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ACCEPTED AND FILED
SUSPENSION

Chelsea, Massachusetts, March 7, 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. The following Councilors were present: Councilor 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. A motion from Councillor Robinson to adopt under suspension was adopted.

RESOLUTION

WHEREAS, after her many years of dedicated service to the City of Chelsea, Mary McKenzie, RN will be retiring; and

WHEREAS, not only did she serve for her country before working at Chelsea City Hall, but was also active in helping put together the Latent Tuberculosis (L.T.B.) fact sheet; now therefore, BE IT

RESOLVED; that on behalf of the Citizens of Chelsea, the employees of Chelsea City Hall, we the members of the Chelsea City Council wish you Mary McKenzie many years of good health upon your retirement. You will be missed.

The following Resolution was introduced by Councilors Garcia and Vidot. A motion from Councillor Garcia to adopt under suspension was adopted.

RESOLUTION

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways;

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of our city by constituting a significant portion of the labor force working inside and outside of the home;

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation;

WHEREAS, American women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement;

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history, NOW THEREFORE, BE IT

RESOLVED, by the Chelsea City Council that March is designated as "Women's History Month."

The Public Hearing with regards to the proposed change to the City of Chelsea Zoning Ordinance was opened to the public by City Council President Dan Cortell. No one came forward to speak and it was closed at 7:13 p.m.

The Public Speaking portion opened at 7:18 p.m. The following came forward to speak:

Chelsea resident spoke about drugs and gangs in Chelsea and the need of a Community Center.

Chelsea High School Student spoke about safety in the streets.

Chelsea resident spoke against a residency requirement.

Chelsea Resident 182 Shurtleff Street, spoke about the recent shooting in Chelsea, and the need for a curfew.

Chelsea Resident 73 Essex Street, helped the Spanish speaking people express themselves.

Chelsea Resident 150 Captains Row, spoke against residency requirement.

Chelsea Resident 67 Clark Avenue, thanked everyone that came to the Black History Month forum.

Chelsea Resident 103 Orange Street, spoke about residency requirement.

The public speaking portion closed at 7:40 p.m.

Councillor Robinson requested that the rule be suspended so that the City Manager Thomas Ambrosino could give the State of the City Address. There were no objections and the City Manager proceeded with the State of the City Address to the City Council and the general public.

After the State of the City Address the regular order of the meeting was conducted.

The minutes of the City Council meeting dated February 22, 2016 were approved at the request of Councillor Frank under suspension.

Communications from City Manager:

The following communication was received from City Manager Thomas Ambrosino. A motion from Councillor Robinson moved the communication 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 Board of Health, Emmanuel Jonathan Tellez, 188 Broadway, Apt. 9, Chelsea, to fill the unexpired term of Mr. Christopher Naitza, who resigned. This unexpired term expires on December 15, 2017. Mr. Tellez' resume is attached.

For re-appointment to the Board of Health, for a new three year term expiring in 2019, Mr. Chris Miller, 60 Dudley St., #327, Chelsea.

For re-appointment to the Chelsea Housing Authority, for a new five year term expiring in 2021, Mr. Bertram T. Taverna, 148 Grove Street, Chelsea.

I respectfully request your approval of these appointments.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was received from City Manager Thomas Ambrosino. A motion from Councillor Robinson moved the communication to a second reading under suspension.

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

Re: Appointment to Licensing Commission

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend that Mr. Kenneth O Umemba, 38 Addison Street, Chelsea be reappointed to the Chelsea Licensing Commission for a new three year term expiring in 2019.

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

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

Re: State of the City Report

Dear Councilors:

I am writing to request that, at your City Council meeting on Monday, March 7, 2016, you allow me approximately 15-20 minutes to provide you and the general public with a brief report on the State of the City. I am preparing an accompanying written State of the City Report which I hope will be available either by the time of the presentation or shortly thereafter.

Thank you for your consideration of this request.

Sincerely,
Thomas Ambrosino
City Manager

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

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

Re: Home Rule Petition for 35% Residential Exemption

Dear Councilors:

At your request, I have attached the proposed Home Rule Petition to increase the Residential Exemption to 35%. I ask that you schedule this Petition for a public hearing.

Sincerely,
Thomas Ambrosino.

The following communication was received from City Manager Thomas Ambrosino. A motion from Councillor Robinson to refer it to the Sub-Committee on Conference under suspension.

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

Re: Independent Audit

Dear Councilors:

Attached you will find eleven copies of the following audit documents prepared by the City's independent auditor CliftonLarsonAllen LLP. The documents are:

- 1) The Comprehensive Annual Financial report:
- 2) The GAO AND OMB A-0133 Reports:
- 3) The Report on Pension Plan Schedules; and
- 4) The Management Letter.

Representatives from CliftonLarsonAllen are prepared to discuss these documents at a public meeting on a date convenient to the City Council.

Sincerely
Thomas Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from Deborah A. Clayman, City Clerk/Parking Clerk regarding the following actions that were approved at the February 23, 2016 Traffic and Parking Commission Meeting. A motion from Councillor Robinson to accept and file was adopted under suspension.

Dear Ladies and Gentlemen:

In accordance with Section 6-3 (b) of the Chelsea City Charter, the following were approved at the February 23, 2016 Traffic and Parking Commission Meeting:

Agenda Item #2 – To post a handicapped sign at 160 Spencer Avenue based on the application submitted by Frederick J. Parker.

Agenda Item #5 – To post a handicapped sign at 110 Grove Street based on the application submitted by Karen E. Molina.

Agenda Item #8 – To post a handicapped sign at 92 Marlboro Street based on the application submitted by Carlos H. Galdamez.

Agenda Item #9 – To post a temporary “No Parking Here to Corner, 7 am to 6 pm” sign on the south side of Crescent Avenue from Washington Avenue in order to allow the proper turn radius trucks until the Clark School construction is completed due to public safety concerns.

Agenda Item 11- (1) To convert the temporary Route 111 bus stop located on the Cary Avenue between Broadway and Clark Avenue to a permanent bus stop in order to alleviate vehicular congestion and improve traffic flow at the intersection of Broadway and Cary Avenue; (2) to move immediately north of the intersection near or around 707 Broadway, in order to alleviate vehicular congestion and improve traffic flow; and (3) to install two lanes on the northbound side of Broadway, at the intersection of Broadway and Cary Avenue, where the existing 116/117 bus stop is located, in order to reduce vehicular congestion approaching this intersection. The left lane shall be designated “left turn only” and the right lane shall be 80’ in length, resulting in the removal of one on-street parking space, and designated as “straight or right turn.”

Respectfully submitted,

Deborah A. Clayman
City Clerk/Parking Clerk

A copy of a communication was received from Cheryl Watson Fisher, City Solicitor, with regards to a legal opinion as to the proposed Ordinance on Residency. A motion from Councillor Robinson to accept and file was adopted under suspension.

Councillor Leo Robinson and the
Members of the Chelsea City Council
500 Broadway, City Hall
Chelsea, Massachusetts 02150

Re: Legal Opinion as to the Proposed Ordinance on Residency

Dear Councillor Robinson:

This letter is a legal opinion in response to your request regarding the proposed residency ordinance for public safety employees and its relationship to the City Charter. The proposed residency ordinance in its current version seeks to do the following:

- a. require newly hired employees of the City of Chelsea to reside in the City of Chelsea for first seven years of employment;
- b. established an administrative scheme of validation of residency and order the Director of Human Resources to stop paying an employee if not validated;
- c. require all collective bargaining agreements not to contain any provisions that would be contrary to the ordinance;
- d. seek the Commonwealth to change its statewide examination process and procedures;
- e. restricting the City Manager from administratively waiving the residency ordinance for any circumstances; and,
- f. the ordinance defines what the City Administration should consider as a principal place of residence.

In order to provide a proper legal opinion, I will first have to address the balance of powers and duties of the City Manager and the City Council which is outlined in the City's Charter. Section 1-3 of the Charter states that the division of power in the City of Chelsea is divided; the legislative powers of the city is executive branch under the supervision of the city manager. Section 4-2 is clear that the City Manager has the power to appoint/hire all city employees;

“Except as otherwise provided by this Charter, the city manager shall appoint, based upon merit and fitness alone, all officers and employees for whom no

other method of selection is provided in this Charter except employees of the school department.”

The Charter even specifically prohibits council actions and Councillors from directly involving themselves in the conduct of the administrative business of the city in Section 2-11.

Moreover, the City’s charter guides both branches of government by listing specifics examples of each branches authority. One such guidance is outline in Section 4-3 which lists some of the City Manager’s powers, duties and responsibilities. The following are specific subparagraphs that the proposed ordinance appears to be in conflict with the Charter:

(a)To survive, direct and be responsible for the efficient administration of all officers and employees appointed by the city manager and their respective departments and of all functions for which the city manager is given responsibility, authority or control by this Charter, by ordinance, or by vote of the city council;

The proposed ordinance orders the Human Resources Director to stop paying an employee and directs when the HR Director is to do so. This order is contrary to subparagraphs (a) above for the HR Director reports and is supervised by the City Manager.

(c)To coordinate all activities of city departments or agencies;

The proposed ordinance orders the Human Resources Director to stop paying an employee and states how certification of residency should occur. Again, this is contrary to subparagraph (a) for the HR Director reports to the City Manager and the City Manager is responsible for the efficient administration of all employees and officers and their activities and the proposed ordinance interferes by creating a mandatory activity.

(j)To administer personnel policies, practices, or rules and regulations, any compensation plan and any related matters for all city officers and employees and to administer all collective bargaining agreements, except for school department agreements, entered into by the city;

The proposed ordinance interferes and violates current collective bargaining agreements and personnel policies, practices and rules of the Administrative Code and creates a new personnel policy all of which are an administrative role of the City Manager.

(l)To be responsible for the negotiation of all collective bargaining agreements with the city employees over wages, and other terms and conditions of employment. The city manager may employ special counsel to assist in the performance of these duties. Cost items of collective bargaining agreements shall be subject to the approval of the city council;

The proposed ordinance regarding collective bargaining agreements violates Mass. Gen. Laws c. 150E by ordering the City Manager not to bargain in good faith as to wages and terms and conditions of employment by removing the matter from the negotiation table.

(p)To delegate, authorize or direct any subordinate officer or employee of the city to exercise any power, duty or responsibility which the office of city manager is authorized to exercise, provided that all acts that are performed under such delegation shall be considered to be the acts of the city manager;

The proposed ordinance delegates power to the HR Director in direct conflict with subparagraph (p). The HR Director does not have the authority to stop wages.

The City of Chelsea's Charter was adopted by a citywide ballot and then approved under a Home Rule Amendment of the legislature and became law. Under the City's Plan E form of government, the City Manager is the branch of government responsible for the administration of all departments of the city M.G.L. c. 43 Sec 104. The Massachusetts courts have interpreted that a city manager has broad powers under a Plan E form of government and have determined that the City Manager is the appointing authority of civil service public safety officers who are subject to the proposed ordinance. As appointing authority under M.G. c. 31 he also has the authority to fire those employees. The proposed ordinance orders the HR Director to stop pay which under law is basically a termination of a public safety officer.

Based on the above it is my legal opinion that the proposed residency ordinance would violate state law and the Home Rule Amendment City of Chelsea Charter. The proposed ordinance also directly conflicts with Section 2-11 for the Council is prohibited from the interfering in how the City administration operates.

Respectfully,

Cheryl Watson Fisher
City Solicitor

The following communication was received from John DePriest, Director of Planning & Development, regarding the Floodplain Overlay District Amendment. A motion from Councillor Robinson to accept and file was adopted under suspension.

Councillor Dan Cortell, President
Chelsea City Council
500 Broadway
Chelsea, MA 02150

Re: Floodplain Overlay District Amendment

Dear Councillor Cortell,

At a public hearing during a regularly scheduled meeting of the Chelsea Planning Board on Tuesday, February 23, 2016, the Board reviewed the proposed amendment to the Floodplain Overlay District and voted unanimously (5-0-0) to recommend that the Council adopt the amendment as proposed.

Sincerely
John DePriest, AICP
Director of Planning & Development

Unfinished Business:

At the last meeting of the Chelsea City Council dated February 22, 2016, Council President Dan Cortell declared the Residency Ordinance introduced by Councillor Recupero, out of order. At the March 7, 2016 meeting Councillor Recupero requested that the ordinance come to the floor to be voted upon. Council President Cortell allowed the Ordinance to come to the floor. Councillor Robinson moved to Table the Ordinance. The vote to table passed 7-4-0-0. Voting yes were Councillors Vidot, Recupero, Lopez, Tejada, Garcia, Avellaneda, and Robinson. Voting no were Councilors Frank, Rodriguez, Murphy, and Cortell.

Second Readings:

The following orders were all introduced by Councillor Robinson and read for the second time. Councillor Robinson moved that all of the orders be approved by roll call if there were no objections. The roll call passed 11-0-0-0. Voting yes were Councilors Frank, Vidot, Rodriguez, Recupero, Murphy, Lopez, Tejada, Garcia, Avellaneda, Cortell, and Robinson.

ORDERED, that the Chelsea City Council authorize the appropriation of \$11,000.00 from Free Cash to supplement the Fiscal Year 2016 Fire Department - Capital - Vehicles Account 0122058-584000 series.

ORDERED, that the Chelsea City Council authorize an increase to Fiscal Year 2016 Regional School Account #0130156-566200 from \$850,876.00 to \$852,176.00 for a net increase appropriation of \$1,300.00 from Free Cash.

ORDERED, that the Chelsea City Council authorize the appropriation of \$70,000.00 from Free Cash to supplement the Fiscal Year 2016 School Department – MCB Summer Contract Services – Account #14373592-530600.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'15 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY'16 budget, that Council authorizes the expenditure of \$1,827.43 from the Procurement Department expenditure line to satisfy the unpaid balance from the prior year.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'15 was not paid and are owed to the vendor, and to meet this obligation funds are required from the current year FY'16 budget, that Council authorizes the expenditure of \$224.85 from the Fire Department expenditure line to satisfy the unpaid balance from the prior year.

ORDERED, that the Chelsea City Council authorize the appropriation of \$30,000.00 from Free Cash to supplement the Fiscal Year 2016 Department of Inspectional Services – Building/Emergency/Demolition/Boarding Account 0124052-538000 series.

The following communication from City Manager Thomas Ambrosino for appointments and re-appointments to Boards and Commissions were read for the second time. A motion from Councillor Frank to affirm all of the appointments and re-appointments by roll call passed 11-0-0. 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: 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 Library Board of Trustees, Alexandria Christmas, 67 Cook Avenue, Chelsea, for a one year term expiring in 2017.

For appointment to the Library Board of Trustees, Margaret Carsley, 13 Orange Street, Chelsea, for a one year term expiring in 2017.

For re-appointment to the Library Board of Trustees, for a new three year term expiring in 2019, Ms. Lisa Santagate, 221 Shurtleff Street, #3, Chelsea.

For re-appointment to the Library Board of Trustees, for a new three year term expiring in 2019, Ms. Maura Garrity, 12 Admiral's Way, Chelsea.

For appointment to the Council of Elder Affairs, Ms. Yadira Rosario, 54 Locke Street, Chelsea, for a three year term expiring in 2019.

For re-appointment to the Council of Elder Affairs, for a new one year term expiring in 2017, Ms. Laurel Newson, 216 Washington Avenue, Chelsea.

For re-appointment to the Council of Elder Affairs, for a new one year term expiring in 2017, Mr. Gerald DeStefano, 99 Great Woods Road, #1, Saugus.

For re-appointment to the Council of Elder Affairs, for a new three year term expiring in 2019, Mr. Antonio Ortega, P.O. Box 410016, Cambridge.

For re-appointment to the Council of Elder Affairs, for a new three year term expiring in 2019, Mr. Jaimie Santos, 14 Bloomingdale Street, #726, Chelsea.

For re-appointment to the Cultural Council, for a new three year term expiring in 2019, Ms. Sharlene McLean, 100 Broadway #3, Chelsea.

For appointment to the Advisory Board for Community Schools, Ms. Sara Arman, 50 Garfield Avenue, Chelsea, for a three year term expiring in 2019.

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

Sincerely,
Thomas G. Ambrosino
City Manager

New Business:

The following Changes to the City of Chelsea Code of Ordinances on Zoning was introduced by Councillor Cortell. 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.

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.

WHEREAS, 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 34-184 Flood Plain Overlay District (Zoning) 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 34-184 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 ADOPTED:

That the following proposed changes to the City of Chelsea Code of Ordinances Chapter 34 –Article VIII Section 184, the Chelsea Zoning Ordinance be enacted as follows:

1. In paragraph (b) revise the panel numbers to eliminate "G" and insert "J" at the end of each panel number. Also, change the date of the map and study from "September 25, 2009" to "March 16, 2016."
2. In paragraph (d)(2), add the contact information for the National Flood Insurance Program state coordinator:

National Flood Insurance Program (NFIP) state coordinator
Massachusetts Department of Conservation and recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104.

3. In paragraph (d)(3) add the contact information for the NFIP program specialist:

NFIP program specialist

Federal Emergency Management Agency, Region 1
99 High Street, 6th Floor
Boston, MA 02110.

4. Revise paragraph (e)(1) to reflect the new State building code by rewording as follows:
 - (1) Sections of the state building code (780 CMR) which address floodplain and coastal high hazard areas;
5. Revise paragraph (h)(2) through (h)(4) to clarify the standards for subdivision proposals:
 - (2) All public utilities and facilities are located and constructed to minimize or eliminate flood damage.
 - (3) Adequate drainage is provided to reduce exposure to flood hazards;
and
 - (4) Base flood elevation shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five (5) acres (whichever is lesser).
6. In paragraph (i)(7) revise the panel numbers to eliminate "G" and insert "J" at the end of each panel number, and change the date of the map from "September 25, 2009" to "March 16, 2016."

The following order was introduced by Councillors Vidot, Garcia, and Lopez. A motion from Councillor Garcia referred the order to the Sub-Committee on Public Works under suspension.

ORDERED, that the City Manager ask DPW to replace or repair the non-functioning lighting in the following areas:

- 1) Arlington Street - in front of the Williams School on the side of the MITC building (about 4 street lights are out).
- 2) Spruce Street- near Citizens Bank (entrance to Market Basket).
- 3) 270 Second Street.
- 4) 66 Pearl Street (opposite side).
- 5) Winnisimmet Street (in front of the police station).
- 6) Winnisimmet Street – from Broadway to Park Street.
- 7) Broadway – in front of the old Centro Latino.
- 8) Katz Bagels – across the street where Pearl and Hawthorne meet.
- 9) 57 Central Ave – has been reported several times).
- 10) Central Ave – in front of the Eastpointe Nursing Home.
- 11) Bellingham Square – in front of Tedeschi's.

- 12) Broadway from Bellingham Square to "Tu Casa" Restaurant.
- 13) Shurtleff Street – directly in front of First Baptist Church (BHCC is across the street).
- 14) Walnut Street – corner of 4th street in front of the Synagogue.
- 15) 31 Gerrish Ave.
- 16) Eleanor Street/Crescent Ave.

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

ORDERED, that the City Manager have a meeting with the City Clerk and City Council with regards to elections and more accessibility to Seniors and to discuss Primary election results.

The following order was introduced by Councillors Vidot and Lopez. A motion from Councillor Vidot to refer to the sub-committee on Public Works was adopted under suspension. Councilor Vidot amended the Order to include Park Street where Hawthorne Street stands.

ORDERED, that the City Manager ask DPW to trim the trees that are hovering and blocking the street lighting in the following areas:

1. 148 Pearl Street.
2. ~~Hawthorne Street~~ (Park Street) - a couple of feet past Katz (Katz Bagel side).

The following order was introduced by Councilors Vidot and Lopez. Councillor Vidot moved the order to the Sub-Committee on Public Works under suspension.

ORDERED, that the City Manager consult with appropriate departments to inquire about water leak on Library/ Highland Street. Neighbors in the area have complained numerous times. The leak flows out into the street, freezes over and makes for icy conditions.

The following order was introduced by Councillor Vidot. A motion from Councillor Vidot moved the order to the Sub-Committee on Public Works under suspension.

ORDERED, that the City Manager look into putting a sign on the rotary on top of Bellingham Street to inform drivers coming from Eastern Ave side of

Bellingham Street to drive around the rotary. Currently, they often skip the rotary and turn left onto Highland Street creating dangerous situations.

The following order was introduced by Councillor Frank. A motion from Councillor Frank adopted the order under suspension.

REQUEST, for a meeting of the Subcommittee on Housing and Development for a presentation from the Planning Department on the status of development projects and planning processes across the city.

The following order was introduced by Councillor Frank. A motion from Councillor Frank adopted the order under suspension.

REQUEST, to schedule a meeting of the Subcommittee on Housing and Development to discuss the plausibility of enacting a fee that is attached to developments that do not meet the required open space requirements. The fee would be designated for an open space and recreation fund.

The following order was introduced by Councillor Cortell. Councillor Robinson moved the order to a public Hearing to be scheduled on April 4, 2016 under suspension.

Whereas, the City of Chelsea City Council accepted Mass. General Laws c. 59 §5C and currently approves a 20% Residential tax exemption for resident property owners of the City of Chelsea;

Whereas, the City Council requested the City Administration to review the impact of increasing the Residential Tax Exemption to 30% or 35%;

Whereas, on February 2, 2016, the City Administration recommended increasing the Residential Tax Exemption to 35% after finding a significant benefit to the majority of resident homeowners of Chelsea;

Whereas, a petition to the Legislature is required to increase the current Residential Tax Exemption from 20% to 35%;

Now therefore be it Ordered, by the City Council of the City of Chelsea hold a public hearing on April 4, 2016 as to the petition below:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 5C of chapter 59 of the General Laws, or any other general or special law to the contrary, with respect to each parcel of real property classified as Class One, residential, in the city of Chelsea as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation and, at the option of the city manager and with the approval of the city council, there shall be an exemption equal to not more than 35 per cent of the average assessed value of all Class One, residential, parcels within the city of Chelsea; provided, however, that the exemption shall be applied only to the principal residence of the taxpayer as used by the taxpayer for income tax purposes. This exemption shall be in addition to any exemptions allowable under section 5 of said chapter 59; provided, however, that in no instance shall the taxable valuation of the property, after all applicable exemptions, be reduced to below 10 per cent of its full and fair cash valuation, except through the applicability of section 8A of chapter 58 of the General Laws and clause Eighteenth of said section 5 of said chapter 59. Where, pursuant to said section 5 of said chapter 59, the exemption is based upon an amount of tax rather than on valuation, the reduction of taxable valuation for the purposes of the preceding sentence shall be computed by dividing the amount of tax by the residential class tax rate of the city of Chelsea and multiplying the result by \$1,000. For the purposes of this paragraph, "parcel" shall mean a unit of real property as defined by the board of assessors of the city in accordance with the deed for the property and shall include a condominium unit.

SECTION 2. A taxpayer aggrieved by the failure to receive the residential exemption authorized under this act may apply for the residential exemption to the board of assessors of the city of Chelsea in writing on a form approved by the board within 3 months after the date on which the bill or notice of assessment was sent.

For the purposes of this act, a timely application filed under this section shall be treated as a timely filed application pursuant to section 59 of chapter 59 of the General Laws.

SECTION 3. This act shall take effect as of July 1, 2016 and shall apply to taxes levied for fiscal years beginning on or after July 1, 2016.

The following order was introduced by Councillor Avellaneda. A motion from Councillor Avellaneda adopted the order under suspension.

ORDERED, that a hearing of the Subcommittee on Public Works be held to discuss City Council work orders on public works, traffic concerns and status updates on current construction projects.

The following order was introduced by Councillor Murphy late. No objections. Councillor Murphy referred it to the Traffic and Parking under suspension.

ORDERED, that the Traffic and Parking Commission add to their agenda to have a hearing into the possibility of making Hancock Street a one-way from Everett border to Franklin Street.

The following order was introduced by Councillor Vidot and received late. No objections. A motion from Councillor Vidot for roll call passed 8-3-0-0. Voting yes were Councilors Frank, Recupero, Lopez, Tejada, Garcia, Avellaneda, and Robinson. Voting no were Councilors Rodriguez, Murphy, and Cortell.

ORDERED, that the City Council send the Residential Ordinance and the City Solicitor's opinion to the Attorney General for Further legal review.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Paul G. Casino".

Paul G. Casino
Clerk of the Chelsea City Council