

# SUSPENSION

ACCEPTED AND FILED  
DIV

6-a

Chelsea, Massachusetts March 21, 2022

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

## MEMORIUMS AND CELEBRATORY RESOLUTIONS:

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

### RESOLUTION:

#### Women's History Month Trailblazers

- WHEREAS,** During National Women's History Month, the Chelsea City Council recognizes the contributions made and the important presence of Women in Chelsea and to the United States as a whole and celebrates their service in the many roles that women play in our society. The following women have made great contributions in our community and have reaffirmed through their perseverance and dedication a mission of uplifting and empowering other women; and
- WHEREAS,** Officers Barbosa is a true role model in our community, a woman of color in uniform that exercises compassion, care and love for our Chelsea families all while enforcing the law and ensuring safety in our community. She drives her work as an officer with deep understanding of our community needs, trauma and barriers. We are fortunate to have her serve as a Chelsea Police Officer; and
- WHEREAS,** Rosie Medina is the first Latina police officer in the City of Chelsea and of the first women in the Chelsea Police Department. During her time at CPD, Rosie leads the Domestic and she holds a Master's degree in Criminal Justice. Rosie has served our community for more than 25 years; and
- WHEREAS,** Sharon Caulfield is a member of the Chelsea Black Community, she is a key member who is actively engaged with the organization as well as the COVID-19 Vaccination Initiative and developing CBC'S Workforce Development Initiative. She is known as "Dean" because she exemplifies herself as the custodian of our organization as well as our community; and
- WHEREAS,** Joan Cromwell is a leader, a mother, a nurse, a board member, and a social justice warrior. While having many roles, Joan exemplifies what it means to empower others while fighting for social justice and health equity, many times she will be behind the scenes, she uplifts those around her. She is a real leader and she's beautiful; and
- WHEREAS,** Almi Abeyta is an excellent educator, a member of the Rotary Club, and serves not only our students but our entire community with great compassion and leadership. Her

outstanding performance during the last two years has made her one of our most important leaders in Chelsea; and

**WHEREAS,** Gladys Vega is a pillar in the Chelsea Community, her empathetic leadership compassion for all have made her an icon in our community. She is also an amazing mother, grandmother, jefa, friend and overall a beautiful human being; and

**WHEREAS,** Tanairi Camacho Garcia is a student who is an upcoming entrepreneur, with her family's support she started her business at the age of 10, she is a lupus warrior and she empowers others going through the same experience as her. She is an amazing sister and dancer she is an example of our youth in Chelsea; and

**WHEREAS,** Cheryl Watson Fisher is Chelsea's first ever Black lawyer in the City of Chelsea. She has served our community for over 20 years as the City Solicitor, Cheryl is an example of what it means to be a women of excellence and intelligence; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Chelsea City Council hereby expresses its gratitude to all the Women's History Month Trailblazers and continue their amazing work in the community.

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

**RESOLUTION**  
**Monica Fernandez-Castro**

**WHEREAS,** Monica Fernandez-Castro will be retiring on March 31, 2022 from the Department of Children and Families as the Director of the Harbor Area; and

**WHEREAS,** Monica has worked for the Department of Children and Family for over 16 years as the area Director; and

**WHEREAS,** Monica Fernandez-Castro originally from Columbia, has her Master's Degree in Social Works as well as a June Doctor in Law; and

**WHEREAS,** Monica Fernandez-Castro is an advocate of immigrant rights and working with diverse and under-resourced populations particularly in the Chelsea community and the surrounding areas; and

**WHEREAS,** Monica Fernandez-Castro is a proponent of engaging fathers in Child Welfare practice as well as working with the whole family systems as evidence by her advocacy and support to Family Nurturing Programs at the Harbor office; and

**WHEREAS,** Monica Fernandez-Castro faculty member at UMASS Boston prior to working with Department of Children and Families and appreciates the teaching and continuous learning aspects of social work; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Chelsea City Council hereby expresses its gratitude to Monica Fernandez-Castro for her service as the Area Director for the Massachusetts Department of

Children and Family and continued success in all her endeavors and continued health, prosperity and happiness in her retirement.

**PUBLIC HEARING:**

A public hearing was conducted regarding a Home Rule Petition to authorize a linkage fee on developments. The following came forward to speak:

City Manager Thomas G. Ambrosino, spoke in favor of the linkage fee.

A public hearing was conducted regarding a Home Rule Petition to establishing 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.

No one came forward.

It was closed at 7:47 p.m.

**PUBLIC SPEAKING:**

The following came forward to speak:

Joan Cromwell of 38 Addison Street, thanked the Council for being a part of Black History Month. Sharon Caulfield of 26 Breakwater Cove, thanked the Council for everything it does for bringing people together.

It was closed at 7:49 p.m.

**APPROVAL OF MINUTES:**

The minutes of the City Council meeting conducted March 7, 2022 were approved at the request of Councilor Brown 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: 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. Hilary Dimino, 1096 North Shore Road, Apt. 3, Revere Massachusetts for the position of Sr. Planner/Project Manager in the Department of Housing & Community Development 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. Dimino's resume is attached. There were no timely applicants from Chelsea residents 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 Robinson referred it to the Sub-Committee on Finance under suspension.

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

Re: *Free Cash Requests*

Dear Councilors:

I am writing to notify you that the Massachusetts Department of Revenue has certified Free Cash for the City at the close of Fiscal Year 2021 as follows: General Fund \$14,886,858; Sewer Enterprise Fund \$2,887,038; Water Enterprise Fund \$1,585,008; and I&I Mitigation Fund \$287,399. These reserves reflect the City's positive financial condition.

Given these surpluses, I am writing now to seek reinvestment of a portion of these funds into programs, projects and efforts that will continue to benefit our residents. I also am looking to cover some deficits for FY22 that have already surfaced.

My specific requests are as follows:

**Bunker Hill Scholarship Program for Chelsea High School Students -- \$147,750**

I would like to continue the Bunker Hill Scholarship Program for a fifth year. As you know, this program provides free tuition for certain Chelsea High School students who desire to pursue an Associates Degree at Bunker Hill Community College. The purpose is to ensure that no Chelsea High student is deprived of pursuing a college degree due solely to financial circumstances. The cost to extend the program is \$147,750. (See attached letter from Superintendent Almi Abeyta dated February 22, 2022.)

**Senior Transportation -- \$50,000**

Starting in 2018, with some interruption due to COVID, the City has been providing free transportation for seniors to and from the Senior Center. The program has been extremely well-received. With COVID on the decline, we expect programming activity at the Senior Center to increase, and we want to make certain we can accommodate any corresponding increase in transportation demands.

Currently, the City has funding to cover transportation costs through the end of this Calendar Year. We would like to ensure that the program continues at least through the end of Fiscal Year 2023. At that point, if the program continues to be successful, then I would recommend making it a regular part of the Senior Center's annual operating expenses, starting with the FY24 Budget.

To cover the period through June of 2023, I am asking the City Council to appropriate an additional \$50,000.

#### **Downtown Initiative -- \$400,000**

As I mentioned in my State of the City speech, a key goal of the City this year is to help our Downtown business district recover from COVID. That effort will be substantially advanced if we invest in things like support for outdoor dining, another round of storefront improvements, more murals and public art and additional activities and nighttime events in the Downtown. The Housing & Community Development Department has outlined a list of potential efforts, with an anticipated cost of \$400,000. (A breakdown is attached.) I ask that the Council approve this expenditure to benefit this important commercial corridor.

#### **MUNIS Upgrade for Human Resources Information System - \$60,000**

The City has been working to upgrade the capabilities within its MUNIS software to allow for the integration of payroll and the future tracking of many HR related functions, including items like attendance, vacation leave and sick time. Having this capability will make the City much more efficient in managing benefits and in completing the necessary compliance reports to state and federal agencies. However, in order to implement these upgrades, the City does need to secure an outside expert consultant. We will likely utilize personnel from Clifton, Larson & Allen ("CLA") for this work. CLA previously provided independent audit services to the City and has extensive knowledge of the City's existing systems and processes. We expect the cost of CLA's services to be approximately \$60,000.

#### **New Banners -- \$50,000**

I would like to purchase new banners for our streetlight poles throughout the City. We haven't appropriated money for banners in several years. Banners do get worn out over time. Further, it is always aesthetically pleasing to have bright new banners with different designs decorating our business districts. This appropriation should allow for at least two new sets of banners.

#### **Electronic Crosswalk Signage -- \$50,000**

You may have seen that in certain areas, particularly on Broadway, we have upgraded crosswalks with electronic signage activated when a person seeks to cross. This has substantially increased pedestrian safety in these crosswalks. But, these electronic upgrades are expensive. I would like to appropriate \$50,000 to implement these signage improvements at a few other locations, including the crosswalk at Williams/Winnisimmet.

#### **Forbes Public Safety Improvements -- \$293,000**

As you know, the City has been concerned about the existing conditions of the buildings on the Forbes site for quite some time. Last Spring, the City Council appropriated \$200,000 to allow the City to conduct a comprehensive engineering analysis of all structures. That analysis is now complete. According to our engineers, a full demolition and abatement of the most dangerous building on the site will be extraordinarily expensive, estimated in excess of \$2.6 million. At the moment, I am not recommending we proceed with such comprehensive remediation, although discussion of that kind of effort may become necessary if no progress occurs on the site in the foreseeable future. For now, I do recommend some more limited measures that at least will protect any members of the public who access the site. These measures include fencing, board-up of buildings and removal of vegetation. The cost of this work might be as much as \$293,000. (See attached cost breakdown from Weston & Sampson.) If funded, the City will commence this protective work in the Spring.

Please keep in mind that the City has taken the necessary legal steps to protect its financial interests regarding any required public safety expenditures on this site. The City has provided all the

necessary legal notices to the owner, in strict accordance with state law, which will allow for the City to perfect a lien on the parcel. Accordingly, the City feels confident that it will be able to recover any costs incurred in addressing the dangerous buildings on this site through the municipal lien process.

**Massport Noise Study -- \$147,000**

You may recall that, prior to COVID, and at the specific request of the City Council, the City was seeking an independent study of Logan Airport noise and its impacts on Chelsea. The goal was to have an objective study conducted by experts that could help the City in its future mitigation discussions with Massport.

After much difficulty, mostly due to the hesitancy of local experts to take an adverse stance to Massport, the City did find a firm in Georgia that was willing to conduct such a study – abcx2, now merged with Vianair, Inc. I reached out to this firm recently again, and it confirmed its willingness to proceed, albeit with a slightly different work plan utilizing proprietary noise-monitoring software. The cost for the full proposal is \$147,000. (A copy of the proposal is attached.)

Now, it is true that airport noise is down in the City because airport traffic has not fully recovered to its pre-COVID peak. But, it is only a matter of time before the travel industry rebounds and noise from Logan again starts to generate complaints. If this current Council is still interested in having an expert conduct a study on behalf of Chelsea so that we have the best possible ammunition in future discussions with Massport over noise mitigation, then this outlay is necessary.

**Full Time ISD Building Inspector -- \$10,000**

Several months ago, the Council voted unanimously to increase the hours of our part-time Building Inspector to full time. By letter dated October 20, 2021, I agreed to do so as soon as Free Cash was certified.

With Free Cash certified, I am prepared to move forward with this change. The cost to provide full-time hours for this employee through the rest of Fiscal Year 2022 is approximately \$10,000. This position will be funded full-time in the FY23 Budget.

**DPW Building & Grounds Work -- \$320,000**

I would like to advance some small capital projects within our public buildings this Spring. Some projects that we have in mind are installation of new windows in the City Council Chambers, completion of a small sink/kitchenette in the Housing & Community Development space, replacement of security systems in our three firehouses and completion of a major digital scanning effort for some of Housing & Community Development public documents. We also wish to continue through the end of the fiscal year the extra cleaning services we have been providing in all the public buildings through COVID. Much of that was previously paid through Federal Cares Act dollars, but that funding expired in the Fall. The total cost of all of this work is estimated at \$320,000. The Honorable Chelsea City Council

**DPW Building & Grounds Overtime -- \$35,000**

Some of the extra work we wish to do in Building & Grounds will be done over the weekend utilizing overtime. I am seeking \$35,000 to cover expected costs through the end of the fiscal year. With this supplement, the City will be spending approximately the same amount of Overtime (a total of \$75,000) that it has utilized the past few years.

**DPW Street & Sidewalk Work -- \$40,000**

The City wants to get a jump start on some roadway-related work as soon as the weather breaks. This appropriation would allow us to start such work, including significant line-painting, during the Spring. Otherwise, we will need to await the start of FY23 when new funding becomes available.

**Street & Sidewalk Overtime -- \$160,000**

I am requesting an additional \$160,000 in Street & Sidewalk overtime. This account is already in deficit. This appropriation would both cover the deficit and allow us to continue to do extra cleanup work and support work for events and activities throughout the remainder of the fiscal year.

I realize this is a large expenditure. But, my philosophy with DPW for the past several years has been to encourage a lot of after-hours and weekend work in order to benefit the community. This work often involves extra crews on Saturdays and Sundays doing things like sidewalk repair, pothole filling, signage replacement, trash removal and comprehensive cleanup of public properties.

Of course, all of this takes money. Frankly, it is clear to me that for the past few years, we have not budgeted sufficient overtime funds to keep pace with the level of work we are demanding. It's the reason we have had to return year after year in the Spring for supplemental funding. I hope to end that this year by more accurately budgeting overtime in the proposed DPW Budget for Fiscal Year 2023. But, for now, to get through the remainder of Fiscal Year 2022, this appropriation is necessary.

**Water & Sewer Overtime Work -- \$70,000**

Similarly, I am anticipating that we will need some additional overtime funds for the Spring in Water & Sewer Overtime. Typically, water and sewer breaks requiring overtime responses increase substantially in the Spring as temperatures fluctuate through a thaw, freeze and thaw cycle. This Spring will be no different. I expect we will need about \$35,000 for each department in order to make it through the end of the fiscal year. Similar to the DPW Building & Grounds situation, this supplement and the original overtime appropriation will put the Water & Sewer Departments on track to spend approximately the same amount as last year.

***Other Deficits***

There are four other accounts that are currently running deficits that need funding. I do expect other deficits will surface as we get closer to the end of the fiscal year. But, these four accounts are pressing.

**Outside Legal Services -- \$25,000**

The outside legal services account is always a difficult one to accurately budget because it is dependent on unpredictable legal activity. This year, we have one costly public safety disciplinary matter that is requiring significant time and expense from outside labor counsel. The City Solicitor estimates she will require an additional \$25,000 to cover costs through the end of June.

**Unemployment -- \$49,000**

Our unemployment account is in deficit. Again, this is a hard account to predict because it is dependent upon employee turnover. Although we have not had scheduled layoffs in Chelsea, we have had some employee terminations this year that have resulted in unanticipated unemployment claims. Our HR Department is estimating that, to cover all costs through the end of the fiscal year, we need an additional appropriation of \$49,000.

**Parking Department Contract Services - Passport Parking System -- \$112,000**

This year, the City Clerk had to rebid the contract for our outside parking control vendor, and the low bid came in much higher than anticipated. To cover the costs of this work through June 30, 2022, we need an additional \$112,000.

**DPW Solid Waste Disposal -- \$100,000**

Our trash disposal costs with RESCO have been higher than anticipated. This was the same case in FY21. However, we believed that larger than normal residential trash amounts in FY21 were a consequence of the COVID shutdown, and that the City's trash volume would diminish in FY22. That has not been the case. We will adjust accordingly for the FY23 Budget. But, to cover the costs for FY22, we expect to need an additional \$100,000.

The total amount of all of these requests is \$2,118,750. The City has sufficient funding to cover all of these costs in our Certified Free Cash and Retained Earnings. Even after these expenditures, the remaining balances will be more than sufficient for the City to cover both the Free Cash allocations in the proposed FY23 CIP and any additional FY22 deficits that may arise before the end of the fiscal year.

For the above reasons, I respectfully ask that the City Council approve all of these requested expenditures. Drafts of the proposed Orders are 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: Request to Fund School Department Construction at 77 Webster Avenue

Dear Councilors:

I am writing to request that the City Council approve four financial transfers to allow for the School Department to complete some major rehabilitation work at 77 Webster Avenue.

The School Department has leased this property at 77 Webster Avenue to serve as administrative space to free up space in the school buildings for student instruction. This new location will be the future home to the Special Education Department the Chelsea Virtual Learning Academy and the District's curriculum coordinators who work with all schools. In addition, the District's homeless student and data coordinators will be located in the space, as will the ELL tester who assesses students who are new to the District. Altogether, approximately 35 staff will be located in this new space. The requested capital funding will be used to construct a purpose-built space for these staff members. The lease can be extended up to 25 years, so the improvements will be amortized over a long period of use.

The School Department already has all the funds necessary to complete this capital work. There are no new appropriations necessary. The funding is available in other School Department capital project accounts that either were: (1) fully completed and have surplus funds available; (2) were paid by the School Department from an alternative funding source during the pandemic shutdown. The projects that have surplus funds available are: the FY19 CIP Early Learning Center Playground Project (\$145,346.50); and the FY18 CIP Veterans Field Turf Replacement Project (\$190,204.91). The projects with money available because they were funded from other sources are: the FY21 CIP MCB Roof/Envelope Repair Project (\$526,114); and the FY19 CIP Williams Middle School Boiler Replacement Project (\$150,000). The total amount available for transfer is \$1,011,665.41.

I respectfully that the City Council approve transfers from these four projects to allow for the School Department to complete the necessary renovations at 77 Webster Avenue. Draft Orders are 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: Gift to Library from Amateur Telescope Makers of Boston

Dear Councilors:

The Chelsea Public Library has received a donation of a telescope from the Amateur Telescope Makers of Boston. The telescope has a value of \$400.00.

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 also attached.

Sincerely,  
Thomas G. Ambrosino  
City Manager

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

A Copy of a communication was received from DEI Officer Candace Perez regarding Progress Report. A motion from Councilor Robinson to accept and file was adopted under suspension.

A copy of a communication was received from Parking Clerk Jeannette Cintron White regarding approved items from Traffic and Parking Commission meeting on March 1, 2022. A motion from Councilor Robinson to accept and file was adopted under suspension.

**UNFINISHED BUSINESS:**

The following Home Rule Petition was introduced by Councilor Avellaneda. Councilor Robinson amended the order to eliminate the number 24 in Section 1 and say Residential units. On a roll call it passed 9-0-2-0. Voting yes were Councilors Recupero, T. Garcia, Robinson, Taylor, Lopez, Vega Maldonado, Avellaneda, Brown, and De Jesus. Absent were Councilors Vidot and J. Garcia.

**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 crating 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, and mixed use project with a commercial or industrial component, and any residential project that creates 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, provide 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.

This act shall take effect upon passage.

**SECOND READINGS:**

The following order was introduced by Councilor Avellaneda. A motion from Councilor Robinson Tabled the order until the Home Rule Petition on Linkage is returned by the State Legislature.

**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.

#### **NEW BUSINESS:**

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

Request, that a Subcommittee on Conference be scheduled to discuss the expansion of the Everett Avenue high-density overlay district.

The following order was introduced by Councilors Recuperero and Lopez. Councilor Recuperero amended the order to insert the word (drivers) and (to obtain). Adopted under suspension.

Request, that the Traffic and Parking Commission look into accepting all (drivers) licenses regardless of origin for vehicles registered in the City of Chelsea, (to obtain) for residential parking stickers.

The following order was introduced by Councilor Recuperero. Councilor Recuperero amended the order to include a mirror in the order adopted under suspension.

Request, that the Traffic and Parking Commission look into putting a "No Parking From Here to Corner" sign on the left hand corner of Essex Street and Highland Street.

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

Ordered, that the City Manager provide a list to the Council regarding all grants that will be awarded to the City to hire employees and provide an explanation as to what happens once those grants expire for said employees.

The following order was introduced by Councilors T. Garcia and Robinson. Councilor Robinson amended the order to add the word Chelsea at the end of the order. Adopted under suspension.

Ordered, that the City Manager provide a list to the Council of all properties owned by Demoulas Supermarkets, Inc. in (Chelsea).

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

Ordered, that a Subcommittee on Conference to discuss with the City Manager the possibility of creating a Commission for Women's Advancements.

The following Home Rule Petition was introduced by Councilor Avellaneda. A motion from Councilor Robinson moved the order to a Public Hearing and second reading under and sub-committee on conference under suspension.

HOME RULE PETITION

WHEREAS, the City of Chelsea has all of its allotted on-premises liquor licenses and has very little if no control over whom said liquor licenses are transferred to; and

WHEREAS, the Census has increased the number of available alcohol licenses and the City would like to even the playing field as to purchasing of alcohol licenses and to attract more diverse restaurants and business to the City; and

WHEREAS, the City has determined that the increase in the number of on premise liquor licenses that are City-owned licenses will enable the city to reach its economic development and equity and inclusion goals;

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 the 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 Amendment LXXXIX to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only;

- (a) Notwithstanding the maximum number of licenses authorized to be granted under section 17 of chapter 138 of the General Laws, the licensing authority of the City of Chelsea may grant the new five (5) additional full licenses for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138, provided only to establishments that meet the City's definition of hotels, restaurants and function halls, provided that, in the case of functional halls only, the seating capacity is more than 100 persons.
- (b) A license granted under this section shall not be transferable to any other person corporation or organization and shall be deemed a Chelsea License. A transfer to any other person, corporation or organization and shall be deemed a Chelsea License. A transfer in violation of subsection (a) or (b) shall render the licenses null and void.
- (c) If a license granted under this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically with all of the legal rights and privileges pertaining thereto to the local licensing authority which may then grant the license to a new application.

That the below be enacted as a Petition for the adoption for Home Rule and that a public hearing is scheduled.

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

Ordered, that the City Council hereby accepts and approves the gift of a telescope to the Chelsea Public Library from the organization Amateur Telescope Makers of Boston.

The following financial orders were introduced by Councilor Brown. A motion from Councilor Brown moved all of the orders to a second reading and the sub-committee on finance under suspension.

Ordered, that the Chelsea City Council authorize the appropriation of \$147,750 from Free Cash to the Bunker Hill Community College Scholarship Program Expense Account #7400-578080 to provide tuition funding for Chelsea High School graduates.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$50,000.00 from Free Cash to the FY2022 Elder Affairs, Contract Services Expense Account #0154152-530600 for Senior Transportation program.

Ordered, that the Chelsea City Council authorize the appropriation of \$400,000 in Free Cash to the FY22 Housing and Community Department Contract Services Expense Account #30305-530600 for outdoor dining, storefront improvement, public art and events.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$60,000.00 from Free Cash to the FY2022 Auditing Professional Services Expense Account #0113552-530000 for consulting work related to the MUNIS upgrade.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$50,000 in Free Cash to the FY22 DPW Streets and Sidewalks Signs Account #0142252-546500 for new banners.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$50,000 in Free Cash to the FY22 DPW Streets and Sidewalks Street Signs Account #0142252-546500 for new electronic crosswalk signage.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$293,000 from Free Cash to a new CIP FY22 Project titled "Forbes Public Safety Improvements" for public safety improvements on the Forbes site.

Ordered, that the Chelsea City Council authorize the appropriation of \$147,000 in Free Cash to a new CIP FY22 Project titled "Massport Noise Study" for a Logan Airport noise study.

Ordered, that the Chelsea City Council authorizes the appropriation of \$10,000 in Free Cash to the FY22 ISD Regular Salary Account #0124051-510200.

Ordered, that the Chelsea City Council authorize the appropriation of \$320,000 in Free Cash to the FY22 Building Renovations and Improvements CIP Account #55402202-583300.

Ordered, that the Chelsea City Council authorizes the appropriations of \$35,000 in Free Cash to the FY22 DPW Structures and Grounds Account #0147051-510400.

Ordered, that the Chelsea City Council authorizes the appropriation of \$40,000 in Free Cash to the FY22 DPW Streets and Sidewalks Capital Road Improvements Account #0142258-583100.

Ordered, that the Chelsea City Council authorizes the appropriation of \$160,000 in Free Cash to the FY22 DPW Street and Sidewalks Overtime Account #0142251-510400.

Ordered, that the Chelsea City Council authorizes the appropriations of \$35,000 in Water Retained Earnings to the FY22 DPW Water Department Overtime Account #601051-510400.

Ordered, that the Chelsea City Council authorize the appropriation of \$35,000 in Sewer Retained Earnings to the FY22 DPW Sewer Department Overtime Account #600051-510400.

Ordered, that the Chelsea City Council authorizes the appropriation of \$25,000 in Free Cash to the FY22 Law Department Legal Services Account #015152-530100.

Ordered, that the Chelsea City Council authorizes the appropriation of \$49,000 in Free Cash to the Employee Benefits-Unemployment Account #0191051-517700.

Ordered, that the Chelsea City Council authorizes the appropriation of \$112,000.00 in Free Cash to the FY22 Parking Department Other Services Account #0129352-538000.

Ordered, that the Chelsea City Council authorizes the appropriation of \$100,000 in Free Cash to the FY22 DPW Solid Waste Trash Pickup/Disposal Account #0143052-524600.

Ordered, that in accordance with Chapter 44 Section 20 of the General Laws, the sum of \$190,204.91 representing the unexpended portion of the \$1,637,095.03 appropriated under the Fiscal Year 2018 Capital Improvement Plan for the Veteran's Field Turf Replacement Project 55401814-584500 plus additional funds transferred in from Stabilization, and a balance remains after completion of the project for which the funds authorized are no longer needed, and therefore the balance of \$190,204.91 is hereby transferred to a new building project, Fiscal Year 2022 CIP-77 Webster Avenue-School Special Ed, Curriculum, & CVLA Offices.


Ordered, that the sum of \$150,000 representing the unexpected portion of the \$150,000 appropriated from Stabilization Funds under the Fiscal Year 2019 Capital Improvement Plan for the Williams Middle School Boiler Replacement Project 55401905-584500 but which is no longer needed to complete that project due to alternate funding utilized, is hereby transferred in the amount of \$150,000 to a new building project Fiscal Year 2022 CIP-77 Webster Avenue-School Special Ed. Curriculum, & CVLA Offices.

Ordered, that the sum of \$145,346.50 representing the unexpended portion of the \$303,000 appropriated from Free Cash under the Fiscal Year 2019 Capital Improvement Plan for the Early learning Center Congress Playground Project 55401914-584500, and a balance remains after the completion of the project for which the funds authorized are no longer needed, is hereby transferred in the amount of \$145,346.50 to a new building project, Fiscal Year 2022 CIP-77 Webster Avenue-School Special Ed, Curriculum, & CVLA Offices.

Ordered, that the sum of \$526,114 representing the unexpended portion of the \$526,114 appropriated from Free Cash and Stabilization under the Fiscal Year 2021 Capital Improvement Plan for the MCB Roof/Envelope Repairs Project 55402103-584500 but which is no longer needed to complete that project due to alternate funding utilized, is hereby transferred in the amount of \$526,114 to a new building project, Fiscal Year 2022 CIP-77 Webster Avenue-School Special Ed, Curriculum, & CVLA Offices.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,



Paul G. Casino  
Clerk of the Chelsea City Council

LO 8 17 11 11 2022