



# Chelsea City Council

City Hall  
500 Broadway  
Chelsea, MA 02150  
(617) 466-4060  
(617) 466-4065 Fax

March 2, 2022

Ms. Jeannette Cintron White  
City Clerk  
500 Broadway  
Chelsea, MA 02150

Dear Ms. Cintron White,

Please be advised that at the City Council meeting held on Monday, February 28, 2022, the Chelsea City Council adopted the following minutes under suspension. Please find the complete minutes attached.

- a. **ID#: 22M15** Regular meeting minutes of February 14, 2022.

Sincerely,

A handwritten signature in cursive script that reads "Paul G. Casino".

Paul G. Casino  
Clerk to the Chelsea City Council  
PGC/fm

2022 MAR -2 P 4:19

CITY OF CHELSEA  
RECEIVED

C/B

# SUSPENSION

ACCEPTED AND FILED

February 14, 2022 Chelsea, Massachusetts 02150

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

**STATE OF THE CITY ADDRESS:**

Prior to the start of the Regular Meeting, the City Manager Thomas G. Ambrosino gave the State of the City Address to all in attendance. The address lasted approximately twenty minutes.

**MEMORIUMS AND CELEBRATORY RESOLUTIONS:**

The following Resolution was sponsored by Councilor Robinson and all members of the Council. A motion from Councilor Robinson to accept and file was adopted under suspension.

**RESOLUTION**

**Chelsea Pride Football Recognition**

WHEREAS, Chelsea Pride Football was first started in 2008. Since then Chelsea Pride Football is a member of the Northeast Commonwealth Youth Football and Cheer League; and

WHEREAS, Chelsea Pride Football is led by President Lou Cetina and Vice President Shawn O'Regan and Board of Directors; and

WHEREAS, With no football in 2020 due to the pandemic, leadership decided to offer free registration to its players during the hard time for the 2021 season; and

WHEREAS, Chelsea Pride Football had a total of 16 Coaches for 4 teams and those four teams had a total of 70 Players who had a great season; and

WHEREAS, At their Annual Banquet Chelsea Pride Football presented the "Martin Scott Sportsmanship Award" to two Chelsea Pride Football players. The Martin Sportsmanship Award is dedicated to Martin Scott, a great guy who was always there cheering on every player and was Chelsea Pride Football's biggest fan; and

WHEREAS, Chelsea Pride Football also presented the "Darren Moore Coaches Award" to a 7<sup>th</sup> and 8<sup>th</sup> grade player for showing leadership dedication and strong work ethic, this award is in memory of Darren Moore who was a coach for the 7<sup>th</sup> and 8<sup>th</sup> grade team: and

WHEREAS, Each team practices 3 times a week, before the season starts Chelsea Pride Football conducts CORI background checks on all coaches to ensure the safety of the children Chelsea Pride Football is a grade based league that offers Flag Football for 1<sup>st</sup> and 2<sup>nd</sup> graders and Tackle Football for 3<sup>rd</sup> through 8<sup>th</sup> grades; and

NOW, THEREFORE BE IT, RESOLVED, That we the members of the Chelsea City Council on behalf of the residents of the City of Chelsea wish to go on record so as to recognize the hard work and dedication that the coaches and Board of Directors put in year after year in order to make the Chelsea Pride Football program the success that it is. Once again, congratulations and continued success.

FEB 14 2022  
CITY OF CHELSEA  
MASSACHUSETTS

The following Resolution was introduced by Councilors Robinson, Avellaneda, Vega Maldonado De Jesus and all members of the City Council. A motion from Councilor Robinson to accept and file was adopted under suspension.

**RESOLUTION:  
BLACK HISTORY MONTH**

WHEREAS, In 1926, famed African American historian Dr. Carter G. Woodson, established “Negro History Week” to celebrate Black History, accomplishments, diversity and achievements; and

WHEREAS, Carter G. Woodson valued education and believed that it was never too late to learn, it is beneficial for all Americans to continue to learn about the heritage and the experience of all Americans; and

WHEREAS, It is through learning that we become enlightened and come to understand each other more clearly; and

WHEREAS, Black History Month allows for discussions of our country’s legacy of slavery, institutional and structural racism and

WHEREAS, This year’s theme for 2022 Black History Month is “Black Health and Wellness” and we are honoring Mr. Juan Gallego, Ms. Richelle Cromwell, Ms. Nicole McCoy, Ms. Loira Moore, Mr. Paul Revere Smith, Ms. Sara Arman for their leadership in advancing for mental health and wellness; and

NOW, THEREFORE, BE IT RESOLVED that the Chelsea City Council hereby recognize February as Black History Month; “Black Health and Wellness”. Thank you to the Lewis H. Latimer Society, Bunker Hill Community College, Rev. Sandra Whitley, Chelsea Public Schools, and the Chelsea Black Community for their contributions to the City of Chelsea and beyond.

**APPROVAL OF MINUTES:**

The minutes of the City Council dated January 24, 2022 and February 7, 2022 were approved at the request of Councilor Vidot under suspension.

**PUBLIC HEARING:**

The Public Hearing regarding proposed Eminent Domain Temporary Easement Taking on Broadway was open to the public.

City Manager Thomas G. Ambrosino came forward to explain the procedure.

The Public Hearing closed at 8:22 p.m.

**PUBLIC SPEAKING:**

No one came forward to speak:

**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 was adopted.

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

Re: Notice of Residency Waiver

Dear Councilors:

I am writing to notify you of my intention to grant a residency waiver to DPW EMPLOYEE Jody Robinson, who recently moved from Chelsea to Lynnfield. Mr. Robinson was a long-time resident of Chelsea, and he has been employed by the DPW for over 28 years. He is a valued member of the Department, and we wish to retain his services. See attached Jan. 225, 2022 Memorandum from Public Works Commissioner Fidel Maltez.

In accordance with Administrative Code, Part IV, Section 1.12.02, I request that you provide me with any comments on this 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 Robinson to accept and file was adopted under suspension.

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

Re: Information on Stop the Spread COVID-19 Testing

Dear Councilors:

I am writing in response to the recent City Council Order requesting information on the number of Chelsea residents tested at the Stop the Spread COVID-19 testing sites.

The Commonwealth of Massachusetts is supporting two main Stop the Spread sites in the City of Chelsea-the one operated by Transformative Healthcare that currently occupies the St. Rose foyer area, and the drive-thru site at Beth Israel. The City coordinates with the

Commonwealth on the Transformative Healthcare operation, but it has no direct involvement with the Beth Israel operation.

Both Transformative Healthcare and Beth Israel have provided information to the City regarding the breakdown of testing by residential address. In each case, the reporting dates back to early December at the start of the Omicron stage. At the St. Rose walk-up site, there were a total of 4,336 Chelsea residents out of the 9,671 individuals tested during that timeframe, or 44.8%. At the Beth Israel site, 10,900 tested, with 2,301 or 21.1% having Chelsea residency.

I hope this is helpful.

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 to request formal City Council acceptance of the 2022 Community First Grant through MassSave and funded by Eversource and National Grid.

With a maximum award of \$60,000, the purpose of the Community First Grant is to raise awareness and increase participation in MassSave energy efficiency program in environmental justice communities such as Chelsea. Because of barriers such as language, high rate of renter occupied units and lack of public education, communities like Chelsea have historically under-participated in MassSave energy efficiency programs. These programs largely free to residents, can make significant improvement to energy efficiency and lead to a reduction in a resident's utility bills. The grant will be managed by the Department of Public Works ("DPW"), with major support from our North Suffolk Office of Resilience and Sustainability.

This is the third year that the City of Chelsea has been awarded the MassSave Partnership Grant. In 2020 and 2021, the DPW was able to increase significantly participation in the energy efficiency programs and to achieve most of the targets established by Eversource and National Grid. DPW is ready to take on a similar challenge with this new grant.

This new 2022 Community First Grant is a 3-year grant that will extend until 2025. The grant will fund an intern focused on improvement participation, as well as related printing mailing and marketing costs.

At this time, I respectfully ask that City Council accept the 2022 Community First Grant. A draft Order for that is attached.

Sincerely,  
Thomas G. Ambrosino  
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson moved the CIP to the sub-committee on conference and schedule a public hearing all adopted under suspension.

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

Re: Capital Improvement Plan FY27

Dear Councilors:

Pursuant to my obligations under Section 5-4 Chelsea City Charter, I hereby submit to you my proposed Capital Improvement Plan for Fiscal Years 2023-2027

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 FY23 is in excess of \$24 million. The list of projects includes major building and roadway projects, climate resiliency efforts and open space improvements.

This is the first year that the CIP Plan reflects funding from the American Rescue Plan Act of 2021 ("ARPA"). As I have previously mentioned, it is my goal to allocate significant ARPA funding to capital projects. The allocation for FY23 is \$12.3 million. Another \$6.6 million in ARPA funding is proposed for the ensuing years, mostly for the improvement of School Department athletic fields.

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 FY23 proposals.

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

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

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

Re: Request for State of the City Address

Dear Councilors:

I am writing to request that the City Council allow me some time at the upcoming February 14, 2022 City Council meeting to provide a State of the City address. I expect the address to be brief, lasting no more than 10-15 minutes.

Thank you in advance for your consideration.

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

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

Re: Gift to Chelsea Police Department

Dear Councilors:

A resident of the City, Mr. James Yost, recently provided the City with a gift of \$109.00 for the purpose of benefitting the Chelsea Police Department. In accordance with M.G.L. c. 44, §53A, I am requesting that the City Council formally approve the acceptance of this gift.

A draft Order is attached.

Sincerely,  
Thomas G. Ambrosino

City Manager

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

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

Re: Notice of Residency Waiver

Dear Councilors:

Pursuant to the Administrative Code Section 1.12.02, I am writing to notify you of my intention to hire Ms. Michela Raymond, 226 Judge Road, Lynn Massachusetts for the position of full-time E-911 Dispatcher and to grant her a waiver from the residency requirement set forth in the Administrative code Part IV Section 1.12.01. A copy of Ms. Raymond's resume is attached. There are currently no qualified Chelsea applicants for this position.

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 Vidot moved the request to the sub-committee on conference 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 re-appointment to the Board of Health, Ms. Corrina Culler, 53 Eleanor St. Chelsea, for a new three-year term expiring on February 25,2025.



For re-appointment to the Council of Elder Affairs, Mr. Jaimie Santos, 14 Bloomindale St., Apt #726, Chelsea, to a new three-year term expiring on February 25,2025.

For re-appointment to the Licensing Commission, Emily Cherniack, 1283 Congress Ave., #2, Chelsea, for a new three-year term expiring on February 25,2025.

For re-appointment to the Planning Board, William (Tuck) Willis, 88 Marginal Street, Chelsea for a new three-year term expiring on February 25,2025.

For re-appointment to the Planning Board, Sarah Elizabeth Neville, 40 Eleanor Street, Chelsea, for a three-year term expiring in 2025.

For re-appointment to the Zoning Board of Appeals, Janice Tatarka, 100 Boatswain's Way, #306, Chelsea and Arthur Arsenault, 75 Garland St. Chelsea, for a new three-year terms expiring on February 25, 2025.

I respectfully request your approval of these appointments. Copies of all resumes are attached.

Sincerely  
Thomas G. Ambrosino  
City Manager

#### **COMMUNICATIONS AND PETITIONS TO THE COUNCIL:**

A copy of a communication was read from Roy Blum regarding repeating incidents with semitrailers on Beacon Street. A motion from Councilor Garcia to accept and file was adopted under suspension.

#### **SECOND READINGS:**

The following communication with regards to appointments to Boards and Commissions was read for the second time received from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson to approve by roll call passed 10-0-1-0. Voting yes were Councilors Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilor T. Garcia was absent.

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 Community Reservation Advisory Committee, Ms. Melissa Covino, 15 Louis Street, Chelsea, for a three year term expiring in 2025.

For appointment to the Youth Commission, Ms. Emily Menjivar, 17 Lawrence Street, Chelsea, and Ms. Isabella Coimbra, 4 Eldridge Place, Chelsea, for one-year terms expiring in 2023.

For appointment to the Traffic & Parking Commission, Mr. Michael D. O'Shea, 124 Addison Street, #10, Chelsea, to serve the remaining term of Renee Hibbard, who has moved out of the City. This term expires on Feb. 7, 2024. Mr. O'Shea has resigned for the Board of Registrars of Voters to accept this new position.

For appointment to the Affordable Housing Trust Fund Board, Ms. Michelle Diaz, 163 Pearl Street, Chelsea, to serve the remaining term of Norieliz De Jesus, who must resign due to he election to the City Council. This term expires on June 30, 2022.

I respectfully request your approval of these appointments. Resumes are attached.

Sincerely,  
Thomas G. Ambrosino  
City Manager

The following communication was read for the second time from City Manager Thomas G. Ambrosino. A motion from Councilor Robinson to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Recuperero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, De Jesus, and J. Garcia. Councilor T. Garcia was absent.

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

Re: Appointment to Human Rights Commission and Request for Conflict of Interest LAW Exemption

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend the appointment to the Human Rights Commission of Katherine Palencia, 745 Broadway, Chelsea for a three-year term. A copy of Ms. Palencia's resume is attached.

Because Ms. Palencia is currently employed by the City as the Children's Librarian, the City Solicitor has determined that she needs an exemption vote by the City Council from the statutory conflict of interest laws in order to accept this role. Accordingly, I ask that the City Council also approve this exemption. All of Ms. Palencia's duties for the Human Rights Commission will be outside of her normal working hours as a City employee. And, she

otherwise meets all the other statutory requirements for grant of an exemption under M.G.L. c. 268A, §20.

Thank you for your attention to this matter.

Sincerely,  
Thomas G. Ambrosino  
City Manager

The following order was introduced by Councilor Brown and read for the second time. Councilor Brown moved to adopt by roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, and De Jesus. Councilors T. Garcia and J. Garcia were absent.

Ordered, that the sum of \$100,000, appropriated from Free Cash under the Fiscal Year 2017 Capital Improvement Plan for the Beacham Street Casino, Traffic Professional & Technical Services Project Account No. 55401712-530000, which was fully funded by grant funds and such Free Cash balance is no longer needed to complete that project, is hereby transferred in the amount of \$100,000.00 for the Upper Broadway Right of Way and Easement Acquisition & Legal Project, Project Account No. 55402120-530000, for the purpose of easement acquisition.

The following Order was introduced by Councilor Avellaneda. And read for the second time. A motion from Councilor Robinson to approve by roll call passed 10-0-1-0. Voting yes were Councilors Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, De Jesus, and J. Garcia. Councilor T. Garcia was absent.

Ordered, that the Chelsea City Council hereby approves a Conflict of Interest Exemption pursuant to Massachusetts General Law Chapter 268A, Section 20(b) for Ms. Katherine Palencia's position as a member of the Human Rights Commission.

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

Ordered, that the sum of \$112,875 be appropriated from the General Stabilization Account, Fund #7020 to the Upper Broadway Right of Way and Easement Acquisition & Legal Project, Project Account No. 55402120-530000, for the purpose of easement acquisition.

The following two orders were introduced by Councilor Brown and read for the second time. Councilor Brown moved to adopt both orders by one roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot and De Jesus. Absent were Councilors T. Garcia, and J. Garcia.

Ordered, that the sum of \$50,000.00, appropriated from Free Cash under the Fiscal Year 2020 Capital Improvement Plan for roadway improvements-CDBG 6<sup>TH</sup>/Walnut-Road improvement project totaling \$310,000 with combined grant funds-Project Account No. 55402024-583100,

has a balance remaining after the completion of the project for which the funds were authorized, and such balance is no longer needed to complete that project is hereby transferred in the amount of \$50,000.00 for the Upper Broadway Right of Way and Easement Acquisition & Legal Project Account No. 55402120 530000, for the purpose of easement acquisition.

Ordered, that the sum of \$50,000, which was appropriated from Free Cash under the Fiscal Year 2021 Capital Improvement Plan for the Complete Streets Roadway Improvements project totaling \$450,000 with combined grant funds-Project Account No. 55402119-583100, has a balance remaining after the completion for the project for which the funds were authorized and such balance is no longer needed to complete that project, is hereby transferred in the amount of \$50,000 for the upper Broadway Right of Way and Easement Acquisition & Legal project, Project Account No. 554021-530000.

**NEW BUSINESS:**

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

Ordered, that the City Manager request the MBTA to have a community meeting in Chelsea to discuss altering the MBTA #17 Bus Route to travel through Crescent Avenue and Clinton Street.

The following order was introduced by Councilors Avellaneda and T. Garcia. A motion from Councilor Avellaneda to adopt under suspension was adopted.

Ordered, that the City Manager instruct DPW TO PAINT A CROSSWALK FROM 148 Washington Avenue across to John Ruiz Park.

The following order was introduced by Councilors J. Garcia, Vega Maldonado, De Jesus, and T. Garcia. A motion from Councilor J. Garcia to adopt under suspension was adopted.

Request, that the City Manager look into any legal action that the City might have in pursuing a reduction of the overall cost of construction for the new Northeast Metropolitan Regional Vocational High School, to make the debt service equitable among all twelve cities, and improve the admission process.

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

Request, that the Traffic & Parking Commission place on their agendas to look into repositioning all four "STOP" signs located at the intersection of Arlington Street and Second Street to increase vehicular and pedestrian safety.

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

Request, that a Subcommittee on Conference with Scholarship Committee to discuss eligible criteria for Bunker Hill Scholarship.

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 Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, De Jesus and J. Garcia. Councilor T. Garcia was absent.

Ordered, that the Chelsea City Council hereby authorizes the City Manager to accept to the 2022 Community First Grant.

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 Recupero, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, De Jesus, and J. Garcia. Councilor T. Garcia was absent.

Ordered, that the City Council hereby accepts and approves the gift from Mr. James Yost in the amount of \$109.00 to benefit the Chelsea Police Department.

The following Home Rule Petition was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda moved it to the sub-committee on conference and a public hearing under suspension.

### HOME RULE PETITION

**WHEREAS**, the City of Chelsea is undergoing a period of substantial growth in real estate development , and this growth is attracting an increasing number of residents and workers to a City that is already one of the most densely populated in the Commonwealth; and

**WHEREAS**, this growth is increasing the demand for affordable housing for low and moderate income households at a time when a shortage of such housing exists in the City; and

**WHEREAS**, linkage fees dedicated to housing for low and moderate income households will help to alleviate this problem; and

**WHEREAS**, new development in Chelsea is creating an opportunity for jobs provided that the labor force in Chelsea has adequate occupational and job readiness skills; and

**WHEREAS**, linkage fees dedicated to job training and job creation will improve employment opportunities for low and moderate income residents; and

**WHEREAS**, the act, by authorizing a linkage fee in Chelsea dedicated to affordable housing and job training and creation will serve these important goals

**NOW, THEREFORE BE IT ORDERED**, 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 an attested copy of this order, be and hereby is approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical and editorial changes of form only:

An Act Authorizing the Creation of a Linkage Fee for Development in the City of Chelsea

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** The City of Chelsea may, by Ordinance, require the payment of linkage fees from the developer of any commercial or industrial project, any mixed-use project with a commercial or industrial component, and any residential project that creates 24 or more residential units, provided that the linkage fees for such project are dedicated to the Community Impact Linkage Fee Fund described in Section 2 below.

**SECTION 2.** The City of Chelsea may establish a separate fund to be known as the Community Impact Linkage Fee Fund, which shall be kept separate and apart from all other monies of the City by the City Treasurer and into which shall be deposited linkage fees received by the City pursuant to Section 1 above. The funds in this Community Impact Linkage Fee Fund may be expended by the City upon recommendation from the City Manager and majority vote of the City Council, but solely for the creation or maintenance of affordable housing, the support of social services within the City, workforce development, job creation and education, youth recreational activities and, provided they appear in an annual Five Year Capital Improvement Plan approved by the City Council, public space enhancements, traffic and transportation improvements and capital construction projects.

The following Ordinance proposal was introduced by Councilor Avellaneda. A motion from Councilor Avellaneda send it to the sub-committee on conference and a public hearing under suspension.

**WHEREAS**, The City Council recognizes that large planned or Special Permit development projects can have both positive and negative impacts in the community; and  
**WHEREAS**, An established body of law supports a municipality's right to require monetary contributions in connection with commercial and/or residential development, including conditioning a development permit upon the payment of such contributions when a "reasonable relationship" can be demonstrated between the required fee and the government's legitimate purpose; and

**WHEREAS,** In order to balance out these impacts, the City Council works with developers to address the social impacts through advocating for the provision of community and public benefits; and

**WHEREAS,** The City Council also works with developers to address environmental impacts by providing physical enhancements mitigation; and

**WHEREAS,** The City Council considers both the impacts and needs of the immediate area as well as throughout Chelsea; and

**WHEREAS,** The City Council as Chelsea's Duly Elected Legislative body is responsible in both identifying the impacts and determining the appropriate mitigation; and

**WHEREAS,** The City Council orders that the determination efforts be fair and reasonable, that mitigation for environmental impacts of a proposed project be comprehensive, and that mitigation for social impacts be appropriate and not excessive; and

**WHEREAS,** The regional real estate market has produced an inadequate supply of affordable, accessible housing, leading to rising housing costs and economic insecurity, compelling the City to increase its investments in decent, safe, and accessible affordable housing; and

**WHEREAS,** Developing and preserving affordable housing for low- and moderate income households constitutes a legitimate government purpose, as indicated by authorizing state legislation; and

**WHEREAS,** Other communities in the Commonwealth have determined, and the State Legislature has agreed, that there is a nexus between new development and the need for jobs, job training and workforce development, and that linkage fees can help address employment barriers and gaps in occupational skills in the labor force in order to ensure that low and moderate income residents can fully benefit from the job opportunities created by development projects;

**WHEREAS,** At the discretion of the City Council, the developer may offer a financial contribution, to be held in escrow by the city, to support Chelsea social programs and community initiatives which would then require city council approval for disbursement; and

**NOW, THEREFORE, BE IT ORDAINED,** that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended by adopting a new Article XII in Chapter 14 entitled "Linkage Fees for Development"

## **ARTICLE XII. LINKAGE FEES FOR DEVELOPMENT**

### **Section 14-460 Applicability**

(a) The linkage fees set forth in this Section shall apply to:

(1) Any new or additional commercial or industrial development or use, or any "substantial renovation" of a commercial or industrial development or use, that exceeds 25,000 gross square feet;

(2) to any new or additional residential development, or any “substantial renovation” of a residential development, that exceeds 25,000 gross square feet and has 24 or more new residential units within the development; and  
(3) any new or additional mixed-use development that includes both residential and commercial or industrial uses, or any “substantial renovation” of such mixed-use property, that exceeds 25,000 gross square feet and has 24 or more residential units, or includes a new or renovated use that independently qualifies under subsection (1) above.

- (b) Substantial renovation as used in subsection (a) above shall be defined in accordance with the definition of that term in the State Building Code.
- (c) This section shall not apply to any project where at least 25% of all dwelling units shall be deed restricted affordable housing units that are affordable for households with annual incomes up to 80% of the Area Median Income or lower as set forth by the U.S. Department of Housing and Urban Development for the Boston-Cambridge-Quincy FMR Metro Area. In order to qualify for this exemption, the owner or owner’s representative of such affordable housing project shall obtain a Certificate of Exemption from the Department of Housing and Community Development prior to the issuance of the building permit.

#### **Section 14-461 Fees for Commercial and Industrial Developments**

Commercial and industrial developments subject to this section shall pay the Community Impact linkage fees.

The fee shall be to the Community Impact Linkage Fee Revolving Fund for the creation or maintenance of affordable housing, public space enhancement, traffic and transportation improvements, social services, workforce development and education, and youth recreation support. This fee shall be determined by multiplying the rate of \$12.50 per sq. ft. times the total number of square feet in the project over and above twenty-five thousand (25,000) gross square feet that are covered by the new Certificate of Occupancy.

#### **Section 14-462 Fees for Residential or Mixed-Use Development**

A residential development or mixed-use development subject to this section shall pay the Community Impact linkage fees. That fee shall be determined by multiplying the rate of \$10.00 per sq. ft. times the total number of square feet in the project over and above twenty-five (25,000) gross square feet that are covered by the new Certificate of Occupancy.

#### **Section 14-463 Timing of Payments**

All linkage fee payments set forth in this Ordinance shall be due and payable in two equal installments, the first of which shall be due upon issuance of the initial building permit and the second of which shall be payable upon the issuance of a Certificate of Occupancy, whether temporary or permanent.

#### **Section 14-464 Use of Linkage Fees**

The linkage fees paid to the Linkage Fee Revolving Fund shall be utilized in accordance with the terms of the Home Rule Petition for the creation or maintenance of affordable housing, traffic



and transportation improvements, social services, workforce development and education, youth recreation support, job training, job creation, or for capital construction projects of the City provided such project appear in the City's annual Five Year Capital Improvement Plan as approved by the City Council.

**Section 14-465 Increase in the Formula Calculation**

The rates per sq. ft. set forth in Sections 14-461 and 14-462 above shall be increased each January 1<sup>st</sup> of the calendar year by the rate of inflation as measured by the increase for all items for the period of the preceding November over the level as of November of the previous year in the "Consumer Price Index – All Urban Consumers" or its successor index as published by the U.S. Department of Labor Bureau of Statistics or its successor agency.

**Section 14-466 Prohibition on Issuance of Permits Until Payment of Linkage Fee**

For developments subject to this Ordinance, no building permit or Certificate of Occupancy shall be issued until such time that the required linkage payment is made in full

The following Home Rule Petition was introduced by Councilor Recuperero. A motion from Councilor Recuperero it to a public hearing under suspension.

**HOME RULE PETITION**

**WHEREAS**, homeowners in the City of Chelsea have been burdened with high sewer and water rates due to escalating MWRA charges and the need to upgrade obsolete water and sewer infrastructure in the City; and

**WHEREAS**, the economic impacts of the COVID pandemic have exacerbated financial pressures on Chelsea homeowners; and

**WHEREAS**, a program providing for rate relief to homeowners, similar to the residential exemption provided to taxpayers, will ease these financial constraints; and

**NOW, THEREFORE BE IT ORDERED**, 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 an attested copy of this order, be and hereby is approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical and editorial changes of form only:

An Act Authorizing the Creation of a Residential Exemption for Water & Sewer Charges in  
Chelsea

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
and by the authority of the same as follows:*

SECTION 1. Notwithstanding any general or special law to the contrary, the City of Chelsea may establish a program allowing any owner-occupant of a condominium unit, a single family, two family, three family home or four-family home to receive a reduction on the water and sewer bill for the entire premises equal to 20% of the entire bill. This reduction shall be in lieu of and supersede any other exemption or reduction to which the owner is otherwise entitled on the water and sewer bill.

SECTION 2. In order to qualify for this 20% discount on the entire bill, the owner-occupant must have filed and been certified to receive from Chelsea a taxpayer residential exemption pursuant to M.G.L. c. 59, Section 5C.

SECTION 3. This act shall take effect as of July 1, 2022 and shall apply to all water and sewer bills issued on or after July 1, 2022.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Council

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