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CITY CLERK'S OFFICE
CHELSEA, MA

2023 DEC 20 A 9:47

C/S
Chelsea City Council
Regular Meeting
December 4th, 2023

ACCEPTED AND FILED

SUSPENSION

A regular meeting of the Chelsea City Council was held on Monday, December 4th, 2023. The meeting was held in the City Council Chambers at Chelsea City Hall, located at 500 Broadway, Chelsea, Massachusetts 02150. Council President Robinson presided over the meeting. The meeting opened at 7:01 PM.

Councilor's Name	District	Status	Arrived
Councilor Calvin Brown	Eight	PRESENT	
Councilor Judith Garcia	Five	PRESENT	
Councilor Tanairi Garcia	Seven	ABSENT	
Councilor Enio Lopez	Four	PRESENT	
Councilor Leo Robinson	At Large	PRESENT	
Councilor Giovanni Recupero	Six	PRESENT	
Councilor Damali Vidot	At Large	PRESENT	
Councilor Norieliz De Jesus	Three	PRESENT	
Councilor Brian Hatleberg	At Large	PRESENT	
Councilor Melinda Vega	Two	PRESENT	
Councilor Todd Taylor	One	PRESENT	

PUBLIC HEARING:

A Public Hearing was held on the Fiscal Year 2024 Tax Rates and Minimum Residential Tax Factor at 7:02 PM.

No members of the Public spoke.

The Public Hearing closed at 7:02 PM.

PUBLIC SPEAKING:

The Public Speaking portion opened at 7:02 PM.

The following members of the Public spoke:

- Joseph Siewko, Chelsea Retirement Board, regarding the proposed Cost of Living Allowance (COLA) increase;
- Karl Allen, Department of Housing and Community Development, regarding the proposed contract with the USWA and the Transit Community Overlay District.

The Public Speaking portion closed at 7:10 PM.

APPROVAL OF MINUTES:

ID#: 24M09 - The Minutes of the City Council Regular Meeting dated November 20th, 2023 were approved at the request of Councilor Brown under suspension.

COMMUNICATIONS FROM THE CITY MANAGER:

ID#: 24CM33 – The following communication from City Manager Ned Keefe was read. A motion to accept and file the communication unanimously under suspension was made by Councilor Hatleberg and was approved without objection.

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

Re: Approval for Department to Pay Prior-Year Expenses

Dear Councilors:

I am writing to request approval for the Fire Department to make payments of prior year expenses from its FY24 budget.

From time to time, municipal agencies are unable to effectuate payments to a vendor in the year that the goods or services are provided. When such instances occur, the City Council must approve the payments from the current year department budget for the prior year's obligations. Currently, as part of our fiscal year close, we have identified several outstanding prior year Fire Department obligations that total \$12,749.60.

The City has an obligation to cover the mileage costs accrued for the Massachusetts Firefighting Academy (MFA) training provided to the Fire Department's new hires. Upon their hire date, the recruits attended a 10-week training program during which the mileage costs accumulated. The new hires were not reimbursed due to an oversight in 2019 which was then prolonged due to the pandemic. Therefore, reimbursements must be issued out to the eighteen firefighters hired since July 2019. A breakdown of the costs accrued is attached by fiscal year.

The Fire Department has sufficient funds to meet the outstanding obligation. No new funds are required. The only action necessary is Council approval to make the payments. A copy of the recommended Order is also attached.

Sincerely,
Edward Keefe
City Manager

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ID#: 24CM34 – The following communication from City Manager Ned Keefe was read. A motion to accept and file unanimously under suspension was made by Councilor Hatleberg and was approved without objection.

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

Re: *Request for Transfers for Fire Vehicle Acquisition*

Dear Councilors:

I am writing with a request to transfer capital funds in the Fire Department to allow for the reallocation of funds from the M-1 staff vehicle to an additional H-1 staff vehicle. This request does not require any new funding.

You may recall that, last fiscal year, within the FY24 Capital Improvement Plan, the City Council approved \$68,500 from the General Fund for the purpose of acquiring a new M-1 Mobile Repair Vehicle. Unfortunately, following completion of the procurement process, the purchase price for the truck is significantly more due to general inflationary and product increases in the auto industry.

We do have sufficient funding to authorize the purchase of a H-1 Staff Training and Safety Division Vehicle that is scheduled for replacement next year. All that is required from the City Council is the reassignment of the FY24 M-1 Mobile Repair Vehicle to the H-1 Training and Safety Division Vehicle. The M-1 Vehicle will be deferred to the FY25CIP in the new amount required.

For the above reasons, I respectfully ask that the City Council authorize the \$68,500 allocated in the capital General fund to the H-1 Training and Safety Division Vehicle. A draft of the necessary Order to accomplish this transfer is attached.

Sincerely,
Edward Keefe
City Manager

ID#: 24CM35 – The following communication from City Manager Ned Keefe was read. A motion to move to a Second Reading was made by Councilor Vidot and was approved without objection.

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

Re: *Appointments to Boards and Commissions*

Dear Councilors:

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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 Historical Commission, Mr. Matt Frank, 45 Jones Avenue, Apt. E32, Chelsea, for a new three-year term expiring on October 19, 2026.

For re-appointment to the Planning Board, Ms. Sharlene McLean, 100 Broadway, Apt. 3, Chelsea, for a new three-year term expiring on October 6, 2026.

For re-appointment to the Zoning Board of Appeals, Mr. Hugo Perdomo, 584 Washington Avenue, Apt 3, Chelsea for a new three-year term expiring on June 30, 2026.

All appointees have expressed an interest in continuing their involvement with their respective Boards and Commissions. I respectfully request your approval of these appointments

Sincerely,
Edward Keefe
City Manager

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ID#: 24CM36 – The following communication from City Manager Ned Keefe was read, a motion to accept and file unanimously under suspension was made by Councilor Vidotto and was approved without objection.

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

Re: Request for Funds for City Manager's Staff

Dear Councilors:

As the City plans for the transition to the new City Manager on January 1st, I am writing to request funding for the Executive Office staffing plan outlined in the communication dated November 21, 2023 from Fidel Maltez to the City Council.

The referenced communication (attached) contemplates the reorganization of the City Manager's Office that will among other things expand the staff from 3 positions to 5 positions. In order to proceed with this effort, I am asking the City Council to authorize these new positions and provide funds sufficient to ensure that the new City Manager may negotiate final salary packages with the successful candidates.

The new staff proposal will create a Deputy City Manager – Operations, Deputy City Manager – Finance, and a Director of Constituent Services. The new Exempt positions will be paid at Grade MM11 and Grade MM9, respectively, on the Exempt Pay Scale. The Communication and Community Outreach Manager position will be retained at the current MM6 scale; but the Deputy City Manager position will be replaced with the above new Deputy positions.

This supplemental salary request of \$140,000 contemplates funding these new positions for six months ending June 30, 2024 (the FY'24 Fiscal Year) after which they will be incorporated into the FY'25 City Budget. The supplemental request includes the assumed Exempt salaries for the new positions, and is adjusted by the excess salary funds not used during the vacancy of the Deputy City Manager's position in the 1st half of this year, the new higher City Manager's salary, contingencies for salary negotiations for the new positions, and contractual benefit payments for the outgoing City Manager.

A draft Order for funding is attached for your consideration.

Sincerely,
Edward Keefe
City Manager

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ID#: 24CM37 – The following communication from City Manager Ned Keefe was read. A motion to accept and file unanimously under suspension was made by Councilor Hatleberg and was approved without objection.

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

Re: Marginal Street Sidewalk Emergency Stabilization Appropriation from General Stabilization Fund

Dear Councilors:

I am writing to request a in the amount of \$150,000 for emergency work to be performed to stabilize the eroding shoreline that is undermining the sidewalk alongside Marginal Street.

The degraded condition has recently come to the attention of the City and upon notice, the Department of Public Works undertook to assess the situation and develop a scope of work to remedy the condition, on a temporary basis. More study is required to address this erosion alongside the bulkhead on a permanent basis.

The request to rescind and adopt a new appropriation order in its place will remedy a drafting error and accomplish the intended purpose to send the funds to the appropriate expense line.

This project is ready to commence, in January, on an emergency basis.

A draft of the proposed amended Order is attached for your convenience.

Sincerely,
Edward Keefe
City Manager

COMMUNICATIONS AND PETITIONS TO THE COUNCIL:

ID#: 24C14 – A copy of a communication was received from Director of Permitting and Land Use Planning John DePriest regarding Zoning Amendment, Chapter 34, Article XII, Section 34-158 (c)(2) – Marijuana Retailers. A motion to accept and file the communication unanimously under suspension was made by Councilor Hatleberg and was approved without objection. A Public Hearing has been scheduled for December 18th.

ID#: 24C15 – A copy of a communication was received from Director of Permitting and Land Use Planning John DePriest regarding Zoning Amendment, Indoor Commercial Recreation. A motion to accept and file the communication unanimously under suspension was made by Councilor Hatleberg and was approved without objection. A Public Hearing has been scheduled for December 18th.

ID#: 24C16 – A copy of a communication was received from Director of Permitting and Land Use Planning John DePriest regarding Zoning Amendment, Transit Community Overlay District. A motion to accept and file the communication unanimously under suspension was made by Councilor Taylor and was approved without objection. A Public Hearing has been scheduled for December 18th.

SECOND READINGS:

ID#: 24CM28 - The following communication from City Manager Ned Keefe was read for the Second Time.

RESULT	10-0-1-0 (Appointments approved by Roll Call at request of Councilor Brown)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

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

Re: *Re-Appointments to Board of Library Trustees*

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend for re-appointment to the Board of Library Trustees, Ms. Alexandria Christmas, 67 Cook Avenue, Chelsea, for a new three-year term expiring on March 12, 2026.

I am also recommending for re-appointment to the Board of Library Trustees, Ms. Monica Elias, 44 Prospect Avenue, Chelsea, for a new three-year term expiring on September 24, 2026

Both Ms. Christmas and Ms. Elias have expressed interest in continuing their involvement with the Board of Library Trustees.

I respectfully request your approval of these appointments.

Sincerely,
Edward Keefe
City Manager

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ID#: 24F14 - The following Order introduced by Council President Robinson was read for the Second Time.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

Ordered, that pursuant to Section 4-3(I) of the Charter of the City of Chelsea, the Chelsea City Council approves the cost items set forth in the collective bargaining agreement negotiated with USWA Local 9427, memorialized in the Memorandum of Agreement for Fiscal Years 2024-2026 ratified on November 1, 2023.

ID#: 24F15 - The following Order introduced by Council President Robinson was read for the Second Time.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

Ordered, that, to fund the collective bargaining agreement negotiated with the USWA Local 9427 for Fiscal Year 2024, the Chelsea City Council authorizes the transfer of \$175,858.00 from the Salary Reserve Account #0199959-598000 to the FY2024 Regular Salaries Account

#510200 to fund the FY2024 Contract Wage Increases, such payments to be allocated by Department in the following manner:

<u>Department</u>	<u>Dept #</u>	<u>Amount</u>
Auditing	135	8,887.00
Purchasing	138	7,175.00
Assessing	141	3,078.00
Treasury	145	4,237.00
IT/MIS	155	11,888.00
Central Billing	159	2,337.00
City Clerk	161	10,526.00
Licensing	165	3,045.00
H&CD	180	34,465.00
Police	210	11,057.00
E911	230	3,679.00
Parking	293	2,499.00
DPW Admin	421	12,998.00
DPW S&S	422	6,131.00
DPW B&G	470	5,982.00
DPW WSD	471	12,002.00
HHS Health	511	8,989.00
HHS Elder Affairs	541	10,460.00
HHS Veterans Svcs	543	3,045.00
Library	610	3,471.00
HHS Rec/Cultural	630	9,907.00

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NEW BUSINESS:

ID#: 2443 – The following Order was introduced by Councilor Vidot. A motion to adopt unanimously under suspension was made by Councilor Vidot and was approved without objection.

Ordered, that the City Manager instruct the Director of Emergency Management to report to the City Council as to the status of the City’s emergency evacuation plan by the next regularly scheduled City Council Meeting.

ID#: 2444 – The following Order was introduced by Councilor Vidot. A motion to adopt unanimously under suspension was made by Councilor Vidot and was approved without objection.

Ordered, that, in light of upcoming holiday celebrations, the City Manager direct relevant City Departments to include Eid symbolism (crescent moon and stars) to represent the members of our Muslim Community.

ID#: 24F16 – The following Order was introduced by Council President Robinson and all members of the City Council.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

Ordered, that the Chelsea City Council adopt the Minimum Residential Tax factor for the Fiscal Year 2024, with a 1.75 commercial, industrial and personal property (CIP) shift factor.

ID#: 24F17 – The following Order was introduced by Council President Robinson and all members of the City Council.

RESULT	(Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

Ordered, that the Chelsea City Council adopt a 35% Residential Exemption for the Fiscal Year 2024.

ID#: 24F18 – The following Order was introduced by Council President Robinson.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

Ordered, that in accordance with M.G.L Ch. 44, Section 64 budget management procedures, whereby costs incurred in FY20, FY22, and FY23 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY24 budget as noted, that the City Council authorize the following expenditures to satisfy the unpaid balances that total \$12,749.60 from prior years as follows:

<u>Year</u>	<u>Dept</u>	<u>Amount</u>	<u>Vendors</u>	<u>Purpose</u>
FY23	Fire	\$3,788.80	Six Firefighters	mileage compensation

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FY22	Fire	\$5,550.00	Eight Firefighters	mileage compensation
FY20	Fire	\$3,410.80	Four Firefighters	mileage compensation

ID#: 24F19 – The following Order was introduced by Council President Robinson. A motion to move to a Second Reading was made by Councilor Hatleberg and was approved without objection.

Ordered, that the Chelsea City Council authorizes the transfer of \$68,500.00, representing the deferred project appropriated under General Fund in the FY2024 Capital Improvement Plan for Fire Department M1 Mobile Repair Vehicle - 0122058-584000 Account Series, to a new FY2024 CIP project, Fire Department H1 Training and Safety Division Vehicle - 0122058-584000 Account Series.

ID#: 2445 – The following Order was introduced by Councilor Vidot.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Vidot)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

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Ordered, that the Chelsea City Council adopt the Legislative Code as attached.

ID#: 2446 – The following Order was introduced by Councilor Recupero. A motion to adopt unanimously under suspension was made by Councilor Recupero and was approved without objection.

Ordered, that the City Manager provide to each City Councilor a list of the direct contact numbers for municipal Department heads.

ID#: 2447 – The following Order was introduced by Councilor Recupero. A motion to adopt unanimously under suspension was made by Councilor Recupero and was approved without objection.

Ordered, that the City Manager direct relevant Departments to replace recently installed 988 Suicide and Crisis Lifeline signs with signs in both English and Spanish, as the existing signs are only in Spanish.

ID#: 2448 – The following Order was introduced by Council President Robinson. A motion to adopt unanimously under suspension and refer to the Sub-Committee on Conference was made by Councilor Hatleberg and was approved without objection.

Ordered, that the City Manager provide an update to the City Council as to the status of the Forbes Development Project and how much it has cost the City so far.

ID#: 2449 – The following Order was introduced by Council President Robinson. A motion to adopt unanimously under suspension and refer to the Sub-Committee on Inter-Governmental Affairs was made by Councilor Hatleberg and was approved without objection.

Ordered, that the Chelsea City Council request a meeting with the City's delegation to Massachusetts General Court regarding the proposed Soccer Stadium at Encore Boston Harbor and what benefits the project would bring to Chelsea.

ID#: 2450 – The following Order was introduced by Councilor Lopez. A motion to adopt unanimously under suspension was made by Councilor Lopez and was approved without objection.

Ordered, that the City Manager instruct the Department of Public Works Commissioner to raise the brightness of all streetlights on Maverick Street, from Shurtleff Street to Lynn Street Extension.

ID#: 2451 – The following Order was introduced by Councilors Lopez and Recuperero. A motion to adopt unanimously under suspension was made by Councilor Lopez and was approved without objection.

Ordered, that the City Manager and all relevant Department heads provide the City Council an update from Cataldo Ambulance as to their response times to calls for service in Chelsea.

ID#: 24F20 – The following Order was introduced by Council President Robinson. A motion to move to a Second Reading and refer to Sub-Committee on Conference was made by Councilor Hatleberg was approved without objection.

Ordered, that the Chelsea City Council authorize the appropriation of \$140,000 from the General Stabilization Fund #7020 to the City Manager's Salary expense line to establish two additional staff positions for a total of five staff for the FY24.

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ID#: 24F21 – The following Order was introduced by Council President Robinson. A motion to move to a Second Reading was made by Councilor Hatleberg and was approved without objection.

Ordered, that the Chelsea City Council authorize the appropriation of \$150,000 from the General Stabilization Fund #7020 to a new FY24 CIP project Account (Fund 5540 ser#) for Marginal Street Sidewalk.

ID#: 2452 – The following Order was introduced by Council President Robinson. Councilor Hatleberg made a motion to adopt by Roll Call Vote. Councilor Recuperero moved to Refer to the Sub-Committee on Conference. The motion was defeated 2-8-1-0. The original Order was adopted by Roll Call Vote.

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RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recuperero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

RESULT	2-8-1-0 (G.R. - Motion to Refer to Conference, Rejected)
YES	Lopez, Recuperero
NO	Brown, J. Garcia, Robinson, Vidot, De Jesus, Hatleberg, Vega and Taylor
ABSENT	T. Garcia
PRESENT	

Ordered, that in accordance with Section 2-6 of the Charter of the City of Chelsea, the City Council waives the remainder of the twelve (12) month probationary period and appoints Clifford Cunningham as Clerk to the Chelsea City Council for a period of five (5) years at the pay grade of MM7, Step 1 (\$75,197.65) with the duties and responsibilities as described in the updated job summary.

ID#: 2453 – The following Order was introduced by Council President Robinson. A motion to Amend the Order to include “Be it further Ordered, that the Chelsea City Council adopts the increase of the base COLA from \$12,000 to \$15,000 for retirees under the Chelsea Retirement System effective July 1, 2024 pursuant to Mass. General Laws Chapter 32, Section 103(j) and move to a Second Reading were made by Councilor Hatleberg and were approved without objection.

Ordered, that the Chelsea City Council accepts Massachusetts General Laws Chapter 32, Section 20A indemnifying members of the Chelsea Retirement Board.

ID#: 2454 – The following Order was introduced by Council President Robinson and received late. Councilor Hatleberg made a motion to accept the late order and there were no objections.

RESULT	10-0-1-0 (Order approved by Roll Call at request of Councilor Hatleberg)
YES	Brown, J. Garcia, Lopez, Robinson, Recupero, Vidot De Jesus, Hatleberg, Vega and Taylor
NO	
ABSENT	T. Garcia
PRESENT	

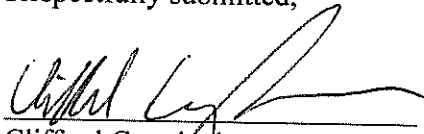
Ordered, that in accordance with Section 2-6 of the Charter of the City of Chelsea, the Chelsea City Council hires Jessica Carmenatty as a part-time temporary consultant to the City Council; and

Be it Further Ordered, that the position will involve training the Legislative Aide/Administrative Assistant upon their hire by the City Council; and

Be it Further Ordered, that compensation for the part-time consultant position will be \$50.00 per hour for a period not to exceed twenty (20) total hours, and will not be eligible for benefits.

The meeting adjourned at 8:18 PM.

Respectfully submitted,


Clifford Cunningham
Clerk, Chelsea City Council

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