

Chelsea, Massachusetts 02150
October 3, 2022

E/L 6-a
ACCEPTED AND FILED
SUSPENSION

A Regular meeting of the Chelsea City Council was held. The meeting took place at the Chelsea City Council Chambers located at 500 Broadway Chelsea, Massachusetts 02150. The following Councilors were present: Councilors T. Garcia, Robinson, Lopez, Verga Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilors Recuperero and Taylor were absent. Council President Avellaneda presided over the meeting. The meeting opened at 7:00 p.m.

Public Hearing:

The scheduled Public hearing opened to the public at 7:15 p.m. The following came forward to speak:

Mr. Bongiovanni of Gillhooly Road Chelsea, opposed the zoning change for a vehicle repair in his neighborhood.

The public hearing closed at 7:14 p.m.

Public Speaking;

No one came forward to speak:

Communications from City Manager:

The following communication was read from City Manager Tom 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 Waiver

Dear Councilors:

I am writing to notify you of my intention to grant a residency waiver to DPW employee John Betancur, who recently moved from Chelsea to Lynn. Mr. Betancur is a valued member of the Department, and we wish to retain his service.

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
Tom Ambrosino
City Manager

826 V 87.107 1002

The following communication was read from City Manager Tom 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: Request for Transfer for Fire Vehicle Acquisition

Dear Councilors:

I am writing with a request to transfer surplus capital funds in the Fire Department to allow for the purchase of a new Ladder Truck. This request does not require any new funding.

You may recall that, last fiscal year, within the FY23 Capital Improvement Plan, the City Council approved \$1,500,000 from the General Stabilization Fund for the purpose of acquiring a new ladder Truck. Unfortunately, following completion of the procurement process, the purchase price for the truck is actually \$1,700,870 leaving us with a shortfall of \$200,870.

We do have sufficient funding for this shortfall without need for any new appropriation. Specifically, we have surplus funds available in four different previous capital projects for fire vehicle acquisitions in the FY14, FY17, FY18 and FY20 Capital Improvement Plans. In each of these cases, the vehicle has been received and the purchase price paid in full. We also have small balance available in a FY18 CIP Fire Department mapping project that is likewise completed. All that is required from the City Council is a reallocation of these existing surplus funds, which total \$198,128. Once all these funds are transferred we will have a small remaining gap of \$2,742 which we will cover with fy23 Fire Department operating funds.

For the above reasons, I respectfully ask that THE City Council reallocate the \$198,128 from these five capital projects to this new purpose. Drafts of the necessary Orders to accomplish these transfers are attached.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and Petitions to the Council:

A copy of a Communication was received from Parking Clerk Jeannette Cintron White with regard to the August 30th Meeting of the Traffic and Parking Commission Meeting. A motion from Councilor Robinson to accept and file was adopted under suspension.

A copy of a communication was received from John DePriest Director of Planning and Land Use Planning with regards to Zoning amendments, Visitor parking passes. A motion from Councilor Robinson to send to a Public Hearing was adopted under suspension.

A copy of a communication was received from John DePriest Director of Permitting and Land Use Planning with results of meeting held on September 27,2022 Public HEARING ON THE Zoning Ordinance Amendment proposal by the City Council Electric vehicle collision repair. A motion from Councilor Vidot to accept and file was adopted under suspension.

Unfinished Business:

Amendment 1:

To amend Section 34-241-Definitions of the Chelsea Zoning Ordinance by adding, in alphabetical order, a definition of *Electric vehicle collision repair*, to read as follows

Electric vehicle collision repair means structures or lots used for the service of electric powered vehicles, including tire changing, wheel alignment, hardware replacement, windshield wiper fluid replacement, software updates, painting or major body repairs, with all work on the vehicles occurring within the structure, vehicles awaiting repair stored within a screened area, and no outside storage of materials, parts, and/or vehicles undergoing repair.

Amendment 2

To amend section 34-215(a), by adding a new subsection (5) to read as follows:

(5) Construction or expansion of an electric vehicle repair facility will require a major site plan review.

Amendment 3

To amend section 34-300, Table of principal use regulations, by adding in Section C. Commercial uses, *Electric vehicle collision repair* allowed subject to the issuance of a Special Permit by the Zoning Board of Appeals in the Shopping Center (SC) District and Industrial (I) District and not permitted in any of the other districts, to read as follows:

| USE | R1 | R2 | R3 | BR | BR2 | BH | B | SC | P | WU | W | I | LI | LI2 | NHR | NHC |
|-------------------------|----|----|----|----|-----|----|---|----|---|----|---|----|----|-----|-----|-----|
| Electric vehicle repair | N | N | N | N | N | SP | N | SP | N | N | N | SP | N | N | N | N |

Second Readings

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 8-0-2-1. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent. Councilor Vidot excused herself.

ORDERED, that the City Council approves an increase of the Fiscal Year 2023 School Department original appropriation from \$118,236,617 to \$118,375,334 for the net increase of \$ 138,717 attributed to the final Fiscal Year 2023 Cherry Sheet calculations.

The following Order was introduced by Councilor Brown Councilor Brown to adopt by roll call passed 8-0-2-1. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, DeJesus, and J. Garcia. Absent were Councilors Recupero, and Taylor. Recused Councilor Vidot.

ORDERED, that the Chelsea City Council authorizes the appropriation of \$539,200 from the General Stabilization Account, Fund #7020 to the FY23 DPW Sewer Dept. Stromwater Management Account

#600058-584900 to provide funding for illicit Discharge Detection and Elimination (“IDDE”) work in Mill Creek.

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 T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent.

ORDERED, that the Chelsea City Council authorizes the appropriation of \$91, 150 from the General Stabilization Account, Fund #7020 to the FY23 Housing and Community Development Contract Services Account #0118052-533600 to provide funding for environmental oversight work on the Innes Redevelopment.

The following order was introduced by Councilor Brown. A motion from Councilor Brown to adopt by roll call passed 9-0-2-0. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent.

ORDERED, that the Chelsea City Council authorizes the appropriation of \$50,000 from the General Stabilization Account, Fund #7020 to the FY23 Recreation & Cultural Affairs Division Youth Programs Account #0163052-571700 to provide funding for a grant program for the youth athletic leagues.

The following order was introduced by Councilor Brown. A motion from Councilor Brown to adopt by roll call passed 8-0-2-1. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent. Councilor Vidot recused herself from the vote.

ORDERED, that pursuant to Section 4-3(1) of the Chelsea City Charter, the Chelsea City Council approve the cost items set forth in the collective bargaining agreement negotiated with Teamster Local 25 for the DPW, memorialized in the Memorandum of Agreement for the Fiscal Year 2023-2025 dated September 1, 2022.

The following order was introduced by Councilor Brown. A motion from Councilor Brown to adopt by roll call passed 8-0-2-1. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, De Jesus, and J. Garcia. Councilors Recupero and Taylor were absent. Councilor Vidot recused herself from the vote.

ORDERED, that, to fund the collective bargaining agreement negotiated with Teamster Local 25 for the DPW for Fiscal Year 2023, the Chelsea City Council authorizes the transfer of \$120,000.00 from the Salary Reserve Account #0142251-510200

The following four orders were introduced by Councilor Brown. A motion from Councilor Brown to adopt all four orders by one roll call passed 9-0-2-0. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent.

ORDERED, that in accordance with M.G.L Ch.44, Section 64, budget management procedures, whereby cost incurred in FY21 were not paid and are owed, and to meet this obligations funds are required from the current year FY23 budget, that council authorize the expenditures \$1,495.44 from the Human Resource Department Health Reimbursement expenditure line satisfy the unpaid Medicare

Reimbursement to two retirees from prior tear. The Department has sufficient funds to meet all these outstanding obligations.

ORDERED, that in accordance with M.G.L Ch.44, Section 64, budget management procedures, whereby cost incurred in FY22 were not paid and are owed, and to meet this obligations funds are required from the current year FY23 budget, that council authorize the expenditures \$3,571.86 from the Human Resource Department Health Reimbursement expenditure line satisfy the unpaid Medicare Reimbursement to five retirees from prior tear. The Department has sufficient funds to meet all these outstanding obligations.

ORDERED, that in accordance with M.G.L Ch.44, Section 64, budget management procedures, whereby cost incurred in FY22 were not paid and are owed, and to meet this obligations funds are required from the current year FY23 budget, that council authorize the expenditures \$509.42 from the Department of Public Works Structure and Grounds expenditure line satisfy the unpaid plumbing expense to Boston Mechanical Services from prior tear. The Department has sufficient funds to meet all these outstanding obligations.

ORDERED, that in accordance with M.G.L Ch.44, Section 64, budget management procedures, whereby cost incurred in FY22 were not paid and are owed, and to meet this obligations funds are required from the current year FY23 budget, that council authorize the expenditures \$1,395.99 from the Health and Human Services – Veterans Department expenditure line satisfy the unpaid funeral home burial expense to Casper Funeral Home from prior tear. The Department has sufficient funds to meet all these outstanding obligations.

The following order was introduced by Councilor Brown. A motion from Councilor Brown to adopt by roll call passed 9-0-2-0. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J. Garcia. Councilors Recupero and Taylor were absent.

ORDERED, that in accordance with M.G.L Ch.44, Section 64, budget management procedures, whereby cost incurred in FY22 were not paid and are owed to the vendor, and to meet this obligations funds are required from the current year FY23 budget, that council authorizes the expenditures of \$33,091.81 from the School District expenditures lines to satisfy the unpaid balance from the prior year. Each of the Departments has sufficient funds to meet all these outstanding obligations. Therefore, no funds are required.

Pyramid Educational Consultants-Professional Development \$6,325.00
Purchase order was closed prematurely with a partial payment left pending.

Pyramid Educational Consultants-Professional Development \$3,000.00
Invoice was missed; department thought the invoice has been paid previously.

Pyramid Educational Consultants-Teachers Materials \$215.63
Invoice was missed; department thought the invoice has been paid previously.

Khelsea's-Food for High School Events \$2,827.00
Clerical oversight.

The Calculus Project-Professional Development \$9,500.00
Invoice was originally sent to someone who had left the district.

SHI-Software Licenses \$265.00
Additional licenses were added, miscommunication with the vendor

Loinbridge-Telephonic Translation Services \$2,539.85
Invoices were sent to an unmonitored email account.

Penn. State University-Educational Materials \$4,803.00
Invoice was originally sent to someone who had left the district.

Amazon Business-Supplies for Student activity \$223.23
Invoice was missed; department thought the invoice has been paid previously.

Amazon Business-Camera Package \$1,376.20
Invoice was missed; department thought the invoice has been paid previously.

Mark D. Abrahams-Professional Development \$400.00
Invoice was missed; department thought the invoice has been paid previously.

Aramark-Food for High School Events \$638.00
Clerical oversight.

North Suburban Transportation-Field Trip Transportation \$900.00
Invoice was missed; department thought the invoice has been paid previously.

The following appointments to Boards and Commissions were read for the second time from City Manager Tom Ambrosino. A motion from Councilor Vidot to affirm by roll call passed 9-0-2-0. Voting yes were Councilors T. Garcia, Robinson, Lopez, Vega Maldonado, Avellaneda, Brown, Vidot, DeJesus, and J.Garcia. Councilors Recupero and Taylor were absent.

Planning Board, Mr. Eric Czernizer, 9 Eden St. Chelsea.

Chelsea Scholarship Committee Mr. Jay Velez, 1 Franklin Ave. Chelsea.

Economic Development Board, Mr. Joseph Fuchs, 11 Boatswain Way, Chelsea.

Economic Development Board, Ms. Madeline Caufield, 295 Washington Ave. Chelsea

Economic Development Board, Mr. Cotey J. Collins-Hernandez Bloomingdale St. Chelsea.

Community Recreation Advisory Board, Dr. Alice Murillo Cottage St. Chelsea.

Chelsea Historical Commission, Mr. Alex Balcarcel 49 Cook Ave. Chelsea.

Chelsea Historical Commission Mr. Brian Martynowicz Central Avenue, Chelsea.

Youth Commission, Ahilyn Romero Sanchez, Chester Avenue Chelsea and Tinsae Haile Garland St. Chelsea.

Chelsea Tree Board, Mr. Nicholas Boatwright, Pembroke St. Chelsea.

The following order was introduced by Councilor Avellaneda and read for the second time. A motion from Councilor Vidot referred it to a 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;

NOW, THEREFORE BE IT ORDAINED, that the Revised Code of ORDINANCES OF THE City of Chelsea as amended be further amended as follows;

That Chapter 14, Article 1 License Permits, and Massachusetts Business Regulations, in General be amended by adding Section 8 as follows,

Sec. 14-8 Proximity of Ice Cream Trucks to School

No ice cream vendor permitted under M.G.L. Ch. 270, Section 25 shall engage in ice cream truck vending within 500 feet of a public or private school providing education in kindergarten or any grades 1 through 12.

New Business:

The following order was introduced by Councilor DeJesus. A motion from Councilor DeJesus sent the Order to a sub-committee on conference under suspension.

Request, that the Traffic and Parking Commission look into putting a speed bump at the Clinton Street intersection that connects with Crescent Ave.

The following order was introduced by Councilor DeJesus. A motion from Councilor DeJesus referred it to the sub-committee on conference under suspension.

Request, that the Traffic and Parking Commission look into putting a speed bump at the Corner of Clinton Street and Washburn.

The following order was introduced by Councilor Brown. A motion from Councilor Brown moved it to a second reading under suspension.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY

BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws the sum of \$32,695.00 representing the unexpended portion of the \$600,000.00 borrowed under the Fiscal Year 2014 Capital Improvement Plan for fire vehicle acquisition Fire Engine-General Obligation Bond-Account 55401405-584000, which balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$32,695.00 for fire vehicle acquisition to the Fiscal Year 2023 Tower Ladder 1, Account 55402323-584000.

The following Order was introduced by Councilor Brown. A motion from Councilor Brown referred it to a second reading under suspension.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS,

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws the sum of \$101,741.00 representing the unexpended portion of the \$1,300,000.00 borrowed under the Fiscal Year 2017 Capital Improvement Plan for fire vehicle acquisition-Ladder Truck-general Obligation Bond-Account 55401709 series, which balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount \$101,741.00 for fire vehicle acquisition to the Fiscal Year 2023 Tower Ladder 1, Account 55402323-584000.

The following Order was introduced by Councilor Brown. A motion from Councilor Brown referred it to a second reading under suspension.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44,SECTION 20 OF THE GENERAL LAWS.

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws the sum of \$52,954.00 representing the unexpended portion of the \$700,000.00 borrowed under the Fiscal Year 2018 Capital Improvement Plan for fire vehicle acquisition-Fire Engine Pumper-General Obligation Bond-account 55401818-584000, which balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete that project, is hereby transferred in the amount of \$52,954.00 for fire vehicle acquisition to the Fiscal Year 2023 Tower Ladder 1, Account 55402323-584000.

The following order was introduced by Councilor Brown. A motion from Councilor Brown referred it to a second reading under suspension.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT, WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

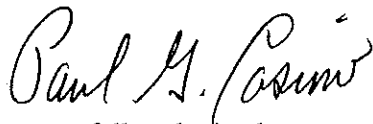
Ordered, That in accordance with Chapter 44, Section 20 of the General Laws the sum of \$6,738.00 representing the unexpended portion of the \$625,000.00 borrowed under the Fiscal Year 2020 Capital Improvement Plan for fire vehicle acquisition-Fire Engine Pumper-General Obligation Bond-Account 55402020-584000, which balance remains after the completion of the project for which the loan was authorized which is no longer needed to complete tat project, is hereby transferred in the amount of \$6,738.00 for fire vehicle acquisition to the Fiscal Year 2023 Tower Ladder 1, Account 55402323-584000.

The following Order was introduced by Councilor Brown. A motion from Councilor Brown referred it to a second reading under suspension.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws the sum of \$4,000 representing the unexpended portion of the \$150,000 authorized under the Fiscal Year 2018 Capital Improvement Plan for equipment-Fire CAD System Free Cash-Account 55401817 series, which balance remains after the completion of the project for which the fund was authorized which is no longer needed to complete that project, and therefore that balance of \$4,000.00 is hereby transferred for fire vehicle acquisition to the Fiscal Year 2023 Tower Ladder 1, Account 55402323-584000.

The meeting adjourned at 8:20 p.m.



Respectfully submitted,
Paul G. Casino
Clerk of the Chelsea City Council