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**SUSPENSION
ACCEPTED AND FILED**

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Chelsea, Massachusetts, January 25, 2016

A Regular meeting of the Chelsea City Council was held. The meeting was held at the Chelsea City Hall located at 500 Broadway Chelsea, Massachusetts 02150. The following Councilors were present: Councilors Frank, Vidot, Rodriguez, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson. Council President Cortell presided over the meeting. The meeting opened at 7:00 p.m.

Memoriums and celebratory resolutions:

The following Resolution was introduced by Councillor Robinson and all members of the Chelsea City Council. A motion from Councillor Robinson to accept and file was adopted under suspension.

RESOLUTION

WHEREAS, the late Reverend Dr. Martin Luther King, Jr. was a leader of great courage and skill who became known as a drum major of the American Civil Rights Movement to enfranchise black citizens; and

WHEREAS, Dr. King's life was tragically cut short by an assassin's bullet in April of 1968 in Memphis, Tennessee while he was there to champion the cause of underprivileged workers; and

WHEREAS, due to the efforts of many dedicated people who believe, Dr. King deserves national recognition, the third Monday in January is nationally recognized as a day to remember Dr. King, his legacy, and the causes for which he so gallantly fought and died; and

WHEREAS, Massachusetts had the privilege of Dr. King's presence when he lived and studied in Boston at Boston University School of Divinity, receiving his PHD. In 1953; and

WHEREAS, Dr. King's life will always shine as a light for those without hope and as an example to be emulated by all who care about their fellow human beings, regardless of race, religion, class or nationality; now therefore be it

RESOLVED, that the Chelsea City Council hereby recognizes January 18, 2016 as Reverend Dr. Martin Luther King, Jr. Day in the City of Chelsea and ask all citizens to reflect upon the significance of this extraordinary man's life.

The following Resolution was introduced by Councillor Robinson and all members of the Chelsea City Council. A motion from Councillor Robinson to accept and file was adopted under suspension.

RESOLUTION

WHEREAS, Carol Galatis will be enjoying her retirement with her many friends and colleagues at the Wyndham Hotel located in Chelsea, Massachusetts, on Friday, January 22, 2016, and

WHEREAS, Carol Galatis's career, working for the City of Chelsea, started as a teacher's aide 1985-1988, Treasurer Office Sr. Clerk 1988. A transfer to the Engineers Office in 1989 and then back to the Treasures Office/Central billing from 1998 to the present, now therefore be it

RESOLVED; that on behalf of the Citizens of Chelsea, we the members of the Chelsea City Council wish to extend to you, Carol Galatis, our gratitude for your service and our best wishes for a long, successful retirement.

Public speaking:

The public speaking portion of the meeting opened at 7:08 p.m.

The following came forward to speak:

Ms. Santagate, 321 Shurtleff Street, spoke about the recent inaugural and the success that it was.

The public speaking portion closed at 7:09 p.m.

The minutes of the City Council meetings dated December 14, 2015 and Special Meeting of January 4, 2016 were approved at the request of Councillor Frank under suspension.

Communications from City Manager:

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

Amendment to Administrative Code Pertaining to The Chelsea Council on Aging

WHEREAS, Pursuant to Section 6-1(a) of the City Charter, the City Manager has the authority to re-organize any city department or agency and to prescribe functions as the administrative procedures to be followed by all such agencies;

WHEREAS, The Chelsea Council on Aging has voted to recommend to the City Administration the reduction of the size of their Board from seventeen members to eleven.

NOW THEREFORE. I hereby promulgate this ADMINISTRATIVE ORDER amending Section 8 of Part II of the Administrative Code of the City of Chelsea as follows:

Revise Section 8.01 as follows:

8.01 Established. There shall be a council of elder affairs, consisting of 11 members of which at least 60 percent 60 percent of the membership shall be over the age of 60.

All other provisions in Section 8.00 shall remain the same.

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

The Honorable Chelsea City Council
Chelsea Council
500 Broadway
Chelsea, Massachusetts 20150

Re: New Floodplain Ordinance

Dear Councilors:

I am writing to request the Council's adoption of amendments to the City's Zoning Ordinance pertaining to the City's floodplain. The changes are mandated by recent revisions to the City's federal floodplain maps.

As many of you are aware, the Federal Emergency Management Agency (FEMA) recently updated the floodplain maps for all of Suffolk County to account for the increasing probability of major storms in the New England area. The revised maps originally showed a large increase in the event of the floodplain in Chelsea. The City appealed the revised maps. As a result of that appeal, we gained some minor concessions on the horizontal extent of the floodplain and secured a significant reduction in the Base Flood Elevation.

Following the appeal, FEMA finalized the maps for formal adoption by the City. The maps will become effective on March 16, 2016. As part of the acceptance of the new maps, the City must now make the appropriate changes to the floodplain section of the Zoning Ordinance. Adoption of the new maps will allow Chelsea property owners and businesses to remain eligible for lower cost Federal floodplain insurance.

Be advised that if the City does not adopt the revised maps and the corresponding zoning changes, the maps will still become effective as of March 16, 2016. However, in the absence of the required zoning changes, Chelsea residents and businesses will not be eligible to participate in the Federal floodplain insurance program. This will leave some Chelsea property owners without insurance and force those in the revised floodplain boundaries to find flood insurance on the private market, most likely at significantly higher rates. And, those property owners who now have Federal flood insurance will be dropped from coverage and lose their preferred rates. For this reason, I strongly urge that the City adopt the proposed zoning changes.

You should note that the proposed amendments actually make no substantive changes to the Zoning Ordinance. Rather, the proposed changes are technical in nature, merely substituting references to the newly revised maps and the most recent building code for outdated information, and simplifying the language regarding standards for subdivision in the floodplain. A list of the proposed changes is attached for your review.

The process for adoption of a zoning amendment starts and ends with the City Council. The specific steps are as follows. The City Council accepts this resolution and moves the matter to the Planning Board for a public hearing for its recommendation. A proposed order attached. After the Planning Board public hearing, the City Council holds its own public hearing and votes on the amendment after conclusion of that hearing. I propose the following schedule to ensure that the City is able to meet the March 16, deadline for adoption of the changes.

Monday, January 25, 2016 First Reading by the Council, forward the resolution to the Planning Board.

Tuesday February 23, 2016 Planning Board public hearing and recommendation.

Monday March 7, 2016 Council Public Hearing and vote.

John DePriest and I will be available to discuss any questions that the Council may have on this matter.

Thank you for your consideration.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. Councillor Frank moved the communication of Appointments to Boards and Commissions to a second reading under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150
Re: Appointments to Boards and Commissions

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend the following individuals to Boards and Commissions in the City.

For appointment to the Economic Development Board for a five year term expiring in 2021, Ms. Tatiana Bougdaeva, 823 Broadway, Chelsea.

For appointment to the Planning Board, for a three year term ending in 2019, Ms. Ashley N. Owens, 48 Chestnut Street, Unit 1, Chelsea.

For appointment to the Planning Board, Mr. Sishir Rao, MD, to fill the unexpired term of Mr. Dominic Pegnato ending on February 28, 2018. Mr. Pegnato has resigned. Please note that Dr. Rao owns a home at 148 Congress Ave. Chelsea and often works at MGH in Chelsea. However, Dr. Rao is currently residing outside the City while he completes his doctoral residency at MGH, Boston. Pursuant to Section 9-5 of the Charter, I ask that the City Council grant a residency waiver for Dr. Rao.

For appointment to the Planning Board, Mr. Christopher M. Falbo, 19 Medford Street, Chelsea, to fill the unexpired term of Ms. Nicole Spasiano ending on December 15, 2017. Ms. Spasiano has resigned.

For re-appointment to the Planning Board, for a new three year term expiring in 2019, Mr. William "Tuck" Willis, 88 Marginal Street, Chelsea.

For re-appointment to the Planning Board, for a new three year term expiring in 2019, Mr. Shuvam Bhaumik, 950 Broadway, Unit #11 Chelsea.

For appointment to the License Commission, for a three year term expiring 2019, Ms. Roseann T. Bongiovanni, 7 Bell Street, Chelsea.

I respectfully request your approval of these appointments. I have attached resumes for the new appointees.

Sincerely
Thomas G. Ambrosino
City Manager

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

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 20150

Re: Appropriation Request for PARC Grant
Dear Councilors:

I am writing to request approval of funding for the Mystic River Overlook Park project, the City's latest park project to be funded by a Massachusetts Parkland Acquisition and Renovation for Communities (PARC) grant.

Last year, the Council endorsed a PARC grant application to convert the currently vacant city property under the Tobin Bridge at Broadway and Commandant's Way into a park for passive and active recreation opportunities with walking paths, fitness area, historic interpretation, landscaping and lighting features. The City was awarded this grant. The PARC grant will reimburse the City 70% of the cost of the park project (design and construction), up to a maximum of \$400,000. The City is expected to complete the design of the park by June 30, 2016. Actual construction will begin sometime after July 1, 2016 and is required to be completed by June 1, 2017.

The PARC grant is a reimbursement grant. The City expends the funds for the project and then requests reimbursement from the Commonwealth. However, before the Commonwealth will execute the grant, the City is required to appropriate the full amount of the project cost.

The initial base budget for this Mystic River Overlook Park was set at \$570,000.00. Preliminary design and cost estimates have shown this budget is likely to be insufficient to attain the full benefits and outcomes hoped for from this project. The City's Planning & Development Office is currently doing additional design work and cost valuation efforts with the goal of arriving at an appropriate final design and budget shortly. Once that occurs, I will return to the Council for additional funding, probably in April or May. However, until then, and to meet the specific requirements of the grant, I ask that you approve and appropriate the base budget of \$570,000.

The source of base project funds is as follows:

Free cash request \$400,000.00 Placeholder to be reimbursed upon project completion
FY16 CIP Park Funds \$170,000.00 Appropriated Last Year for this purpose.
\$570,000.00 Total Base Budget.

Last fiscal year, as part of its Capital Improvement Plan for FY16 the City Council appropriated the City's initial share of \$170,000. That leaves a balance of \$400,000.00 in the original project budget which the City Council now needs to appropriate. I propose that this appropriation come from Free CASH. Upon completion of the project, the Commonwealth will reimburse the City for this \$400,000. As an appropriation order, this request for 4400,000 in Free Cash funding requires two readings and a majority vote of the Council.

For all the reasons set forth above, I respectfully request that the City Council appropriate \$400,000 in Free Cash for the PARC Grant. The specific Order for this request is attached. I will be available to answer any questions.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A communication was received from Deborah A. Clayman, City Clerk/PARKING Clerk regarding the following actions that were approved at the January 19, 2016 Traffic and Parking Commission Meeting. Councillor Frank moved to adopt the communication under suspension.

A late communication was received from Mark O'Connor President of the CPPOA, NEPBA-93 with regards to the proposed residency requirement ordinance. No objection to the late communication. A motion from Councillor Murphy to accept and file was adopted under suspension.

New Business:

The following order was introduced by Councillor Robinson and Councillor Cortell. A motion from Councillor Robinson moved the order to a second reading under suspension.

WHEREAS, the Commonwealth of Massachusetts makes available funds to reimburse 70% of total project cost up to a maximum of \$400,000 for the acquisition and/or development of local parkland under the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant; and

WHEREAS, the City's *2010 Open Space and Recreation Plan Update*, the Administration and the Department of Planning and Development have identified open space goals and projects of interest and concern to the community, and recommend that the City apply for PARC funding to realize these specific goals; and

WHEREAS, the City has developed a long-term objective of converting the underutilized space under Route 1 to a pedestrian path that will begin at the waterfront and terminate in Downtown Chelsea; and

WHEREAS, there are three parcels of land under the ownership of the City located at 10 Broadway (Parcel 10-101A), 20 Broadway (Parcel 10-101), and 48 Broadway (Parcel 10-101B); and

WHEREAS, the City has designed a project to redevelop 20 Broadway (Parcel 10-101) as open space parkland with PARC Grant funds, now referred to as the Mystic River Overlook Park; and

WHEREAS, the City maintains an active pumping station at 10 Broadway (Parcel 10-101A) which cannot be converted to open space parkland but can provide an egress point from 20 Broadway (Parcel 10-101) using City funds, and

WHEREAS, the City requested PARC Grant funds in the amount of \$400,000 for the construction of said project which is estimated to be approximately \$570,000; and

WHEREAS The City has been awarded a PARC Grant for FY 16. The PARC grant reimburses the City for design and construction up to the amount of the grant, and the City is required by PARC grant guidelines to set aside the full amount of the project and certify that full funding, including the State share, is available for the project prior to reimbursement; be it therefore

ORDERED By this vote, the City Council endorses the project for the PARC funds prepared by the Department of Planning and Development, appropriates Free Cash in the amount of \$400,000 that will be reimbursed, certifies the City Manager's authority to enter into an agreement for receipt of these funds, and directs the City Manager to take any and all action necessary to accomplish the project.

The following order was introduced by Councillor Cortell. Councillor Robinson moved to refer it to the Planning and Development and accept and file for further action under suspension.

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 encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City Administration and the Massachusetts Department of Conservation and Recreation have recommended the adoption of changes to the City's Floodplain Overlay District ordinance. If the City does not adopt the changes, the maps will still go into effect, but Chelsea residents and property owners will not be eligible to participate in the federal floodplain insurance and would lose any preferred rates that they may have.

NOW, THEREFORE BE IT ORDERED,

That the following petition for the adoption of an amendment of Section 34- Floodplain Overlay District to the City of Chelsea Zoning Ordinance be reviewed and that a public hearing be scheduled on March 7, 2016, to discuss the proposed zoning amendment pursuant to Mass. Gen. Laws c. 40A.

BE IT FURTHER ORDERED,

That the petition be forwarded to the Chelsea Planning Board for a recommendation of the Zoning Amendment pursuant to Mass. Gen. Laws c. 40A.

The following order was introduced by Councillor Recuperero. A motion from Councillor Recuperero moved the order to the sub-committee on conference under suspension.

WHEREAS, the City Administration and the City Council has prioritized the desire to ensure the Quality of Life of all Chelsea residents;

WHEREAS, it is common knowledge that community policing is to resolve the livability of our neighborhoods and one such essential aspect is that police officers and other public safety officials live and interact with the community they serve;

WHEREAS, several U.S. courts have found that cities have a rational interest in having public safety employees available for emergency calls, employees having a stake in the community, enhancing the tax base, improving community attitudes and cooperation, increasing loyalty to the community, and reducing absenteeism all such goals of this City Council;

WHEREAS, the City Administration and City Council are adopting a new Public Safety Plan which outlines the hiring public safety officers;

NOW THEREFORE BE IT ORDAINED that a new ordinance be adopted as follows:

PART II CODE OF ORDINANCES – CHAPTER 2 ADMINISTRATION ART. III, DIVISION I
– GENERALLY SEC. 2-61

2-61 Residency Requirements for Employees in Public Safety Positions

- (a) Every person first employed by the City of Chelsea as a police officer and firefighter after January 1, 2016, shall be a resident of the City of Chelsea, and shall not cease to be a resident of the City of Chelsea during the first seven (7) years of employment by the City.
- (b) Upon taking employment with the City, and annually on January first thereafter, every person subject to this section shall file with the Director of Human Resources, a certificate, signed under the pains and penalties of perjury, stating his or her name, and place of residence along with a copy of a utility bill, picture identification with current address and any other documentation deemed acceptable by the Human Resources Director which lists the residential address of the applicant in Chelsea. Upon receipt of a certificate indicating a place of residence not within the City of Chelsea or if no such certificate is filed, the Director of Human Resources shall forthwith strike the name of the employee from the payroll, that person shall cease to be employed by the City. Every employee shall be furnished a copy of the residency ordinance when hired and annually thereafter, but failure to receive a copy shall not be held to excuse any violation.
- (c) To the extent permissible by law, no collective bargaining agreement hereafter entered into by the City of Chelsea shall contain any provision contrary to the provisions hereof, nor shall the absence of any provision with respect to the residency of any person hired after the date of such contract be deemed to prevent enforcement of this section.

- (d) To the extent permitted by Chapter 31 of the General Laws, every examination held to establish a Civil Service list for employment by the City of Chelsea shall be restricted to City of Chelsea residents.
- (e) In the event that this section shall be deemed to be in conflict with a provision of any general or special law, the provision of that general or special law shall govern, and shall not defeat the application of this ordinance with respect to any position not governed by that law.
- (f) The provisions hereof shall not be waived by the City Manager nor the City Council with respect to a particular person or position.
- (g) The provisions hereof are severable, and the action of any court of competent jurisdiction in declaring any part or portion hereof invalid, shall not act to defeat any remaining part or portion hereof, and any such action declaring this section invalid with respect to any position or person shall not be held to apply to any other person or position.
- (h) In construing this ordinance, residence shall be the actual principal residence of the individual, where he or she normally eats and sleeps and maintains his or her normal personal and household effects. This ordinance shall be deemed to affect both Civil Service employees of the City.

The following order was introduced by Councilors Avellaneda, Councillor Lopez, Councillor Tejada and Councillor Recuperero. Councillor Avellaneda moved to adopt under suspension and it was adopted.

WHEREAS, The City of Chelsea currently offers home owner occupants 20% residential tax exemption on their primary residence and

WHEREAS, The Commonwealth of Massachusetts allows municipalities to offer up to 35% residential tax exemption on their primary residences if approved locally,

THEREFORE, LET IT BE ORDERED by the Chelsea City Council that the City Manager and his staff investigate and report back to the Chelsea City Council within 60 days of approval of this order of the impact the raising of the residential tax exemption from the current 20% to 35%, Said report should include comparison rates of other communities that also offer the residential exemption and estimated difference Chelsea owner occupant and non-owner occupant residential property owners will pay across the different types of residential properties.

The following order was introduced by Councillor Cortell and Councillor Vidot. A motion from Councillor Vidot to adopt under suspension was adopted.

ORDERED, that the City Manager consult with Chelsea's Information Technology Department, City Clerk's office, City Council's Administrative Assistant and any other city department, entity or individual deemed appropriated for the purpose of inviting submissions to and the collection of Community Events to be included on City Hall

Websites Community Events Calendar that shall then be regularly updated for use as a resource.

The following order was introduced by Councillor Vidot. A motion from Councillor Vidot to adopt under suspension was adopted.

ORDERED, that the City Manager report back to the City Council information regarding the need for improved lighting at Watts St. Cottage Street, and Clinton Street.

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

REQUEST, that the City Manager give the City Council an update on the overtime account for Police and Fire Departments, along with Department of Transportation money for extra engine, with a breakdown of how the overtime is being used as of January 31, 2016 so we can compare these numbers to last years at this time.

The following order was introduced by Councillor Recupero. A motion from Councillor Recupero was to adopt under suspension. Councillor Frank requested a roll call. The roll call defeated the motion by a 4-7 vote. Voting yes were Councilors Recupero, Tejada, Cortell and Robinson. Voting no were Councilors Frank, Vidot, Rodriguez, Murphy, Lopez, Garcia, and Avellaneda.

REQUEST, that the City Manager look into the possibility of acquiring a City Council placard for official business at City Hall.

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

REQUEST, that the City Manager look into the possibility of using the money slated for District 6 in the Agreement with Eastern Minerals to be used for a pedestrian traffic light between Marginal St. and to park.

The following order was introduced by Councillor Robinson. A motion from Councillor Robinson moved the order to Conference under suspension.

ORDERED, that a Public Safety on Conference be called for the Chief of Police to make a presentation to the City Council outlining the specific role and impact of the Chelsea Police Department in the enforcement of civil Federal Immigration Law by the department of Homeland Security.

The following order was introduced by Councillor Robinson. Councillor Robinson moved the order to the Sub-Committee on Conference under suspension.

ORDERED, that a Public Safety on Conference be called for the Chief of Police to make a

presentation to the City Council outlining the specific role and impact of the Chelsea Police Department in the enforcement of civil Federal Immigration Law by the Department of Homeland Security.

The following order was introduced by Councillor Recupero. A motion from Councillor Recupero referred the order to the Sub-Committee on Public Safety under suspension.

Be it hereby Ordered that the Chelsea City Council resolves that the City Manager implement a policy that supports a public safety initiative to have less managerial and superior officers and more patrol officers in the City of Chelsea;

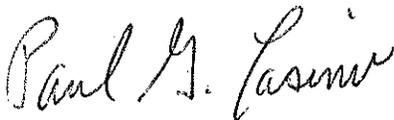
Be it further Resolved that steps to uphold this policy is to direct changes to the ratio of the number of Superior Officers verses the Patrol Officer in the Chelsea Police Department.

The following order was introduced by Councillor Robinson. Councillor Robinson moved the order to the Sub-Committee on Conference under suspension. Councillor Frank amended the order to the Sub-Committee on Community Development. The roll call defeated the amendment 4-7. Voting yes were Councilors Frank, Murphy, Garcia, and Cortell. Voting no were Councillors Vidot, Rodriguez, Recupero, Lopez, Tejada, Avellaneda, and Robinson. The order was sent to the Sub-Committee on Conference.

Request, for a conference with the City Manager and Planning and Development to explore a master plan in regards to development.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council