

J/G  
SUSPENSION

6-c

ACCEPTED AND FILED

Chelsea, Massachusetts February 8, 2021

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, Avellaneda, Recupero, Garcia, Vega-Maldonado, Robinson, Taylor, Lopez, Brown and Zabol. Councilor Rodriguez was absent. Council President Avellaneda presided over the meeting. The meeting opened at 7:00 p.m.

**Public speaking:**

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

Josh Craft former Director of the Chelsea Boys and Girls Club, thanked everyone for the Honor of having a section of a street named after him Josh Craft Way.

**Public Hearing:**

With regards to proposed Zoning Amendments to the Waterfront. The following came forward to speak:

City Manager Thomas G. Ambrosino, spoke in favor of the proposed amends to the Zoning. The three sections.

J. MacNamee Eatern Minerals, spoke in favor of the proposals.

Mary Monahan 9 Boatswains Way, Questioned the Mandate and the security.

**The Public Hearing closed at 7:20 p.m.**

The minutes of the City Council Meeting dated January 25,2021 were approved at the request of Councilor Garcia under suspension.

**Communications from City Manager:**

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor 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 to request formal City Council approval to submit the City's Municipal Electric Aggregation Plan to the Massachusetts Department of Public Utilities ("DPU") for approval.

As you may recall the City's Plan, known as Chelsea Electricity Choice/Option Electrician de Chelsea, was subject to a public hearing and public comment period. Although the City received no formal comments, public reaction was generally positive. Following that public hearing and comment period, the Plan was submitted to the Department of Energy Resources ("DOER") for its review and commentary. That process has been completed to the satisfaction of DOER. (A copy of the January 27, 2021 DOER letter is attached.)

With DOER consultation completed, the Plan is now ready for final submission to DPU. I had previously promised that the City Council would have final say before submission. I am now requesting authorization to make that submission. The full Plan is available on the DPW's page on the City of Chelsea's website, or through the publicly available site: [chelseaelectricitychoice.com](http://chelseaelectricitychoice.com).

Let me once again review the process that remains before implementation. Assuming the Council approves the submission to DPU, it may take as much as 6 months for DPU to approve the Plan. 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 by mail all members of the community who have Eversource's Basic Service (meaning they have not signed a contract with a different electricity that they are eligible for automatic enrollment in the City's new program. The letter will include information about program process, program required disclaimer that savings cannot be guaranteed. All customers who are eligible for automatic enrollment will have the opportunity to opt out before the switch. The letter will include information on how to do so; in fact, the letter and mailers have already been developed and are Attachments B-1, B-2, B-3, and B-4 of the Chelsea Aggregation Plan. Finally, the City will ensure that customers will be able to opt out at any time thereafter without penalty.

At this time, I respectfully ask for authorization to submit the Plan to DPU. Adraft Ordwer for that purpose is attached.

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: MassSave Municipal Partnership Grant

Dear Councilors:

I am writing with another request to accept a grant. This time, it is the Municipal Partnership Grant through MassSave, funded by Eversource and National Grid. (Copies of the grant documents are attached.) The grant has a maximum value of \$25,000, depending upon participation. The grant will be managed by the Department of Public Works.

The purpose of this grant is to raise awareness and increase participation in MassSave energy efficiency programs in environmental justice communities like Chelsea. Due to barriers such as language, high rate of renter occupied units and lack of public education, communities like Chelsea have historically under participated in MassSave's energy efficiency programs. These programs are largely free to our residents, can make significant improvements to energy efficiency and can lead to a reduction in utility bills.

This is the second year that the City of Chelsea has been awarded the Municipal Partnership Grant. With the 2020 grant, the DPW was able to significantly increase participation in energy efficiency programs and achieved most of the targets established by Eversource and National Grid. The DPW is ready to take on a similar challenge with the 2021 Municipal Partnership Grant. The grant funding provides salary for an intern to oversee the program and covers the costs of printing, mailing and marketing materials.

At this time, I respectfully ask that City Council accept the 2021 Municipal Partnership Grant. A draft Order for that purpose is attached.

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: Grant from Beth Israel Lahey Health

Dear Councilors:

I am writing to request acceptance and approval of a new grant from Beth Israel Lahey Health in the amount of \$600,000. This grant, to address the local impacts of COVID-19, is specifically intended to fund two programs: \$400,000 for the Chelsea Housing Legal Aid Bureau to maintain its operations for the next 12-18 months and \$200,000 for the Chelsea Eats program. (A copy of the Award Letter is attached.)

In accordance with M.G.L. c. 44 & 53A, I am requesting that the City Council formally approve the acceptance of this grant. A draft Order is also attached.

Sincerely,  
Thomas G. Ambrisino  
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  
500 Broadway  
Chelsea, Massachusetts 02150

Re: St. Luke's Funeral Fund

Dear Councilors:

I am writing in response to the request that the City consider providing \$25,000 in funding to St. Luke Episcopal Church to support its Funeral Fund.

After review of the balance remaining from the COVID-19 Emergency Appropriations provided by the City Council last Spring from Free Cash, it appears we do have sufficient funds to comply with this request without need for any further appropriation. Naturally this funding will be limited to support funerals only for those families unable to make such payments due to the economic impacts from COVID.

There is some work that the City must do to ensure this support is in compliance with Massachusetts procurement laws. Most likely, we will handle this by contracting directly with a funeral home pursuant to state law and then directing St. Luke's Church to send us invoices from the selected funeral home for payment by the City. The City will work out these details with the parties over the course of the next few weeks.

Yours truly,  
Thomas G. Ambrosino  
City Manager

The following cover letter with regards to the C.I.P. FY22-FY26 was read from the City Manager. A motion from Councilor Robinson moved it to the sub-committee on conference and a public hearing to be scheduled and announced, under suspension.

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

Re: Capital Improvement Plan FY22-FY26.

Dear Councilors:

Pursuant to my obligation under Section 5-4 of the Chelsea City Charter, I hereby submit to you my proposed Capital Improvement Plan for Fiscal Years 2022-2026.

The enclosed Capital Improvement Plan continues the City's commitment to utilize our reserves and fiscal strength for the purpose of enhancing the quality of life in our city. The proposed total investment for FY22 is in excess of \$14 million. This is similar to or post-pandemic level of investment in FY21. The list of projects includes roadway repair, school building maintenance, major underground utility work and open space improvements.

I recognize that our response to COVID-19 has required the City to expend significant capital, and therefore our reserves are lower than they have been in several years, Nonetheless, I feel it is critical for the City to continue to invest long-term in capital projects that improve the City, even as we seek to rebuild our Rainy Day funds.

In accordance with the Charter requirements, I ask that the City Council move this Capital Improvement Plan to a public hearing. Following that hearing and the Council's final determination on this Plan, I will prepare a recommended Order for implementation of the FY22 proposals.

I look forward to working together with you to accomplish the goals of this newest Plan.

Sincerely,  
Thomas G. Ambrosino  
City Manager

**Communications and Petitions to the Council:**

A copy of a communication was received from Councilor Taylor in regards to Illegal use of Fireworks. A motion from Councilor Taylor to accept and file was adopted under suspension.

**Unfinished Business:**

The Proposed Zoning Ordinances, Proposed Municipal Harbor Plan and the Proposed Changes to Off-street Parking Requirements were all moved back to Conference at the request of Councilor vidot by roll call. The roll call passed 7-3-1-0. Voting yes were Councilor Vidot, Garcia, Vega-Maldonado, Robinson,

Taylor, Lopez, and Brown. Voting no were Councilors Avellaneda, Recupero, and Zabol. Councilor Rodriguez was absent.

**Second Readings:**

The following appointments to Boards and Commissions by City Manager Thomas G. Ambrosino were approved on roll call at the request of Councilor Brown, 10-0-1-0. Voting yes were Councilor Vidot, Avellaneda, Recupero, Garcia, Vega-Maldonado, Robinson, Taylor, Lopez, Brown, and Zabol. Councilor Rodriguez was absent.

For re-appointment to the Board of Assessors, Mr. Fella Goldberg, 1 Boatswain Way, Chelsea and Kathleen Conlon 83 Tudor St.

For re-appointment to the Board of Health, Mr. Ola BAYODE, 9 Edent St. Mr. Richard Jackson Jr. 250 Congress Ave. and Dr. Dean Xerras 1441 Centre St. Newton.

For re-appointment to the Board of Library Trustees, Ms. Beth Novak 126 Bloomingdale St. Chelsea, and Ms. Kristina Larson Shaw-Byrnes 604 Washington Ave,

For re-appointment to the Board of Registrars of Voters, Mr. Michael D. O'Shea, 124 Addison St. Chelsea

For re-appointment to the Coservation Commission, Mr. Stephen Sarikas, 137 Prescott Ave. Chelsea, Ms. Judith Dyer 11 Heard St. Chelsea and Ms. Devan Braun 220 Spencer Ave Chelsea.

For re-appointment to the Council on Elder Affairs, Ms. Rebecca Swope, 29 Tudor St. Chelsea, Antonio Ortega, P.O. Box 410016, Cambridge, Ms. Irene Malachowski, 23 Garland St. Chelsea, and Mr. Greg Walczak 124, Chester Ave. Chelsea,

For re-appointment to the Cultural Council, Ms. Marlene Jennings, 33 Breakwater Dr. Chelsea,

For re-appointment to the Economic Development Board, Ms. Tatiana Bougdaeva 823 Broadway, Chelsea

For appointment to the Traffic & Parking Commission, Ms. Renee Hibbard, 175 Cottage St. Chelsea.

For re-appointment to the Zoning Board of Appeals Mr. Joseph Mahoney 200 Captains Row Chelsea and Ms. Marilyn Vega-Torres 77 Essex St. Chelsea

**New Business:**

The following order was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Recupero, Garcia, Vega-Maldonado, Robinson, Taylor, Lopez, Brown, and Zabol. Councilor Rodriguez was absent.

Ordered, that the Chelsea City Council hereby authorizes the City Manager to submit to the Department of Public Utilities the City's Municipal Electric Aggregation Plan,

The following order was introduced by Councilor Avellaneda. A motion from Copuncilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Recupero, Garcia, Vega-Maldonao, Robinson, Taylor, Lopez, Brown, and Zabot. Councilor Rodriguez was absent.

Ordered, that the Chelsea City Council hereby authorizes the City Manager to accept the 2021 Municipal Partnership Grant.

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

Ordered, that the City Manager instruct and enact every department of the city to provide physical and hard copies of any form of documentation to residents when requested.

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

Request, that the City Manager instruct all city employees utilizing city vehicles to follow snow storm guidelines specifically when there is a snow emergency. City vehicles should not park or remain parked on main streets during snow storms or other emergencies.

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

Ordered, that the City Manager instruct DPW to immediately fix the handicap ramp at City Hall on the Washington Avenue side.

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

Ordered, that the City Manager instruct DPW to ask the utility companies to patch the hole on the bottom of Highland Street and Marginal Street.

The following order was introduced by Councilor Robinson. Councilor Robinson moved to adopt under suspension. Councilor Vidot requested that the order only read up to assistance. On roll call the amendment by Councilor Vidot passed 7-3-1-0. Voting yes were Councilors Vidot, Avellaneda, Recupero, Garcia, Vega-Maldonado, Lopez, and Zabot. Voting no were Councilors Robinson, Taylor and Brow. Councilor Rodriguez was absent.

Ordered, that the City Manager provide information to the Council about an update of small business assistance.

The following order was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Recupero, Garcia, Vega-Maldonado, Robinson, Taylor, Lopez, Brown, and Zabot. Councilor Rodriguez, was absent.

Ordered, that the City Council hereby accepts and approves the \$600,000 grant from Beth Isreal Lahey Health to be used as follows: \$400,000 for the Chelsea Housing Legal Aid Bureayu; and \$200,000 for the Chelsea Eats Food Card Program.

The following Home Rule Petition was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda moved the Petition to the Sub-Committee on Conference under suspension.

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

That a petition to the General Court, accompanied by a bill for a special law relating to the City of Chelsea be filed with as attested copy of this order, be and hereby is approved under Clause (1) of Section 8 of Article 2, as amended of Amendment LXXXIX to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows,

#### HOME RULE PETITION

SECTION 1, Notwithstanding any general or special law to the contrary, the City of Chelsea may impose a local sales tax upon sale or transfer of road salt or related products by a taxpayer with salt storage operations within the City of Chelsea at a rate not greater than 1 percent of the total sales price received by the taxpayer in consideration for the sale of road salt. The taxpayer shall pay the local sales tax imposed under this section in the manner as personal property taxes.

SECTION 2. This Act shall take effect as of July 1, 2021 and shall apply to taxes levied for fiscal years beginning on or after July 1, 2021.

The following order was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda moved the order to the Sub-Committee on Conference under suspension.  
NOW THEREFORE BE IT ORDAINED THAT THE REVISED CODE OF ORDINANCES of the City of Chelsea as amended, be it further amended and adopted as follows:

AMEND CHAPTER 14-LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XI-MARIJUANA ESTABLISHMENTS as follows:

Replace in its entirety Section 14-459, Limitation on number of marijuana retailers with the following:

As authorized by M.G.L. c. 94G, & 3(a)(2), the number of marijuana retailers operating within the boundaries of the City of Chelsea shall be limited to a maximum of 6.

The following order was introduced by Councilor Taylor A motion from Councilor Taylor was to move it to a second reading. Councilor Vidot moved it to the Sub-Committee on Conference under suspension.  
WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea

WHEREAS, the Commonwealth of Massachusetts, pursuant to Massachusetts General laws Chapter 148, Section 39, has made it illegal to possess or use fireworks and levies a fine up to only \$100.00.

WHEREAS, Mass. General Laws. C40 & 21 grants the City the authority to preserve the peace and good order within its jurisdictions;

WHEREAS, the City Council of the City of Chelsea finds that the City's general peace was disturbed on numerous occasions and throughout all hours of the day and night;

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;



NOW THEREFORE BE IT HEREBY ORDAINED THAT THE REVISED CODE OF ORDINANCES, of the City of Chelsea as amended, be further amended, and adopted as follows:  
AMEND CHAPTER 16-MICELLANEOUS OFFENSES AND PROVISIONS, ARTICLE VI-OFFENSES INVOLVING PUBLIC PEACE AND ORDER AS FOLLOWS:

Add a new subsection (o) to 16-99 Noise Control as follows:

(o) Fireworks. The use of fireworks subject to Section 39 of Chapter 148 of the Massachusetts General Laws shall be defined to constitute an unreasonable noise under this section Notwithstanding the other provisions of this section, the penalty for a first offense use of fireworks shall be \$300.

Further Amend Chapter 1-General Provisions, Section 1-8 General

Penalty; Criminal and Noncriminal Disposition

Noise Ordinance (fireworks)	\$300, any offense	Police officers, Firefighters and Inspectional service inspectors
Section 16-99(o)		

The meeting adjourned at 9:20 p.m.

Respectfully submitted



Paul G. Casino  
Clerk of the Chelsea City Council