

Chelsea, Massachusetts, May 18, 2015

A Regular meeting of the Chelsea City Council was held. The meeting was held at the Chelsea City Hall located at 500 Broadway, Chelsea. The following Councilors were present: Robinson, Perlatonda, Hatleberg, Murphy, Cataldo, Cunningham, Brown, Frank, Barton, and Cortell. Councillor Recupero arrived at 7:08 p.m. Council President Robinson presided over the meeting. The meeting opened at 7:00 p.m.

Memoriums and celebratory resolutions:

The following resolution was introduced by Councillor Brown and all members of the City Council. A motion from Councillor Brown adopted the resolution under suspension.

Intergenerational Literacy Program

Whereas, The Intergenerational Literacy Program completed its 26th year of instruction at its annual Awards Ceremony on Friday, May 1 in the John Silber Early Learning Center with 190 adult learners receiving Awards for successfully completing their program. Over the past twenty-six years, over 2,600 families have participated in the program. Since 1989, the participating families have originated from 70 different countries and speak 40 different first languages.

Whereas, The program offers English literacy classes to immigrant parents so that they can improve their own opportunities and more fully support their children's education in American Schools, while maintaining their existing literacy and language practices in the home. Adults are provided instruction in reading and responding to literacy materials of adult interest and also provided a selection of children's books, strategies and ideas for use with their children. In addition parents are encouraged to share their children's stories and drawings and to discuss literacy events, and their importance, in their lives and the lives of their children.

Whereas, The ALSO offers three levels of English to Speakers of Other Languages (ESOL) for parents, and other community adults; had a distance learning ESOL program for adults; and offers supplemental instruction to parents in computer literacy, English conversation, writing, and preparation for colleges and career. The program also provides an adult basic education (ABE) course in Spanish and four courses leading to the HiSET (High School Equivalency Tests, which replaced the GED in Massachusetts in 2014).

Whereas, The ILP provides classes for preschool-aged children in the morning and both preschool-and-aged children in the evening and during school vacations so that parents can attend. Frequent in-class storybook readings are supported by a variety of activities, including literacy and language-focuses activities, science, gross motor, fine motor, music, and art. The school-aged children's classes provide homework support Hawthorn Street, summer reading and writing activities, use of computers, and book discussion groups, so therefore be it

Resolved, That we the members of the Chelsea City Council wish to extend our best wishes and congratulations to Barbara Krol Sinclair and the ILP Staff for their 26 years of service to our community with many more years to come.

The following resolution was introduced by Councillor Robinson and all members of the City Council. A motion from Councillor Cortell adopted the resolution under suspension.

RESOLUTION

Whereas, Chelsea Pride Youth Football & Cheer, Inc. established in 2008, is a non-profit organization working with the youth of Chelsea, and

Whereas, in 2012 a Recreational Cheer Team was created and for the past three years they have competed in regional and national cheer competitions, and

Whereas, On April 25, 2015, Chelsea Pride placed 1st in their division at the Jamfest Thrilljam National Competition held at Six Flags New England, now therefore be it

Resolved, That on behalf of the Citizens of Chelsea, we the members of the Chelsea City Council, congratulate all the members, coaches, cheerleaders and friends for placing 1st in their division at the Jamfest ThrillJam National Competition.

Public Hearing:

A public hearing was held with regards to the Capital Improvement Program 2016-2020.

The hearing opened at 7:20 PM.

No one came forward to speak and the hearing closed at 7:22 p.m.

The public hearing regarding the proposed acceptance of Beech Street from Spruce Street to Carter Street opened at 7:23 p.m.

No one came forward and the public hearing closed at 7:24 p.m.

Public Speaking:

The public speaking portion opened at 7:25

The following came forward to speak:

Barbara Sinclair, thanked everyone for their co-operation with the schools.

Resident of 40 Highland Street, spoke about the Bus Stop at Bellingham Square and about the tree falling at Washington Park.

The public speaking portion closed at 7:26 p.m.

The City Council minutes of April 27, 2015, and May 4, 2015 were approved at the request of Councillor Barton under suspension.

Communications from City Manager:

The following communication was received from Acting City Manager Ned Keefe. A motion from Councillor Hatleberg moved the request to a second reading under suspension.

Communications from City Manager:

The Honorable
City Hall
Chelsea, Ma 02150

Dear City Council:

I am pleased to recommend Ed Rosengard of 124 Cook Avenue for appointment to the Chelsea Council on Elder Affairs, with the enthusiastic support of Senior center Director Tracy Nowicki.

A lifelong resident of Chelsea, Ed is a Veteran and has been a member of the Senior Center for the past 10 years. His favorite activity there is volunteering from packing brown bag lunches to collecting tickets at events. Now he wishes to extend his volunteerism to serving on Chelsea's Council on Elder Affairs. Ed is also a longtime member of Temple Emmanuel.

I therefore respectfully request your affirmation of his appointment through two readings and a vote.

Sincerely,
Ned Keefe
Acting City Manager

The following communication was received from Acting City Manager Ned Keefe. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

The Honorable City Council
City Hall
Chelsea MA
02150

Re: Request to Appropriate Free Cash-\$168,000
DPW-Streets and Sidewalks-Paving Projects-FY'15 Capital Project

Dear Honorable City Council:

Your consideration and action is requested to appropriate Free Cash in the amount of \$168,000.00 to amend the FY'15 Capital Projects-DPW-Streets and Sidewalks-Street Improvement Capital Expense line.

DPW Director Joe Foti and staff conducted a visual pavement condition survey of primary routes and cross-town routes to assess their condition viability. The survey was conducted following the significant deterioration in pavement condition experienced this winter.

The need is extensive-with an estimated cost in excess of \$500,000. We are reviewing our options for funds to conduct this work, but propose to Council that we commit \$168,000 to secure contractors now to conduct a portion of this work in September, on the following streets:

Downtown Crosstown Streets: (mill and overlay)

Third Street and Congress Streets from Pearl to Chestnut Street

Everett Avenue from Route 1 South on-ramp to Broadway

Third Street and Chestnut Street at Island

Broadway and Crescent Avenue Intersection (overlay)

Williams Street from Pearl Street to Essex Street (mill and overlay)

The State DOT provided supplemental funds (WRAP Program), in the amount of \$88,000 to Chelsea. This work is programmed for May/June paving cycle, on the following streets:

City Hall Avenue (pavement smoothing)

Broadway at Cary intersection (mill and overlay)

Broadway from Stockton to Webster Ave (mil and overlay)

Broadway from Third Street to Cross Street (mil and overlay)

We are reviewing other sources of funds for street paving work-to try to address seven other priority areas-but anticipate that a minimal level of work needs to be programmed with contractors now in order to ensure a reasonable implementation schedule.

This Order sources the requested funds from Free CASH, and requires two readings before being acted upon.

Thank you for your consideration of this request.

Sincerely,
Ned Keefe
Acting City Manager

Communications and petitions to the Council:

A copy of a communication was received from Deborah Clayman, City Clerk, regarding the resignation of District Three (3) School Committee member Carlos J. Rodriguez. A motion from Councillor Hatleberg to accept and file was adopted under suspension. Councillor Hatleberg also requested that Council President Robinson start the procedure for replacement.

A copy of a communication was received from John DePriest, Director of Planning and Development regarding the acceptance of Beech Street as a public way. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

A late communication was received from Toni Marie Pignatelli Planner/Land Use Administrator informing the City Council that the Planning Board voted in favor of the acceptance of Beech Street. A motion from Councillor Hatleberg to accept and file the late communication under suspension.

Second Readings:

The following CIP. Resolution was taken from New Business to be acted upon at the request of Councillor Hatleberg under suspension. All members of the City Council introduced the Resolution. Councillor Hatleberg moved to adopt by roll call. The roll call passed 11-0-0-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cataldo, Cunningham, Recupero, Brown, Frank, Barton, and Cortell.

WHEREAS, The City Charter requires the annual adoption of a five year Capital Improvement Program ; and

WHEREAS, A Capital Improvement Program is an integral component of the City's financial planning and a cornerstone for our quality of life, both of which foster the economic development necessary to expand our tax base and sustain the life of the community; and

WHEREAS, A Capital Improvement Program is necessary for the maintenance and improvement of the City's infrastructure, possible only in conjunction with the long term financial planning; and

WHEREAS, A Capital Improvement Program reduces on-going maintenance costs and the high cost and the high cost of emergency repair work; and

WHEREAS, In this year, 2015, We, the City Council of the City of Chelsea, have now before us the eighteenth such capital improvement program, and hereby accept the submission of this capital improvements program as provided for in Section 5-4 of the City Charter, no other requirements being provided by ordinance; and

WHEREAS, Adoption of the Capital Improvement Program prior to submission of the operating budget assists the City Manager in carrying out his duties, as the impact of the capital budget expenditures for the on-going fiscal year are reflected in the annual operating budget; and

WHEREAS, This Capital Improvements Program for fiscal years 2016-2020, includes projects for the maintenance and improvement of the City roadways, water, sewer and drainage systems, roadways and sidewalks, transportation, public buildings and facilities, parks and open space, public safety projects, and general equipment; and

WHEREAS, In accordance with section 5-4 C of the City Charter a public hearing was held on May 18, 2015, prior public notice having been properly given.

NOW THEREFORE

BE IT RESOLVED, The City Council having reviewed the Chelsea's Capital Improvement Program, 2016-2020, recognizes the hard work and continuing effort put into this document by City Officials, and does hereby adopt this Program without amendments.

The following order was introduced by Councillor Recupero. Councillor Recupero moved to adopt the order by roll call and amend it to strike out **May, 2015** and insert **July, 2015** also to strike out the last sentence (**This ordinance shall be deemed to affect both Civil Service employees of the City**) by roll call. The roll call on the amendment failed 4-7-0-0. Voting yes were Councilors Robinson, Perlatonda, Recupero, and Barton. Voting no were Councilors Hatleberg, Murphy, Cataldo, Cunningham, Brown, Frank, and Cortell. The roll call on the order failed 4-7-0-0. Voting yes were Councilors Robinson, Perlatonda, Recupero, and Barton. Voting no were Copouncilors Hatleberg, Murphy, Cataldo, Cunningham, Brown, Frank, and Cortell.

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 May, 2015, 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 three (3) 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 for the CIP Loan was read for the second time and introduced by Councillor Hatleberg. Councillor Hatleberg moved to adopt by roll call. The roll call passed 11-0-0-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cataldo, Cunningham, Recupero, Brown, Frank, Barton, and Cortell. No one voted in the negative.

**City Chelsea, Massachusetts
Fiscal Year 2016
Capital Improvement Program Loan Order**

BE IT ORDERED: That the various capital projects and equipment purchases shown under the heading of Grant Funding on the Schedule attached hereto (the "Schedule"), and consisting of: Miscellaneous Grants (\$183,000) and Chapter 90 (\$788,000), for a total of \$971,000, shall be undertaken and financed by grants or other funds as shown on the Schedule, such grants to be expended under the direction of the City Manager and that the City Manager or his designee is hereby authorized to apply for, accept and expend any state or federal grants that are or may become available for these purposes; and

That the total sum of \$550,000, be and hereby is appropriated to pay the costs of various capital projects and equipment purchases, shown on the Schedule under the heading: Sewer Fund Borrowing (\$550,000), including the payment of any and all design, engineering, construction and installation costs associated therewith, and for the payment of all other costs incidental and related thereto; and that the Treasurer, with the approval of the City Manager, is hereby authorized to borrow the sum of \$550,000 under and pursuant to Chapter 44, Sections 7 and 8, of the General Laws, as amended, Chapter 44A of the General Laws, as amended or pursuant to any other enabling authority and to issue bonds or notes of the City therefor; and

That the sum of \$790,000, be and hereby is appropriated to pay costs of water system improvements eligible for financial assistance through the Massachusetts Water Resource Authority's Local Water System Assistance Program (LWSAP), including the payment of any and all other costs incidental and related thereto; and that the Treasurer, with the approval of the City Manager, is hereby authorized to borrow the sum of \$790,000 under and pursuant to Chapter 44, Sections 7 and 8, of the General Laws, as amended, Chapter 44A of the General Laws, as amended or pursuant to any other enabling authority and to issue bonds or notes of the City therefor; and

That the sum of \$1,035,000 be and hereby is appropriated from Free Cash to pay the costs of various capital projects purchases, shown on the Schedule under the heading: Free Cash (\$1,035,000); and

That the sum of \$325,000 be and hereby is appropriated from the School Capital Stabilization to pay the costs of various capital project purchases, shown as #9 & #10 on the Schedule under the heading: Other City Funds, with said funds to be available upon approval of the Loan Order; and

That the sum of \$100,000 be and hereby is appropriated from the Casino Community Mitigation Fund to pay the costs of a planning project, shown as #23 on the Schedule under the heading Other City Funds; and

That the sum of \$3,940,000 be and hereby is appropriated from Enterprise Fund Reserves to pay the costs of various public works projects, shown as #28 & #29 on the Schedule under the heading: Other City Funds.

ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

New Business:

The following order was introduced by Councillor Cunningham and Councillor Cortell. Councillor Cortell moved to adopt under suspension. Councillor Barton moved to L.O.T. under suspension.

ORDERED, that a sub-committee on conference be held to discuss the feasibility of relocating the bus stop in Bellingham Square currently situated in front of Bunker Hill Community College.

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

ORDERED, that the Acting City Manager and Acting Fire Chief provide to City Council a document detailing the status of recommendations made in the Matrix Study conducted at the request of Chelsea Fire Department and at the expense of the City, how, if any stated areas concluded to need improvement have been addressed, which, if any, remain unaddressed at this time and what, if any plans there are for addressing those that have yet to be including time tablets.

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

ORDERED, that the Acting City Manager and Acting Fire Chief provide City Council a document indicating: (1) the total number of work shifts over 2015 to date, (2) the number of shifts over the same time period in which it at least one (1) staff member of any rank was working in overtime status,(3) the total amount of overtime shifts worked over the same time period and, with said numbers, (4) the average overtime staffing per shift for coverage required or otherwise deemed necessary.

The following order was introduced by Councillor Hatleberg. Councillor Hatleberg moved the order to a second reading under suspension.

ORDERED, that the Chelsea City Council authorize the appropriation of \$168,000.00 from Free Cash to supplement the Fiscal Year 2015 Department of Public Works Streets and Sidewalks Division-Capital Outlay Expense-Road Improvements Account #0142258-583100.

The following order was introduced by Councillor Robinson. A motion from Councillor Hatleberg to adopt by roll call passed 11-0-0-0. Voting yes were Councilors Robinson, Perlatonda, Hatleberg, Murphy, Cataldo, Cunningham, Recupero, Brown, Frank, Barton, and Cortell.

WHEREAS, by Section 21 of chapter 82 of the Massachusetts General Laws, as amended, it is provided that the Chelsea City Council may make a public way; and

WHEREAS, the street known as Beech was never formally laid out and accepted as a public way,

WHEREAS, the City Administration has researched determined and recommended that Beech Street from Carter Street to Spruce Street approximately 49,695.6 square feet be laid out as a public way which is described on the attached plan by Allen & Major Associates, Inc.;

WHEREAS, The City Planning Board and the City Traffic and Parking Commission after each holding a public hearing have recommended the lay out and acceptance of Beech Street pursuant to Section 24-85 of the Chelsea Massachusetts Code of Ordinances;

NOW, THEREFORE BE IT ADOPTED

NOW, THEREFORE, by virtue of and in pursuance of the authority by said Chapter 82 of the Massachusetts General Laws and by every other power and authority it thereto enabling, the City of Chelsea, by its City Council does hereby lay out and accepts Beech Street as a public way a roadway and parcel of land located from Carter Street to Spruce Street in Chelsea, Massachusetts, County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows;

Starting at a point on Spruce Street approximately 27.5' southerly of the property line of land n/f emerald Corporate Center, LLC, thence running 1,242.43 feet N38'01'59W to a point on the westerly side of Beech Street at Carter Street, thence travelling 40 feet N52'04'46E to a point on the easterly side of Beech Street at Carter Street, thence running 1,242.35 feet S38'01'59E to a point on Spruce Street, thence running 40 feet S51'58'01 W to the point of origin, containing approximately 49,695.6 square feet of land.

A moment of silence was conducted for Police Officer Jesse Coleman and Roger Chipman at the request of Councilors Cunningham and Murphy.

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Paul G. Casino
Clerk of the Chelsea City Council

