

C/B

ACCEPTED AND FILED

Chelsea, Massachusetts May 22nd, 2023

A regular meeting of the Chelsea City Council was held on May 22nd 2023. The meeting was held at Chelsea City Hall, 500 Broadway, Chelsea, Massachusetts 02150. The following members of the Council were present: Councilors Brown, J. Garcia, T. Garcia, Lopez, Robinson, Recupero, Vidot, De Jesus, Hatleberg, Vega, and Taylor. The meeting opened at 7:01 PM.

SUSPENSION

Memoriums and Celebratory Resolutions

ID#: 23R22 – The following Resolution was introduced by Council President Robinson and all members of the City Council. A motion to adopt unanimously under suspension was made by Councilor Vidot and was adopted.

**RESOLUTION
LGBTQ+ Pride Month**

WHEREAS, Members of the LGBTQ+ community in the City of Chelsea – and across the nation – have made, and continue to make, vital contributions to our society in every aspect, including in the fields of business, economic development, education, government, healthcare, film, law, music, science and technology, and sports; and

WHEREAS, From the demonstrations that followed a law enforcement raid on the Stonewall Inn in New York City on June 28, 1969 through the present, the LGBTQ+ community has achieved significant milestones to ensure future generations will live in a more equal and just society; and

WHEREAS, Members of the LGBTQ+ community continue to face disparities in education, employment, healthcare, housing, and many other areas central to the pursuit of happiness in the United States; and

WHEREAS, LGBTQ+ youth – especially those of color – are at an increased risk of suicide; homelessness; becoming victims of bullying, violence and human trafficking; and developing mental health issues, including anxiety and depression; and

WHEREAS, In February 2021, the Centers for Disease Control and Prevention (CDC) issued a report confirming the Covid-19 pandemic’s disproportionate impact on the LGBTQ+ community; and

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CITY OF CHELSEA, MA

WHEREAS, The persistent failure of Federal and State officials to collect full and accurate data on sexual orientation and gender identity causes tremendous harm to the LGBTQ+ community, leaving many invisible to the federal and state agencies entrusted with ensuring their health, safety, and well-being; and

WHEREAS, Despite facing discrimination, inequality and overt acts of violence, members of the LGBTQ+ community continue to celebrate their identities and contributions to the United States; and

WHEREAS, While we celebrate Pride in our LGBTQ+ community's existence, resilience, and achievements to date, we must include a commitment to furthering equity and acknowledge the work that still lies ahead; and

WHEREAS, The Chelsea LGBTQ+ Coalition plans to hold its 7th annual Pride flag-raising ceremony on Saturday, June 3rd, 2023, at 2:00 PM in Chelsea Square;

NOW THEREFORE BE IT RESOLVED, that the Chelsea City Council celebrates recognized June 2023 as "LGBTQ+ Pride Month" in the City of Chelsea and encourages all government agencies, public and private institutions, businesses and individuals to take measures to support and affirm the rights, freedoms, dignity, equal treatment, health and safety of those in the LGBTQ+ community.

ID#: 23R23 – The following Resolution was introduced by Council President Robinson and all members of the City Council. A motion to adopt unanimously under suspension was made by Councilor Lopez and was adopted.

RESOLUTION

Arbor Day

WHEREAS, On April 22, 2023, the City of Chelsea partnered with GreenRoots, the Tree Board, and other community leaders to officially commemorate Arbor Day, an annual celebration highlighting the importance of trees and tree canopy cover; and

WHEREAS, As part of this Annual Celebration, residents from Chelsea came together to plant dozens of street trees on Congress Avenue, Eden Street and Addison Street; and

WHEREAS, Springtime and Fall tree planting has become a regular activity that the whole community looks forward to; and

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WHEREAS, These annual events help to ensure that the City of Chelsea maintains its status as a Tree City USA; and

WHEREAS, Being a Tree City USA gives Chelsea the benefit of having more resources to further enhance the quantity and quality of trees in Chelsea; and

WHEREAS, The Tree City USA awards are given by The National Arbor Day Foundation, in cooperation with the National Association of State Foresters and the USDA Forest Service, to recognize environmental improvement and encourage higher levels of tree care throughout America;

NOW THEREFORE BE IT RESOLVED, that the Chelsea City Council would like to recognize the efforts of the Department of Public Works, the Tree Board, GreenRoots and the community for their work towards improving Chelsea's environment via the planting of 50 street trees leading up to and on Arbor Day with many more planned throughout 2023, for continuing to secure Tree City USA status; and for having a successful 2023 Arbor Day Celebration.

Public Speaking:

The public speaking portion opened at 7:14 PM

No members of the public spoke.

The public speaking portion closed at 7:14 PM.

Approval of Minutes:

ID#: 23M20 - The minutes of the City Council meeting dated May 8th, 2023 were approved at the request of Councilor Brown under suspension.

Communications from the City Manager:

ID#: 23CM59 – The following communication from Acting City Manager Ned Keefe was read. A motion to accept and file the communication unanimously under suspension was made by Councilor Vidot and was adopted.

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

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Re: Request for Approval of Union Contract with SEIU

Dear Councilors:

Pursuant to Section 4-1(I) of the Chelsea City Charter, I am writing to request City Council approval for the cost items of the new collective bargaining agreement negotiated with SEIU covering the period July 1, 2023 through June 30, 2026. A copy of the Memorandum of Agreement is attached.

The Memorandum of Agreement outlines the changes to the contract terms. The most significant part of this negotiation for the City was a new benefit for maternity leave, which the City Council requested in the Spring, and a new pay benefit for entry level Grade 4 and Grade 5 employees who remain in their position for a three year period, and a change in Grade scale from Grade 11 to Grade 12 for Building Inspectors for competitive retention.

The major cost items of this particular Agreement are the annual raises. The base pay for employees in FY24 is 3% with some receiving the above referenced adjustments. In the two remaining years, all employees will receive the same increase – 4.00% in FY25 and 4.00% in FY26. The total cost of all the wage increase over the three years of the contract is approximately \$416,000.

I respectfully ask that the City Council approve the cost items of this contract. The FY24 increase factored into the upcoming budget, so no budget transfer is needed.

Copies of the proposed Order to effectuate this transfer are attached.

Sincerely,
Ned Keefe
Acting City Manager

ID#: 23CM60 – The following communication from Acting City Manager Ned Keefe was read. A motion to accept and file the communication unanimously under suspension was made by Councilor Vidot and was adopted.

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

Re: Chelsea MicroGrid Project: Phase 1

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Dear Councilors:

I am writing to request that the City Council approve the execution of an energy services agreement (ESA) with Ameresco, Inc in accordance with M.G.L. c. 25A, and authorize the lease purchase finance agreement for the borrowing of funds pursuant to M.G.L. 44, Section 21C in the amount of \$3,615,699.00 to implement the Chelsea MicroGrid Project: Phase 1.

The project seeks to provide emergency power to ensure continuity of public services, while promoting energy resilience and reducing greenhouse gas emissions through new energy (battery) storage facilities at City Hall and the Police Station, coupled with solar panels on the DPW City Yard.

Background

The microgrid project has been in discussion for more than 5 years, particularly since the advent of Hurricane Maria in Puerto Rico in September, 2017. The goals of the project are to increase energy resilience, provide clean back-up energy to power critical City operations during outages, reduce emissions, and empower residents to guide the adoption of clean energy technologies. Alongside community partners, grant funding was secured to conduct a feasibility study to implement a cloud-based microgrid project in June 2020, where it demonstrated that a project of this nature would be possible and beneficial. The microgrid team moved forward and secured \$966,500 in grant funding from the Municipal Vulnerability Preparedness program, Green Communities Program, and the Metropolitan Area Planning Council to design and install Phase 1 of the Project.

Project Description + Requested Action

The City competitively procured an energy services contractor, Ameresco, to design, construct and maintain the project. Phase 1 comprises battery energy storage systems at City Hall/E911 Emergency Communications Center (500 Broadway) and Chelsea Police Department (19 Park Street), which will collectively provide back-up power for essential government services. Moreover, Phase 1 will entail the installation of solar panels atop the DPW City Yard (380 Beacham Street). The batteries at City Hall/E911 and Police Department will be providing electricity to facilities in the event a power outage occurs for at least 4 hours, and have the capacity to participate in incentive programs to aid the local electric grid, while generating revenue for the City.

As this project is being carried out under M.G.L. c. 25A, a state statute governing the procurement and implementation of clean energy projects, the state requires a rigid process to implement the project. First, the contractor, Ameresco, conducted an Investment Grade Audit of City facilities to assess energy efficiency opportunities, produce cost estimates, and set forth recommendations. In order to implement the project, the City must enter into an Energy Services Agreement, as opposed to a typical contract, which is subject to approval by the City Council

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and the MA Division of Energy Resources. A copy of the proposed Energy Services Agreement is attached for your reference.

As customary for energy projects, municipalities will frequently design projects that recoup the initial investment through cost savings achieved through the energy efficiency upgrades. Generally, municipalities will borrow funds to finance construction, with revenue generated from the project set aside to pay the annual debt service payments. According to the final budget, the total project cost is \$4,647,759.00. After grant funds are utilized, there is a total funding need of \$3,615,699.00. Borrowing through a Tax-Exempt Lease/Purchase (TELP) agreement is proposed to finance the remaining \$3,615,699.00 in implementation costs. This financing would be repaid over a 15-year period. Notably, the project will generate sufficient revenue to cover the costs of repayment, culminating with a surplus of approximately \$1 million from energy cost savings over the 20 year life of the project.

Project Next Steps

Once City Council approves the execution of the contract and borrowing, a notification of City Council approval will be provided to DOER. Once DOER provides its approval, the contract may be signed, and a purchase order will be produced to order the batteries, solar PV, and related components. The microgrid team expects to receive approval interconnection services agreements (ISA) from Eversource for the batteries before installation of the equipment. Construction for the project is expected to commence in Fall of 2023, with an estimated commercial operation date of Spring 2024.

I respectfully request that City Council approve the following orders to undertake this important project.

- i.) Execution of the energy services agreement (ESA) with Ameresco, Inc, and
- ii.) Authorize the lease purchase finance agreement with Bank of America pursuant to Mass. General Law =s c.44, Section 21C, and
- iii.) Appropriate the sum of \$249,855.89 for the payments required in the first year of the lease purchase finance agreement.

My staff and I are available to meet with you in subcommittee to provide a presentation of the project and answer any questions.

Sincerely,
Ned Keefe
Acting City Manager

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Communications and Petitions to the Council:

ID#: 23C30 – A copy of a communication was received from the Traffic and Parking Commission regarding the agenda items approved at the January 3, 2023 T&P Commission Meeting. A motion to accept and file the communication unanimously under suspension was made by Councilor Hatleberg and was adopted.

ID#: 23C31 – A copy of a communication was received from Sam Lambert of the Sierra Club of Massachusetts regarding the FERC Winter Gas-Electric Forum. A motion to accept and file the communication unanimously under suspension was made by Councilor Vidot and was adopted.

Unfinished Business:

ID#: 23C30 - The following Order was introduced by Council President Robinson. Councilor Brown moved to adopt by roll call vote. The order passed 11-0-0. Voting “Yes” were Councilors Brown, J. Garcia, T. Garcia, Lopez, Robinson, Recupero, Vidot, De Jesus, Hatleberg, Vega and Taylor.

**Community Improvement Trust Fund Zoning S. 34-111
Amend to Delete**

WHEREAS, It is the express purpose of municipal zoning to promote the health, safety, and general welfare of the inhabitants of the City of Chelsea; and

WHEREAS, A specific objective of the City of Chelsea’s Zoning Ordinance states the need to facilitate the adequate provision of transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public and to encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City of Chelsea wishes to modify its zoning rules to properly regulate community impact of development in the City, and,

WHEREAS, The Section 34-111 - Community Improvement Trust Fund, is now outdated and unnecessary with the adoption of the City’s new linkage ordinance and legislative approval creating the new Community Impact Linkage Fee Fund.

NOW, THEREFORE BE IT ORDAINED, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

AN ORDINANCE REVISING PART II CHAPTER 34, ARTICLE V OF THE CHELSEA CODE OF ORDINANCES TO ZONING PROVISIONS Be Amended as follows:

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Section 34-111 Community Improvement Trust Fund be deleted. And Section 34-112 Waterfront improvement trust fund now be numbered as Section 34-111. And Sections 34-112 – 34-133 be reserved.

Second Readings:

The following Orders were introduced by Council President Robinson and read for the second time. Councilor Hatleberg moved to consolidate and adopt all by a roll call vote. There were no objections, and the orders passed 11-0-0. Voting “Yes” were Councilors Brown, J. Garcia, T. Garcia, Lopez, Robinson, Recuperero, Vidot, De Jesus, Hatleberg, Vega and Taylor.

ID#: 23F29 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of \$176,000 from Free Cash to the Bunker Hill Community College Scholarship Expense Account #7400-57808 to provide tuition funding for Chelsea High School graduates.

ID#: 23F30 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$100,000.00 from Free Cash to the FY23 City Manager Community Events Expense Account #0112352-571700 for the Chelsea 400th anniversary celebration events.

ID#: 23F31 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of \$11,000 in Free Cash to the FY23 Legislative Professional Services Expense Account #0111052-530000 for audit services.

ID#: 23F32 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of funds in the amount of \$50,000.00 from Free Cash to a new FY23 CIP Project Account, Fund #5540 series for the Mill Creek Riverwork Project – appraisal and legal services work.

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ID#: 23F33 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$200,000.00 from Free Cash to the FY23 CIP Historical Staircase Rehabilitation Project Professional & Technical Account #55402314-530000 for improvements to staircases and greenspaces adjacent to Powderhorn Hill and Upper Broadway.

ID#: 23F34 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of funds in the amount of \$130,000.00 from Free Cash to the FY23 CIP Public Building Renovation Project Building Improvements Account #55402304-583000 for new windows in the City Council Chambers.

ID#: 23F35 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of \$50,000 in Free Cash to the FY23 CIP DPW Structures and Grounds Building Maintenance Account #0147052-524100.

ID#: 23F36 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$35,000 in Free Cash to the FY23 DPW Structures and Grounds Lighting Account #0147052-521200.

ID#: 23F37 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$10,000 in Free Cash to the FY23 DPW Structures and Grounds Overtime Account #0147051-510400.

ID#: 23F38 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of \$60,000 in Free Cash to the FY23 DPW Streets and Sidewalks Overtime Account #0142251-510400.

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ID#: 23F39 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorize the appropriation of \$50,000 in Sewer Retained Earnings to the FY23 DPW Sewer Enterprise Infrastructure Account #600058-584500 for an emergency sewer collapse repair project on Broadway.

ID#: 23F40 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$265,000.00 in Free Cash to the FY23 Law Department legal Services Account #0115152-530100.

ID#: 23F41– The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$92,000 in Free Cash to the FY23 Employee Benefits – Unemployment Account #0191051-517700.

ID#: 23F42 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$19,250 in Free Cash to the FY23 City Clerk Accounts for redistricting as follows:

- Postage #0116152-522300 \$12,000
- Data Processing #0116152-530300 \$4,250
- Printing #0116152-522200 \$3,000

ID#: 23F43 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$61,000.00 in Free Cash to the FY23 IT Department for power outage equipment replacement and cybersecurity enhancements as follows:

- Computer Equipment #0115558-586500 \$31,000
- Contract Services #0115552-530600 \$30,000

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ID#: 23F44 – The following Order was introduced by Council President Robinson and read for the second time.

Ordered, that the Chelsea City Council authorizes the appropriation of \$55,000 in Free Cash to the FY23 DPW Solid Waste Trash Pickup/Disposal Account #0143052-524600 for the curbside mattress collection and recycling program.

ID#: 23F45 – The following Order was introduced by Council President Robinson and read for the second time.

Clark Avenue Middle School
School Surplus Balance and Transfer

Whereas, the Chelsea City Council approved funding of \$57,332,407.00 for the Clark Avenue Middle School Reconstruction Project on November 24, 2014; and

Whereas, the Chelsea City Council approved additional consulting and appraisal services appropriations of \$302,500.00 for the Clark Avenue Middle School Reconstruction project on October 5, 2015, of which \$79,125.00 remains unexpended; and

Whereas, the Chelsea Clark Avenue Middle School Reconstruction project is complete and all Final Project Closeout Reports have been filed with and approved by the Massachusetts School Building Authority (Project Number 200800570050) for a total final project cost submitted of \$56,529,102.00; and

Whereas, the Chelsea Clark Avenue Middle School Reconstruction project has total final revenues of \$59,711,468.51; and

Whereas, the Clark Avenue Middle School Reconstruction Project Fund Number 5533 has remaining surplus funds in the amount of \$2,958,991.51 after this project is completed;

Therefore, it is Ordered:

By this vote, the Chelsea City Council approves the transfer of surplus funds from Clark Avenue Middle School Fund #5533 to the School Capital Stabilization Fund #7024 in the amount of \$2,958,991.51

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New Business:

ID#: 2381 – The following Order was introduced by Councilor DeJesus. A motion to adopt unanimously under suspension, and refer to the Traffic and Parking Commission, was made by Councilor De Jesus and was adopted.

Ordered, requesting the Traffic and Parking Commission make Clark Avenue a one-way street between Webster Avenue and Cabot Street, along with adding a crosswalk in front of 260 Clark Avenue to improve pedestrian safety.

ID#: 2382 – The following Order was introduced by Councilor Brown. A motion to adopt unanimously under suspension was made by Councilor Brown and was adopted.

Ordered, requesting the Acting Manager engage in a conversation with the Massachusetts Gaming Commission on the planned significant expansion of the Encore casino, and report back to the City Council on what effects it will have on the City of Chelsea.

ID#: 2383 – The following Order was introduced by Councilor Recuperero. A motion to adopt unanimously under suspension was made by Councilor Recuperero and was adopted.

Ordered, that a Sub-Committee on Conference be held with the Acting City Manager to give an update on how much affordable housing there is in the City of Chelsea and how many Chelsea residents are actually receiving affordable housing.

ID#: 2384 – The following Order was introduced by Council President Robinson. A motion to refer to Sub-Committee on Conference was made by Councilor Hatleberg and was adopted without objection.

Energy Management Services Agreement

WHEREAS, the City Administration, through the North Suffolk Office of Resilience and Sustainability, has procured and conducted an Investment Grade Audit through MGL c.25A §11i and 225 CMR 19.00 for the purposes of installing and operating battery energy storage systems, solar photovoltaics, and identifying further energy conservation measures; and

WHEREAS, the City's Investment Grade Audit of city-owned properties was performed by Ameresco Inc., and Ameresco, Inc. has identified the aforementioned measures to provide cost savings to the City; and,

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WHEREAS, the City Administration procured a Tax-Exempt Lease/Purchase Financing Proposal to finance such energy conservation measures through a Tax-Exempt Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp to realize such cost savings; and,

WHEREAS, the City Administration desires to enter into a Tax-Exempt Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp, or one of its affiliates, to finance such energy conservation measures for a period of 15 years, and said Tax-Exempt Lease/Purchase Financing Proposal has been shared with the City Council; and,

WHEREAS, the City Administration desires to enter into an Energy Services Management Agreement with Ameresco, Inc. to manage the installation of such energy conservation measures for a period of 20 years, and said agreement has been shared with the City Council;

NOW THEREFORE BE IT HEREBY ORDERED, that the City Council of the City of Chelsea authorizes the City Manager to enter into the Energy Management Services Agreement with Ameresco, Inc. for the duration of 20 years.

ID#: 23F46 – The following Order was introduced by Council President Robinson. A motion to adopt by roll call vote was made by Councilor Vidot. The order passed 11-0-0-0. Voting “Yes” were Councilors Brown, J. Garcia, T. Garcia, Lopez, Robinson, Recuperero, Vidot, De Jesus, Hatleberg, Vega and Taylor.

Ordered, that pursuant to Section 4-3(I) of the Chelsea City Charter, the Chelsea City Council approves the cost items set forth in the collective bargaining agreement negotiated with the SEIU Local 888, memorialized in the Memorandum of Agreement for Fiscal Years 2024-2026.

ID#: 23F47 – The following Order was introduced by Council President Robinson. A motion to refer to Sub-Committee on Conference was made by Councilor Hatleberg and was adopted without objection.

**EQUIPMENT LEASE/PURCHASE AGREEMENT
(THE “AGREEMENT”)**

WHEREAS, the City Council of the City of Chelsea, a duly organized and existing as a political subdivision, municipal corporation or similar public entity of the Commonwealth

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CITY MANAGER
W. J. GARCIA

of Massachusetts, is authorized by the laws of the Commonwealth to acquire, finance and lease personal property for the benefit of the City of Chelsea and its inhabitants and to enter into contracts with respect thereto;

WHEREAS, the City Council pursuant to Mass. General Laws c. 44, Section 21C, the City Manager recommends a lease purchase financing agreement for the acquisition of equipment that may be acquired through the issuance of debt under G.L. c. 44. Said equipment is for the improvement of the City's utility and energy services, a capital asset, and that the term of such agreement shall not to exceed 15 years; and,

WHEREAS, the City of Chelsea Administration desires to acquire, finance and lease certain equipment with a cost not to exceed \$ 3,615,699.00 constituting personal property necessary for the City to perform essential governmental functions; and,

WHEREAS, in order to acquire such Equipment, the City proposes to enter into that certain Equipment Lease/Purchase Agreement (the "*Agreement*") with Banc of America Public Capital Corp (or one of its affiliates) and the City Council has had the opportunity to review the Agreement; and,

WHEREAS, the City Council deems it for the benefit of the residents of the City of Chelsea and for the efficient and effective administration thereof to enter into the Agreement and the other documentation relating to the acquisition, financing and leasing of the Equipment to be therein described on the terms and conditions therein and herein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of Chelsea as follows:

It is hereby, found and determined that the terms of the Agreement, are in the best interests of the City of Chelsea for the acquisition, financing and leasing of the Equipment and that the form, terms and provisions of the Agreement are hereby approved in substantially the forms presented with such insertions, omissions and changes as shall be approved by the City Manager and/or the City Solicitor of the City of Chelsea;

It is hereby further ordered that the City of Chelsea, pursuant to General Laws Chapter 44, Section 21C, and upon the recommendation of the City Manager, authorizes the lease purchase financing agreements with the Banc of America, for the acquisition of equipment that may be acquired through the issuance of debt under G.L. c. 44 or improvement of a capital asset the improvement of which may be financed by the issuance of debt under G.L. c. 44, the term of such agreement not to exceed the useful life of the equipment or improvement as determined by the City Manager.

It is further hereby ordered, that the City Manager is hereby authorized and directed to execute, and the City Solicitor of the City of Chelsea is hereby authorized and directed to attest, the Agreement and any related Exhibits attached thereto and to deliver the Agreement (including such

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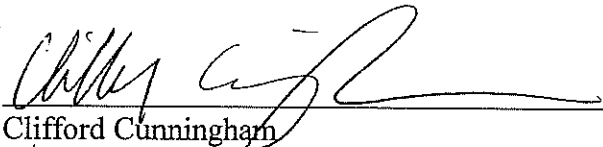
Exhibits) to the respective parties thereto, and the City Clerk of the City of Chelsea is hereby authorized to affix the seal of the City of Chelsea to such documents.

It is further ordered, that the City Administration shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby including the execution and delivery of a Final Acceptance Certificate, an Escrow Agreement, Disbursement Requests and any tax certificate and agreement, as contemplated in the Agreement and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

It is further ordered, that the City of Chelsea appropriate the sum of \$249,855.89 from Free Cash for the payments required in the first fiscal year of the lease purchase financing agreement authorized by the City under General Laws Chapter 44, Section 21C, for equipment acquisition to improve the City's utility and energy services.

The Meeting adjourned at 7:35 PM.

Respectfully submitted,



Clifford Cunningham
Clerk of the Chelsea City Council

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