

SUSPENSION #16 ACCEPTED AND FILED

Chelsea, Massachusetts, March 12, 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 Lopez, Brown, Bishop, Tejada, Robinson, Perlatonda, Garcia, and Recuperero. Councilors Vidot, Rodriguez, and Avellaneda were absent. Councilor Brown presided over the meeting. The meeting opened at 7:00 p.m.

Prior to the start of the meeting the following Police Officers were sworn in. Josselin Sanchez, David Varraso, and Mathew O’Flaherty.

**Memoriums and celebratory resolutions:**

*The following Resolution was introduced by Councilors Vidot and Garcia. A motion from Councilor Garcia to adopt under suspension was adopted.*

- WHEREAS;** American women of every race, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways;
  - WHEREAS;** American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our city by constituting a significant portion of the labor force working inside and outside of the home;
  - WHEREAS;** American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation;
  - WHEREAS;** American women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement;
  - WHEREAS;** American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and
  - WHEREAS;** despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history;
- NOW THEREFORE, BE IT

**RESOLVED;** by the Chelsea City Council that March is designated as “Women’s History Month.”

**Public Speaking:**

The public speaking portion of the meeting opened at 7:15 p.m.

The following came forward to speak:

Maureen Cauly 150 Captains Row, spoke against the transfer of \$20,000,000 to the stabilization fund.

The public speaking portion closed at 7:18 p.m.

*The minutes of the City Council meeting dated February 26, 2018, were approved at the request of Councilor Garcia under suspension.*

**Communications from City Manager:**

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

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

Re: *Cable Competition*

Dear Councilors:

I am writing in response to the recent Council Order requesting information about competition to Comcast from other cable television providers.

Please note that the City recently executed a new 10 year License Agreement with Comcast that will be in effect until 2027. However, that License has an explicit non-exclusivity provision. This means that the City is free to execute a contract with another cable company at any time.

Unfortunately, thus far, none of the competitors to Comcast in this area have expressed interest in expanding their network to Chelsea. We have previously contacted both Verizon and RCN, and neither has responded favorably. But, the City remains open to such cable competition, and we would be willing to commence negotiations on a License Agreement with any cable company that shows interest.

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

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

Re: *Former Irish Club-46 Clinton Street*

Dear Councilors:

I am writing in response to the recent Council Order requesting information about development at the former Irish Club. The information I have is consistent with what Councilor Robinson disclosed at this past Monday's City Council meeting.

At some point recently, an entity known as Tibetan Association of Boston acquired the Irish Club property. The building previously had an Occupancy Permit for a social club use on the first floor only. That use will be allowed as a matter of right by the new owner. I understand the new owner is currently working with ISD to secure the required Occupancy Permit for that permitted use. ISD recently conducted a team inspection of the property and identified certain violations. The owner must correct those violations prior to the issuance of a new Occupancy Permit.

The new owner has also expressed interest in expanding the social club use to the basement area. Such an expansion of an existing non-conforming use can only be accomplished by means of a Special Permit issued by the Zoning Board of Appeals. This expansion may also require parking relief, depending upon the overall occupancy load and available parking spaces. Thus far, the owner has started the Special Permit application process, but it has not yet supplied ISD with all the necessary documentation for a full review. Once that documentation is complete, ISD will issue its official denial letter, and the applicant will proceed to the ZBA. At that point, the normal Special Permit process will apply, meaning a public hearing preceded by newspaper advertisement and notice to all abutters.

Sincerely,  
Thomas G. Ambrosino  
City Manager

*The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Bishop to L.O.T pending and order was adopted under suspension.*

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

Re: *Request for Appropriation of Overlay Surplus to Assessing Department*

Dear Councilors:

I am writing to request that the City Council approve a transfer of funds, totaling \$25,000, from the Overlay Surplus Account to the Assessors' Office in order to cover the cost of an upgrade to the Vision software utilized by the Assessors' Office.

The Board of Assessors has determined that it has at least \$25,000 in surplus in its Overlay Reserve Account. For your information, the Overlay Reserve Account is the account from which the Assessors pay, among other items, tax exemptions and tax refunds resulting from overvaluations. The Assessors currently have more money in the Overlay Reserve Account than is required for these

payments. Pursuant to M.G.L. c. 59, §25, the Board of Assessors has authorized the transfer of \$25,000 from that Overlay Reserve Account to an Overlay Surplus Account. The Assessors are seeking to utilize this excess money to pay for a software upgrade. Utilizing the Overlay Surplus means that the City Council will not need to appropriate any new funds for this purpose.

To accomplish this end, I respectfully ask that the City Council appropriate the \$25,000 in Overlay Surplus to the Appraisal Services line item within the Assessors' FY18 Budget. I have attached a recommended Order for this purpose. I am happy to meet with the Finance Subcommittee for further discussion on this request.

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  
500 Broadway  
Chelsea, Massachusetts 02150

Re: *New Residency Ordinance*

Dear Councilors:

At your direct instruction, I have prepared a new Ordinance for the City of Chelsea which mandates that all new hires to the Chelsea Police Department and the Chelsea Fire Department must reside in Chelsea for a period of five years. I have kept the language of the Ordinance simple and straightforward.

I do wish to reiterate to you, however, that passage of this Ordinance does not mean its terms will be implemented. Residency is a mandatory subject of collective bargaining for public safety employees. Lee v. Labor Relations Commission, 21 Mass. App. Ct. 166, 167 (1985); see also City of Lynn v. Lynn Police Ass'n, 83 Mass. App. Ct. 1121 (2013) (Rule 1:28 Decision). Consequently, this Ordinance will only take effect if and when its terms are included in collective bargaining agreements with the respective public safety unions.

Yours truly,  
Thomas G. Ambrosino  
City Manager

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

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

Re: *Request for Matching Share of Massachusetts Gaming Commission Grant*

Dear Councilors:

I am writing to request financial support for a grant application to the Massachusetts Gaming Commission to assist Chelsea residents in workforce preparation for future jobs in the casino industry. The requested share from the City of Chelsea is \$50,000. The money is available from Free Cash.

The Massachusetts Gaming Commission has a Workforce Development Grant Program. The grant requires a matching component. This year, the City is part of a joint grant proposal with the Metro North Regional Employment Board and six other surrounding communities. Each of the municipalities is providing matching funds based upon the level of participation in the program. The Chelsea contribution, similar to that of Everett, Revere and Malden, is \$50,000. (See attached program description)

The City of Chelsea's matching share of \$50,000 will help to pay for the non-profit partners, including The Neighborhood Developers and Chelsea Collaborative, to engage and recruit local residents, provide career advising and assessment services, make referrals to education and training programs, provide job placement services, and implement a Chelsea specific ESOL ("English for Speakers of Other Languages") course and a job readiness course. With the potential for up to 4,000 new casino-related jobs, these efforts will help to ensure that Chelsea residents are best prepared to take full advantage of the upcoming employment opportunities.

Please note that this is the second year the City has partnered with the Metro North REB in this workforce development effort. Last year, the City contributed \$15,000. As the casino opening gets closer, we are trying to ramp-up this workforce readiness initiative.

For the above-described reasons, I ask that the City Council approve this \$50,000 appropriation from available Free Cash. I have attached a recommended Order for this purpose. I am happy to meet with the Finance Subcommittee for further discussion on this request.

Sincerely,  
Thomas G. Ambrosino  
City Manager

**Communications and petitions to the Council:**

*A copy of a communication was received from Planner/Land Use Administrator & Planning Board Administrator, Elijah Romulus, regarding a Report on Proposed Zoning Amendment/Marijuana Establishments. A motion from Councilor Lopez to accept and file was adopted under suspension.*

**Second Readings:**

*The following order was introduced by Councilor Bishop and co-signed by Councilors Robinson, Tejada, Lopez, Recupero, Brown, Vidot, Perlatonda, and Rodriguez. A motion from Councilor Bishop was to adopt by roll call. The roll call failed to carry on a 7-1-3-0 vote. Voting yes were Councilors Lopez, Brown, Bishop, Tejada, Robinson, Perlatonda, and Recupero. Voting no was Councilor Garcia. Councilors Vidot, Rodriguez and Avellaneda were absent. It was determined that the money transfer request needed a 2/3 vote. In this case 8 votes were necessary.*

Ordered, that the City Manager transfer the sum of \$20,000,000 from Free Cash Account to the City of Chelsea Stabilization Account.

The following communication received from City Manager Thomas G. Ambrosino with regards to Appointments to Boards and Commissions were read for the second time. A motion from Councilor Garcia to affirm all of the appointments by roll call passed 8-0-3-0. Voting yes were Councilors Lopez, Brown, Bishop, Tejada, Robinson, Perlatonda, Garcia, and Recupero. Councilors Vidot, Rodriguez, and Avellaneda were absent.

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 re-appointment to the Planning Board, Mr. Henry Wilson, 105 Beacon Street, #1, Chelsea, for a new three year term expiring on March 26, 2021.

For re-appointment to the Planning Board, Mr. Sashir Rao, 148 Congress Ave., Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Planning Board, Mr. Lad Dell, 14 Breakwater Drive, Chelsea, for a new three year term expiring on February 28, 2021.

For appointment to the Board of Library Trustees, Ms. Isabel Garcia, 373 Crescent Ave., Unit 2, Chelsea, for a three year term expiring on February 28, 2021.

For appointment to the Board of Library Trustees, Ms. Kristina Larsen Shaw Byrnes, 604 Washington Avenue, Apt. 5, Chelsea, for a three year term expiring on February 28, 2021.

For re-appointment to the Board of Library Trustees, Ms. Beth Novak, 126 Bloomingdale Street, Chelsea, for a new three year term expiring on February 28, 2021.

For appointment to the Board of Registrars of Voters, Mr. Gerrit DeYoung, 165 Winnisimmet Street, 2C, Chelsea, to take the place of Ms. Naysha Muniz-Buckley, who has moved out of the City. This term expires on September 24, 2020.

For re-appointment to the Board of Registrars of Voters, Ms. Faye Dookharan, 39 Cherry St., Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Board of Registrars of Voters, Ms. Liz Joyce, 45 Garland St., Chelsea, for a new three year term expiring on February 28, 2021.

For appointment to the Human Rights Commission, Ms. Olivia Anne Walsh, 91 Crest Avenue, Chelsea, to take the place of Mr. Juan Gallego, who resigned. This term expires on June 30, 2018.

For re-appointment to the Board of Assessors, Mr. Fella Goldberg, 1 Boatswains Way, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Board of Assessors, Ms. Kathleen Conlon, 83 Tudor St., Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Board of Health, Ms. Catherine Maas, 38 Beacon St, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Board of Health, Ms. Madeline Scammell, 59 Eleanor St, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Board of Health, Dr. Dean Xerras, 1441 Centre St, Newton, for a new three year term expiring on February 28, 2021.

For re-appointment to the Conservation Commission, Stephen Sarikas, 137 Prescott Ave, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Conservation Commission, Judith Dyer, 11 Heard St, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Conservation Commission, Alan Orloff, 100 Commandants Way #104, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Economic Development Board, Richard Pantano, 99 Exeter St, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Zoning Board of Appeals, Joseph Mahoney, 200 Captain's Row #403, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Zoning Board of Appeals, Marilyn Vega-Torres, 77 Essex St., Chelsea, for a new three year term expiring on February 28, 2021.

For appointment to the Council of Elder Affairs, Roberta Tarris, 57 Cherry Street, Chelsea, for a three year term expiring on February 28, 2021.

For re-appointment to the Council of Elder Affairs, Robert Bradley, 28 County Rd, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Council of Elder Affairs, Antonio Ortega, PO Box 410016, Cambridge, for a new three year term expiring on February 28, 2021.

For re-appointment to the Council of Elder Affairs, Irene Malachowski, 23 Garland St, Chelsea, for a new three year term expiring on February 28, 2021.

For re-appointment to the Council of Elder Affairs, Greg Walczak, 124 Chester Ave, Chelsea, for a new three year term expiring on February 28, 2021.

For appointment to the Cultural Council, Devra Sari Zobot, 60 Dudley St., Unit 316, Chelsea, for a three year term expiring in 2021.

For appointment to the Cultural Council, Amy Ingrid Schlegel, 36 Medford St., Unit 3, for a three year term expiring in 2021.

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

Sincerely,  
Thomas G. Ambrosino  
City Manager.

**New Business:**

The following order was introduced by Councilor Recupero. A motion from Councilor Recupero to send the order to the Sub-Committee on Conference was adopted under suspension.

Ordered, that the City manager include in his budget the necessary expenses to hire legal representation to represent the City Council for legal opinions, challenges, etc., and provide the Council with a list of attorneys that are interested so the Council may determine who they wish to hire.

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

Ordered, that a Subcommittee on Public Safety be scheduled with Tony Ortiz and the Chief of Police, or his designee, to discuss updates on ongoing issues pertaining to public safety.

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

Ordered, that the City Manager instruct DPW to repaint all crosswalks throughout the city as soon as the weather permits.

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

Ordered, that the City Manager instruct DPW to paint "Stop" on the roads at the intersection of Bellingham and Eastern Ave. as well as Cottage and Eastern Ave.

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

Ordered, that the City Manager instruct DPW to repaint parking spot outlines at Bellingham and Highland Circle.

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

Ordered, that the City Manager provide the City Council with a list by street, of all parking tickets issued from 1/1/2017 to 3/1/2018 for resident parking violations and overnight parking of commercial vehicles.

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

ORDERED: that the Chelsea City Council authorizes the appropriation of \$25,000 from the Overlay Surplus Account to the Assessors' Office Appraisal Services Account 0114152-531100.

The following order was introduced by Councilor Recupero. Councilor Recupero amended the order to insert April 1, 2018 in section 2-61 (b), by roll call. Councilor Robinson amended the order to refer to the sub-committee on conference. On roll call the amendment failed 1-7-3-0. Voting yes was Councilor



Robinson. Voting no were Councilors Lopez, Brown, Bishop, Tejada, Perlatonda, Garcia, and Recupero. Councilors Vidot, Rodriguez, and Avellaneda were absent. The amendment from Councilor Recupero passed 6-2-3-0. Voting yes were Councilors Lopez, Bishop, Tejada, Robinson, Perlatonda, and Recupero. Voting no were Councilors Brown and Garcia. Absent were Councilors Vidot, Rodriguez, and Avellaneda. Councilor Recupero then requested that the Order be moved to the Sub-Committee on Conference 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 apply a requirement of residency for new hires to the Chelsea Police Department and the Chelsea Fire Department; and

WHEREAS, the Council believes that adoption of this residency requirement will strengthen the bonds between residents and its public safety departments.

**NOW, therefore be it Ordained**, that Chapter 2, Article III of the Revised Code of Ordinances of the City of Chelsea as amended, be further amended by adopting a new Section 2-61 which shall read as follows:

**Section 2-61. Residency for Chelsea Police Department and Chelsea Fire Department Civil Service Employees.**

(a) Notwithstanding any Administrative Order to the contrary, all police and fire department civil service personnel hired after April 1, 2018 who live in Chelsea at the time of hire shall maintain residency in the City of Chelsea for a period of five years from the date of hire. Any employee who fails to maintain such residency during this period shall be subject to immediate termination.

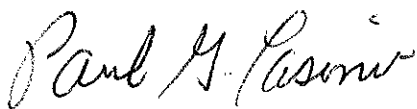
(b) For any police or fire civil service employee who at the time of hiring pursuant to civil service rules, is not at such time a resident of the City of Chelsea, such employee shall have six months in which to relocate to Chelsea. For such employees, the five year period of residency shall commence on the date of relocation to Chelsea. Any such employee who fails to relocate to Chelsea within this initial six month period, or fails to maintain such residency during the ensuing five years, shall be subject to immediate termination.

(c) The City Council may grant a waiver from these residency provisions. Such waiver shall be allowed only upon petition by the police or fire employee. A two-thirds affirmative vote of the City Council shall be required to approve any such waiver.

This provision shall take effect on April 1, 2018.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Council