejada, and Rodriguez. A motion from Councilor Vidot to adopt under suspension was adopted.

ORDERED, that a Sub-Committee on Conference be held to discuss the imposition of a 1-year moratorium on any special permits/variances that don't meet the minimum zoning

requirements for off-street parking and/or for entities that seek parking relief, until the city can establish a plan to alleviate the current parking crisis.

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

ORDERED, that Traffic and Parking Commission evaluate the intersection of Summit & Warren and consider installing a speed bump in the area as it poses a threat to public safety.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council