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Chelsea, Massachusetts March 22, 2021

ACCEPTED AND FILED

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 either by zoom or in person: Councilors Avellaneda, Garcia, Vega Maldonado, Robinson, Rodriguez, Taylor, Lopez, Brown and Zobot. Absent were Councilors Vidot, and Recupero. Council Vice-President Garcia presided over the meeting. The meeting opened at 7:00 p.m.

SUSPENSION

Public Speaking:

The following came forward to speak:

Rosanne Bongiovanni of 7 Bell St.; spoke about open space. Also on reconsideration on the proposed Zoning Amendments. Opposed to them.

Manuel Teshe of 2 Nichols St.; spoke about civil rights. Votin Rights.

Resident of 141 Orange St.; spoke in support of non-citizens rights to vote.

Maria Belen of Admirals Way; poke about the reconsideration of the proposed zoning amendments. In opposition.

Richard Flores, school-age person; spoke about voting in Chelsea Elections. Non Residents.

The public speaking closed at 7:17 p.m.

Approval of the City Council minutes:

The minutes of the City Council dated March 8, 2021 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 Robinson to accept and file was adopted under suspension.

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

Re: City Grants

Dear Councilors:

I am writing in response to the recent City Council Order requesting information on existing grants.

For the Council's review, I have attached a list of all outstanding City grants, sorted by the Department overseeing the grant. The document includes all grant amounts. In all cases, the grants have restrictions on how the money must be spent.

These grant funds are independent of the operating budgets for each of the Departments, and these grant funds are not reflected in the fiscal year operating budgets presented to the City Council for approval. The one thing we do reflect in our budget documents, and will do so again this year are those employee salaries that are covered, by such grants.

I hope this information is helpful.

Sincerely,
Thomas G. Ambrosino
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: Acceptance of Eastern Ave as City Owned Roadway

Dear Councilors:

Since I began my tenure here almost six years ago, I have been communicating with MassDot regarding its desire that the City acquire Eastern Avenue, which is currently a state-owned public way. The City and the Commonwealth had long ago agreed, in the days of Receivership, that the City would eventually take ownership of Eastern Avenue following the Commonwealth's comprehensive reconstruction of that roadway in the late 1990s/early 2000s. (See attached letter from Transportation Secretary James Kerasiotes to Receiver Lewis H. Spence dated July 28, 1994.)

For the past few years, we have been negotiating the terms of this acquisition with MassDot, including requiring that MassDot perform certain final improvements. Those improvements, including installation of the new traffic signal system at the intersection of Central/Eastern Avenue, are now substantially complete. There is one remaining punch list item—the paving of Eastern Avenue from Willoughby Street to Broadway. MassDot has committed to complete this work as part of the acquisitions of the roadway by the City. Further, once the City gains ownership of this roadway, we will issue a permit to the MWRA for a new traffic signal at the intersection of Eastern Ave. and Griffin Way, an improvement that the MWRA will fully fund.

The first step in the legal process of acquiring ownership of this current state roadways is a vote by the City Council to approve the discontinuance of the state highway. Once this vote is completed, MassDot will undertake the required survey and the legal work to formally transfer ownership to the City.

For the reasons above, I respectfully ask that the City Council approve the discontinuance of Eastern Avenue as a state highway. A draft of the Order of Discontinuance is attached. Approval by the City Council will complete the promise made by the City during Receivership to assume ownership and maintenance of this roadway in return for its reconstruction.

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: Update on Pearl/Park/Congress Traffic Study

Dear Councilors:

I am writing in response to the City Council Order requesting a copy of the TEC Traffic Study for the Pearl/Park Congress Street intersection.

As I mentioned last Sumer, the TEC study funded by the City Council in 2019 was seriously delayed by COVID, However, we do anticipate that this study, with both recommendations and cost estimates, should be completed within the next 30-45 days. As soon as the study is complete I will forward a copy to the City Council.

Sincerely,
Thomas G. Ambrosino
City Manager

A copy of a communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Brown to accept and file and refer it to the sub-committee on conference was adopted under suspension.

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

Re: Community Center

Dear Councilors:

I am writing in response to the recent City Council Orders requesting that once again I look into the creation of a community center.

Given how often this request has been made to me over the past six years, I am fully aware that the creation of a Community Center has been an inspiration for the City Council for quite some time. The constraint truly is funding. If the City wishes to create a Community Center, it will need to make two significant financial commitments. The first will be the commitment of funds for acquisition of a site either through purchase of a building or long term lease and builds out of some existing space in the City. However, even after the physical space is required, the City will need a similar significant and long-term financial commitment to operational expenses, the most significant of which will be the large annual salary costs for staff.

Given the City's other current financial priorities, many generated by the ongoing impacts of COVID, I don't believe it is feasible to finance a Community Center in the near term. However, this should remain a future goal for the City.

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: Update on Forbes and Quiet Zone Construction

Dear Councilors:

I am writing in response to the recent City Council Orders requesting an update on the Forbes project and the establishment of a Quiet Zone.

The Forbes development received Zoning Board of Appeals approval for the development of 590 units and some accessory development in 2019. The decision was filed on Sept. 16, 2019. Under our Zoning Ordinance an applicant has two years from the filing date to commence construction. However, because of COVID, the State Legislature tolled this start date from March 10, 2020 through Dec.1, 2020. So, the Forbes owner has until June 8, 2022 to commence construction.

Unfortunately, it appears at this point that the developer does not have any intention of moving forward. The City has heard from several different parties that the project is being marketed. Thus far, we have

informed all those inquiring that the City will not support any deviation from the existing Special Permit condition if the property is sold.

As for the implementation of the Quiet Zone, here is the latest.

The City engineering consultant, VHB, has continued to advance the design of at-grade railroad crossings for the reestablishment of the Quiet Zone through the City. Once the proposed improvements are constructed, the Federal Railroad Administration ("FRA") will certify that these crossings are rated high enough to eliminate the need for train horns during trips through the City, unless emergency conditions present.

Unfortunately, during the course of VHB's design work, the FRA determined that, instead of improving only 4 of the grade crossings that VHB originally proposed, the City would be required to make improvements at all 6 crossings in Chelsea in order to meet the full FRA Quiet Zone designation.

Because of this increase in the scope of work, VHB anticipates that the project will likely conclude in December of 2021. An update schedule is attached. The revised schedule shows the completion of the design in May, public bidding in June and construction through early December. The goal is to achieve from the FRA a Notice of Quiet Zone Establishment before the end of 2021.

I hope this is helpful.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and Petitions to the Council:

A copy of a communication was received from City Clerk Jeannette Cintron White in regards to a reconsideration letter filed on the proposed Zoning Amendments requested by Councilor Robinson. Councilor Robinson moved that the Communication be accepted under suspension and that the Reconsideration on the Zoning be accepted by roll call. The roll call failed to approve the reconsideration on a 4-5-2-0. Voting yes were Councilors Avellaneda, Robinson, Taylor, and Brown. Voting no were Councilors Garcia, Vega Maldonado, Rodriguez, Lopez, and Zobot. Councilors Vidot and Recuperero were absent.

A copy of a communication was received from Councilor Garcia in regards to the Charter Review Committee Recommendations. A motion from Councilor Robinson to accept and file and send it to the Sub-Committee on Conference was adopted under suspension.

A copy of a communication was received from Community Preservation Committee Chair Jose Iraheta in regards to the Rehabilitation of the Clock Tower. A motion from Councilor Robinson to accept and file was adopted under suspension.

A copy of a communication was received from Chelsea High School Teachers Sam Baker and Adam Goodstone. A motion from Councilor Robinson to accept and file was adopted under suspension.

Second Reading:

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Robinson to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Avellaneda, Garcia, Vega Maldonado, Robinson, Rodriguez, Taylor, Lopez, Brown, and Zobot. Absent were Councilors Vidot and Recupero.

Ordered, that in accordance with M.G.L. Ch. 44, Section 64 budget management procedures, whereby costs incurred in FY18, FY19 and FY20 were not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY21 budget, that the City Council authorizes the expenditures of \$150.00 from FY18 \$240.00 from FY19 and 2,925.00 from FY20 from the Inspectional Services Department expenditure line to satisfy the unpaid emergency board-up services balance owed to Maximum Emergency Services from prior years.

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Robinson to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Avellaneda, Garcia, Vega Maldonado, Robinson, Taylor, Lopez, Brown, and Zobot. Absent were Councilors Vidot and Recupero.

Ordered, that in accordance with M.G.L. Ch. 44 Section 64 budget management procedures, whereby a cost incurred in FY20 was not paid and is owed to the vendor, and to meet this obligation funds are required from the current year FY21 budget, that the City Council authorizes the expenditures of \$127.73 from the Human Resources Department expenditure line to satisfy the unpaid Employee Fair supplies balance to Demoulas Supermarket. INC. from a prior year.

New Business:

The following Transfer of State Property to the City of Chelsea documents were signed by the Councilors attached. A motion from Councilor Robinson was made to adopt by roll call. A motion from Councilor Avellaneda to send it to the Sub-Committee on Conference was adopted under suspension.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

WHEREAS, the Massachusetts Highway Commission acting on behalf of the Commonwealth of Massachusetts, did, under dates of August 1,1901 (Layout No. 609) and September 8,1904 (Layout No. 907) lay out, and take charge of as State Highway, a road in the City of Chelsea, County of Suffolk, now known as Eastern Avenue, as shown on the plans of said State Highway on file in the office of the Massachusetts Department of Transportation, copies of which plan have been filed in the office of the Municipal Council of the City of Council for Suffolk County, and in the office of the Clerk of said City of Chelsea. Said "Orders of Layout and Taking" being recorded in the Suffolk County Registry of Deeds, at Boston; and

WHEREAS, it now appears advisable to discontinue said State Highway locations.

NOW, THEREFORE, acting under the provision of Chapter 6C and Chapter 81, Section 12 of the General Laws, as appearing in the Official Edition thereof, and acts in amendment thereof and in addition thereto, the Massachusetts Department of Transportation, Highway Division, adjudges that public necessity and convenience require that said Department should discontinue as State Highway all of the existing State highway locations laid out, as shown on the aforesaid plans,

2020 LAYOUT NO. 8799 DISCONTINUANCE IN CHELSEA

And all existing drainage rights appurtenant to or necessary for the operation of the drainage system of the State Highway hereby discontinued is shown on plans on file as the aforesaid and titled as follows:

Plan OF ROAD IN CHELSEA SUFFOLK COUNTY LOCALLY KNOWN AS EASTERN AVENUE LAID OUT AS A STATE HIGHWAY BY THE MASSACHUSETTS HIGHWAY COMMISSION AUGUST 1,1901 SCALE; 40 FEET TO THE INCH" "PLAN OF ROAD IN THE CITY OF CHELSEA SUFFOLK COUNTY LAID AS A STATE HIGHWAY BY THE MASSACHUSETTS HIGHWAY COMMISSION SEPTEMBER 8,1904 SCALE: 40 FEET TO THE INCH"

THE COMMONWEALTH OF MASSACHUSETTS

The Municipal Council of the City of Chelsea for Suffolk County all duly chosen, qualified and acting, herein in and signify their approval of said discontinuance and their concurrence with said Massachusetts Department of Transportation therein and in every act, matter and thing connected therewith.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Paul G. Casino (F.M.)

Paul G. Casino
Clerk of the Chelsea City Council