

5/6.  
SUSPENSION

Chelsea, Massachusetts, June 4, 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 Recupero. Council 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 Chelsea City Council. A motion from Councilor Robinson to adopt under suspension was adopted.

**RESOLUTION**

- WHEREAS;** Stephanie Simon, a Chelsea High School athlete, will be going as a participant in the National Track Meet, held on June 15, 2018 in Greensborough, North Carolina, and
- WHEREAS;** Stephanie Simon recently participated at the M.I.A.A. state meet, placing 3<sup>rd</sup> in the 100M dash, 3<sup>rd</sup> in the high jump, and 2<sup>nd</sup> in the triple jump, with a 38'1/2" distance, which qualified her for a second event at Nationals, and
- WHEREAS;** Stephanie Simon is undefeated in the 100 hurdles, 200m, high jump, and only lost once in the triple jump (to her sister,) she also placed first in the high jump at the State Coaches invitational, and qualified for the New Balance National Championship, and
- WHEREAS;** Stephanie not only excels in athletics but shows her academic ability with a 3.3 GPA, taking honors classes, while being a member of the band, where she plays the saxophone and also plays the guitar and piano, now therefore, BE IT
- RESOLVED;** that on behalf of the citizens of Chelsea, We, the Members of the Chelsea City Council, wish to go on record to say "how proud we are of your achievements, Stephanie, and wish you much success, not only at Nationals, but in all your future endeavors."

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

## RESOLUTION

**WHEREAS;** Gerry McCue will be retiring from the Chelsea School system, June 30, 2018 after 26+ years of dedicated and professional services, and

**WHEREAS;** Gerry McCue was a School Business Manager, and most recently served as the Executive Director for Administration and Finance, and

**WHEREAS;** Gerry McCue, while working as Executive Director, was responsible for the School Department finance and budget, business operations, food service program, student transportation, and facilities management, and

**WHEREAS;** Gerry McCue was also honored by the Chelsea Black Community as a "Trailblazer", and honored by Chelsea High School Sports Inversant's Chelsea 300 Club, now therefore, BE IT

**RESOLVED;** that on behalf of the citizens of Chelsea, We, the Members of the Chelsea City Council, wish to express to Mr. Gerry McCue our gratitude and appreciation for his dedication to the School Department and the children of Chelsea, and wish him many years of health and happiness upon his retirement.

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

## RESOLUTION

**WHEREAS,** individuals who are lesbian, gay, bisexual, transgender, and queer (referred to in this resolution as LGBTQ) include individuals from all States and the District of Columbia and all faiths, races, national origins, socioeconomic statuses, education levels, and political beliefs, and

**WHEREAS,** LGBTQ people in the United States have made, and continue to make, vital contributions to the United States and to the world in every aspect, and

**WHEREAS,** LGBTQ people in the United States serve, and have served, the United States Army, Coast Guard, Navy, Air Force, and Marines, honorably and with distinction and bravery, and

**WHEREAS,** LGBTQ people in the United States have fought for equal treatment, dignity, and respect, and have achieved significant milestones, ensuring that future generations of LGBTQ people in the United States will enjoy a more equal and just society, and

**WHEREAS,** despite being marginalized throughout the history of the United States, LGBTQ people in the United States continue to celebrate their identities, love, and contributions to the United States in various expressions of Pride; and

**WHEREAS,** the Chelsea LGBTQ Coalition raised the Pride flag for a third year in a row in Chelsea, on Friday, June 1<sup>st</sup>, in honor of LGBTQ Pride Month, now therefore, BE IT

**RESOLVED**, that we, the Members of the Chelsea City Council, officially recognize June as LGBTQ Pride Month and celebrates and supports the LGBTQ Community in Chelsea and beyond.

**Public Hearing on the FY'19 Budget:**

The public hearing on the FY'19 proposed City Budget opened at 7:10 p.m. The following came forward to speak:

City Manager Thomas G. Ambrosino, supports the introduced Budget as is.

Chelsea Teachers Union V.P., supports the Budget as is.

School Committeewoman J. Velez 1 Franklin ST. Chel, supported the Budget as is.

President of the Chelsea Teachers Union, supported the Budget as is.

Kathrin Edison Chel. School Teacher, supported the Budget as is.

The public hearing closed at 7:24 p.m.

**Public Speaking:**

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

The following came forward to speak:

Daniel Reba Commandants way, Chelsea, spoke about the outreach of the Church and offered support in any way for Chelsea.

Roman Pucko P.A.V., spoke about the need of a parking plan in Chelsea.

Mark White Developer, spoke in need of a parking study in Chelsea.

The public se peaking portion closed at 7:30 p.m.

**The minutes of the City Council meeting dated May 21, 2018 were approved at the request of Councilor Tejada under suspension.**

**Communications from the 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: *Administrative Order on Zoning Board of Appeals*

Dear Councilors:

Pursuant to Section 6-1(a) of the City of Chelsea Charter, I am writing to notify you that I have promulgated a new Administrative Order regarding the Zoning Board of Appeals. The new Administrative Order revamps this multi-member body to create a five member Board, rather than the previous three, and requires that all members be residents of the City of Chelsea. The Planning Director no longer serves as Board chair but instead acts, or designates someone in the Planning Department to act, as the administrative assistant to the Board.

The impetus for this change was concern expressed by the City Council and others that the previous configuration of the Board was perhaps not consistent with the City Charter. After careful review, and consultation with the City Solicitor, I determined that this new configuration better conforms to all Charter provisions.

As you will see, I have allowed for the possibility of appointing an associate member of the Zoning Board of Appeals, to serve when a member is absent, as is allowed by M.G.L. c. 40A, §12. However, at the moment, I will leave that position unfilled and only seek such a member if the new Board has trouble securing a quorum.

I will be submitting to the City Council a recommended candidate for the new opening under a separate letter.

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: *Appointments to the Harbor Planning Group*

Dear Councilors:

As you know, the City is commencing work on its Municipal Harbor Plan. The first public meeting on this Plan is scheduled for Mon., June 11, 2018 at 6:00 p.m. at the Senior Center.

As part of its regulatory requirements for this Plan, the City must establish a Harbor Planning Group to assist in the planning process. The membership of the group was proposed by the City in its Request for a Notice to Proceed to the Massachusetts Office of Coastal Zone Management, and CZM has consulted with the City and approved this attached list of members and member organizations. Accordingly, pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend that the City Council approve the attached membership.

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: *Notices of Waiver Intent*

Dear Councilors:

Pursuant to Administrative Code Section 1.12.02, I am writing to notify you of my intention to hire two non-residents for open positions in the Division of Recreation & Cultural Affairs and to grant them waivers from the residency requirement set forth in the Administrative Code, Part IV, Section 1.12.01.

The first candidate is Ms. Nathalie Pardo, 7 Seaport Drive, Apt 223, Quincy, Massachusetts for the position of Community Recreation & Arts Program Manager. Ms. Pardo has been working with the Chelsea Youth Commission as a volunteer mentor since the Fall. Her resume is attached.

The second candidate is Ms. Omar A. Miranda, 14 Mount Washington St. Apt. 12 Lowell, Massachusetts. Mr. Miranda has been working for the past year at the Boys & Girls Club of Greater Lowell. His resume is also attached.

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

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

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

Re: *Appointments to Boards and Commissions*

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend the following individuals to Boards and Commissions in the City.

For appointment to the Human Rights Commission, Mr. Roberto Rodriguez Lugo, 855 Broadway, Apt. 102, Chelsea. This term expires on June 30, 2021.

For re-appointment to the Human Rights Commission, Rev. Sandra Whitley, 141 Mitchell G Drive, Tewksbury, Massachusetts, for a new three year term expiring on June 30, 2021.

For re-appointment to the Human Rights Commission, Ms. Olivia Anne Walsh, 91 Crest Ave., Chelsea, for a new three year term expiring on June 30, 2021.

For re-appointment to the Affordable Housing Trust Fund Board, for new two-year terms expiring on June 30, 2020, all seven of the current members, none of whom have served more than a single two-year term:

1. Shawn Dempsey, 25 Medford St., Unit 2, Chelsea.
2. Deputy City Manager Ned Keefe, the designee of the City Manager.
3. Teri Weidner, 100 Captain's Row, #103, Chelsea.
4. Laura Weiner, 73 Jason St., Arlington
5. Brian Hatleberg, 18 Franklin St., Chelsea.
6. Colleen Kelley, 11 Spinney Path, Lynn.
7. Norieliz DeJesus, 31 Louis St., Chelsea.

For re-appointment to the Community Preservation Committee, for new three year terms expiring on June 30, 2021, the following:

1. Bea Cravatta, as the representative of the HHS Recreation and Cultural Affairs Division;
2. Caroline Bird, 107 Shurtleff St., Floor 3, Chelsea; and
3. Michelle Lopez, 240 Revere Beach Parkway, #3, Chelsea.

For appointment to the Board of Health, Mr. Richard A. Jackson, Jr. 250 Congress Ave., Unit 10, Chelsea, to take the place of Madeleine Scammell, who is resigning effective June 1, 2018. This term will expire on February 28, 2021.

For appointment to the revised Zoning Board of Appeal, Mr. Hugo Perdomo, 584 Washington Ave., Apt. 3, Chelsea, for a two year term expiring on June 30, 2020.

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

Sincerely,  
Thomas G. Ambrosino  
City Manager

The following communication was 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: MWRA Rates

Dear Councilors:

In response to the recent Council Order requesting the rates charged by the MWRA to other communities and how such rates compare to that charged to Chelsea, I have attached the MWRA's proposed assessments to all communities for Fiscal Year 2019. This sheet includes both water and sewer charges.

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: *Various Ordinance Proposals*

Dear Councilors:

I am submitting to the City Council two Ordinance proposals which I hope the Council will consider for adoption over the course of the Summer/Fall. The changes include new regulations to slow the demolition of potentially historic buildings and a requirement for the installation of concrete sidewalks adjacent to new construction and buildings undergoing substantial rehabilitation.

#### **Demolition of Buildings 75 Years or Older**

During the past year, the City's newly reconstituted Historical Commission developed a proposal for protecting historic buildings. The proposal would require that, whenever a building 75 years or older is proposed for demolition, the Commission would have an opportunity to determine if the building is historically significant and seek time to secure a purchaser who might preserve the building as an alternative to demolition. In no case will the delay for preservation purposes be longer than six months. I consider this Ordinance a reasonable balance between the interests of developers and the goal of historic preservation.

#### **Required Installation of Concrete Sidewalks**

On most construction projects in the City, I have advocated that the developer install concrete sidewalks and granite curbing along the entire perimeter of the project. This type of mitigation is easy to accomplish when zoning relief is required, but not so simple if the developer needs no zoning accommodation by the City. Nevertheless, the installation of new concrete sidewalks and granite curbs seems to me a basic improvement that should be demanded of any new development or building undergoing substantial rehabilitation. To ensure that this occurs as a requirement on every project, I am proposing a simple Ordinance change that would mandate this construction.

I ask that the City Council consider each of these Ordinance changes over the course of the next few months. I will be available to answer questions and/or attend any subcommittee meetings requested by the Council.

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: *Extension of Everett Avenue Urban Redevelopment Plan*

Dear Councilors:

The City's 20 year-old Urban Redevelopment Plan for the Everett Avenue North Urban Renewal District is set to expire on July 8, 2018. I am writing to request a Council vote to extend this Plan for an additional ten years.

Approved by the Commonwealth in 1998, the Everett Avenue North Urban Renewal District covers 64.8 acres of land bordered roughly by the Chelsea-Everett border, Everett Avenue, Carter Street, Blossom Street, Maple Street, Heard Street, Spruce Street, Sixth Street and the commuter rail line. At the time of this Plan's adoption, this area was covered by junk yards, underutilized sites, marginal uses and substandard structures. The goal of the Plan was complete redevelopment of this area.

The major national economic recession starting in 2006 set back the City's timeline for completion of the Plan. However, notwithstanding this intervening Great Recession, the City made significant economic strides in this District. That work included the reconstruction of most of the roadways and subsurface infrastructure, environmental remediation of a highly contaminated site, and the construction of two large apartment buildings, three hotels and the FBI headquarters. More recently, work has begun on the construction of 692 residential units on the former Chelsea Clock site, and the Acorda pharmaceutical company on Vale Street is undertaking a substantial expansion just ahead of federal approval of a new drug treatment for Parkinson's disease. The work performed pursuant to the Plan has resulted in hundreds of millions of dollars in private investment in the area, additional jobs and tax revenues, new parkland, revitalized neighborhoods, hundreds of new residents and spin-off benefits to businesses outside the District. The new revenue from development in this District has helped the City to finance numerous community programs and civic initiatives.

Although the City has seen significant improvement in the area, additional work and investment needs to be undertaken. The owner of the Marriott Residence Inn on Maple Street has submitted plans for a significant expansion, and we have had some interest expressed in the redevelopment of parcels on Third Street and on the triangle block bounded by Everett Avenue, Vale Street and Carter Street. In addition, the City is in the middle of environmental remediation of a small City-owned parcel on Everett Avenue. There are also some additional infrastructure improvements that have yet to be scheduled. The extension of the Plan will help the City advance all of these efforts.

The requested extension of the Plan will also provide the City with tools helpful to incentivize the redevelopment and improvements necessary to bring the full Plan to final completion. These tools



include financial incentives and the power of eminent domain. Although the City has yet to exercise eminent domain powers in the area (all City acquisitions thus far have been through negotiated purchases), the authority to do so can be an important prong in redevelopment efforts. Further, the designation of the area as an Urban Renewal District has been key to securing several millions of dollars in MassWorks grants for infrastructure improvements, and we hope to apply for additional MassWorks funding in this District in the future.

The extension of the Urban Renewal Plan requires approval by the Commonwealth. The process includes:

- Vote of the Economic Development Board (EDB). The EDB voted to approve the request at its May 16, 2018 meeting;
- Vote of the Planning Board. The Planning Board will take up the matter at its June meeting;
- Vote of the City Council;
- A public hearing, which may be scheduled in conjunction with the June 26 Planning Board meeting; and
- A formal request to the Commonwealth.

I am hoping that the City Council will see the benefit of extending this Urban Renewal Plan as a way of completing the work that was begun in 1998. I have attached a recommended Order for your consideration. As always, I am available to answer any questions you may have.

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

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

Re: *Transfer Requests for Essex Street Comprehensive Infrastructure Work*

Dear Councilors:

I am writing to request that the City Council approve financial transfers that will allow the DPW to proceed with a comprehensive reconstruction of Essex Street. This project is listed in our FY19-FY23 Capital Improvement Plan, but one scheduled for construction in the later years. We would like now to advance the project. This is another situation that does not involve any appropriation of new funds. The monies requested were previously authorized and are being repurposed to this project. The total amount of requested transfers is \$4,484,500.00.

When we completed the administrative overhaul of the DPW last year with the hiring of a new Director and two new Asst. Directors, one of the directives provided to the new team was to revisit existing projects and ensure they were properly prioritized. One recommendation from that effort is to advance to the forefront the reconstruction of Essex Street.

There are several reasons for this decision. First, Essex Street reconstruction is a natural progression following sewer separation work on Shurtleff and Maverick Streets. By completing a similar sewer and drainage separation on Essex Street to Highland Street, we will have a fully separated system through this neighborhood to the storm water outfall at the end of Highland Street. Second, the infrastructure on Essex is in serious need of replacement. The current water main is 6" unlined cast iron

pipe, a material and size unsuitable for modern water distribution. And the sewer pipe is over a century old, in poor condition and in many areas inaccessible. Replacement of both systems would be extremely beneficial.

In addition to the separation of sewer and drainage and the replacement of poor infrastructure, this Essex Street work has other benefits. The project will include replacement of any existing lead piping on the street, replacement of concrete sidewalk in disrepair on Essex Street, installation of a new concrete sidewalk in the stretch of Highland Street from Essex Street to Marginal Street and a complete repaving of Essex Street.

This major reconstruction of Essex St. is not an inexpensive project. At present, the estimated cost of all of this work is approximately \$4.5 million. In the FY19 CIP, we set aside only \$150,000 just to commence the design.

To gather the balance of funds needed to bring this large project to full completion, the City is requesting that the City Council close out and repurpose eight (8) prior CIP Projects. Four of the projects (FY16 Tudor Street Water/Sewer/Drainage; FY16 Clark School Roadway & Utility Design; FY17 Addison St. Sewer Work; and FY18 Shurtleff Water & Sewer Work) are projects that are completed and have remaining funds. Three of the projects (FY15 Winnisimmet St. Reconstruction; FY17 Everett, Walnut, 3<sup>rd</sup> & Chestnut Infrastructure; FY18 Walnut/Poplar Infrastructure) are street infrastructure projects that the DPW believes should have lower priority than Essex Street. In all three cases, these projects proposed to resolve only isolated infrastructure problems but did not advance the long-term sewer separation goals of the City. These three locations will be re-prioritized once the City-wide water/sewer/drainage infrastructure plan is completed. The eighth and final project for which we seek to repurpose funds, the FY18 Highland St. Greenway Phase II Project, will be done. But, the work will be combined with this Essex Street Project and bid out as part of the streetscape work.

Copies of the recommended Orders necessary to accomplish these transfers are attached. I have also attached the DPW Memorandum dated May 1, 2018 providing more background for this project.

I ask that the City Council approve this request. I will appear before the Finance Subcommittee with DPW representatives to answer any questions that you may have about this work.

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

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

Re: *Miscellaneous Year-End Financial Requests*

Dear Councilors:

As is typical when a fiscal year nears completion, there are numerous financial issues that need to be addressed by the Council in advance of the close of our books. Some of these requests pertain to supplements for accounts running in deficit where original appropriations were insufficient. At least one is a request for new money to cover an unanticipated cost. There are also a few miscellaneous requests.

**1. Salary Deficits – Funded by Salary Reserve Transfers -- \$88,460.00.**

There are some salary accounts that have inadequate funding. Some of this pertains to the mid-year hiring we did. The most significant deficit of \$40,000+ is due to overtime for snow removal efforts.

The specific amounts are:

- a. Law Dept.– Regular Salary - \$14,773.00.
- b. Central Billing– Regular Salary - \$3,449.00.
- c. Central Billing – Sick Leave Bonus - \$900.00
- d. Licensing – Regular Salary --\$1,203.00
- e. Licensing --Sick Leave Bonus -- \$575.00
- f. Parking – Sick Leave Bonus --\$300.00
- g. DPW Snow Removal – Overtime -- \$40,641.00.
- h. HHS Health – Sick Leave Bonus -- \$900.00
- i. HHS Library – Overtime -- \$719.00
- j. Medicare -- \$25,000.00

The amount required to fund these salary deficits is \$88,460.00. It will be paid from the FY18 Salary Reserve Account.

## **2. Operating Deficits – Funded by Free Cash -- \$293,000**

There are six operating accounts that are running deficits. Two are snow accounts. Two are minor. The two most significant that require some explanation are the \$50,000 deficit in Workers Compensation and a \$50,000 deficit in Group Health Insurance.

As I recently explained at the May budget hearings, the Workers Compensation line item is always a guestimate. This line item pays for both the salary and the medical costs of injured employees. A single high medical bill can adversely impact this account. That is exactly what happened this year, when we received several very high medical charges for April. To cover the cost, an appropriation of \$50,000 is required.

The Group Health line item tends to be a bit more predictable, but it can change during the course of the year by virtue of new hires and changes in insurance coverage by existing employees. Based upon our most recent calculations, we believe we will require another \$50,000 to meet the City's group health contributory obligations to the Health Insurance Trust Fund.

Keep in mind that the Health Insurance Trust Fund collects money each month both from our employees, via direct payroll deductions for the employee percentage share of health insurance costs, and from the City via the appropriation line item for the City's share of group health costs. The actual medical bills of employees are then paid from the Trust Fund. For the month of June, we will be taking the proper payroll deductions from employees, but we do not have sufficient funds in the appropriation line item to account for the City's contributory share. For this reason, we need to appropriate funds from Free Cash to cover this shortfall.

It is fair to consider this request more of a transfer among existing reserves than an expenditure of money. As I've mentioned several times recently, our Health Insurance Trust Fund has a significant surplus, at this point something approaching \$6 million. So, when we transfer the June allotment of both employee contributions and City appropriations to the Health Insurance Trust Fund, we will be adding to a Fund that already has a significant surplus – more money than necessary to pay all claims. However, that Health Insurance Trust Fund contains both City funds and funds of the employees of the City –

namely the employees' direct contributions to their health insurance coverage. As a result, the surplus cannot be utilized except by concurrence of both sides -- employees and City -- through an Agreement with the Public Employee Committee, the statutorily created entity that governs the interests of the City and the employees in municipal group health negotiations. As part of the most recent PEC negotiations, the City and employees agreed that we would not utilize any surplus in the Trust Fund for any purpose in Fiscal Year 2018. So, despite the large existing Health Insurance Trust Fund surplus, we cannot use that surplus to cover this shortfall in the appropriation line item. Hence the need for Free Cash.

Including these two large deficits, the specific deficits are:

- a. Purchasing -- Maintenance of Equipment -- \$2,800.
- b. Licensing -- Advertising -- \$200
- c. DPW Snow Removal -- Contract Services \$110,000
- e. DPW Snow Removal -- Salt -- \$80,000
- f. Employee Benefits Health Insurance -- \$50,000
- g. Employee Benefits Workers Compensation -- \$50,000

The total amount required to fund these operating account deficits is \$293,000. Funding is available from our Free Cash reserves.

### **3. Reauthorization of Revolving Funds -- No Funding Required.**

Massachusetts law allows municipalities to establish revolving funds so that certain revenues raised by individual departments may be retained by that department for departmental expenditures. But, the law also requires that the City Council reauthorize, prior to the end of the fiscal year, the specific accounts and the expenditure limits for such accounts in the following fiscal year. The accounts that need reauthorization for FY19 are as follows:

- a. Elder Affairs (Senior Center) Revolving Account - \$1,000
- b. Planning and Development Tax Title Foreclosure Revolving Account - \$100,000
- c. Public Library Revolving Account - \$20,000
- d. Emergency Management Revolving Account - \$30,000
- e. Inspectional Services Revolving Account - \$30,000
- f. Community Schools Revolving Account - \$100,000
- g. School Department Non-Resident Student Tuition Revolving Account - \$250,000

The Senior Center receives dues, fees and payments for program participants and expends these funds for recreation and programming expenses. Planning and Development collects rental income to support the activities of properties owned or held in receivership by the City for operating, maintenance and capital improvements to the properties. The Library takes fees and fines for overdue books, room rentals and copier machine use to support part-time staff costs. Emergency Management collects reimbursements for the costs incurred by the City as a result of various hazardous materials incidents. Inspectional Services receives registration fees from owners of foreclosed and vacant properties in Chelsea. And, Community Schools collects class registration fees and expends these funds for employees (administrators, instructors and support staff) and operational and program expenses. Finally, the School Non-Resident Student Tuition Account is the repository for tuition payments from other public school systems who use the CPS special education program. Those funds are expended for program delivery.

This year, the City also must take one additional step pertaining to Revolving Funds. Because of a change authorized by the Legislature as part of the Municipal Modernization Act passed in 2016, the Massachusetts Department of Revenue is requiring that every municipality adopt an Ordinance or By-Law that expressly sets forth the Revolving Funds that it will utilize. I have attached a proposed Ordinance, which the Council must adopt prior to June 30.

I request you adopt the Ordinance, reauthorize the specified funds and allow these departments to continue to collect and expend funds necessary for the perpetuation of the services they offer. This reauthorization only requires a single reading of the Council.

#### **4. Prior Year Expenses -- No Funding Required.**

When the City is unable to effectuate payment to a vendor in the year that the goods or services are provided, Council approval is required to disburse payment from the current year department budget for the prior year obligation. The following School Department items from FY17, and one disputed item from FY16, require payment in FY18.

FY16 Bill Outstanding to be paid from FY18 Funds:

Compass School	\$ 50,459.52	Tuition Sept. 2015 to May 2016
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(Disputed Tuition cost ultimately resolved against the City by Department of Elementary and Secondary Education.)

FY17 Bills Outstanding to be paid from FY18 Funds:

- |                               |              |                                       |
|-------------------------------|--------------|---------------------------------------|
| • Jacobs                      | \$ 3,710.10  | FY17 final invoice overlooked         |
| • McLean Hospital             | \$ 21,603.55 | Tuition from April, 2017 – June, 2017 |
| • Schneider Electric          | \$ 15,122.48 | Work completed April, 2017            |
| • Music & Arts Repair Service | \$ 143.50    | Instrument Repair from June, 2017     |

The School Department has sufficient funds to meet all these outstanding obligations. Therefore, no funds are required. The only action necessary is Council approval to make the payment.

#### **5. Payment for Lease of St. Rose for Elections – Free Cash \$5,000**

As you know, the FY19 Budget did not include any amount for lease payments for the use of St. Rose as a voting location. The City Clerk had initially intended to relocate that voting to the Senior Center. However, logistical problems rendered the Senior Center unavailable. Accordingly, we have negotiated a new arrangement with St. Rose Parish for use of its school facility for elections at a cost of \$2,500 per election. This will require a payment in FY19 of \$5,000. We have available funds in Free Cash.

#### **6. Donations**

Pursuant to M.G.L. c. 44, §53A, the City Council must approve acceptance of any gift to the City. The following recent small gifts require approval.

- |                          |          |  |
|--------------------------|----------|--|
| • Police Department      | \$500.00 | Gift from Larson Family                  |
| • Chelsea Public Library | \$360.00 | Kryptonite Lock Company                  |
| • HHS                    | \$ 85.00 | Chelsea Youth & Family Partnership, Inc. |
| • HHS                    | \$100.00 | Shelburne Farms                          |

- HHS Recreation               \$270.00               Chelsea Youth & Family Partnership, Inc.
- HHS Veterans                 \$100.00               Anonymous Donation

## 7.       **Appropriation from Free Cash to Stabilization Fund -- \$3,000,000**

Finally, at the request of the City Council, I propose to make another payment into our General Operating Stabilization Fund with remaining Free Cash Reserves. I propose to add another \$3,000,000 million. With this payment, we will have transferred a total of \$23 million to our two remaining Stabilization Funds.

I just want to remind and reiterate that, with these significant Free Cash transfers to our Stabilization Funds, we cannot expect a Free Cash number certified for June 30, 2018 anywhere near the levels we have had in past years. We should still anticipate a positive Free Cash number, but it will likely be an extremely modest amount.

For the reasons set forth in detail above, I respectfully ask that the City Council approve all of these requested actions. The required Orders to effectuate these requests are attached.

### **Communications and petitions to the Council:**

A copy of a communication was received from the Planner/Land Use Administrator and Planning Board Administrator Mr. Elijah Romulus, regarding the proposed Zoning Amendments to Chapter 34, Article V-Off-Street Parking Requirements-Section 34-106(j). A motion from Councilor Tejada to accept and file was adopted under suspension.

A copy of a communication was received from City/Parking Clerk Jeannette Cintron White regarding Councilor Avellaneda's request for reconsideration on the proposed zoning provisions on the ordinance regarding residency requirement for Chelsea Police and Fire Department Civil Service Employees. The vote by the City Council on the request for reconsideration failed on a 5-6-0-0 roll call vote. Voting yes were Councilors Rodriguez, Brown, Avellaneda, Robinson, and Garcia. Voting no were Councilors Vidot, Lopez, Bishop, Tejada, Perlatonda, and Recupero.

A copy of a communication was received from City/Parking Clerk Jeannette Cintron White regarding the actions approved at the May 29, 2018 Traffic and Parking Commission Meeting. A motion from Councilor Garcia to accept and file was adopted under suspension.

### **Unfinished Business:**

The following Marijuana Ordinance was removed from Conference to be acted upon by Councilor Lopez under suspension. Councilor Lopez moved to adopt the ordinance introduced by Councilor Vidot as amended by roll call. The roll call passed 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Robinson, Perlatonda, Garcia, and Recupero. Voting no was Councilor Avellaneda.

The following FY'19 City Budget was removed from the Sub-Committee on Conference to be acted upon by Councilor Garcia under suspension. Councilor Garcia moved roll call. Councilor Vidot amended

the order to decrease the expenditure appropriation of Emergency Management Department (0123052) in the amount of \$55,000. A roll call defeated the amendment 5-6-0-0. Voting yes were Councilors Vidot, Lopez, Brown, Bishop, and Recupero. Voting no were Councilors Rodriguez, Tejada, Avellaneda, Robinson, Perlatonda, and Garcia. Councilor Vidot offered an amendment to decrease the expenditure appropriation of Health and Human Services Department (0151052) in the amount of \$39,207. Roll call defeated the amendment 2-9-0-0. Voting yes were Councilors Vidot and Lopez. Voting no were Councilors Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero. Councilor Vidot offered an amendment to decrease the salary appropriation of Planning and Development Department (0117551) in the amount of \$72,000. Roll call defeated the amendment 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. An amendment offered by Councilor Vidot to decrease the salary appropriation of the Police Department (0121051) in the amount of \$150,000 was defeated on roll call 5-6-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Bishop and Recupero. Voting no were Councilors Brown, Tejada, Avellaneda, Robinson, Perlatonda, and Garcia. An amendment offered by Councilor Vidot to decrease the salary appropriation of the Fire Department in the amount of \$100,000 was approved by roll call 6-4-0-1 recused. Voting yes were Councilors Vidot, Lopez, Bishop, Tejada, Perlatonda, and Recupero. Voting no were Councilors Rodriguez, Brown, Robinson, and Garcia. Councilor Avellaneda recused himself from the vote. The final amendment offered by Councilor Robinson to reduce the Legislative Department, Expenditures Account #0111052 by \$15,000 from \$94,257 to \$79,257 passed by roll call 9-2-0-0. Voting yes were Councilors Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, and Garcia. Voting no were Councilors Vidot and Recupero. The vote to adopt the Budget as amended passed 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia and Recupero. Councilor Bishop voted no.

June 4, 2018

Introduced by City Manager, Tom Ambrosino  
an Order Concerning Appropriations for the Fiscal Year Beginning July 1, 2018

Ordered that the following sums as classified and designated with respect to each department or undertaking as Salaries, Operations & Maintenance and Capital are hereby appropriated in the **General Fund** of the City of Chelsea as listed below and as summarized: Salaries \$45,625,109, Operations & Maintenance \$127,837,797, and Capital \$611,271, totaling \$174,074,177.

	Salaries Appropriations	Operations & Maintenance Expenses Appropriations	Capital Appropriations	Dept Total
<b>GENERAL GOVERNMENT</b>				
Legislative	229,173	79,257	-00	308,430.00
Executive Office	473,499	45,500	-00	518,999.00
Auditor's Office	365,598	75,645	-00	441,243.00
Procurement	171,724	81,650	-00	253,374.00
Assessing	311,053	78,335	18,000	407,388.00
Treasurer/Collector	402,725	223,350	-00	626,075.00
Law Department	320,107	99,815	-00	419,922.00
Personnel Department	319,355	113,133	-00	432,488.00
Information Technology	420,419	605,127	190,000	1,215,546.00
Central Billing and Research	154,192	91,500	-00	245,692.00
City Clerk	292,783	43,050	20,696	356,529.00
Licensing	36,682	3,225	-00	39,907.00
Planning & Development	198,296	65,714	-00	264,010.00
Total General Government	3,695,606	1,605,301	228,696	5,529,603.00

<b>PUBLIC SAFETY</b>				
Police Department	10,275,249	746,200	-00	11,021,449.00
Fire Department	9,960,988	538,530	25,000	10,524,518.00
Emergency Management	1,187,380	96,653	-00	1,284,033.00
Inspectional Services	930,230	61,850	-00	992,080.00
Traffic & Parking	99,533	784,200	5,000	888,733.00
Total Public Safety	22,453,380	2,227,433	30,000	24,710,813.00
<b>EDUCATION</b>				
Northeast Vocational School Department	-00	1,249,070		1,249,070.00
Total Education	-00	91,200,000	-00	91,200,000.00
Total Education	-00	92,449,070	-00	92,449,070.00
<b>PUBLIC WORKS</b>				
Administration	315,437	8,704	-00	324,141.00
Street & Sidewalks	1,122,037	1,518,606	288,500	2,929,143.00
Snow & Ice Removal	25,000	76,260	-00	101,260.00
Solid Waste/Recycling	58,242	2,079,205	-00	2,137,447.00
Structures & Grounds	250,874	1,261,409	46,500	1,558,783.00
Total Public Works	1,771,590	4,944,184	335,000	7,050,774.00

#### HEALTH & HUMAN SERVICES

<b>Tot</b>				
Administration	217,738	488,499	-00	706,237.00
Health Division	65,805	4,500	-00	70,305.00
Elder Affairs	193,731	34,008	-00	227,739.00
Veterans Service	68,855	628,670	-00	697,525.00
Public Library	309,516	26,889	17,575	353,980.00
Comm. Schools & Recreation	190,390	298,150	-00	488,540.00
al HHS	1,046,035	1,480,716	17,575	2,544,326.00

<b>DEBT SERVICE</b>	-00	4,157,496	-00	4,157,496.00
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#### EMPLOYEE BENEFITS

Contributory Retirement Assessment	8,035,800	-00	-00	8,035,800.00
Non Contributory Retirement Pensions	10,850	-00	-00	10,850.00
Unemployment Compensation	30,000			30,000.00
Health Insurance	7,712,848			7,712,848.00
Payroll Taxes	430,000			430,000.00
Workers Compensation	415,000			415,000.00
Life Insurance	24,000			24,000.00
Accidental Death and Dismemberment	-00			-00
Salary Reserve		785,000		785,000.00
Total Employee Benefits	16,658,498	785,000	-00	17,443,498.00

#### OTHER

Capital Projects	-00	1,285,000	-00	1,285,000.00
General Liability Insurance	-00	855,000	-00	855,000.00
Judgements	-00	50,000	-00	50,000.00
Stabilization Fund	-00	-00	-00	-00
CIP Reserve Fund	-00	-00	-00	-00
Trust Fund	-00	300,000	-00	300,000.00
State Assessments	-00	17,698,597	-00	17,698,597.00



Negotiation Reserve	-00	-00	-00	-00
Reserve for Abatements and Exemptio	-00	-00	-00	-00
Total Other	-00	20,188,597	-00	20,188,597.00
<b>Total General Fund</b>	<b>45,625,109</b>	<b>127,837,797</b>	<b>611,271</b>	<b>174,074,177.00</b>

The Water Enterprise appropriation was approved by roll call 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia and Recupero. Councilor Bishop voted no.

Introduced by City Manager, Tom Ambrosino

an Order Concerning Appropriations for the Fiscal Year Beginning July 1, 2018

Ordered that the following sums, designated as appropriations, are hereby appropriated in the **Water Enterprise Fund** of the City of Chelsea as follows:

	Salaries Appropriations	Operations & Maintenance Expenses Appropriations	Capital Appropriations	Total
Water Enterprise	199,010	6,957,890	1,240,290	8,397,190

The Sewer Enterprise Fund was approved by roll call 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero. Councilor Bishop voted no.

Introduced by City Manager, Tom Ambrosino

an Order Concerning Appropriations for the Fiscal Year Beginning July 1, 2018

Ordered that the following sums, designated as appropriations, are hereby appropriated in the **Sewer Enterprise Fund** of the City of Chelsea as follows:

	Salaries Appropriations	Operations & Maintenance Expenses Appropriations	Capital Appropriations	Total
Sewer Enterprise	199,010	11,387,024	1,222,745	12,808,77

The General Fund as amended was approved by roll call 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia and Recupero. Councilor Bishop voted no.

Introduced by City Manager, Tom Ambrosino

an Order Concerning Appropriations for the Fiscal Year Beginning July 1, 2018

Ordered that the City appropriations and assessments in the **General Fund** are to be financed in part by Certified Free Cash of the City of Chelsea as follows:

Free Cash	798,919
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The following order was removed from Unfinished Business by Councilor Robinson so that it may be acted upon. No objections. The following order introduced by Councilor Bishop was adopted by roll call at the request of Councilor Robinson, by a 8-3-0-0 vote. Voting yes were Councilors Rodriguez, Brown, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero. Voting no were Councilors Vidot, Lopez, and Bishop.

Ordered, that the Chelsea City Council authorize the appropriation of \$468,000.00 From Free Cash to the Fiscal Year 2018 Planning & Development Account 303055-30600.

**Second Readings:**

The following appropriation were introduced by Councilor Bishop and read for the second time. Councilor Bishop moved to adopt all of the appropriation by one roll call. No objections. The roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$45,000.00 from Free Cash to the FY2018 Elder Affairs, Contract Services Expense Account #0154152-530600 for the Senior Transportation Pilot.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$20,000.00 from Free Cash to the FY2018 DPW Structures and Grounds, Building Maintenance Expense Account #0147052-524100 for elevator repairs in City Hall.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$25,000.00 from Free Cash to the FY2018 DPW Structures and Grounds, Capital, Building Improvement Expense Account #0147058-583000 for CPD Server Room HVAC Installation.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$100,000.00 from Free Cash to the FY2018 DPW Structures and Grounds, Building Maintenance Expense Account #0147052-524100 for HVAC contract services repairs.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$40,000.00 from Free Cash to the FY2018 DPW Structures and Grounds, Repair Maintenance Supplies Expense Account #0147052-543000 for miscellaneous building repairs at CPD, Senior Center and City Hall.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$50,000.00 from Water Enterprise Fund Retained Earnings #60104-499900 to the FY2018 Water Enterprise, Capital Expense Infrastructure Account #601058-584500 for Emergency Water Line Repairs.

ORDERED, that the Chelsea City Council authorize the appropriation of funds in the amount of \$30,000.00 from Free Cash to the FY2018 DPW Street and

Sidewalks, Signage Expense Account #0142252-546500 for banner program.

The following Transfer Order was introduced by Councilor Bishop. A motion from Councilor Bishop to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero.

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 \$147,204.45 representing the unexpended portion of the \$1,914,794.00 borrowed under the Fiscal Year 2017 Capital Improvement Plan for sewer infrastructure improvements-Tudor/Clark Utility Project-Sewer Bond-Account 55451720-584502, but which is no longer needed to complete that project is hereby transferred in the amount of \$147,204.45 for sewer improvements to the FY16 Shurtleff Street Sewer-Account 55451609-584503.

The following appropriation order was introduced by Councilor Bishop and read for the second time. A motion from Councilor Bishop to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero.

ORDERED, that the Chelsea City authorize the appropriation of \$468,600.00 From Free Cash to the Fiscal Year 2018 DPW Solid Waste Division-Supplies Account 0143052-54000 series for Trash Containers.

The following Transfer orders were introduced by Councilor Bishop and read for the second time. A motion from Councilor Bishop to adopt all of them by one roll call was not objected to. The roll call passed 11-0-0-0. Voting yes were Councilors Vidot Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perlatonda, Garcia, and Recupero.

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 \$535,000 borrowed under the Fiscal Year 2018 Capital Improvement Plan for sewer infrastructure improvements-Large Sewer and Drain Cleaning Project 55451826 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned discontinued and funds transferred in the amount of \$535,000.00 for sewer infrastructure improvements to the FY18 City-Wide W/S/D Utility Master Plan-Account #6000580000 series Sewer Enterprise Fund.

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 \$331,055.77 representing the unexpended portion of the \$380,000.00 borrowed under the Fiscal Year 2018 Capital Improvement Plan for sewer infrastructure improvements-Stockton Sewer Replacement Project-Sewer Bond-Account 55451829-584500, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$331,055.77 for sewer improvements to the FY18 City-Wide W/S/D Utility Master Plan-Account #6000580000 series, Sewer Enterprise Fund.

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 \$136,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for Garfield Ave Roadway Improvement Project 55401714-584500 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$136,000.00 for Road Improvements-DPW Streets and Sidewalks, Account #0142258-583100.

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 \$186,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for Suffolk Street Roadway Improvement Project 55401715-584500 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$186,000.00 for Road Improvements-DPW Streets and Sidewalks, Account #0142258-583100.

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 \$175,000 borrowed under the Fiscal Year 2016 Capital Improvement Plan CHS Gym Lighting Project 55401604-58300, Building Improvements, but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$175,000.00 for FY'18 Veterans Field Project-Account #55401814-584500.

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 \$81,114.03 representing the unexpended portion of the \$150,000.00 borrowed under the Fiscal Year 2016 Capital Improvement Plan for CPS Early Learning Center School Boiler Replacement Project Account

55401605-583000, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$81,114.03 for FY'18 Veterans Field Project-Account #55401814-584500.

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 \$24,981 representing the unexpended portion of the \$200,000.00 borrowed under the Fiscal Year 2017 Capital Improvement Plan for CPS Early Learning Center School Security Desk Project Account 55401706-583000, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$24,981 for FY'18 Veterans Field Project-Account #55401814-584000.

The meeting adjourned at 8:25 p.m.

The following order was removed from Unfinished Business at the request of Councilor Recupero under suspension. The following introduced by Councilor Recupero was adopted by roll call at the request of Councilor Recupero, 10-1-0-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Perltonda, Garcia, and Recupero.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA, as follows, that the City of Chelsea's Code of Ordinances be amended by adding the following ordinance:

The Chelsea Code of Ordinances Chapter 14, Article XI is hereby added as follows:

Amend Sec. 14-422-Exemptions (a)(1) in its entirety to read as follows:

- (a) The provisions of this article shall not apply to residential yard sales; provided that:
- (b) Only five yard sales shall occur per year on a single parcel of land but not for consecutive weeks:

**New Business:**

The following was introduced by Councilor Bishop. A motion from Councilor Bishop 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; and

WHEREAS, the City of Chelsea is required by law to authorize departmental revolving funds; and

WHEREAS, the Massachusetts Department of Revenue Division of Local Services has advised municipalities that, based upon recent changes to the departmental revolving fund statute M.G.L. c. 44, §53E½, revolving funds must be authorized by either a By-Law or Ordinance rather than by an annual legislative body vote; and

WHEREAS, the City of Chelsea seeks to authorize departmental revolving funds by Ordinance.

**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:

That Chapter 2, Article V, be amended by adding a new Section 2-200 as follows:

**Sec. 2-200. Departmental Revolving Funds**

(a) *Purpose.*

This Ordinance establishes and authorizes revolving funds for use by City departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, §53E½.

(b) *Expenditure Limitations*

A department or agency head, board, committee or officer may incur liabilities against and spend monies for a revolving fund established and authorized by this Ordinance without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by the City Council on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the City Council.

(c) *Interest*

The interest earned on monies credited to a revolving fund established by this Ordinance shall be credited to the General Fund.

(d) *Procedures and Reports.*

Except as provided in General Laws Chapter c. 44, §53E½ and this Ordinance, the laws, charter provisions, ordinances, rules, regulations policies or procedures that govern the receipt and custody of City monies and the expenditure and payment of City funds shall apply to the use of a revolving fund established and authorized by this Ordinance. The Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to each fund and the balance available for expenditure in the regular report the Auditor provides the department, board, committee, agency or officer on appropriations made for its use.

(e) *Authorized Revolving Funds*

The following Table, which may be amended from time to time, establishes:

- A. Each revolving fund authorized for use by the City, department, board committee, agency or officer.
- B. The department or agency head, board, committee or officer authorized to spend from each fund.
- C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Auditor.

- D. The expenses of the program or activity for which each fund may be used.
- E. Any restrictions or conditions on expenditures from each fund.
- F. Any reporting or other requirements that apply to each fund.
- G. The fiscal years each fund shall operate under this Ordinance.

<b>A</b> <b>Revolving Fund</b>	<b>B</b> <b>Department, Board, Committee, Agency or Officer Authorized to Spend from Fund</b>	<b>C</b> <b>Fees, Charges or Other Receipts Credited to Fund</b>	<b>D</b> <b>Program or Activity Expenses Payable from Fund</b>	<b>E</b> <b>Restrictions or Conditions on Expenses Payable from Fund</b>	<b>F</b> <b>Other Requirements/Reports</b>	<b>G</b> <b>Fiscal Years</b>
Chelsea Community Schools Revolving Fund (#4407)	Health and Human Services Department – Division of Culture and Recreation, Chelsea Community Schools Program - Manager Recreation & Cultural Affairs Division through the Director of Health and Human Services	Registration fees for classes and use of recreation and meeting facilities	Funds shall be expended only for part-time and full-time personnel salaries and wages, and operational and program expenses of the Chelsea Community Schools program	Salaries or wages of no more than one full-time employee shall be paid from the fund.		Fiscal Year 2019 and subsequent years.
Elder Affairs Revolving Fund (#3802)	Health and Human Services Department Elder Affairs Division - Chelsea Council on Elder Affairs Executive Director thru the Director of Health and Human Services	Dues, fees, and payments received from participants in the various programs of the Senior Center	Funds shall be expended only for salaries of part-time personnel related expenses for Senior Center instructional and recreational activities, including salaries of program instructors, caterers, rentals of facilities for		No funds from the Elder Affairs Revolving Fund may be expended for the regular operation expenses of the Senior Center, except upon approval of	Fiscal Year 2019 and subsequent years.



			parties and special events, and supplies related to instructional and recreational activities of the Senior Center,		the City Manager	
Emergency Management Hazardous Material Revolving Fund (#4615)	Emergency Management Department - Emergency Management Director	Proceeds received by the City, pursuant to the provisions of Section 5 of Chapter 21E of the General Laws.	Funds shall be expended only for purposes directly associated with the clean-up and operation of hazardous waste spills, including equipment, supplies, consultants, and full or part-time personnel, and with the written approval of the City Manager for related other purposes			Fiscal Year 2019 and subsequent years.
Vacant, Unsafe Buildings and Nuisance Properties Revolving Fund (#4627)	Department of Inspectional Services – Director of Inspectional Services	Proceeds received by the City, pursuant to the provisions of Section 6-1 and 18-2 of the City of Chelsea's	Funds shall be expended only for purposes directly associated with the clean-up, board-up and operation of enforcing Section 6-1 and 18-2 of the City of Chelsea's Ordinances, and full or part-time personnel and		.	Fiscal Year 2019 and subsequent years.

		Ordinan ces.	vendors, and, with the written approval of the City Manager for related other purposes			
Tax Title Foreclosur e Properties Revolving Fund (#4631)	Department of Planning and Development - Director of Planning and Development	Rental income and other receipts received by the City from tax title foreclos ed.	Funds shall be expended for purposes directly associated with the tax title foreclosure process and the legal, management, maintenance, operation, capital improvements and demolition of these properties, and full or part- time personnel, and, with the written approval of the City Manager for related other purposes			Fiscal Year 2019 and subsequ ent years.
Chelsea Public Library Revolving Fund (#4201)	Health and Human Services Department Elder Affairs Division - Library Director	Fees received for the use of the library meeting rooms, fines collected for overdue library material s, or charges	Funds shall be expended only for part-time personnel salaries and wages, equipment, books, materials and other expenses of the Chelsea Public Library			Fiscal Year 2019 and subsequ ent years.

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

**Authorization of a Revolving Account  
For the School Department Non-Resident Student Tuition Revolving Fund**

**WHEREAS,** Section 71F of Chapter 71 of the General Laws authorizes cities and towns to accept and establish departmental revolving funds subject to certain budgetary restrictions; and

**WHEREAS,** the City of Chelsea School Committee adopted and implemented a tuition fee to be charged to other public school systems wishing to use the Chelsea Public Schools' special education programs and further voted to establish a Non-Resident Student Tuition revolving fund for the receipt and disbursement of said tuition and fees collected by Chelsea Public Schools.

**THEREFORE,** subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund for the School Department in accordance with the provisions of Section 71F of Chapter 71 of the General Laws, subject to the following conditions:

- 1) Only proceeds received by the City, pursuant to the provisions of M.G.L. c. 71 section 71F shall be credited to the fund;
- 2) Aggregate expenditures from the fund shall not exceed \$250,000 in a single fiscal year;
- 3) All proceeds received in a single year after the fund has reached a balance of \$250,000 shall be credited to the General Fund;
- 4) Expenditures from this fund shall be authorized by the School Committee or their designee and shall not exceed the available balance of the revolving fund;
- 5) Such funds shall be expended only for purposes directly associated provisions of M.G.L. c. 71 Section 71F;
- 6) No expenditure may be made from such revolving fund for the purposes of paying full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 7) The School Department shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E1/2 of Chapter 44 of the General Laws;

- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2019.

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

### **Revolving Funds**

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; and

WHEREAS, the City of Chelsea is required by law to authorize departmental revolving funds; and

WHEREAS, the Massachusetts Department of Revenue Division of Local Services has advised municipalities that, based upon recent changes to the departmental revolving fund statute M.G.L. c. 44, §53E½, revolving funds must be authorized by either a By-Law or Ordinance rather than by an annual legislative body vote; and

WHEREAS, the Revised Code of Ordinances of the City of Chelsea was amended, Chapter 2, Article V, by adding a new Section 2-200; to authorize six revolving funds

WHEREAS, the Ordinance requires the City to annually vote on or before July 1 on the amount that may be spent from each fund during the upcoming fiscal year;

Now, therefore, ORDERED:

Chelsea Community Schools (#4407):

Aggregate expenditures from the fund shall not exceed \$100,000 in a single fiscal year;

All money received after the fund has reached a balance of \$100,000 shall be credited to the General Fund;

Elder Affairs Revolving Fund (#3802)

Aggregate expenditures from the fund shall not exceed \$1,000 in a single fiscal year;

All money received after the fund has reached a balance of \$1,000 shall be credited to the General Fund;

Emergency Management Hazardous Material Revolving Fund (#4615)

Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;

All money received after the fund has reached a balance of \$30,000 shall be credited to the General Fund;

Vacant, Unsafe Buildings and Nuisance Properties Revolving Fund (#4627)

Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;

All money received after the fund has reached a balance of \$30,000 shall be credited to the General Fund;

Tax Title Foreclosure Properties Revolving Fund (#4631)

Aggregate expenditures from the fund shall not exceed \$100,000 in a single fiscal year;

All money received after the fund has reached a balance of \$100,000 shall be credited to the General Fund;

Chelsea Public Library Revolving Fund (#4201)

Aggregate expenditures from the fund shall not exceed \$20,000 in a single fiscal year;

All money received after the fund has reached a balance of \$20,000 shall be credited to the General Fund.

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

REQUEST, that the City Manager provide the Council with a list of services provided to residents along with the amount of money it cost the City of Chelsea.

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

ORDERED, that the City Manager instruct DPW to clean the debris and weeds overgrowing the plants and walkways in our parks throughout the City.

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

Request, that the City Manager and Traffic and Parking look into addressing the traffic lights at Broadway-Clinton St. and Eastern Ave.

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

Request, that the City Manager and Planning and Development hire a parking company who can deliver to the City a parking evaluation, street by street, in order to better address parking concerns.

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

Request, that a Subcommittee on Conference be held with the City Manager, Parking Clerk, and Planning and Development to look at residential parking program issues and concerns.

The following order was introduced by Councilor Vidot. A motion from Councilor Robinson to adopt by roll call passed 9-1-1-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Bishop, Tejada, Avellaneda, Robinson, Garcia, and Recupero. Councilor Brown voted no. Councilor Perlatonda was absent.

WHEREAS, On July 8, 2018, the City of Chelsea's Urban Redevelopment Plan for the Everett Avenue North Urban Renewal District will expire:

WHEREAS, The Urban Redevelopment Plan which was adopted in 1998 had to goals of redeveloping the entire area from the Chelsea-Everett border to the commuter rail line on Sixth Street and the City has seen a significant improvement in the area:

WHEREAS, The United States Economic Recession of 2006 slowed down and set back the City Administration's timeline for meeting its goal and there is still additional work and investment to be undertaken and an extension of the plan will help the City meet its goals; and

WHEREAS, Massachusetts General Laws Chapter 121B &48 and 760 CMR 12 requires that the City of Chelsea undergo a process to extend its Urban Renewal Plan;

NOW THEREFORE, pursuant to Massachusetts General Laws Ch. 121 B and the Code of Massachusetts Regulations 760 CMR 12 the City Council hereby approves the extension of the Urban Redevelopment Plan for the Everett Avenue North Urban Renewal District for ten years.

The following Transfer Orders were all introduced by Councilor Bishop. A motion from Councilor Bishop moved all of the Transfer Orders to a second reading under suspension.

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 \$200,000 borrowed under the Fiscal Year 2015 Capital Improvement Plan for water infrastructure improvements – Winnisimmet Street Infrastructure Project Account No. 55451519-584502 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and

funds transferred in the amount of \$200,000.00 for water infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 \$350,000 borrowed under the Fiscal Year 2015 Capital Improvement Plan for sewer infrastructure improvements-Winnisimmet Street Infrastructure Project Account No. 5541519-584503 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$350,000.00 for sewer infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 \$440,000 representing the unexpended portion of the \$440,000 borrowed under the Fiscal Year 2016 Capital Improvement Plan for sewer infrastructure improvements –Tudor Street Project-Sewer Bond-Account 55451612-584700, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$440,000 for sewer infrastructure improvements to the FY'19 Exxex Street Project Account No. 5545 FY'19 series.

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 \$25,000 representing the unexpended portion of the \$25,000 borrowed under the Fiscal Year 2016 Capital Improvements Plan for water infrastructure improvements-Clark Avenue Project-MWRA Water Bond-Account 55451613-584502, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$25,000 for water infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY ARE NO LONGER NEEDED TO CMPLTE 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 \$730,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for roadway improvements-General Obligation Bonds (\$300,000) and Enterprise Funds (\$430,000)-Everett Avenue/Walnut Street Project Account No. 55451717-584500 but which has not been undertaken and no liability remains outstanding

and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$690,000 for roadway and utility improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 \$150,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for Water improvements-MWRA Water Bond-Everett Avenue/Walnut Street Project Account No. 55451717-584502 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$150,000 for water infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 of the General Laws, the sum of \$750,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for sewer improvements-Sewer Bond-Everett Avenue/Walnut Street project Account No. 55451717-584503 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$687,000 for sewer infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 \$32,500 representing the unexpended portion of the \$50,000 borrowed under the Fiscal Year 2017 Capital Improvement Plan for sewer infrastructure improvements-Addison Street project-Sewer Bond-Account 55451722-584503, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$32,500 for sewer infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

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 \$320,000 borrowed under the Fiscal Year 2018 Capital Improvement Plan for water improvements -MWRA Water-Walnut Street/Popular Street Project Account No. 55451830-584502 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$320,000 for water infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.



AN ORDER TRANSFERING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO APY 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 \$740,000 borrowed under the Fiscal Year 2018 Capital Improvement Plan for sewer improvements-Sewer Bonds Capital Improvement Plan for sewer improvements-Sewer Bonds-Walnut Street/Popular Street/Poplar Street Project Account No. 55451830-584503 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$740,000 for sewer infrastructure improvements to the FY,19 Essex Street Project Account No. 5545 FY,19 series.

AN ORDER TRANSFERING 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 \$300,000 borrowed under the Fiscal Year 2018 Capital Improvement Plan for roadway improvements-Free Cash-Highland Avenue Project Account No. 55401824-584500 but which has not been undertaken and no liability remains outstanding and unpaid is hereby abandoned/discontinued and funds transferred in the amount of \$300,000.00 for roadway infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

AN ORDER TRANSFERING 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 \$550,000.00 representing the unexpended portion of the \$1,500,000.00 borrowed under the Fiscal Year 2018 Capital Improvement Plan-General Obligation Bonds-for the Shurtleff Street Roadway Project Account 55401819-584500, and a balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$550,000.00 for roadway infrastructure improvements to the FY'19 Essex Street Project Account No. 5545 FY'19 series.

The following Transfer Orders were introduced by Councilor Bishop. A motion from Councilor Bishop to move all of the orders to a second reading under suspension.

ORDERED, that the Chelsea City Council authorize the transfer of \$14,773.00 from the Salary Reserve Account #0199959-598000 to the FY2018 Law Department-Salaries Account #0115151-510200.

ORDERED, that the Chelsea City Council authorize the transfer of \$3,449.00 from the Salary Reserve Account #0199959-598000 to the FY2018 Central Billing Department Salaries Account #0115951-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$900.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Central Billing Department-Unused Leave Bonus Account #0115951-519100.

ORDERED, that the Chelsea City Council authorizes the transfer of \$300.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Parking Department-Unused Sick Leave Bonus Account #0129351-51900.

ORDERED, that the Chelsea City Council authorizes the transfer of \$40,641.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 DPW Snow Removal Department-Overtime Account #0142351-510400.

ORDERED, that the Chelsea City Council authorizes the transfer of \$900.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Health Officer-Department-Unused Sick Leave Bonus Account #0151151-519100.

ORDERED, that the Chelsea City Council authorizes the transfer of \$719.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Library Department-Overtime Account #0161051-510400.

ORDERED, that the Chelsea City Council authorizes the transfer of \$25,000.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Medicare Account #0191051-517600.

ORDERED, that the Chelsea City Council authorizes the transfer of \$1,203.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Licensing Department-Salaries Account #0116551-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$575.00 from the Salary Reserve Account #0199959-598000 to the FY 2018 Licensing Department-Unused Sick Leave Bonus Account #0116551-519000.

The following appropriation orders were introduced by Councilor Bishop. Councilor Bishop moved them to a second reading under suspension.

Ordered, that the Chelsea City Council authorize the appropriation of \$2,800.00 from Free Cash to supplement the Fiscal Year 2018 Purchasing Department-Maintenance Equipment Account 0113852-524700.

Ordered, that the Chelsea City Council authorize the appropriation of \$200.00 from Free Cash to supplement the Fiscal Year 2018 Licensing Department-Advertising Account 0116552-522100.

Ordered, that the Chelsea City Council authorize the appropriation of \$110,000.00 from Free Cash to the Fiscal Year 2018 Department of Public Works Snow Removal –Contract Services #0142352-530600, to provide supplemental funds for snow operations.

Ordered, that the Chelsea City Council authorize the appropriation of \$80,000.00 from Free Cash to the Fiscal Year 2018 Department of Public Works Snow Removal –Salt Account #0142352-546300.

Ordered, that the Chelsea City Council authorizes the appropriation of \$50,000.00 from Free Cash to the Fiscal Year 2018 Employee Benefits-City Health Insurance Account #0191051-517100.

Ordered, that the Chelsea City Council authorize the appropriation of \$50,000.00 from Free Cash to the Fiscal Year 2018 Employee Benefits-Workers Compensation Account #0191051-517800.

The following orders were introduced by Councilor Bishop. Councilor Bishop moved them to a second reading under suspension.

ORDERED, that in accordance with M.G.L. Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY16 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY18 budget, that Council authorizes the expenditure of \$50,459.52 from the School Department expenditure line to satisfy the unpaid tuition balance to Compass School from the prior year.

ORDERED, that in accordance with M.G.L. Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY17 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY18 budget, that Council authorizes the expenditure of \$3,710.10 from the School Department expenditure line to satisfy the unpaid balance to Jacobs Engineering from the prior year.

ORDERED, that in accordance with M.G.L.Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY17 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY18 budget, that Council authorizes the expenditure of \$21,603.55 from the School Department expenditure line to satisfy the unpaid balance to McLean Hospital from the prior year.

ORDERED, that in accordance with M.G.L. Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY17 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY18 budget, that Council authorizes the expenditure of \$15,122.48 from the School Department expenditure line to satisfy the unpaid balance to Schneider Electric from the prior year.

ORDERED, that in accordance with M.G.L. Ch. 44, Section 64, budget management procedures whereby costs incurred in FY17 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY18 budget, that Council authorizes the expenditure of \$143.50 from the School Department expenditure line to satisfy the unpaid balance to Music & Arts from prior year.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$5,000.00 From Free Cash to the Fiscal Year 2018 City Clerk Account 0116152-523600.

The following orders were introduced by Councilor Bishop. Councilor Bishop moved them to a second reading under suspension.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift to the Chelsea Police Department to support the general needs of the department to be used for gym equipment in the amount of \$500.00 from the Larson family.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift of six (6) Kryptonite Locks to the

Chelsea Public Library to secure patron bicycles with an estimated value of \$360.00 from the Kryptonite Lock Corp.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift of items for the Halloween celebration to the HHS Department consisting of tables cloths and related items of a value of \$85.00 from the Chelsea Youth and Family Partnership Inc. and pumpkins from Shelburne Farms of a value of less than \$100.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift to the Chelsea Community Schools to support the Flying Squirrel Program in the amount of \$270.00 from the Chelsea Youth and Family PARTNERSHIP.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift of Cash to support Veterans in the amount of \$100.00 from an anonymous donor.

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

ORDERED, that the Chelsea City Council authorize the appropriation of \$3,000,000 from Free Cash to the General Stabilization Account, Fund #7020.

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

Ordered, that the Chelsea City Council authorize the appropriation of \$50,000 from Free Cash to supplement the Fiscal Year 2018 Planning and Development-Contract Services Account #0117552-530600.

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

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 ensure that all sidewalks adjacent to new construction and buildings being substantially renovated are safe for pedestrian passage; and

WHEREAS, adoption of this new Ordinance will accomplish this goal.

**NOW, therefore be it Ordained**, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended by adopting the following new Section 24-25 in Chapter 24, Article I.

**Sec. 24-25 Construction of Concrete Sidewalks Adjacent to New Construction or Substantial Rehabilitation**

- (a) Every developer and/or contractor who: 1. constructs any new residential or commercial building; or 2. substantially renovates an existing commercial building or residential building of 4 units or more, such that 75% or more of the existing floor area is being renovated, shall be required to install along the perimeter of any public way abutting the property line a new sidewalk.
- (b) Such sidewalk shall be concrete with granite curbing and shall be constructed in accordance with specifications approved by the Department of Public Works. No Certificate of Occupancy shall be issued by the Department of Municipal Inspections until such concrete sidewalk is completed to the satisfaction of the DPW.
- (c) At its sole discretion, the DPW may determine that the existing abutting sidewalk along the property line is not in need of replacement. In such cases, the DPW shall require a payment in lieu of replacement to be deposited into the Community Improvement Trust Fund. The amount of the payment shall be the cost of installation of a new sidewalk along the entire public way perimeter of the building.
- (d) The Department of Municipal Inspections and the DPW shall each have authority to enforce this provision.

*The following ordinance was introduced by Councilor Vidot. A motion from Councilor Garcia to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Lopez, Rodriguez, Brown, Bishop, Tejada, Avellaneda, Robinson, Garcia, and Recupero. Councilor Perlatonda was absent.*

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 protect historically significant buildings from demolition if there is a reasonable opportunity for preservation; and

WHEREAS, the following change to the City's Ordinances will help to accomplish this public purpose.

**NOW, therefore be it Ordained**, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended by adding to Chapter 6, Article II the following new Section 6-33.

**AN ORDINANCE ADDING SECTION 6-33 OF CHAPTER 6 TO THE CHELSEA CODE OF ORDINANCES**

**Sec. 6-33. Demolition of Buildings 75 Years or Older**

**(a) Purpose and Intent**

The ordinance codified in this section is adopted for the purpose of preserving and protecting significant buildings within the City which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; to encourage owners of preferably-preserved significant buildings to seek out persons who might be willing to purchase and to preserve, rehabilitate or restore such buildings, rather than demolish them; and by furthering these purposes to promote the public welfare, to preserve the resources of the City and to make the City a more attractive and desirable place in which to live. To achieve these purposes, the Chelsea Historical Commission is empowered to advise the

Building Commissioner with respect to the issuance of permits for demolition, and the issuance of demolition permits for significant buildings is regulated as provided in this section.

**(b) Definitions**

*Application* means an application for a permit for the demolition of a building, which application contains the information referred to in this section.

*Building* means any combination of materials forming a shelter for persons, animals or property.

*Director of ISD* means the Director of the Department of Inspectional Services, ISD, or otherwise authorized to issue demolition permits.

*Business day* means a day which is not a legal municipal holiday, Saturday or Sunday.

*Commission* means the Chelsea Historical Commission.

*Commission staff* means the staffer of the Commission, the person performing the functions of such director in the event there is no person regularly providing staff services for the Commission to whom the Commission has delegated authority to act as Commission staff under this section.

*Demolition* means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

*Historic district* means the Bellingham Square District, Chelsea Square Historic District, and Downtown Residential Districts as stated by the Massachusetts Historic Commission State Register of Historic Places 2015 and the National Register of Historic Places, or which is the subject of a pending application for listing on the National Register or any other historic district that may from time to time have been established by ordinance.

*Initial determination* means any determination contemplated in subsection (c)(3) of this chapter made by the Commission or the Commission staff.

*Permit* means a permit issued by the Director of ISD for demolition of a building pursuant to an application therefor.

*Preferably preserved significant building* means any significant building which the Commission determines, as provided in subsection (c)(4) of this chapter, that it is in the public interest to be preserved or rehabilitated rather than to be demolished.

*Significant building* means any building within the City which is in whole or in part seventy-five (75) years or more old and:

- (1) Which is within any historic district; or
- (2) Which is listed on, or is within an area listed on, the Massachusetts Historic Commission State Register of Historic Places 2017, the National Register of Historic Places, or which is the subject of a pending application for listing on the State or National Register; or
- (3) Which is or has been designated by the Commission to be a significant building after a finding by the Commission that a building either:
  - a. Is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City or the Commonwealth, or
  - b. Is historically or architecturally significant (in terms of period, style, method of building construction or association with a famous architect or builder) either by itself or in the context of a group of buildings.

**(c) Procedures for Demolition**

- (1) No permit for the demolition of a building which is in whole or in part seventy-five (75) years or more old shall be issued other than in conformity with the provisions of this section, as well as in conformity with the provisions of other laws and ordinances applicable to the demolition of buildings and the issuance of permits therefor generally. An application for demolition of a building over seventy-five (75) years in age shall be made only by the person, partnership, corporation or realty trust which is the owner thereof at the time of such application.
- (2) The Director of ISD shall cause a copy of each application for a demolition permit to be forwarded to (or shall satisfy himself that a duplicate of such application has been submitted to) the Commission for determination by the Commission whether the building which is the subject of such application is a preferably preserved significant building.
- (3) If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Director of ISD shall be so advised, and no demolition permit or building permit for new construction or alterations as defined in Ch. 40C §6 shall at that time be issued pending review of the initial determination by the Commission pursuant to subsection (c)(4). If the Director of ISD shall not receive advice of any such initial determination within ten (10) business days of the date that a copy of the application is submitted to the Commission staff, then, subject to subsection (g), the Director of ISD may grant the permit applied for unless prior to such grant he is advised that such an initial determination has been made.
- (4) If the Commission staff shall have made an initial determination that a building which is the subject of the application is or may be a significant building, the Commission shall review the application and such determination at a public hearing of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in the City notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week. If the Commission determines, after a public hearing that the demolition of the subject building would result in the demolition of a significant building whose loss would be detrimental to the historical or architectural heritage or resources of the City, such building shall be considered a preferably preserved significant building. The Commission may delegate to the Commission staff authority to determine without any hearing that a building is not a preferably preserved significant building and to so advise the Director of ISD. Upon determination by the Commission or by the Commission staff that a building is not a preferably preserved significant building or upon failure by the Commission to make any determination within forty-five days of the date that a copy of the application was submitted to the Commission, the Director of ISD may, subject to subsection (g), grant the permit applied for.
- (5) Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Director of ISD, and no demolition permit or building permit for new construction or alterations on the premises shall be issued until six months after the date of such determination by the Commission except as may be provided for in subsection (c)(9). Notwithstanding the preceding sentence, the Director of ISD may issue a demolition permit for a preferably preserved significant building at any time after receipt of written advice from the Commission to the effect either:

- a. that the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group willing to purchase the preferably preserved significant building would be willing to preserve, rehabilitate or restore such building, or
  - b. that the Commission is satisfied that for at least six months since the owner first sought the advice of the Commission or the Commission staff in locating a person or group that might be willing to purchase such building and to preserve, rehabilitate or restore the same, the owner of the preferably preserved significant building has made continuing, bona fide, reasonable and unsuccessful efforts to locate such a purchaser.
- (6) No permit for demolition of a building determined to be a preferably preserved significant building under subsection (c)(4) of this section shall be granted until all proceedings relating to amendments of the zoning ordinance of the City have been completed, if such proceedings have been initiated prior to the expiration of any period of delay of demolition resulting from such determination, and if such amendments affect the site of the building whose demolition has been thereby delayed.
- (7) No permit for erection of a new structure on the site of an existing building over seventy-five (75) years old may be issued prior to issuance of a permit for demolition of such existing building.
- (8) No permit for demolition of a building determined to be a preferably preserved significant building under subsection (c)(4) shall be granted until plans for use or development of the site after demolition have been filed with the Building Department and found to comply with all laws pertaining to the issuance of a building permit, or if for a parking lot, a certificate of occupancy, for that site. All approvals necessary for the issuance of such a building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.
- (9) During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.

**(d) Application—Publication of notice.**

- (1) Application Contents. Every application for a demolition permit for a building shall contain the following information:
  - a. The applicant's name, address and interest in the property;
  - b. The owner's name and address, if different from the applicant's;
  - c. The address or location of the building to be demolished;
  - d. A brief description of the type of building and the condition requiring issuance of the permit; and
  - e. A brief description of the proposed reuse, reconstruction or replacement of the premises upon which the building is located.
- (2) Notice. In addition to the publication provided for in subsection (c)(4), notice of any hearing or determination provided for in this section shall in any event be given by the Commission to the applicant for the demolition permit, and shall also be given to such other persons and in such



manner as the Commission may determine. The Applicant must post the Public Hearing Notice on the building.

**(e) Emergency demolition**

- (1) In the event that the Inspection Services Department or Department of Public Works is convened to consider the condition of a building over seventy-five years old, the chair and staff of the Chelsea Historical Commission shall be notified to accompany the Board during its inspection. The Director of Inspectional Services shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.
- (2) Nothing in this chapter shall prevent the construction, reconstruction, alteration or demolition of any feature which the Director of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

**(f) Enforcement and remedies**

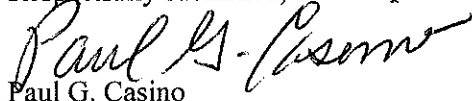
- (1) Enforcement. The Commission and/or the Director of ISD are each specifically authorized to institute any and all actions and proceedings, in law or in equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this section or to prevent a threatened violation thereof.
- (2) Building Permit to be withheld. No building permit shall be issued with respect to any premises upon which a building seventy-five years or more old has been voluntarily demolished otherwise than pursuant to a demolition permit granted after compliance with the provisions of this section for a period of two years after the date of the completion of such demolition. As used in this section "premises" refers to the parcel of land upon which the demolished building was located and all adjoining parcels of land under common ownership or control.
- (3) Securing of Building Required. Upon a determination by the Commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building in compliance with the regulations of the Building Department. Should the owner fail so to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of subsection (f)(2).

**(g) Conflicts with Historic Districts Act.**

Nothing in this section shall be deemed to conflict with the provisions of the Historic Districts Act, General Laws Chapter 40C, with respect to requirements as to notice, hearing and issuance by the Commission of a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship prior to demolition of any building in an historic district; provided, however, that any temporary building erected or maintained in an historic district pursuant to a certificate issued by the Commission may be demolished in a manner not inconsistent with the terms of such certificate.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Council