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ACCEPTED AND FILED

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SUSPENSION

Chelsea, Massachusetts, October 3, 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 were in attendance: 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.

Prior to the start of the Regular meeting, the Chelsea Fire Department Promotional & Swearing-in Ceremony was conducted. The following Firefighters came forward:

Chad Bowden, appointed to the position of firefighter (new hire) graduated the academy in July.

Michael Lee, Promoted to the position of Captain.

Michael Massucci, Promoted to the position of Deputy Chief.

Memoriums and celebratory resolutions:

The following resolution was introduced by Councillor Recupero and all members of the City Council.

A motion from Councillor Recupero adopted the resolution under suspension.

RESOLUTION

WHEREAS, October is the month that many of Italian Heritage celebrate with so many others Columbus Day Parades; and

WHEREAS, Italian Heritage is richly entwined in the history of our country; this heritage did not begin and end with the well-known voyages of Christopher Columbus, but continues to the present day in fields of exploration, science, the arts, literature, as well as business and development; and

WHEREAS, Italians and those of Italian descent have made remarkable contributions to our nation, the list is quite long. American history is replete with citizens of Italian lineage, including the signing of the Declaration of Independence and the formation of the U.S. Constitution. Italian-Americans have fought in every war from the Revolutionary war, to recent conflicts, and have served with distinction, including several Congressional Medal of Honor recipients. Italian-Americans

were instrumental in building and developing many of our major cities, Italian immigrants have built bridges and roads that we use today. Several major U.S. universities have been founded and directed by Italian-Americans and valuable discoveries in science and medicine are credited by Italian-Americans and valuable discoveries in science and medicine are credited to those of Italian heritage as well;

NOW THEREFORE BE IT RESOLVED, that we, the Members of the Chelsea City Council, declare October as "Italian Heritage Month" in the year 2016.

Public Hearings:

The Public Hearing with regards to the Stretch Energy Code was open for public input at 7:20 p.m.

No one came forward to speak, and the public hearing was closed at 7:21 p.m.

The Public Hearing with regards to the Adult Entertainment Establishments was opened at 7:22 p.m. No one came forward to speak. Council President Cortell continued the public hearing to November 7, 2016 due to the fact that the Planning Board has not conducted their public hearing as of yet, and has not informed the Council of their decision.

Closed at 7:23.

Public Speaking:

The public speaking portion of the meeting opened at 7:24 p.m. The following came forward to speak:

The Employees of the 911-Emergency Management Team; entered for the record concerns that they had with management and conditions at 911.

Firefighter Brian Capistran Local 937, spoke in support of the 911 Dispatch.

Patrolman Mark O'Connor Police Association, spoke in support of the 911 Dispatchers.

Resident of 76 PARK Street, spoke on Question 2 Charter Schools.

Resident of 25 Hooper Street, spoke about Charter Schools and Question 2.

The public speaking portion closed at 7:38.

Communications from City Manager:

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

City Councillor Matt Frank
Chelsea City HALL
500 Broadway
Chelsea, Massachusetts 02150

Re: *Historical Commission*

Dear Councillor Frank:

I am writing to your Council Order requesting creation of a Historical Commission.

Please note that the Chelsea Code of Ordinances does provide for a Chelsea Historical Commission comprised of seven members, each serving three years. Chapter 2, Section 2-325, 2-326. Based upon the records that I have, it appears that the Commission has been inactive for many years, and that the terms of all the former Board members have expired.

Given the role that the Historical Commissions will need to play in the event that the City adopts the Community Preservation Act, it is my intent to re-constitute the Commission in the next few months. I will be contacting former Commission members to determine if they are still interested in serving, please pass along the contact information.

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councillor Vidot referred it to the Sub-Committee on Conference under suspension.

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

Re: *Highland Park Permits*

Dear Councilors:

I am writing in response to your City Council requesting a comprehensive assessment of entities that have permitted Highland Park for the past five years.

I have attached for the City Council's review all of the information I have been able to locate regarding permits for Highland Park over the past five years. It appears the information I is a bit barebones, with details on contract information invoices and some calendar months lacking. But,

Acting City Clerk Patricia Lewis has certified that she did a comprehensive search, and this is all the information available.

As I have mentioned to the Council, it is my intention to move responsibility for the permitting of fields from City Clerk's Office to the new Recreation and Cultural Affairs Division of HHS. I hope to have this change in place for all permitting in Calendar Year 2017.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: *Enterprise Fund Accounting*

Dear Councilors:

In response to the Council Order requesting an accounting of the Water & Sewer Enterprise Funds for FY15 (and I assume FY16), I have attached spreadsheets identifying revenues and expenditures in each Fund for both fiscal years.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councillor Robinson referred it to a second reading, under suspension.

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

Re: *Appointment to Chelsea Community Schools Advisory Board*

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend, for appointment to the Community Schools Advisory Board, Ms. Camila Bernal, 37 Springvale Ave, Apt. 1R, Chelsea, for a three year term expiring in 2019. A copy of Ms. Bernal's resume is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from Acting Clerk/Parking Clerk Patricia Lewis regarding the actions that were approved at the September 27, 2016 Traffic and Parking Commission Meeting.

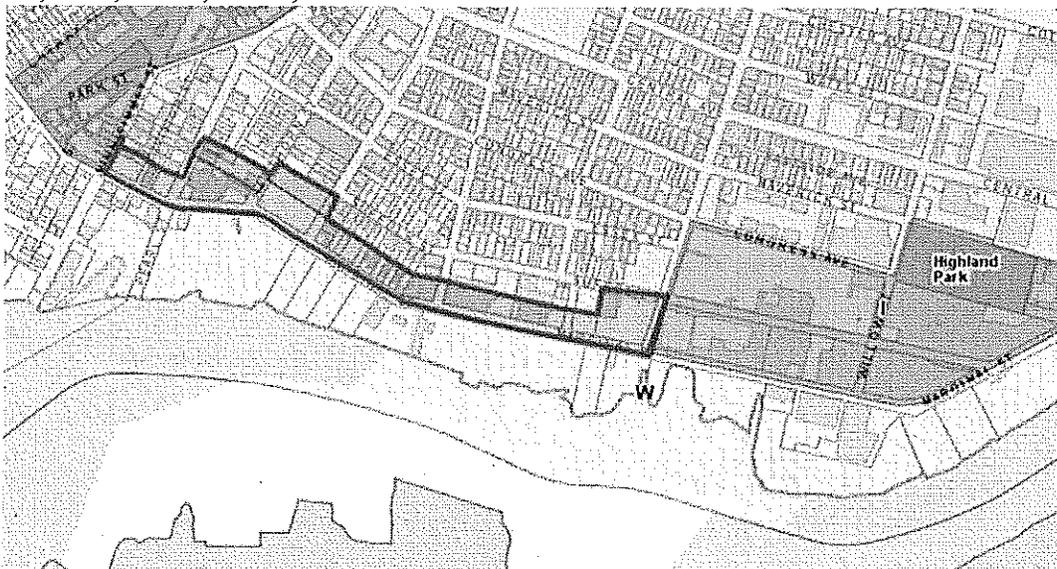
Unfinished Business and Second Readings:

The following order was introduced by Councillor Avellaneda and read for the second time. A motion from Councillor Avellaneda to adopt under suspension was adopted.

ORDERED, that the City Council request the City Manager and the Planning Department to draft a zoning amendment for the City Council to review within 45 days.

Proposed amendment shall include the following:

Chapter 34, Section 28 by adding Waterfront Residential Commercial Overlay District (WRCOD), Article II Zoning Districts, Section 34-29 and the accompanying Zoning Map by including the following parcels in the WRCOD-TBA; 19-167, 11-52, 19-152, 19-151, 11-53, 11-53A, 11-53B, 11-53C, 11-54, 11-55, 11-56, 19-131, 11-63, 11-64, 11-65, 11-66, 11-67, 12-10, 12-14, 12-15, 12-16, 12-17, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23, 12-24, 12-25, 12-26, 12-99, 13-3, 13-82, 13-83,



and add Section 34-186 Waterfront Residential Commercial Overlay District (WRCOD):

a. Scope and Purpose. This section applies to the Waterfront Residential Commercial Overlay District (WRCOD)

1. To promote economic development in the WRCOD.
2. To increase mixed use of combined residential and commercial.
3. To increase public access to the waterfront area within Chelsea Creek DPA.
4. Permitted Uses
 - Multifamily dwelling with four or more dwelling units
 - Dwellings containing six or fewer dwelling units
 - Multifamily dwelling at a minimum density of 12 units and a maximum density of 35 units per acre
 - Dwelling above the first floor of a building containing retail or office use
 - No residential dwelling on first floor
 - Retail or professional service business, or business or professional office, within a dwelling structure
 - Hotel/motel, extended stay lodging
 - Bakery, delicatessen, candy, fish, including accessory food service
 - Book, stationery, gift, clothing, dry goods, hardware, jewelry, or variety store
 - Convenience store with hours of operation exceeding 5:00 a.m. to 11 p.m. and/or with the sale of beer and/or wine
 - Convenience store with the sale of alcoholic beverages other than beer/wine
 - Supermarket with hours of operation exceeding 5:00 a.m. to 11:00 p.m., and/or with the sale of beer, wine and/or other alcohol
 - Supermarket and grocery store
 - Department store, discount house
 - Major commercial project
 - Restaurant, drive-in or fast food
 - Bank, financial agency
 - Indoor commercial recreation
 - Theaters, concert halls and cinemas

b. Underlying Uses.

1. Uses currently allowed in the underlying uses shall not be allowed except by special permit provided it does not total more than 10,000 square feet.
2. Uses currently allowed in the underlying uses by special permit shall not be allowed.

The following order was introduced by Councillor Cortell. A motion from Councillor Avellaneda to adopt by roll call passed 11-0-0-0. Voting yes were Councillors Frank, Vidot, Rodriguez, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea;

WHEREAS, the City of Chelsea wishes to apply to the Massachusetts Department of Energy Resources for certification as a Green Community both to qualify for public funds and to provide energy efficiency benefits to its residents; and

WHEREAS, adoption of the Stretch Energy Code is a condition precedent to certification as a Green Community.

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-SECTION 6-27(a) OF CHAPTER 6 OF THE CHELSEA CODE OF ORDINANCES REGARDING THE STRETCH ENERGY CODE

Section 1

That the Code of the City of Chelsea is hereby amended by striking the existing Section 6-27(a) in its entirety and replacing it with the following:

(a) The Stretch Energy Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any amendments or modifications, is adopted by the City and herein incorporated by reference in this Section. This Stretch Energy Code shall be in effect as of July 1, 2017. Any violation of such Stretch Energy Code shall constitute a violation of this Section and shall be subject to the penalties set forth in Section 1-8. The Building Inspector shall enforce the Stretch Energy Code.

Section 2

This Ordinance shall take effect on July 1, 2017.

The following order was introduced by Councillor Cortell. A motion from Councillor Cortell Tabled the order to the November 7th meeting.

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 City of Chelsea Planning Board has recommended after a public hearing, the adoption of the amendment to revise the City of Chelsea Zoning Ordinance to revise Section 34-241 (Definitions) of the Chelsea, Massachusetts Code of Ordinances;

WHEREAS, the Chelsea City Council, after due notice, public hearing, and deliberation finds:

- 1) That the amendment to Section 34-241 advances legitimate aspects of public interest;
- 2) That it further promotes the health, safety, and general welfare of the inhabitants of the City of Chelsea; and
- 3) That it encourages the most appropriate use of land throughout the City of Chelsea;

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

That Chapter 34, Article X Definitions, Section 34-241, be amended by revising the definition of *Adult entertainment establishments* to read as follows:

Adult entertainment establishments shall include adult bookstores, adult motion picture theaters, adult paraphernalia stores, adult video stores, or establishments which display live nudity for

their patrons as defined by Chapter 40A, Section 9A of the Commonwealth of Massachusetts General Laws, as amended.

The following order was introduced by Councillor Frank and read for the second time. A motion from Councillor Frank to adopt under suspension was adopted. Also a copy to be sent to the Sub-Committee on Public Works was approved.

Request, that City Manager look into the current snow removal policy for large developments in all zones and across all zoning types. Look into instituting a temporary daily fine for every parking spot that is occupied by snow, debris or other structures without a permit from the City.

The following order was introduced by Councillor Robinson. A motion from Councillor Robinson to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Frank, Vidot, Rodriguez, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, Robinson.

ORDERED, that the Chelsea City Council authorize the appropriation of \$95,220.97 from Operating

Stabilization Fund #7023 To supplement the Fiscal Year 2017 Fire Department Capital-Acquisition of Vehicles-Account #0122058-584000.

The following order was introduced by Councillor Robinson. A motion from Councillor Robinson to adopt by roll call passed 11-0-0-0. Voting yes were Councillors Frank, Vidot, Rodriguez, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell and Robinson.

ORDERED, that the sum of \$40,000 be appropriated from Fund Balance Reserved for Overlay Surplus

Account #01-322000 to the Assessor Department-Legal Services-Account #0114152-5301000 to cover legal and related valuation services.

The following appointment to the Planning Board from City Manager Thomas G. Ambrosino was read for the second time. A motion from Councillor Murphy to affirm the appointment by roll call passed 11-0-0-0. Voting yes were Councillors Frank, Vidot, Rodriguez, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell and Robinson.

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

Re: *Appointment to Planning Board*

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend, for appointment to the Planning Board, Mr. Oliver del Melle, 60 Dudley Street, Chelsea to fill the unexpired term of Mr. John Matosky ending October 6, 2017. Mr. Matosky has resigned. A copy of Mr. del Melle's resume is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

New Business:

The following order was received late from Councillor Recuperero. A motion from Councillor Recuperero to adopt the order under suspension was adopted.

ORDERED, that the City Manager look into the City establishing a scholarship fund for local residents in supporting youth in various summer programs.

The following order was received late from Councillor Vidot. A motion from Councilor Vidot to adopt under suspension was adopted. Also a copy be sent to the Traffic and Parking.

ORDERED, that the City Manager meet with the Administration of Excel Academy in Chelsea to discuss the possibility of signage, traffic support or any remedy to address the safety concerns of congestion and speed before and after school.

The following order was received late from Councillor Vidot. A motion from Councillor Vidot to adopt under suspension was adopted.

ORDERED, that City Manager report back to Council on current truck routes throughout the City, whether they are under City, State, or other authority, any time restrictions associated with any or all related information that the City Manager deems pertinent.

The following order was received late from Councillor Recuperero and Lopez. A motion from Councillor Recuperero to adopt under suspension was adopted.

ORDERED, that the City Manager look into the feasibility of bringing a DPW worker to clean up Chelsea on Sundays

The following order was introduced by Councillor Vidot. Councillor Vidot requested that the order be withdrawn.

ORDERED, that a Sub-Committee on Conference with the City Manager, the Chief of Police, and the Traffic and Parking Commission be conducted to discuss the existing authorized truck route for the City of Chelsea.

The following Resolution was introduced by Councilors Garcia, Lopez, Tejada, Cortell, Vidot, Robinson, and Murphy. A motion from Councillor Vidot was to adopt under suspension.

Councillor Avellaneda moved roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Frank, Vidot, Recupero, Murphy, Lopez, Tejada, Garcia, Cortell and Robinson. Councilors Rodriguez and Avellaneda were absent.

Resolution against the 2016 Ballot Initiative Regarding Lifting the Cap on Commonwealth Charter Schools

WHEREAS, Massachusetts ballot question number 2, the “Increase Access to Public Charter Schools Initiative” which will allow state education officials to lift the current cap on the Commonwealth charter schools and allow them to approve up to 12 new Commonwealth charter schools a year, will be voted on this coming November 8, 2016; and

WHEREAS, Commonwealth charter schools are not accountable to local elected officials once approved; and

WHEREAS, local accountability for our district is necessary to ensure that schools are responsive to the needs of their communities; and

WHEREAS, one of the main functions of City Council is approving the city budget; and

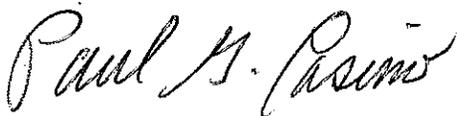
WHEREAS, Commonwealth charter finance severely compromises funding to our district, resulting in a loss of funds that is undermining the ability of districts to provide all students with the educational services to which they are entitled; and

WHEREAS, the Chelsea School Committee has passed a resolution AGAINST lifting the cap on Commonwealth Charter Schools;

THEREFORE BE IT RESOLVED, that the Chelsea City Council opposes the November 8, 2016 ballot question number 2 to lift the current cap on Commonwealth charter schools.

The meeting adjourned at 8:30 p.m.

Respectively submitted,



Paul G. Casino
Clerk of the Chelsea City Council