

R/B

SUSPENSION

6

ACCEPTED AND FILED

Chelsea, Massachusetts, December 3, 2018

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, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recuperero. Council President Vidot presided over the meeting. The meeting opened at 7:00 p.m.

Public Hearing:

The public hearing regarding the Zoning Amendments to the Naval Hospital Development Residents and Commercial and Residential Units in Basement/Ground Floor in Retail Business Districts.

The public hearing opened at 7:03 p.m.

City Manager Thomas G. Ambrosino, supported the Zoning Amendments.

Robert Wilson 75 Boatswain way opposed the zoning amendments.

Closed at 7:09 p.m.

Public speaking:

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

Lisa Santagate Shurtleff Street, Thanked the Council for the recent events.

Roman Pucko Peabody Mass., spoke about various meetings and the Chestnut street traffic pattern.

Manual Teshe 893 Broadway Chel. Spoke in favor of the stadium covering.

Joseclyn Poste Chel. Spoke in favor of the stadium covering.

Noel Iidol 104 Cottage Street., spoke in favor of the covering.

Ms. Caleriella Chelsea Residdent, spoke on favor of the proposal.

Juan Galego 29 Francis Street., spoke in favor of the proposal for the covering.

Chelsea Resident 110 Chestnut Street, spoke in favor of the prosal.

Mary Bourque Superintendent of Schools, spoke in favor of the proposal.

Mr. Mammalotte DPW. Spoke about City Council orders on the Water rates.

Lucia Henriquez School Committee, supported the proposal on the covering.

The public speaking closed at 7:30 p.m.

The minutes of the City Council meeting dated November 19, 2018 were approved at the request of Councilor Brown under suspension.

Communications from City Manager:

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

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

Re: Appointment 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 Youth Commission, Ms. Talia Lemerise, 127 Willow Street, Chelsea, for a term expiring on June 30, 2019. Ms. Lemerise is a senior at Chelsea High School.

For appointment to the Chelsea Community Schools Advisory Board, Ms. Jessica Henriquez, 33 Bellingham St. Chelsea, for a three year term expiring in 2021. A copy of Ms. Henriquez's resume is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Recupero referred it to the Sub-Committee on Conference under suspension.

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

Re: *Water & Sewer Rates.*

Dear Councilors:

I am writing in response to the recent City Council Order requesting an explanation as to how the City determines water and sewer rates.

The rate setting effort in this City is straightforward. Basically, the City first determines the costs involved in operating its water and sewer enterprise system for the ensuing fiscal year. That is estimated in the Spring, and those proposed costs are provided to the City Council along with the City's proposed annual budget. Typically, the major drivers of increases in the Enterprise Fund budgets are the rates charged to the City by the MWRA for water and sewer services, and the debt service costs to the City for infrastructure improvement projects. The remaining costs generally don't rise all that dramatically from year to year.

Once the costs for the fiscal year are determined, the City then "backs into" the rates by increasing the prior year's tiered rates by the amount necessary to generate enough money to cover the new costs. The City typically seeks to break even with its Enterprise Funds, merely seeking to recover the true costs of operating the system and not necessarily trying to generate surpluses. Those surpluses that do exist surface as Retained Earnings and are reinvested in water and sewer infrastructure projects.

For this coming year, at the request of one Councilor, I have committed to analyzing the consequences of a two-tiered rate system in lieu of the current three tiered rate system. I should be able to provide the Council with a determination of what a two tiered system would look like sometime in the Spring. However, I do anticipate that the consequence of collapsing the first two tiers into a single tier will be that the single tier will have a rate somewhere in the middle between Tier 1 and Tier 2. This will mean that those persons who do the best job of conserving water, and thus currently pay only Tier 1 rates, will have higher bills because the single rate will be higher than Tier 1. For this reason, I am unlikely to recommend this change.

I am happy to provide more detail on water and sewer rate setting at a City Council subcommittee meeting if the Council so desires.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson moved the communication to the Sub-Committee on Conference under suspension.

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

Re: *Request for Approval of Union Contracts with Police Department*

Dear Councilors:

Pursuant to Section 4-3(l) of the Chelsea City Charter, I am writing to request City Council approval for the cost items of the new collective bargaining agreements negotiated with the two Police Department Unions: the New England Police Benevolent Association, Inc., Local 98, which represents the Police Superior Officers; and the New England Police Benevolent Association, Local 93, which

represents Patrol Officers. Both matters were referred to the Commonwealth's Joint Labor Management Council ("JLMC") for mediation/arbitration after the parties could not reach an initial agreement. In both cases, the JLMC assisted the parties in resolving the impasse. Both deals encompass four years, made up of two separate contracts: a one year deal for FY17; and a subsequent three year deal for FY18-FY20. A copy of each Agreement is attached.

There is only one cost item to these Agreements – the annual percentage increases. The other references within the Agreements to provisions that involve longevity, detail pay, sick leave incentive and clothing allowance are limited to clarifications and/or minor changes to existing provisions that do **NOT** add any additional financial costs to the City. The costs are approximately as follows:

FY17 – 2.5% -- \$250,739 (retroactive)

FY18 – 3% -- \$308,410 (retroactive)

FY19 – 3% -- \$317,662 (retroactive)

July 1, 2019 (FY20) 3% and 1% on Jan. 1, 2020 (FY20) -- \$383,358

Please note that these percentage increases are slightly more than what other City Hall unions have received. However, in return, the City did secure the new language on Residency upon which the City Council insisted. As of January 1, 2019, all new police hires must live in the City of Chelsea for five years, consistent with the Ordinance approved by the City Council earlier this year.

I strongly recommend that the City Council support these agreements, which have been the subject of lengthy negotiations spanning more than two and a half years. The total amount necessary to cover both the retroactive pay and the remaining costs in FY19 is approximately \$876,000. We set aside in Salary Reserve for the resolution of these two agreements a total of \$700,000. Accordingly, we will need an additional appropriation from Stabilization of \$176,000 to satisfy these contractual commitments. Copies of the necessary Orders approving the cost items and providing for the transfers from both Salary Reserve and the Stabilization Account are attached.

Sincerely,
Thomas G Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Brown moved the communication to the Sub-Committee on Conference under suspension.

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

Re FY19 PARC Grant – Eden Park

Dear Councilors:

I am writing you with an update on the City's pending PARC Grant submission for the renovation of Eden Park and a request that the City Council approve the necessary funding for this project. As you may recall, the City Council approved the grant proposal for Eden Park last June.

Last week, the City was notified by the Executive Office of Energy and Environmental Affairs (“EEA”) that PARC award announcements will likely be delayed until later in December. 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, 2018.

The proposed renovations of Eden Park include replacement of the playground’s rubber surfacing, introduction of new playground equipment, installation of a new water feature and splash pad, installation of new site furniture and lighting, and reconstruction of all site utilities. 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 2017 *Open Space and Recreation Plan*, this project will noticeably improve the Addison-Orange Neighborhood.

The City will complete its design of this park by June 30, 2019. That design process will include coordination with park users and neighborhood residents. Already, an initial public meeting has 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 2019. Reconstruction of the playground will occur during Fiscal Year 2020. Prior to the commencement of construction, a public informational meeting will be held to brief the public on the proposed construction schedule.

As a reminder, the PARC grant program operates as follows. If the grant is awarded to Chelsea, the Commonwealth will pay 70% of the costs of the park improvements, up to a maximum state share of \$400,000. However, the PARC grant is a reimbursement grant. This means that the City expends the funds for the project and then requests reimbursement from the Commonwealth. Per PARC Grant guidelines, the City is required to appropriate the full project cost in advance in order to execute a contract with EEA. 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.

Based upon the City’s estimates, the total cost of the Eden Park improvements will be \$750,000. To date, the City Council has appropriated \$250,000 through the FY19 Capital Improvement Program, leaving a balance of \$500,000, \$400,000 of which we expect to be reimbursed by the Commonwealth. In the event that this park ultimately costs more than the estimate, which is not uncommon, 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.

For all the reasons set forth above, I respectfully request that the City Council appropriate the remaining \$500,000 for this project. Funds are available in the Stabilization Fund. The specific Order and Resolution necessary for this request is attached. I just caution that this vote must be approved before December 31, 2018 in order to secure grant reimbursement.

Sincerely,
Thomas G Ambrosino
City Manager

The following communication was received from City Manager Thomas G. Ambrosino and was late. No objections. 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: *Notice of Waiver Intent*

Dear Councilors:

Pursuant to the Administrative Code Section 1.12.02, I am writing to notify you of my intention to hire Ms. Manwai Leung, 74 School St., #21, Waltham, Massachusetts for the position of Social Media Specialist and to grant her a waiver from the residency requirement set forth in the Administrative Code, Part IV, Section 1.12.01.

There was one Chelsea candidate who met the requirements for the position. However, after interviewing both candidates, I determined that Ms. Leung had superior skill and experience in the social media field. A copy of Ms. Leung's resume is attached.

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

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from friends and parishioners of the St. Stanislaus Church with regards to the traffic direction on Chestnut Street, between Third and Fourth Streets. A motion from Councilor A motion from Councilor Garcia to accept and file and send a copy to the Traffic and Parking Commission was adopted under suspension

A copy of a communication was received from John DePriest, Director of Planning and Development, regarding the Proposed Zoning Amendments to the Naval Hospital Basement/Ground Floor in Retail Business Districts. A motion from Councilor Vidot to accept and file was adopted under suspension.

Unfinished Business:

The following Revised Code of Ordinances on Zoning was removed from Conference by Councilor Vidot and an amendment to the Ordinance was proposed, Councilor Vidot moved to adopt the amendment by roll call. The roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia and Recupero. The amended version is as follows:

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

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

WHEREAS, The City Administration and the City of Chelsea Planning Board have recommended after a public hearing, the adoption of the amendments to the City of Chelsea Zoning Ordinance - Chapter 34;

WHEREAS, the Chelsea City Council, after due notice, public hearing, and deliberation finds:

- 1) That the amendments to Article XI Table of Dimensional Restrictions, Section 34-262 – Naval Hospital Development, Residential and Commercial advance legitimate aspects of public interest;
- 2) That the amendments to Article XIII Principle Use Regulations, Section 34-300 advances legitimate aspects of public interest;
- 3) That the amendment to Article III, Use Regulations, Section 34-52 Residential Units in Basement/Ground Floor in Retail Business Districts;
- 4) That the amendments further promotes the health, safety, and general welfare of the inhabitants of the City of Chelsea; and
- 5) That it encourages the most appropriate use of land throughout the City of Chelsea;

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:

1. That Chapter 34, Article XI Table of Dimensional Restrictions, Section 34-262 be revised with changes to the Naval Hospital Residential District by replacing the column titled “Naval Hospital Development, Residential (NHR)” with the following:

Naval Hospital Development, Residential (NHR)

Minimum lot area (sf) – leave blank; Per dwelling unit – 3,500; But not less than – 20,000; Maximum density – NA; Minimum density – NA; Minimum frontage (ft.)⁴ – 60; Maximum floor area ratio² – leave blank; Standard – 1; Bonus - NA; Maximum height (ft)⁵ – 40; Maximum number of stories – 2.5; Required yards (ft)⁷ – leave blank; Front – 20; Side – ¼ the height of the building¹³; Rear – 20; Maximum percent lot coverage – 50; Minimum useable open space/family (sf) – 150; Min area to remain as useable open space³ – 25; Min. distance between access points to same lot (ft)¹¹ – 50.

2. That Chapter 34, Article XI Table of Dimensional Restrictions, Section 34-262 be revised with changes to the Naval Hospital Commercial District by replacing the column titled “Naval Hospital Development, Commercial (NHC)” with the following:

Naval Hospital Development, Commercial (NHC)

Minimum lot area (sf) – leave blank; Per dwelling unit – NA; But not less than – 15,000; Maximum density – NA; Minimum density – NA; Minimum frontage (ft.)⁴ – 60; Maximum floor area ratio² – leave blank; Standard – 1; Bonus - NA; Maximum height (ft)⁵ – 40; Maximum number of stories – 4; Required yards (ft)⁷ – leave blank; Front – 20; Side – ¼ the height of the building¹³; Rear – 20; Maximum percent lot coverage – 50; Minimum useable open space/family (sf) – NA; Min area to remain as useable open space³ – 25; Min. distance between access points to same lot (ft)¹¹ – NA.

3. That Chapter 34, Article XIII Table of Principle Use Regulations, Section 34-300 be amended by replacing the row titled “Multifamily dwelling with four or more dwelling units” with the following:

Multifamily dwelling with four to six dwelling units

R1 – N; R2 – SP; R3 – Y; BR – Y; BR2 – Y; BH – N; B – N; SC - N; W – SP; I – N; LI – N; LI2 – SP; NHR – Y; NHC – N.

4. That Chapter 34, Article XIII Table of Principle Use Regulations, Section 34-300 be amended by replacing the row titled “Dwellings containing six or fewer dwelling units” with the following:

Dwellings containing seven or more dwelling units

R1 – N; R2 – SP; R3 – Y; BR – Y; BR2 – Y; BH – N; B – N; SC - N; W – SP; I – N; LI – N; LI2 – SP; NHR – SP; NHC – N.

5. That Chapter 34, Article III Use Regulations, Section 34-52 be deleted and replaced by the following:

Section 34-52 – Residential Units in Basement/Ground Floor in Retail Business Districts.

Within the Retail Business (BR) and Retail Business 2 (BR2) Districts, residential units in the basement or on the ground floor shall only be allowed by Special Permit from the ZBA, except that no such Special Permit shall be allowed or considered by the ZBA for a residential unit on the ground floor or basement floor in that portion of the Retail Business District on Broadway between City Hall Avenue and Williams Street if such residential unit abuts Broadway.

New Business:

An order was proposed by Councilor Avellaneda with regards to an amendment to the Revised Code of Ordinances on Marijuana establishments, was Objected to the first reading by Councilor Recupero. It will be brought up at the next Regular Scheduled Meeting.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$170,000 from the School Capital Stabilization Account, Fund #7024 to FY19 Veterans Field.

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

Ordered, that a Subcommittee on Conference be held with the City Manager, City Solicitor, Planning and Development, and the Department of Public Works to discuss City contracts for construction projects being awarded.

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

Whereas, The City owns Eden Park located at the corner of Eden St. and Addison St.; and

- Whereas,** The renovation of multi-use playground facilities, such as Eden Park, are a priority detailed in the City's 2017 *Open Space and Recreation Plan*; and
- Whereas,** The proposed renovation of Eden Park calls for the replacement of playground equipment, installation of a water spray feature, replacement of rubber surfacing, reconstruction of the site's passive seating areas, reconstruction of site walls, 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 Eden Park renovations; and
- Whereas,** The renovation of Eden Park has an estimated cost of \$750,000, 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 31st, 2018; and
- Whereas,** the City has appropriated \$250,000 as part of the FY19 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 hereby endorses the project for the receipt of PARC funds, specifically appropriates the balance of the total project cost of \$500,000 from the General Stabilization Fund #7020, 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 following order was introduced by Councilor Bishop. A motion from Councilor Bishop to adopt by roll call was defeated, 3-8-0-0. Voting yes were Councilors Vidot, Lopez, and Bishop. Voting no were Councilors Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia and Recupero.

Ordered, that any transfers or appropriations from the City of Chelsea Stabilization Fund or City of Chelsea School Stabilization Fund that are approved prior to certification of Free Cash for Fiscal Year 2019, that they be replaced with the Free Cash as soon as the funds are certified.

The following order was introduced by Councilor Bishop. Councilor Bishop moved to adopt under suspension and it was adopted.

Ordered, that the City Manager request from the Chelsea Police Department to place the mobile message board that displays the posted speed limit/your limit on Garfield Avenue, odd side in the area of 85 Garfield Ave.

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

Ordered, that the City Manager forward a copy of all fines and tickets with dates and locations issued by the Inspectional Service Department for the year 2018.

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

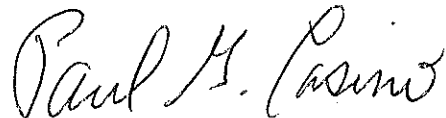
Ordered, that the City Manager request the city contractor to vacuum the following sewers:
22 Columbus Street
63 Columbus Street
9 Garland Street
469 Washington Avenue
505 Washington Avenue
533 Washington Avenue

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

Ordered, that the City Manager instruct DPW to investigate manhole/storm drain at Winthrop Road and Washington Avenue as it appears to be full of dirt.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council