

Chelsea, Massachusetts June 15, 2020

A Regular scheduled meeting of the Chelsea City Council was held. The meeting due to the Corina Virus was partially held at the Chelsea City Hall located at 500 Broadway Chelsea Massachusetts 02150. Some Councilors were at home and participated via Teller Communication. The following participated in the meeting: Councilors Zabot, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Rodriguez, Avellaneda, and Lopez. Councilor Maldonado was absent. The meeting opened at 7:00 P.M.

Memoriums and Celebratory Resolutions:

The following Resolution was introduced by Councilor Robinson, Avellaneda and Brown. A motion from Councilor Robinson for roll call passed 9-1-1-0. Voting yes were Councilors Zabot, Garcia, Recupero, Robinson, Brown, Vidot, Rodriguez, Avellaneda, and Lopez. Councilor Maldonado was absent.

Justice in Policing Resolution

WHEREAS, Prohibits federal, state, and local law enforcement from racial, religious and discriminatory profiling, and mandates training on racial, religious and discriminatory profiling, for all law enforcement.

WHEREAS, Bans chokeholds, carotid holds and no-knock warrants at the federal level and limits the transfer of military-grade equipment to state and local law enforcement.

WHEREAS, Mandates the use of dashboard cameras and body cameras for federal offices and requires state and local law enforcement to use existing federal funds to ensure the use of police body cameras.

WHEREAS, Establishes a National Police Misconduct Registry to prevent problematic officers who are fired or leave on agency from moving to another jurisdiction without any accountability.

WHEREAS, Amends federal criminal statute from "willfulness" to a "recklessness" standard to successfully identify and prosecute their constitutional rights.

WHEREAS, Reforms qualified immunity so that individuals are not barred from recovering damages when police violate their constitutional rights.

WHEREAS, Establishes public safety innovation grants for community-based organizations to create local commissions and task forces to help communities to re-imagine and develop concrete, just and equitable public safety approaches.

WHEREAS, Creates law enforcement development and training programs to develop best practices and requires the creation of law enforcement accreditation standard recommendations based on President Obama's Task force on 21st Century policing.

WHEREAS, Requires state and local law enforcement agencies to report use of force data, disaggregated by race sex, disability, religion, age.

WHEREAS, Improves the use of pattern and practice investigations at the federal level by granting the Department of Justice Civil Rights Division subpoena power and creates a grant program for state attorneys general to develop authority to conduct independent investigations into problematic police departments.

WHEREAS, Establishes a Department of Justice task force to coordinate the investigation prosecution and enforcement efforts of federal state and local governments in cases related to law enforcement misconduct.

BE IT RESOLVED, That the Chelsea City Council hereby supports Chair Karen Bass, Senator Cory A. Booker, Kamala D. Harris, and Jerrold Nader in regards to Justice in Policing Act for their contribution to the City of Chelsea and beyond.

Public Speaking:

The public speaking portion of the meeting opened at 7:20 p.m. The following came forward to speak:

All of the speakers spoke of the Faith and Unity by the Chelsea Interfaith Alliance and Chelsea City Leaders for Social Justice and Equality.

Jon Cromwell - 38 Addison Street,

Farther John Sheridan - 59 Nichols Street

Kourou Pich - 148 Shaumut Street

Farther Hilario - St Rose

Roseann Bongiovanni - 7 Bell Street

Kelly Garcia - 135 Washington Street

Joe Mahoney - 200 Captains Row

Paul Nowicki - 28 Breakwater Cove Chelsea

Molly Baldwin - 144 Library Street

Reverend Ricardo Valle - 103 Orange Street

Almi Abeyta – 500 Broadway

The public speaking portion of the meeting closed at 7:32 p.m.

Communications from City Manager:

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

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

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to the Administrative Code Section 1.12.02, I am writing to notify you that it is my intention to hire Mr. Kenneth Moore 377 Main Street, Saugus, Massachusetts for the position of part-time Sr. Water & Sewer Operator and to grant him a waiver from the residency requirement set forth in the Administrative Code, Part IV Section 1.12.01. There were no other applicants for this position which required a valid Massachusetts D3 Drinking Water Operator license. Mr. Moore has worked in Chelsea for RH White on the on the City's water system for many years.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waiver within seven days.

Sincerely
Thomas G Ambrosino
City Manager

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

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

Re: New-Appointments to Board of Assessors

Dear Councilors:

Pursuant to Section 4-2 of the Charter of the City of Chelsea, I am writing to recommend that the Acting Director of Assessing Mr. James P. Sullivan, 17 Fairmont St. Winchester, Massachusetts, be appointed to the Board of Assessors. Mr. Sullivan will be taking the place of former Director of Assessing Mary Lou Ireland, who resigned to take a new position in Ipswich. Mr. Sullivan's resume is attached.

I am expressly requesting that this be a short-term appointment for six months only, from July 1, 2020 until December 31, 2020. This will allow for an interim appointment as we continue the search for a permanent replacement for Ms. Ireland, a process complicated and delayed by the COVID-19 pandemic.

Once a permanent Director of Assessing is appointed, that person will be recommended for appointment to the Board.

For this interim appointment of Mr. Sullivan, I respectfully ask for a waiver of the residency requirement.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: Outdoor Dining Assistance

Dear Councilors:

As you know, as of Mon. June 8, 2020, restaurants were allowed to open with outdoor seating services. I am writing now with some requests to make this option more viable for some of the City's existing restaurants.

Given the precariousness of their current financial condition due to the shutdown caused by the COVID-19 pandemic, I feel it is imperative for the City to try to improve our hospitality industry's chance of economic survival as much as possible. One way to do that is to make outdoor dining as easy as possible. We have started by streamlining the process for the permitting of outdoor seating and the extension of liquor licenses to these locations. Details on that effort are set forth in the attached email to the Chelsea Chamber of Commerce, which was shared with the City Council last week.

There are two additional steps that we can take to help in this process, but both require City Council approval.

The first is to allow restaurants to extend their outdoor seating not just to sidewalks, but to public ways, including public parking areas. To do this, approval must be granted first by the Traffic Commission and then by the City Council. We are asking for the Council to approve this at its June 15, 2020 meeting. A conceptual plan of public spaces that might be occupied by outdoor dining is attached although the specific locations will vary depending upon interest and individuals circumstances. The matter will be before the Traffic Commission for a vote this evening.

Keep in mind that these areas on Broadway which we are proposing to set aside for outdoor dining will soon be separated by the dedicated pilot shared bus/bike lane, which the Council approved last winter. Construction of that shared bus/bike lane will likely commence in July.

The second request is for the City Council to lift the existing Ordinance prohibition on the serving and consumption of alcohol on public property, but exclusively for restaurants providing licensed outdoor dining services. A draft of that proposed Ordinance change is attached for your review. There is concern that, for restaurant establishments with licenses to serve alcohol, prohibiting that alcohol service in the outdoor seating areas will undermine the effort to support these businesses.

I ask that the City Council approve both of these initiatives.

Sincerely,
Thomas G. Ambrosino
City Manager

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

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

Re: Federal Cares Act Reimbursement

Dear Councilors:

I am writing with some good news.

Today, the City of Chelsea received a wire transfer from the Massachusetts Department of Revenue in the amount of \$2,511,554. This amount represents the qualified reimbursement money should be treated as a grant, which must be accepted by the City Council. Following acceptance of the grant, the money may be expended without further appropriation. These funds will allow for the City to continue its COVID-19 related relief as we transition to a second round of efforts to address food insecurity, rental assistance and small business relief.

A draft of the Order to accept this grant is attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino a motion from Councilor Vidot to accept and file was adopted under suspension.

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

Re: Declaration of Faith & Unity by Interfaith Alliance
Dear Councilors:

In preparation for the meeting tonight with the Chelsea Interfaith Alliance, I have attached for your review the signed document entitled "A Declaration of Faith & Unity by the Chelsea Interfaith Alliance and Chelsea City Leaders for Social Justice and Equality."

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was received late. No objections. A motion from Councilor Robinson moved it to a second reading under suspension.

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

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to the Administrative Code Section 1.12.02, I am writing to notify you that it is my intention to appoint Ms. Dragica Ivanis, 91 Veterans Road, Apt. 307 Winthrop Massachusetts to the position of Chief Procurement Officer and to grant her a waiver from the residency requirement set forth in the Administrative Code, Part IV Section 1.12.01. As most of you know, Ms. Ivanis has been employed by the City in various roles, most recently as Asst. Chief Procurement Officer, since 2001. A copy of her resume is attached.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waiver within seven days.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was received late from City Manager Thomas G. Ambrosino. No objections. A motion from Councilor Vidot moved the request to a second reading under suspension.

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

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to the Administration Code Section 1.12.02, I am writing to notify you that it is my intention to hire Northeastern University graduation student Chris Klem of Boxborough Massachusetts as a part-time summer intern in the Planning Department to help build a GIS database of city housing data to support analysis and policy recommendations. The position was advertised through area public policy graduate programs to attract the requisite policy knowledge and GIS skills. The department received 10 applicants, none of whom were Chelsea residents. A copy of Mr. Klem's resume is attached.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waiver within seven days.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from City Clerk Jeannette Cintron White regarding the actions approved at the March 10, 2020 Traffic and Parking Commission Meeting. A motion from Councilor Robinson to accept and file was adopted under suspension.

A copy of a communication was received from City Clerk Jeannette Cintron White regarding the actions approved at the June 9, 2020 Traffic and Parking Commission Meeting. A motion from Councilor Robinson to have a roll call passed 10-0-1-0. Voting yes were Councilors Zobot, Garcia, Taylor, Recuperero, Robinson, Brown, Vidot, Rodriguez, Avellaneda, and Lopez. Councilor Maldonado was absent.

New Business:

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

Request, that a Sub-Committee on Conference for an ordinance revising part II Chapter 34 of the Chelsea Code of Ordinance off-street parking requirements in downtown.

The following order was introduced by Councilor Avellaneda. A motion from Councilor Robinson for roll call passed 9-0-2-0. Voting yes were Councilors Zobot, Garcia, Taylor, Recuperero, Robinson, Brown, Vidot, Avellaneda, and Lopez. Absent were Councilors Maldonado and Rodriguez.

ORDERED, that the Chelsea City Council hereby accepts the grant award from the Massachusetts Department of Revenue in the amount of \$2,511,554 for COVID-19 related expenditures, and allows for the City Auditor to post these funds to the GL consistent with guidance from the MA DOR Division of Local Services.

The following order was introduced by Councilor Brown. A motion from Councilor Brown to adopt under suspension was adopted.

Motion that the City Council Public Safety Subcommittee expeditiously commence meeting with the City Manager, the Police Chief, members of the Chelsea Black Community and other interested residents to discuss issues of systemic and structural racism in our society and work to develop a set of concrete recommendations to address the problem that can be implemented within our City of Chelsea.

The following order was introduced by Councilor Garcia. A motion from Councilor Garcia to adopt by suspension was adopted. Councilor Avellaneda also added that the City Apply for existing grants.

Request that the city establish a special grant fund to help small businesses buy PPE (Personal Protective Equipment), install safety partitions, or to manage outdoor spaces.

The following order was introduced by Councilor Vidot. A motion from Councilor Vidot moved to adopt under suspension and at the request prior from Councilor Robinson combine them for a conference. Adopted under suspension.

Ordered, that a subcommittee on conference be held to explore alleviation of off-street parking requirements in the Broadway district.

The following order was introduced by Councilor Garcia. A motion from Councilor Garcia to adopt under suspension was adopted. Councilor Avellaneda added to request the Traffic and Parking Commission add to their agenda.

Request that the City look into creating special 15-minute stickers for restaurant delivery employees who are forced to briefly double-park while completing home deliveries.

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

Request that the City Council begin meeting with the Lewis Latimer Society, the Chelsea Black Community, Public Safety, officials, the city manager, the city solicitor and community members to develop plans to address unconscious bias and systemic racism, including in such discussions the possibility of creating among other remedies an office of diversity and inclusion in the city a permanent task force on racism and a program for comprehensive and mandatory inherent bias training for all employees.

The following order was introduced by Councilors Avellaneda, Zobot, Maldonado, Garcia, Vidot, Rodriguez, and Lopez. A motion from Councilor Vidot. Councilor Recupero moved to adopt under suspension and it was adopted.

Order that the statue of Christopher Columbus be removed from Chelsea Square and that the Chelsea Historical Commission and Chelsea Arts and Cultural Commission place on their agendas to collaborate and discuss the replacing of said statue with a memorial for the original indigenous habitants of Chelsea to remember their place in Chelsea's history.

The following order was introduced by Councilor Avellaneda. A motion from Councilor Robinson for roll call passed 9-0-2-0. Voting yes were Councilors Zabet, Garcia, Taylor, Recupero, Robinson, Brown, Vidot, Rodriguez, Avellaneda, and Lopez. Absent were Councilors Maldonado and Rodriguez.

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, in an effort to help stimulate the small business economy impacted by the COVID-19 pandemic, the City of Chelsea wishes to allow restaurants to serve alcohol in outdoor seating areas;

NOW, therefore be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended as follows:

AN ORDINANCE REVISING PART II CHAPTER 14, SECTION 14-91 AND CHAPTER 16, SECTION 16-98 OF THE CHELSEA CODE OF ORDINANCES TO ALLOW FOR ALCOHOL AT OUTDOOR CAFÉ'S.

Amendment 1

That Chapter 14, Section 14-91 of the Code of Ordinances, City of Chelsea, Massachusetts is hereby amended by striking Subsection (f)(2).

Amendment 2

That Chapter 16, Section 16-98 of the Code of Ordinances, City of Chelsea, Massachusetts is hereby amended by adding a new Subsection (b)(4) as follows:

(4) Exception: Nothing in this section, nor any other section of this Code of Ordinances, shall prohibit the distribution use, possession or consumption of alcoholic beverages on public property provided such distribution, use, possession or consumption is occurring within an outdoor seating area for a restaurant licensed by the Licensing Commission to serve alcohol pursuant to M.G.L. c. 138 and to operate an outdoor café' and dining area pursuant to Section 14-91.

These changes shall take effect immediately.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council