

Chelsea, Massachusetts, June 20, 2011

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 were in attendance: Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Absent were Councilors MeKonnen and Barton. Council President Vega-Torres presided over the meeting. The meeting opened at 7:00 P.M.

Prior to the start of the meeting Robert Brown 25 Grey Lane Lynnfield, Mass. 01940, was promoted to the rank of Permanent Fire Lieutenant, in the Chelsea Fire Department. Bryan Bermudez 104 Carroll Street Chelsea Mass 02150 was appointed Permanent Fire Fighter for the City of Chelsea Fire Department. Deborah Clayman, City Clerk, gave the oath to both Mr. Bermudez and Mr. Brown.

Public Speaking:

The public speaking portion of the meeting opened at 7:10 P.M.

No one came forward and it was closed at 7:11 P.M.

The minutes of the City Council meeting dated June 6, 2011 were approved at the request of Councillor Washington under suspension.

Communications from City Manager:

The following communication was read from City Manager Jay Ash. A motion from Councillor Cortell moved the communication to the sub-committee on conference under suspension.

The Honorable Chelsea City Council
City Hall
Chelsea, MA 02150

Dear Honorable City Council:

As you know, economic development activities continue to be important initiatives that transform the new to old, create new revenues for our municipal budget and support the city's overall revitalization. I appreciate Council's efforts on the City's economic development agenda and believe fully that we would not be enjoying the success we are if it were not for Council's role in making economic development happen.

I am currently working on several development matters and believe it would be a good time to check in with Council to review these. I would hope that Council would be

available to meet in subcommittee soon to discuss this further, as there are numerous items which are timely.

Again, thanks for your efforts. A substantial part of the story I am able to relate to developers, investors and businesses considering Chelsea is the working relationship and strong cooperation we enjoy. I hope to extend this with our next discussion.

Sincerely,
Jay Ash
City Manager

The following communication was read from City Manager Jay Ash. A motion from Councillor Maronski to accept and file was adopted under suspension.
Honorable Members of the City Council
500 Broadway
Chelsea, MA 02150

Re: JAG Grant Authorization

Dear Ladies and Gentlemen of the Chelsea City Council:

I write to request your support of the application being submitted by the Chelsea Police Department for the Federal Byrne Justice Assistance Grant (JAG) Program. The City has been the recipient of previous JAG awards and consistent with recent awards, this grant program will continue local efforts to combat violence and deal with serious offenders.

The Chelsea Police Department (CPD) is preparing an application for \$68,292. If approved, the JAG grant would allow CPD to deploy police officers in specialized gang, drug and anti-crime units to focus on crime reduction initiatives. A program abstract is attached describing the grant application.

Knowing your support of local policing efforts, I am sure that you would agree that the proposed program is a critical initiative that has already enhanced our public safety efforts. The continuation of this and other JAG supported initiatives will bring continues positive results.

Eligibility under the grant requires authorization by the local governing body to apply for the grant, and so in accord with this requirement I have attached a proposed order.

In advance, I again appreciate your support of the efforts advanced through the JAG program.

Respectfully,
Jay Ash
City Manager

The following communication was read from City manager Jay Ash. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

The Honorable City Council
City Hall
Chelsea, MA 02150

Re: CIP FY'09 Bond Rescinding Order

Dear Honorable City Council:

Attached you will find a Rescinding Order to remove projects from the 2009 Capital Improvement Program, approved by the City Council on April 28, 2008 and thereafter recommended as reductions to the CIP Program in my Financial Integrity plan submitted to the Council on December 2, 2008.

These projects are currently considered on our indebtedness schedule to be authorized but unissued. This action is necessary to remove these projects from this authorized status, requires a single reading of the Council.

Your consideration of this request is appreciated as it will allow the City to make necessary corrections to our debt schedules in advance of the upcoming audit.

Sincerely,
Jay Ash
City Manager

The following communication was received late from City Manager Jay Ash. A motion from Councillor Hatleberg to accept the late communication so that it could be acted upon was accepted under suspension. A motion was then offered by Councillor Hatleberg to accept and file under suspension. There were no objections.

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

Re: Revision to Letter and Order of June 15, 2011 for CIP Transfer Request to fund Crescent Avenue Shortfall.

CIP Transfer Request from FY'06 Spruce Street funds and FY'10 Jefferson to Crescent Avenue FY'09 Roadway, Sewer & Drainage Project.

Ladies and Gentlemen of the Council:

This letter revises the request to fund the Crescent Avenue shortfall by seeking your approval to draw funds from FY'06 Spruce Street project that is completed and has a remainder balance, together with funds remaining in the completed FY'10 Jefferson Avenue, to provide a total of \$310,070.

The Crescent Avenue project is now complete at a total project cost of \$4,590,116.90, including a final project account reconciliation shortfall of \$310,070. The shortfall is the result of disposal costs related to contaminated soils, where the City encountered a higher than projected ratio of contaminated soil to clean soil when excavating to support the massive drainage structures required along the roadway.

The CIP Committee seeks your authorization to transfer funds appropriated for other CIP projects but no longer needed to address the Crescent Avenue shortfall;

CIP FY'10 Jefferson Avenue Sewer project- The project is complete and closed out at a lower cost than budgeted in the CIP (\$1,005,000). The Jefferson Avenue sewer bond balance remainder of \$45,330.00 is proposed for transfer to CIP'09 Crescent Avenue.

CIP FY'06 Spruce Street project- The Spruce Street project construction cost was supported by \$1,694,043.45 in bond funds. A portion of the remaining and unused bond amount or \$264,739.79 in Sewer Bond funds is requested for Crescent Avenue. The balance of unused budgeted amount (\$488,682.67) will remain in the Spruce Street project account for remaining in the fall, subject to a new request and with your approval.

The request to transfer funds-the remainder funds of the Jefferson project and the excess funds in the Spruce Street project for a total amount of \$310,070 – to Crescent Avenue will require two readings of the Council, and so this business will not be concluded until September.

I have attached two project orders for your consideration, and respectfully request that Council take action on these matters.

Sincerely,
Jay Ash
City Manager

The following communication was read from City Manager Jay Ash. A motion from Councillor Hatleberg to accept and file was adopted under suspension.
The Honorable Chelsea City Council
City Hall
Chelsea, MA 02150

Dear City Council:

In April, 2009 Council adopted a tax relieve plan through the State's Economic Development Incentive Program to support the development of a Cambria Suites in the Everett Avenue Urban Renewal District. A lot has happened since that vote in 2009, including the upgrading of the project to a Marriott Residence Inn. To ensure that the hotel project receives its approved city property tax and state income tax relief. I have been advised that the City should adopt an amended Certified Project Application. This adoption should take place prior to the closing of the land, which is currently scheduled for June 30, 2011.

For your information, the level of relief and duration of the relief period has not changed. The hotel project is approved to receive a 50%, 40%,25%,25%,25% relief package for the five years of the tax relief period. The 33% average is less than the 60% average provided for the Wyndham project, and the 5 year period is half of the 10 year period of the Wyndham's tax relief (which has now expired).

What has changed is the name of the hotel, Marriott, and the resulting increase in value. The Cambria was estimated to be a \$17m project; the Marriott is looking like a \$20m project. That, despite the Marriott, having 15 less rooms, at 120 total. The same number of jobs is being committed, 36.

Because the name has changed and the value has gone up, it is advisable for the City to update our Tax Increment Financing agreement with the developer, and have that TIF agreement and the supporting Certified Project application approved by the State. Attached, therefore, is an updated copy of each.

As a result of this project, the Marriott would receive an estimated \$818,000 worth of tax relief over the 5 year period, with the City deriving \$4.5m worth of revenue in the form of a \$1.9m sale of the land, \$1.4m in property taxes, \$1m in room excise tax and \$20,000 in building fees.

I appreciate your anticipated support of this amended agreement. With your approval, the closing may go forward on June 30th, and a groundbreaking can be anticipated for this summer.

Congratulations on your contributions to getting this important project completed. It has been a long and tough effort, but we have prevailed once again. I look forward to celebrating the success of this initiative with you shortly.

Sincerely,
Jay Ash
City Manager

The following communication was read from City manager Jay Ash. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

The Honorable City Council
City hall
Chelsea, MA 02150

Re: Revolving Account Approvals for FY'12

Dear Honorable Ladies and Gentlemen of the City Council:

Your action is required to put in place Revolving Fund accounts for Fiscal Year 2012.

State law allows municipalities to establish revolving funds to allow for certain revenues raised by those departments to be retained by the departments for department expenditure. It is required of the City Council to reauthorize-prior to the end of this fiscal year for effect next fiscal year-the establishment of the:

- i) Public Library Revolving Account,
- ii) Elder Affairs Revolving Account.
- iii) Emergency Management Revolving Account,
- iv) Inspectional Services Revolving Account,
- v) Planning and Development Tax Title Foreclosure Revolving Account.

As you know but I will nonetheless review, the Library takes in fees and fines for overdo books, room rentals and copier machine use. The Senior Center receives dues, fees and payment for program participants. Emergency Management collects reimbursements for the cost the City incurs in various hazards material incidents. Inspectional Services receives registration fees from owners of foreclosed and vacant properties in Chelsea. Planning and Development collects rental income funding to support the activities of properties owned or held in receivership by the City, for operating, maintenance and capital improvements to the properties.

For the Library and Senior Center, the annual expenditure from the account is limited to \$10,000 annually. Because the expenditures for hazardous material incidents and the replacement of equipment used in those responses are greater, the cap on Emergency Management expenses is \$30,000. The annual expenditure cap for ISD is \$30,000 based upon the expense of boarding-up houses and the potential volume of cases, and \$1000,000 for Planning and Development due to the larger expense of achieving or maintaining building standards for tenants.

I request you authorize the establishment of these funds and allow these departments to continue to collect and expend funds necessary for the perpetuation of the services they offer. Consistent with recent years actions, this authorization requires a single reading of the Council.

Thank you for your consideration of the authorization orders and fund account requests.

Respectfully,
Jay Ash
City Manager

The following communication was read from City Manager Jay Ash. A motion from Councillor Robinson to accept the communication and affirm the appointment of Mr. Liam Connolly to the Board of Library Trustees by roll call passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Absent were Councilors MeKonnen and Barton.
The Honorable Chelsea City Council
500 Broadway
Chelsea, MA 02150

Dear Honorable Council:

I am pleased to recommend Mr. Liam Connolly of 39b Warren Avenue for appointment to the Board of Library Trustees.

As you can see from has attached letter of interest and resume, Liam is anxious to provide to community endeavors and has the requisite educational and work experience to be of value to the Library. The combination of the two should serve the Board of Library Trustees well.

I thank you for your consideration of this appointment request.

Sincerely,
Jay Ash
City Manager

The following communication was read from City Manager Jay Ash. A motion from Councillor Robinson to accept and file was adopted under suspension.
Honorable Members of the Chelsea City Council
500 Broadway
Chelsea, MA 02150

Re: Endorsement of PARC Grant Applications

Dear Ladies and Gentlemen of the Chelsea City Council:

The City, as in years past, has an opportunity to apply for funds for parkland development and acquisition under the State's Parkland Acquisition and Renovation for Communities (PARC) Program. This year, as opposed to previous years, the City plans on preparing two non-precluding grant proposals under the PARC Program. One grant

proposal calls for the renovation and reprogramming of the existing Washington Park and the second grant proposal is for the acquisition of land for future park uses located at the intersection of Spruce Street and Addison Street.

In 2010, the City updated their Open Space and Recreation Plan and two main objectives for the future of open space in Chelsea were, one, give top priority to the rehabilitation and maintenance of existing parks and two provide each neighborhood with an adequate range of appropriately located parks. This year's PARC grant proposals simultaneously forward both objectives. The renovation of Washington Park is long-coming from a maintenance perspective and the reprogramming will allow the City to better utilize this important open space resource. In addition, acquiring a vacant parcel in the densely developed, but void of open space neighborhood of Addison-Orange allows the City to expand their open space resources and plan for future open space development.

If the grant(s) are awarded to Chelsea, the State will fund 70% of the cost, up to \$500,000, and we will be coming to the Council to approve funds for the remainder (30%) of the cost of the project. For example, for Washington Park, a rough preliminary estimate for the renovation indicates that it will cost between \$720,000 and \$750,000 depending upon the design elements requiring a local contribution of between \$220,000 \$250,000. In addition, for Addison Street, if the appraisal comes in at \$250,000 the local contribution comes in at \$75,000.

Two resolution/orders are attached for your endorsement. These resolution/endorsements authorize the City staff to submit the grant applications, authorize me to enter into contracts for the grant and completion of the projects, and if successful in receipt of the grant, limit the sites for open space/residential use in perpetuity. The Council's endorsement of the resolutions is a requirement of the grant applications.

These applications provide a unique opportunity for the City to simultaneously address the lack of open space in the Addison-Orange neighborhood by cheaply acquiring a parcel for future development and renovate one Chelsea's existing neglected open spaces. Because the both of the philosophies behind these projects are strongly recommended in multiple planning efforts, including our recently updated Open Space and Recreation Plan and our 2008 Addison-Orange Revitalization Plan, we feel that the projects have an excellent chance of being funded under the PARC grant program. In addition

As always, the Council's support of the City's park development effort is essential and plays an important role in the grant funding application process. With Council leadership, the City continues to work to expand and renovate its parks and playground system. Currently, the new artificial playing surface at Highland Park has been fully installed and is ready for use for all Chelsea residents.

The Council's positive action on this matter will improve the quality of life for residents of this neighborhood and will foster economic redevelopment for years to come.

Sincerely,

Jay Ash
City Manager

Communications and petitions to the Council:

A copy of a communication was received from Deborah Clayman, City Clerk/Parking Clerk, regarding the Chelsea Traffic and Parking Commission Meeting held on June 7, 2011. A motion from Councillor Robinson to accept and file was adopted under suspension.

A copy of a communication was received from City Solicitor Cheryl Watson regarding City Ordinances. A motion from Councillor Hatleberg to accept and file was adopted under suspension.

Committee Reports:

A copy of the Sub-Committee report dated May 23, 2011 regarding the Council and the School Committee was received. A motion from Councillor Robinson to accept and file was adopted under suspension.

Second Readings:

The following Orders were read for the second time to be acted upon. Councillor Hatleberg moved to adopt all off the appropriation orders by one roll call. There were no objections. Councillor Hatleberg then requested to adopt by roll call, the roll call passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Councilors MeKonnen and Barton were absent.

ORDERED, that the Chelsea City Council authorizes the appropriation of \$111,267.85 from Free Cash to the FY2011 DPW Buildings and Grounds Department-Other Expenditure Account 0147052-570000.

ORDERD, that the Chelsea City Council authorize the appropriation of \$25,796.28 from Free Cash to the FY2011 Police Details-Transfer IN from General Fund Account 32374-497100.

ORDERED, that the Chelsea City Council authorize the appropriation of \$41,859.52 from Free Cash to the FY2011 Fire Details-Transfer In from General Fund Account 34044-497100.

ORDERED, that the Chelsea City Council authorize the appropriation of \$10,000.00 from Free Cash to the FY2011 Veterans Department-medical Services Account 0154352-531200.

ORDERED, that the Chelsea City Council authorize the appropriation of \$44,000.00 from Free Cash to the FY2011 Veterans Department-Veterans Benefits Account 0154352-571300.

ORDERED, that the Chelsea City Council authorize the appropriation of \$1,200.00 from Free Cash to the FY2011 Emergency Management Department Vehicle Maintenance Account 0123052-524400.

ORDERED, that the Chelsea City Council authorize the appropriation of \$5,000.00 from Free Cash to the FY2011 Fire department Gasoline Account 0122052-545100.

ORDERED, that the Chelsea City Council authorize the appropriation of \$53,000.00 from Free Cash to the FY2011 HHS Recreation and Cultural Affairs Department-Youth Programs Account 0163052-571700.

The following orders were read for the second time to be acted upon. Councillor Hatleberg moved to vote on all of the transfers by one roll call, there were no objections. Councillor Hatleberg then moved roll call, the roll call passed 8-0-2-1. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Hatleberg, Maronski, Robinson, and Brown. Councilors MeKonnen and Barton were absent. Councillor Bishop voted present.

ORDERED, that the Chelsea City Council authorizes the transfer of \$2,696.00 from Salary Reserve Account #0199959-598000 to FY2011 Legislative-Salaries Account #0111051/510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$3,631.00 from the Salary Reserve #0199959-598000 to the FY2011 Auditing Department-Salaries Account #0113551/510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$1,382.00 from Salary Reserve Account #0199959-598000 to the FY2011 Purchasing Department-Salaries Account #0113851-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$4,584.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Assessors Department-Salaries Account #0114151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$7,824.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Treasurer Department-Salaries Account #0114551-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$2,863.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Law department-Salaries Account #0115151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$2,433.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Personnel Department-Salaries Account #0115251-510200.

ORDERED, that the Chelsea City Council authorize the transfer of \$1,194.00 fro the Salary Reserve Account #0199959-598000 to the FY2011 City Clerk Department-Salaries Account #0116151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$97,325.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Police Department-Salaries Account #0121051-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$49,000.00 from Salary Reserve Account #0199959-598000 to the FY2011 Fire Department-Salaries Account #0122051-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$10,180.00 from Salary Reserve Account #0199959-598000 to the FY2011 ISD Department-Salaries Account #0124051-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$928.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Parking Department-Salaries Account #0129351-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$10,544.00 from the Salary Reserve Account #0199959-598000 to the FY2011 DPW Administration Department-Salaries Account #0142151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$2,495.00 from the Salary Reserve Account #0199959-598000 to the FY2011 HHS Department-Salaries Account #0151051-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$1,071.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Health Department-Salaries Account #0151151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$3,042.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Elder Services Department-Salaries Account #0154151-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$1,893.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Veterans Department –Salaries Account #0154351-510200.

ORDERED, that the Chelsea City Council authorize the transfer of \$3,100.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Library Department-Salaries Account #0161051-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$573.00 from the Salary Reserve Account #0199959-598000 to the FY2011 Recreation & Cultural Affairs Department-Salaries Account #0163051-510200

New Business:

The following orders regarding the Revolving Accounts were introduced by Councillor Hatleberg. Councillor Hatleberg requested that the Revolving Accounts, five altogether be acted upon by one roll call. There were no objections. On roll call the orders passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Absent were Councilors MeKonnen and Barton.

Authorization Of Elder Affairs Revolving Fund

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental restrictions; and

THEREFORE, The Chelsea City Council hereby authorizes the establishment of a revolving fund (#3802) for the Elder Affairs Division, under the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, subject to the following conditions:

- 1) All dues, fees, and payments received from participants in the various programs of the Senior Center since the conception of this revolving fund shall be deposited into the Elder Affairs Revolving Fund, and may be expended there from without further appropriation;
- 2) Expenditures for the Elder Affairs Revolving Fund may include the payment of salaries of full or part-time personnel related expenses for Senior Center instructional and recreational activities, including salaries of program instructors, caterers, rentals of facilities for parties and special events, and supplies related to instructional and recreational activities of the Senior Center, provided, however, that no funds from the Elder Affairs Revolving Fund may be expended for the regular operation expenses of the Senior Center, except upon approval of the City Manager;

- 3) No expenditure may be made from such revolving funds for the purposes of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 4) Expenditures from the Elder Affairs Revolving Fund shall be authorized by the Chelsea Council on Elder Affairs Executive Director, or delegate, and shall not exceed the available balance in the fund;
- 5) Total expenditures from the Elder Affairs Revolving Fund shall not exceed \$10,000 in Fiscal Year 2012;
- 6) The Chelsea Council on Elder Affairs Executive Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Law;
- 7) This revolving fund requires authorization for each ensuing fiscal year, and
- 8) This fund is hereby authorized until June 30, 2012.

**Authorization
Of an Emergency Management Revolving Account**

Whereas, Section 53E2 of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

Whereas, the Emergency Management Department responds to hazardous material incidents and administers cost recovery for such incidents under Section 5 of Chapter 21E of the General Laws; and

Whereas, the funds received under the provision of Chapter 21E are in fact reimbursements for equipment and supplies consumed and personnel utilized at an incident site; and

Whereas, the establishment of an Emergency Management Department Revolving Fund for the purposes of receiving funds, reimbursing the appropriate departments and funding incident expenditures is fundamental to a financially self-supporting incident response system; and

Whereas, the technology for hazardous materials mitigation changes daily, and it is therefore increasing difficult to make long range predictions of what tools and equipment will be needed for future incidents; and

Whereas, in past years, this revolving account has been used to benefit the community including through the purchase of necessary fire fighting equipment; and

Whereas, such reimbursement funds were not used in calculating the tax levy for fiscal year 2012;

Therefore, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4615) for the Emergency Management Department in accordance with the provisions of Section 53E2 of Chapter 44 of the General Laws, subject to the following conditions;

- 1) Only proceeds received by the City, pursuant to the provisions of Section 5 of Chapter 21E of the General Laws shall be credited to the fund;
- 2) Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;
- 3) All proceeds received in a single year after the fund has reached a balance of \$30,000 shall be credited to the General Fund;
- 4) Expenditures from this fund shall be authorized by the Director of Emergency Management and shall not exceed the available balance of the revolving fund;
- 5) Such funds shall be expended only for purposes directly associated with the clean-up and operation of hazardous waste spills, including equipment, supplies, consultants, and full or part-time personnel, and with the written approval of the City Manager for related other purposes;
- 6) No expenditure may be made from such revolving fund for the purpose of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 7) The Emergency Management Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E2 of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2012.

Authorization Of an Emergency Management Revolving Account

Whereas, Section 53E2 of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

Whereas, the Emergency Management Department responds to hazardous material incidents and administers cost recovery for such incidents under Section 5 of Chapter 21E of the General Laws; and

Whereas, the funds received under the provision of Chapter 21E are in fact reimbursements for equipment and supplies consumed and personnel utilized at an incident site; and

Whereas, the establishment of an Emergency Management Department Revolving Fund for the purposes of receiving funds, reimbursing the appropriate departments and funding incident expenditures is fundamental to a financially self-supporting incident response system; and

Whereas, the technology for hazardous materials mitigation changes daily, and it is therefore increasing difficult to make long range predictions of what tools and equipment will be needed for future incidents; and

Whereas, in past years, this revolving account has been used to benefit the community including through the purchase of necessary fire fighting equipment; and

Whereas, such reimbursement funds were not used in calculating the tax levy for fiscal year 2012;

Therefore, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4615) for the Emergency Management Department in accordance with the provisions of Section 53E2 of Chapter 44 of the General Laws, subject to the following conditions;

- 10) Only proceeds received by the City, pursuant to the provisions of Section 5 of Chapter 21E of the General Laws shall be credited to the fund;
- 11) Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;
- 12) All proceeds received in a single year after the fund has reached a balance of \$30,000 shall be credited to the General Fund;
- 13) Expenditures from this fund shall be authorized by the Director of Emergency Management and shall not exceed the available balance of the revolving fund;
- 14) Such funds shall be expended only for purposes directly associated with the clean-up and operation of hazardous waste spills, including equipment, supplies, consultants, and full or part-time personnel, and with the written approval of the City Manager for related other purposes;
- 15) No expenditure may be made from such revolving fund for the purpose of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 16) The Emergency Management Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E2 of Chapter 44 of the General Laws;
- 17) This revolving fund requires authorization for each ensuing fiscal year, and
- 18) This fund is hereby authorized until June 30, 2012.

**Authorization of a Revolving Account
For the Department of Inspectional Services for
The Enforcement of City Ordinance Section 2 -24.**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Department of Inspectional Services responds to vacant and unsafe buildings and administers the costs to make safe such conditions of Section 2-24 of the City of Chelsea's Ordinances and pursuant to State Building Code.

WHEREAS, the funds received under the provision of Section 2-24 are in fact reimbursements for costs for personnel expenditures and the costs to board up the vacant unsafe properties; and

WHEREAS, such reimbursement funds were not used in calculating the tax levy for fiscal year 2012;

THEREFORE, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4627) for the Department of Inspectional Services in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, and subject to the following conditions:

- 1) Only proceeds received by the City, pursuant to the provisions of Section 2-24 of the City of Chelsea's Ordinances shall be credited to the fund;
- 2) Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;
- 3) All proceeds received in a single year after the fund has reached a balance of \$30,000 shall be credited to the General Fund;
- 4) Expenditures from this fund shall be authorized by the Director of Inspectional Services and shall not exceed the available balance of the revolving fund;
- 5) Such funds shall be expended only for purposes directly associated with the clean-up, board-up and operation of enforcing Section 2-24 of the City of Chelsea's Ordinances, and full or part-time personnel, and, with the written approval of the City Manager for related other purposes;
- 6) No expenditure may be made from such revolving fund for the purposes of paying full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;

- 7) The Director of Inspectional Services shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2012.

**Authorization
Of the Public Library Revolving Account**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Public Library of the City of Chelsea collects and receives fees for the use of library meeting rooms, collects fines for overdue library materials, and collects fees for the use of the copying machine; and

WHEREAS, in prior fiscal years funds from this revolving account have been used to provide employment for a wide range of Chelsea youth; and

WHEREAS, such reimbursement funds were not used in calculating the tax levy for fiscal year 2012; and

THEREFORE, the Chelsea City Council hereby authorizes the establishment of a revolving fund (#4201) for the Chelsea Public Library, under the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, and subject to the following conditions:

- 1) Only money received by the Library Director in return for the use of the library meeting rooms, collected as fines for overdue library materials, or collected for the use of the copy machine shall be credited to the fund;
- 2) Such funds shall be expended only for part-time personnel, equipment, books, materials and other expenses of the Chelsea Public Library;
- 3) Aggregate expenditures from the fund shall not exceed \$10,000 in a single fiscal year;
- 4) All money received after the fund has reached a balance of \$10,000 shall be credited to the General Fund;

- 5) Expenditures from this fund shall be authorized by the Library Director, and shall not exceed the available balance of the revolving fund;
- 6) No expenditure may be made from such revolving funds for the purposes of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 7) The Library Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2012.

The following order was introduced by Councillor Vega-Torres. A motion from Councillor Bongiovanni to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Councilors MeKonnen and Barton were absent.

WHEREAS, the Commonwealth of Massachusetts makes available funds to reimburse 70% of total project cost up to a maximum of \$500,000 for the acquisition and/or development of local parkland under the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant; and

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

WHEREAS, the City's *2010 Open Space and Recreation Plan Update* specifically states that the rehabilitation and maintenance of existing parks is a top priority in the City of Chelsea; and

WHEREAS, Washington Park, a passive park located at the intersection of Washington Avenue, Hancock Street and Nichols Street, is shown to be in disrepair and need of rehabilitation; and

WHEREAS, the City has designed a project to redevelop Washington Park; and

WHEREAS, the said project will include the elements of, but not limited to, the reprogramming of landscaped features, the installation of a gateway entrance, the rehabilitation of retaining walls and pedestrian amenities, and Low Impact Design (LID) elements to treat stormwater runoff sustainably; and

WHEREAS, the City is requesting up to \$500,000 for the construction of said project which is estimated to be approximately \$720,000; and

WHEREAS, the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant requires a permanent restriction on said project; and

WHEREAS, it is in the best interest, welfare and health of the residents of the City of Chelsea to have dedicated open space for their use and enjoyment.

Therefore be it hereby resolved, that the Chelsea City Council endorses and approves the Washington Park redevelopment project application for the Massachusetts Parkland Acquisition and Renovations for Communities funds to be prepared by the Department of Planning and Development, and hereby authorizes the City Manager and/or his designee, the Department of Planning and Development, to enter into an agreement for receipt of these funds, and directs the City Manager to take any and all action necessary to accomplish this project.

Therefore be it further resolved, that, should the City be successful in its application, the Chelsea City Council hereby dedicates in perpetuity, Washington Park, located at the intersection of Washington Avenue, Hancock Street and Nichols Street as parkland and open space in perpetuity.

The following order was introduced by Councillor Vega-Torres. A motion from Councillor Robinson to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Councilors MeKonnen and Barton were absent.

WHEREAS, the Commonwealth of Massachusetts makes available funds to reimburse 70% of total project cost up to a maximum of \$500,000 for the acquisition and/or development of local parkland under the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant; and

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

WHEREAS, the City's *2010 Open Space and Recreation Plan Update* specifically states that providing each neighborhood with an adequate range of appropriately located parks, playgrounds and recreation facilities is critical to Chelsea's Open Space goals; and

WHEREAS, the City's *2008 Addison-Orange Revitalization Plan* states that the Addison-Orange neighborhood is densely developed and lacks adequate open space, while simultaneously recommending pocket parks throughout the dense landscape to improve park equity; and

WHEREAS, a centrally located parcel that the City believes is well suited for parkland within the Addison-Orange neighborhood and that lies vacant following a fire has been identified and will shortly be the subject of negotiation for acquisition; and

WHEREAS, the City is requesting PARC funds for the acquisition of said parcel which is currently being appraised; and

WHEREAS, the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant requires a permanent restriction on said parcel; and

WHEREAS, it is in the best interest, welfare and health of the residents of the City of Chelsea to have dedicated open space for their use and enjoyment.

Therefore be it hereby resolved, that the Chelsea City Council endorses and approves the 61 Addison acquisition project application for the Massachusetts Parkland Acquisition and Renovations for Communities funds to be prepared by the Department of Planning and Development, and hereby authorizes the City Manager and/or his designee, the Department of Planning and Development, to enter into an agreement for receipt of these funds, and directs the City Manager to take any and all action necessary to accomplish this project.

Therefore be it further resolved, that, should the City be successful in its application, the Chelsea City Council hereby dedicates in perpetuity the acquisition project as parkland and open space in perpetuity.

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

ORDERED, that the City manager instruct the Traffic Commission to erect a "No U-Turn" sign for trucks on the corner of Cary Avenue and Crescent Avenue in the artea of the CAPIC Building.

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

ORDERED, that the City Manager instruct the Traffic Commission to erect a "Slow Down Children" sign on Crescent Ave. along the truck route adjacent to Cary Ave. and Spencer Ave..

The following order was introduced by Councillor Maronski. A motion from Councillor Maronski to adopt by roll call passed 8-0-3-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, and Brown. Councilors MeKonnen, Robinson, and Barton were absent.

Whereas, the City of Chelsea City Council has continually expressed a desire to increase Chelsea Police Department's use of special initiatives focused on Anti-Gang and Drug activity;

Whereas, the United States Department of Justice, Justice Assistance Grant (JAG) Program if approved will help fund some of the special initiatives that the City Administration and Police Department wish to under take;

Be it hereby Resolved by the City Council of the City of Chelsea, as follows;

That the City Council supports and wholeheartedly endorses the City of Chelsea's application to the United States Department of Justice for the Justice Assistance Grant Program, Local Solicitation for the amount of \$68,292.00.

The following Order was introduced by Councillor Hatleberg. Councillor Hatleberg moved to adopt the order under suspension and it was adopted.

AN ORDER APPROPRIATION PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws, the sum of \$264,739.79 representing the unexpended portion of the \$1,694,043.45 borrowed under Fiscal Year 2005 and Fiscal Year 2006 Capital Improvement Plans for the purpose of making sewer and drainage system improvements on Spruce Street Account 55266098-584500, but which is no longer needed to complete that project, is hereby appropriated to pay sewer related costs for the FY'09 Crescent Avenue Infrastructure Project-Account 55309027.

The following Order was introduced by Councillor Hatleberg. A motion from Councillor Hatleberg to adopt under suspension was adopted.

AN ORDER APPROPRIATING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL

PROJECT, AS AUTHORIZED BY CHAPTER 44, SECTION 20 OF THE GENERAL LAWS.

Ordered, That in accordance with Chapter 44, Section 20 of the General Laws, the sum of \$264,739.79 representing the unexpended portion of the \$1,694,043.45 borrowed under Fiscal Year 2005 and Fiscal Year 2006 Capital Improvement Plans for the purpose of making sewer and drainage system improvements on Spruce Street Account 55266098-584500, but which is no longer needed to complete that project, is hereby appropriated to pay sewer related costs for the FY'09 Crescent Avenue Infrastructure Project-Account 55309027.

The following order was introduced by Councillor Hatleberg. Councillor Hatleberg moved roll call to adopt. The roll call passed 9-0-2-0. Voting yes were Councilors Vega-Torres, Bongiovanni, Cortell, Washington, Bishop, Hatleberg, Maronski, Robinson, and Brown. Councilors McKonnen and Barton were absent.

BE IT ORDERED; That the amounts authorized to be borrowed as part of the Fiscal Year 2009 Capital Improvement Plan by Order dated April 28,2008 to pay costs of the various capital items set forth below, are hereby rescinded and of no further force or effect.

CIP 2009 Project Cancellations
Council Vote to be Rescinded

- | | | | |
|----|--------------|------|--|
| 1. | \$10,000 | MIS | Planmetrics (GIS Data on Roads, Bldgs Data Points) |
| 2. | \$69,750.00 | ISD | Inspectional Service Office renovation |
| 3. | \$10,000.00 | DPW | Solar Trash Receptacles |
| 4. | \$33,000.00 | DPW | Council Chamber Air Conditioning |
| 5. | \$25,000.00 | FIRE | Wireless Alarm Boxes-Phase 2 Revised to \$225,000 from \$250,000 |
| 6. | \$940,000.00 | DPW | Jefferson Avenue Infrastructure General revised to \$65,000 from \$250,000 Water revised to \$0 from \$325,000 Sewer revised to \$0 from \$430,000 . |
| 7 | \$ 1.00 | DPW | Senior Center Heating System \$116,124 bonded as, listed \$116,124 bonded as, originally as \$116,125. |

Total= \$1,087,751.00

The meeting adjourned at 7:45 P.M.

Respectfully submitted,

Paul G. Casino
Clerk of the Chelsea City Council

