

c/13
 SUSPENSION
 ACCEPTED AND FILED

Chelsea, Massachusetts October 21, 2019

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 Councilor were present: Councilors Garcia, Vidot, Rodriguez, Lopez, Perlatonda, Tejada, Robinson, Bishop, and Recupero. Councilor Brown arrived at 7:02 p.m. Councilor Avellaneda was absent. 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 City Council. A motion from Councilor Robinson to adopt under suspension was adopted.

RESOLUTION

WHEREAS, the Massachusetts Black and Latino Legislative Caucus aims to celebrate National Hispanic Heritage Month and leaders who make our communities thrive; and
 WHEREAS, the Massachusetts Black and Latino Legislative Caucus (MBLLC) has passed its unique citation to Marilyn Garcia for her work in civic engagement, education, business and other fields; and
 WHEREAS, the citation will serve as an official recognition of Marilyn Garcia's work from the members who represent the MBLLC; and
 WHEREAS, the Speaker Robert A. DeLeo (19th Suffolk) was the nominating legislator who said Marilyn Garcia is a person who goes above and beyond for the people in her community and the communities around her; now therefore, BE IT
 RESOLVED, that we the Members of the Chelsea City Council wish to go on record as to congratulate Marilyn Garcia on going above and beyond helping people in her community and surrounding communities.

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

RESOLUTION

WHEREAS, John Letizia, a Revere resident, has been employed by Community Action Inter-City Inc. (CAPIC) since September 19, 1993; and
 WHEREAS, John Latizia has served as Fiscal Director for twenty-six years and performed in an exemplary manner throughout his tenure; and
 WHEREAS, John has made substantial contributions toward reducing poverty in Chelsea, Revere, and Winthrop; and
 WHEREAS, John has endeavored to go above and beyond what is expected; and
 WHEREAS, John has helped clients and CAPIC employees to have a better quality of life and his innovation and financial creativity have improved the lives of thousands; and

WHEREAS, John has maintained sound fiscal practices and met his fiduciary responsibility; now therefore, BE IT RESOLVED, that we the Members of the Chelsea City Council on behalf of the citizens of Chelsea, extend our appreciation for his extraordinary work while helping those in need.

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

RESOLUTION

Whereas, On October 28, 2019, the City of Chelsea will officially celebrate Arbor Day; and
Whereas, As part of this special day, the Massachusetts Tree Wardens & Foresters Association will come to the City of Chelsea to plant a public shade tree, and
Whereas, Children, parents, community leaders, public officials and municipal employees are invited to participate in the planting event; and
Whereas, This event helps to ensure that the City maintains its status as a Tree City USA; and
Whereas, This year, the City of Chelsea has officially been recognized as a Tree City USA for its 215th year by the National Arbor Day Foundation; and
Whereas, Being a Tree City USA gives Chelsea the benefits of having more State resources to further enhance the quantity and quality of trees in Chelsea; and
Whereas, The Tree City USA Award is given by The National Arbor Day Foundation, in cooperation with the National Association of State Foresters and the USA Forest Service, to recognize environmental America now therefore be it
Resolved, That we the Members of the City Council would like to recognize the efforts of the Department of Public Works and the community for their work toward improving Chelsea's environment via an enhanced tree program; for securing the Tree City USA status for the 15th year in a row; and for having a successful 2019 Arbor Day event.

Public speaking:

The public speaking portion of the meeting opened at 7:12 p.m. The following came forward to speak: Roman Pucko 191 Lynfield Street, Peabody Mass. Spoke about grants coming in to the City., a need for Spanish speaking personal to be on duty answering calls at E-911, and volunteered his services to help with the traffic patterns, in the City, if needed.

The public speaking portion closed at 9:16 p.m.

The minutes of the City Council Meeting dated October 7, 2019 were approved at the request of Councilor Lopez under suspension.

Communications from the City Manager:

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

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

Re: Street and Sidewalk Reconstruction Work

Dear Councilors:

I am writing in response to the recent City Council Orders for the City to replace streets and sidewalks on Marlborough Street and Eastern Avenue.

The Public Works Commissioner and I have conferred on these requests. We concur that both of sidewalk reconstruction list for the Calendar Year 2020 construction season.

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: Notice of Waiver Intent

Dear Councilors:

Pursuant to the Administrative Code Section 1.12.02, I am writing to notify you that it is my intention to appoint Mr. James H. Caron Jr., Robb Road, Beverly, Massachusetts to the position of City Yard Supervisor/Timekeeper and to grant him a waiver from the residency requirement set forth in the Administrative Code, Part IV, Section 1.1201. Mr. Caron has been employed by the DPW for the past 16 years, and a Foreman for the past 2 years. A copy of his resume is attached.

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

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Brown to send it to Conference was adopted under suspension.

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

Re: *Home Rule Petition for Additional All-Alcohol Licenses*

Dear Councilors:

As you know, the City currently has reached its limit on the issuance of all-alcohol licenses. The City's current limit is set by statute based upon population. And, until the new population figures are released from the upcoming 2020 Census, which likely will not occur until the beginning of Calendar Year 2021, the City's limit on such licenses will not be adjusted without legislative relief.

Because several Councilors have expressed to me concern about this problem, and because it does constrain our ability to attract additional hotels and restaurants to the City, it may be time to restart discussions on a Home Rule Petition for additional licenses. Based upon information in the City's files, it appears the City Council was considering such a Petition in 2014, but for some reason, decided against its adoption and submission to the Legislature.

For discussion purposes only, I have drafted a Home Rule Petition very similar to the one under consideration in 2014. This proposal, as drafted, would allow for an additional 10 licenses to the City, limited to hotels, restaurants and large function halls. Similar to the 2014 proposal, these additional licenses would be Chelsea licenses only and not transferable by the licensee. If the licensee sold or closed its business or otherwise no longer had need for the license, the license would revert immediately to the City.

At this point, I would suggest that we have a subcommittee meeting to discuss the pros and cons of seeking this Special Legislation and invite representatives from the business community to attend.

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: *Municipal Electric Aggregation*

Dear Councilors:

I am writing in follow up to the Oct. 2, 2019 subcommittee meeting regarding municipal electric aggregation. Based upon the positive response to the presentation, I respectfully ask that the City Council vote to authorize the City to develop a municipal electric aggregation plan for submission to the Massachusetts Department of Public Utilities. A draft Order to that effect is attached.

If the Council approves this authorization, the process going forward will be as follows. The City will, through some competitive process, hire an energy broker to assist us in designing the aggregation plan. The draft plan will be developed with the input of the Department of Energy Resources. Once the draft plan is developed, and before submission to the Department of Public Utilities, I will return to the City Council for a second vote seeking approval to file the proposed Plan with the DPU. No Plan will be submitted to the DPU without the City Council's express approval.

After a Plan is submitted to the DPU, it may take as much as 6 months for approval. Following DPU approval, the City will then, through a formal RFP process, solicit competitive bids for a municipal electric supplier. Once a new electric supplier is selected and a contract executed, then the City will notify all members of the community who are basic service customers of Eversource that their electric supply will be switched. This communication will include information on the new rates and the comparison with Eversource basic service rates. All customers in the City will have the opportunity to opt out before the switch. Further, as mentioned repeatedly, the City will ensure that customers will be able to opt out at any time thereafter without penalty.

For the City Council's convenience, I have attached to this letter a pamphlet prepared by the Metropolitan Area Planning Council which does a very nice job of outlining and describing the program implementation steps in detail.

I respectfully request approval of the authorization to proceed with development of a plan. Once approved, the City will seek an appropriate energy broker to assist with the plan.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from City/Parking Clerk Jeannette Cintron White regarding Streets and Sidewalks Reconstruction Work. A motion from Councilor Robinson to accept and file was adopted under suspension.

A copy of a communication was read from City Council Clerk Paul G. Casino regarding attendance reports requested by Councilor Bishop. A motion from Councilor Bishop to accept and file was adopted under suspension.

A copy of a communication was received from Roseann Bongiovanni, Executive Director of GreenRoots and Patrick Herron, Executive Director of Mystic River Watershed Association requesting support for Bill H.3976. A motion from Councilor Bishop to wave the reading and accept and file was adopted under suspension.

Unfinished Business:

Councilor Recupero made a motion to remove the Ordinance with regards to having Chickens in the City removed from the Table. Roll Call was requested to remove from the Table. The roll call passed 6-4-1-0. Voting yes were Councilors Garcia, Vidot, Lopez, Perlatonda, Tejada, and Recupero. Voting no were Councilors Rodriguez, Brown, Robinson and Bishop. Councilor Avellaneda was absent. The following Ordinance was introduced by Councilor Recupero. Councilor Recupero moved roll call. The roll call passed the Ordinance 6-3-2-0. Voting yes were Councilors Garcia, Vidot, Lopez, Perlatonda, Tejada, Recupero. Voting no were Councilors Brown, Robinson and Bishop. Absent were Councilors Avellaneda and Rodriguez.

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 allow for residents to raise domestic chickens without need for a Board of Health permit.

NOW, therefore be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended as follows:

AN ORDINANCE REVISING PART II CHAPTER 4 OF THE CHELSEA CODE OF ORDINANCES

Amendment 1

That Chapter 4, Section 4-9 of the Code of Ordinances, City of Chelsea, Massachusetts is hereby amended by adding at the end of the first sentence the following new terms: "except that two hens (but no roosters) may be allowed per parcel without need for Board of Health approval."

These changes shall take effect as of January 1, 2020.

Second Readings:

The following appointments to Boards and Commissions recommended by the City Manager were acted upon at the second reading. Councilor Robinson moved to affirm the appointments by roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Garcia, Vidot, Lopez, Brown, Perlatonda, Tejada, Robinson, Bishop and Recupero. Absent were Councilors Avellaneda and Rodriguez. The appointments are as follows:

For appointment to the Human Rights Commission, Mr. Christian DeJesus Franco, 72 Willow St. #3, Chelsea for a new three year term expiring on June 30,2022.

For appointment to the Human Rights Commission, Mr. Michael Palma, 28 Woodlawn Ave. Chelsea, to serve the remainder of the term of Mr. Roberto Rodriguez Lugo, who has moved out of the City. This term expires on June 30,2021.

For appointment to the new Chelsea Disability Commission, for terms expiring on Sept. 30, of the identified years:

Karen Zelaya, 18 Carmel Street, Chelsea, a one year term expiring Sept. 30,2020;

Barbara Rivera 53 Maverick Street #1 Chelsea, a one year term expiring Sept. 30,2020;

Alexander J. Floyd-Vargas, 260 Clark Ave. Apt. 807, Chelsea, a one year term expiring Sept. 30,2020;

Maureen Cawley, 150 Captains Row, Chelsea, a two year term expiring Sept. 30,2021

Marianne Winship, 62 Beacon Street, Chelsea, a two year term expiring on Sept. 30,2021;

Robert J. Bourque, 95 Sagamore Avenue, Chelsea, a three year term expiring on Sept. 30,2022; and

Mr. Fidel Maltez Public Works Commissioner and ADA Coordinator, a three year term expiring on Sept. 30,2022.

New Business:

The following order was introduced by Councilor Vidot. A motion from Councilor Robinson for roll call passed 9-0-2-0. Voting yes were Councilors Garcia, Vidot, Lopez, Brown, Perlatonda, Tejada, Robinson, Bishop, and Recupero. Councilors Avellaneda and Rodriguez were absent.

ORDERED, that pursuant to M.G.L. c. 164 & 134, the Chelsea City Council hereby authorizes the City Manager to develop a municipal electric aggregation plan and to take any and all action necessary to prepare the plan for submission to the Massachusetts Department of Public Utilities. However, such plan shall not be submitted to the DPU until such plan has been formally approved by the City Council.

The following order was introduced by Councilor Vidot. A motion from Councilor Bishop for roll call passed 9-0-2-0. Voting yes were Councilors Garcia, Vidot, Lopez, Brown, Perlatonda, Tejada, Robinson, Bishop, and Recupero. Councilors Avellaneda and Rodriguez were absent.

ORDERED, that the warrant for the November 5, 2019 City Election be accepted.

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 the DPW Commissioner to post signs in all City Parks throughout the City stating the hours of operation and its enforcement.

The following order was introduced by Councilors Recupero and Perlatonda. A motion from Councilor Perlatonda to send it to the sub-committee on conference was adopted under suspension.

ORDERED, that the City Manager look into doing a study to find out what side effects the residents of Chelsea may have due to the carbon monoxide and the dumping of fuel by planes flying in to Logan airport over Chelsea.

The following order was introduced by Councilor Vidot. A motion from Councilor Bishop to refer it to the Sub-Committee on Conference was adopted under suspension.

WHEREAS, the City of Chelsea has all of its allotted on-premises liquor licenses and has very little if no control over whom said liquor licenses are transferred to; and

WHEREAS, the absence of available all alcohol licenses has hindered the City's ability to attract more restaurants and business to the City; and

WHEREAS, the City has determined that an increase in the number of on-premise liquor licenses that are City-owned licenses will enable the city to reach its economic development goals;

NOW, THEREFORE BE IT ORDERED, by the City Council of the City of Chelsea, as follows:

That the below be enacted as a Petition for the adoption for Home Rule and that a public hearing is scheduled.

(a) Notwithstanding the maximum number of licenses authorized to be granted under section 17 of chapter 138 of the General Laws, the licensing authority of the City of Chelsea may grant up to ten (10) additional full licenses for the sale of all alcoholic beverages to be drunk on the premises under section 12

of said chapter 138, provided that such licenses shall be issued only to establishments that meet the City's definition of hotels, restaurants and function halls, and provided further that, in the case of function halls only, the seating capacity is more than 100 persons.

(b) A license granted under this section shall not be transferable to any other person, corporation or organization and shall be deemed a Chelsea License. A transfer in violation of subsection (a) or (b) shall render the license null and void.

(c) If a license granted under this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically with all of the legal rights and privileges pertaining thereto to the local licensing authority which may then grant the license to a new applicant.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Paul G. Casino". The signature is written in black ink and is positioned above the printed name and title.

Paul G. Casino
Clerk of the Chelsea City Council