

April 6, 2020 Chelsea, Massachusetts 02150

The following meeting was held at the Chelsea City Hall located at 500 Broadway Chelsea, Massachusetts 02150. Due to the Corvid-19 some Councilors were at City Hall and some were on Zoom T.V. The attendance was as follows: Present were Councilors Zabol, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Maldonado, Rodriguez, Avellaneda, and Lopez. Council President Avellaneda presided over the meeting. The meeting opened at 7:00 p.m.

**The City Council accepted by roll call the State of Emergency due to the Covid-19 pandemic. The roll call passed 11-0-0-0. Voting yes were Councilors Zabol, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Maldonado, Rodriguez, Avellaneda, and Lopez.**

**Communications from 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: Emergency Action Pertaining to the COVID-19 Public Health Crisis

Dear Councilors:

I am writing with several request for action, some on an emergency basis, to address the COVID-19 public health crisis. This is the first of what may be future similar communications on this matter.

**Emergency Financial Requests**

There are several votes for which I am seeking emergency approval and waiver of the normal second reading. These votes can only occur after adoption of an Emergency Preamble. That Emergency Preamble vote requires a two-thirds majority.

First, I am asking that the City approve, and provide an express appropriation for , both the emergency expenditures we made during the week of March 23<sup>rd</sup> as well as additional funds for food hygiene supplies and other emergency needs arising from the COVID-19 crisis.. The total amount I am requesting at this time is \$300,000. This will cover the \$50,000 which we have already spent, approved by DOR on an emergency basis without appropriation, as well as provide an additional \$25,000 for our emergency COVID-19 fund to meet future short-term emergency needs.

The second emergency appropriation I seek is a vote to pay existing deficits for legal services. During this crisis, I have had, and will continue to have, the need for legal services. There are complex legal issues

from this crisis on a regular basis that demand outside counsel expertise. But, I have been unable to secure any significant legal advice because we have significant outstanding liabilities with the two firms that know the City and its labor pool best-D'Ambrosio Brown LLP and Stoneham Chandler & Miller LLP.

D'Ambrosio Brown and Stoneman Chandler have significant outstanding receivables based upon prior legal work performed for the City during this current fiscal year. Typically, these firms are more than willing to carry these deficits to the end of the fiscal year is different. Even law firms are facing substantial cash flow problems. These law firms are therefore prioritizing clients that pay, and they are far less responsive to those clients with large outstanding bills. So, I am asking now for an emergency appropriation both to pay these debts and cover anticipated costs through the end of June. Right now, the total owed to D'Ambrosio Brown is \$37,482.60, and the amount owed to Stoneham Chandler is \$53,504.13. An additional \$12,000 should be sufficient to cover services for the balance of the fiscal year. Accordingly, the total amount requested in this emergency appropriation is \$103,000.00.

Finally, I am requesting a vote on April 6 to authorize me, as City Manager, to extend the deadlines for any tax payment, abatement or exemption, and to waive the payment of interest and penalties on any excise, tax, and water or sewer bill during the Governor's declared state of emergency, to the full extent allowed by Massachusetts Legislature. As of the date of this letter, the Massachusetts Legislature is considering legislation, the authority is granted exclusively to the municipalities Chief Executive without need for local legislative bodies during the crisis. Assuming the legislation passes as proposed your vote is not necessary. However, I believe that having the City Council expressly vote to grant the City Manager this authority will have symbolic significance to our residents, demonstrating that this City Council is fully supportive of assisting our taxpayers and ratepayers to the full extent allowed by law.

I have attached to this letter drafts of these emergency votes. I have also included the necessary Emergency Preamble, which is required as a separate vote under the Charter.

#### **Non-Emergency Requests Pertaining to the COVID-19 Crisis**

The balance of my needs can await the normal legislative process. But, I do not want to bring some of those to your attention now.

First, you have pending before you four Free Cash requests that were submitted under cover of a letter dated March 4, 2020. At this point, I propose to defer action on the Loan Airport related noise work (\$125,000) and the housing rehabilitation work (\$300,000). While those are important projects, neither one is critical to commence in early Fiscal Year 2021. Each can be deferred and reconsidered at a later time.

However, I do ask that the City Council move forward with, and vote favorable on, the other two pending Free Cash requests-the Bunker Hill Scholarship Program (\$192,000) and the Senior Transportation Program (\$75,000). Despite anticipated financial constraints in FY21, it is still a high priority for the City to continue to support Chelsea High School graduates who wish to matriculate at Bunker Hill. Similarly, I plan to continue to operate a Senior Center in FY21 (albeit perhaps with reduced services), and I want to ensure our seniors have access to adequate transportation. Therefore, I ask that the Council vote favorable on these two requests.

Second, you have pending before you the Capital Improvement Program for Fiscal Year 2021. The public hearing on that FY21 CIP will need to be rescheduled. However, given the economic constraints

expected in FY21, I am reconsidering a fair number of the projects in that original proposal. While all the projects have merit, some can certainly be deferred for another year or more until our finances improve and the broader U.S. economy recovers from this shock. I expect to submit a revised plan in the next few weeks.

Third, I do need the City Council in the near future to approve various Financial Orders to allow the City to proceed with the necessary public bidding for the Beacham Street Reconstruction Project. These Orders will likely include some Loan Authorization requests for water and sewer borrowing from the MWRA. However, assuming the next two scheduled City Council meetings go forward, on Mon. April 27, 2020 and Mon. May 4, 2020, respectfully, we will have adequate time for these votes.

Finally, you have pending before you my request for approval of the SEIU collective bargaining agreement. Despite the expectation that FY21 will be financially challenging, I request that you approve this contract and the FY20 retroactive pay required by its terms. I likely will be involved with SEIU and all the other unions over the course of the next few months to discuss adjustments to contract terms for FY21. But. At this point, with virtually every other major union in the City already approved for retroactive pay in FY20, it would be unfair and demoralizing to punish this group of City Hall workers, which includes most of the lowest paid employees in the City, by denying them the retroactive pay for FY20 which they have been promised. Remember, funds were budgeted and appropriated in FY20 Salary Reserve for this purpose.

Other than SEIU, the only other employees in the City that do not have a scheduled adjustment for FY20 pay are Exempt employees and E-911 Dispatchers. For exempt employees, I expect to recommend an adjustment only for MM3 MM4 employees. These are the lowest paid exempt employees, typically making salaries similar to clerical staff in SEIU. The only reason they are not in SEIU is because they do clerical work in confidential offices in the City; the Law Department; the City Council Office; and the City Manager's Office. In my opinion these employees should be treated no differently than SEIU employees. I will likely have a retroactive pay request for this small group of employees within the next few weeks.

Unfortunately, at this point, I can take no action under the supervision of the Massachusetts Department of Labor Relations. If and when a new union is chosen, I will seek to negotiate with that new union for agreement on pay, solely for FY20, and hopefully bring that to the City Council before the end of the fiscal year.

I do expect there will be other items arising from this COVID-19 crisis that will require your attention and will continue to keep you informed of such matters as soon as they arrive.

As you know, this COVID-19 public health emergency has created painful and challenging times here in Chelsea and throughout the world. I assure you I am working diligently to protect Chelsea residents as much as possible from the devastating impacts of this crisis. Thankfully, we have incredibly dedicated and talented employees, non-profits and residents who have risen to the challenge. I am hopeful, that, working together, we will persevere and emerge from this crisis without substantial long-term damage to our community.

Sincerely,  
Thomas G. Ambrosino  
City Manager  
New Business:

**The following Order was introduced by Councilor Avellaneda. A roll call passed the Emergency Preamble 11-0-0-0. Voting yes were Councilors Zobot, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Maldonado, Rodriguez, Avellaneda, and Lopez.**

### **Emergency Preamble**

Whereas, the 2019 Novel Coronavirus (COVID-19) is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

Whereas, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; AND

Whereas, on March 11, 2020 the World Health Organization designated the COVID-19 Outbreak a Pandemic Health Emergency; and

Whereas, On March 13, 2020, the President of the United States announced a national declaration of emergency; and

Whereas, on March 18, 2020, the City of Chelsea declared a similar State of Emergency to respond to the crisis; and

Whereas, on March 15, 2020, and again on March 23, 2020, Governor Baker announced emergency actions to respond to the evolving COVID-19 public health emergency impacting the Commonwealth including prohibitions on public gatherings of more than ten persons, advising persons to stay at home, closing all non-essential businesses until April 7, and suspending elementary and secondary school education operations from March 17, 2020 until May 4, 2020; and

Whereas, the City in consultation with the State Department of Public Health, has determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of the City of Chelsea; and

Whereas, the City has determined that immediate public action is needed in order to prevent and minimize the spread of COVID-19 to protect the health and welfare of the people of Chelsea, and that some of these steps require the emergency expenditure of public funds;

Now, therefore, it is resolved, THAT THE Chelsea City Council hereby declares that a State of Emergency exists and hereby authorizes emergency expenditures of funds in accordance with Sections 2.7(a) and 2.7(b) of the City of Chelsea Charter.

**The following order was introduced by Councilor Robinson. A motion from Councilor Robinson for roll call passed 10-1-0-0. Voting yes were Councilors Zobot, Garcia, Taylor, Recupero, Robinson, Brown, Maldonado, Rodriguez, Avellaneda, and Lopez. Councilor Vidot voted no.**

ORDERED, THAT BASED UPON THE covid-19 Public Health Emergency as described in the above Emergency Preamble, the Chelsea City Council authorizes the City Manager to extend the date for tax payments, tax abatements and tax exemptions, and to waive charge or sewer charge or other bill **during**

the period of the Governor's declaration of a state of emergency to the full extent allowed by Massachusetts law.

**The following order was introduced by Councilor Robinson. A motion from Councilor Robinson to adopt by roll call passed 11-0-0. Voting yes were Councilors Zabot, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Maldonado, Rodriguez, Avellaneda, and Lopez.**

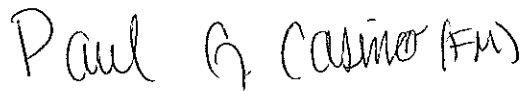
ORDERED, that, based upon the COVID-19 Public Health Emergency as described in the above Emergency Preamble, the Chelsea City Council authorizes the emergency appropriation of funds in the amount of \$500,000 from Free Cash to the HHS Department Administration Division, Operations Account #0151052-538201 Covid-19 Emergency Services Fund for food, hygiene supplies, emergency housing and other emergency expenditures to respond to the COVID-19 CRISIS.

**The following order was introduced by Councilor Robinson. Roll was taken and it was sent to Conference 6-5-0-0. Voting yes were Councilors Garcia, Recupero, Robinson, Vidot, Rodriguez, and Lopez. Voting no were Councilors Zabot, Taylor, Brown, Maldonado, and Avellaneda.**

ORDERED, that, based upon the COVID-19 Public Health Emergency as described in the above Emergency Preamble, the Chelsea City Council authorizes the emergency appropriation of funds in the amount of \$103,000 from Free Cash to the FY2020 Law Department Legal Services Account #0115152-530100 for payment of legal fees to outside counsel.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Hall