

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
FEBRUARY 18, 2020**

APPROVAL OF THE RECORDS: January 7, January 14, January 21, January 24, and February 4, 2020. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds to replace the cast iron sewer pipe at the Twin Village Fire Station. The funds requested include a contingency for unanticipated costs related to this project. Therefore, the Mayor hereby requests Your Honorable Body transfer \$16,500.00 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 12201000-582510 (Fire - Renovations). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$233,880.59.

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds to replenish funds to several accounts after internal transfer were made to repair damaged PPE and to provide two sets of PPE for promoted personnel. Therefore, the Mayor hereby requests Your Honorable Body transfer \$17,300.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following:

- \$7,500.00 to Account 12201000-558204 (Fire – Firefighting Supplies)
- \$4,800.00 to Account 12201000-558211 (Fire – Scott Air Pack)
- \$2,500.00 to Account 12201000-548020 (Fire – Tires and Batteries)
- \$2,500.00 to Account 12201000-548030 (Fire – Vehicles)

Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$214,930.59. (Copies in your packets)

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti,

Chairperson

Two Certificates of Vote from the Planning Board, dated January 28, 2020, stating the following loans are consistent with the City’s Comprehensive Plan:

- 3,900,000.00 loan for roofs and interior school building work and
- \$6,900,000.00 for the library remodeling and repair

The sale of 135 County Street is becoming imperative. Since taking the building back from the school department in March 2019, the city has spent about \$70,000 on a vacant building. The city has tried to sell the building by issuing three RFPs. We have not gotten

any offers. We have met with several developers who were initially interested. As it turns out, the façade restriction is the biggest obstacle to selling the building. We were told by one developer that the city could not ever give the building away because the façade restriction will make it impossible to profit from the redevelopment of this building. Even with the lifting of the façade restriction, the city still may not make any money on the sale of this building as the developer is going to need to demolish the building, which cleanup costs are going to be in the hundreds of thousands of dollars. Therefore, the Mayor hereby requests Your Honorable Body consider lifting the façade restriction on 135 County Street. The city needs to stop spending money on a vacant building. We need to get this land into private ownership and get the building back on the tax rolls bringing the city in revenue.

The Mayor respectfully submits a communication from MIS Director Bill Lennox regarding the for funds to purchase a new Cisco Catalyst 9400 Switch. The Cisco Catalyst 9400 Core Switch connects all buildings in the City to our network including all of the schools. This item was listed in both the current year CIP and prior year CIP booklet as priority one. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$90,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11331000-585010 (Budget and Administration – New Computer Equipment).

PERSONNEL AND HUMAN SERVICES

Ty Waterman, Chairperson

A communication dated January 23, 2020, from Gerald Chase regarding a violation of the City Charter's nonpartisan clause by the administration for Joe Caponigro's removal from the Traffic Study Commission.

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds to pay four dispatchers the contractual annual sick leave incentive from FY19. Therefore, the Mayor hereby requests Your Honorable Body transfer \$1,650.00 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 12201000-514036 (Fire - Prior Year Sick Leave Incentive). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$232,230.59

The Mayor is pleased to announce the receipt of the FY20 Municipal ADA Improvement Grant through the Executive Director of the Massachusetts Office on Disability (MOD) on behalf of the Secretary of the Executive Office for Administration and Finance (EOAF) of a maximum amount of \$60,000.00. This grant will allow the City to hire a consultant to complete an ADA Self-Evaluation and Transition Plan. Monies from this grant must be expended no later than June 30, 2020. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Barry LaCasse, 3 Zarek Drive, Attleboro to the Attleboro Contributory Retirement Board. Term to expire February 2023.

PUBLIC WORKS

Kate Jackson, Chairperson

The Mayor respectfully submits a communication from Superintendent of Water Kourtney Wunschel regarding the need for funds to pay real estate taxes to Plainville. Therefore, the Mayor hereby requests Your Honorable Body transfer \$3,621.26 from Account 6100-578300 (Water Enterprise Fund - Reserve Fund for Transfer) to Account 6100-569010 (Water Enterprise Fund - Taxes to Other Communities). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending request, will be \$39,578.74.

BUDGET AND APPROPRIATIONS

Jay DiLisio,

Chairperson

The Mayor respectfully submits a communication from City Clerk Stephen Withers regarding the need for funds to pay Water Department employees to work during the rabies clinic at the Water Department. Therefore, the Mayor hereby requests Your Honorable Body transfer \$408.82 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11611000-513000 (Clerk – Overtime). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$250,380.59.

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding the amount due from the City to the School Department under a Memorandum of Understanding on the revenue sharing agreement for the Medicaid Reimbursement Program. Therefore, the Mayor respectfully requests Your Honorable Body appropriate \$127,195.43 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 13001000-551011 (School Appropriation - Medicaid) to fund the Municipal Sharing Agreement.

LICENSES

Laura Dolan, Chairperson

A Class II application to amend an existing license for 97 Emory St., LLC located at 97 Emory Street with 7 customer spaces and 30 display spaces.

A communication dated January 24, 2020 from Angela Orefice-Burton regarding a complaint against Green Light Auto of Attleboro.

A communication dated January 24, 2020 from Ashley LaFleur-Turbitt regarding a complaint against Green Light Auto of Attleboro.

CITY PROPERTY & CLAIMS

Sara Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Veteran’s Agent Ken Badertscher regarding the donation of \$300.00 in Stop & Shop gift cards from a Veterans of Foreign Wars Post 115 donor. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro.

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The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding office furniture that the Elections office would like to declare as surplus. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Stephanie Gray, 66 Orange Street, to fill an unexpired term on the Council on Human Rights. Term to expire February 2022.

The Mayor respectfully submits for confirmation by Your Honorable Body the following appointments to fill unexpired terms on the Youth Commission: (Copies in your packets)

<u>Name</u>	<u>Term Expiration</u>
Cole Bender	February 2022
Joao Pacheco	February 2022
Tyler Rocchio	February 2022
Emily Olsen	February 2022

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
1	Office Chair	Good

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding road maintenance trucks/machines that the Department of Public Works would like to declare as surplus for trade-in value. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>	<u>MILES/HOURS</u>	<u>CONDITION</u>
1997	GMC Sierra	1GDKC34F6VJ518028	104,202	Very Poor

1997 Very Poor	GMC Sierra	1GDKC34F6VJ517994	100,433
2004 Very Poor	Elgin Pelican Sweeper	S9159D	4,722 hrs.
1994 Very Poor	Ford Backhoe 655D	A427063	8,907 hrs.

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Diana Holmes, Chairperson

In an attempt to protect the limited and valuable land that is left in the City of Attleboro, in order to contribute to protect the environment, in order to do our local share in fighting climate change more globally, the Mayor is asking that the Council consider extending the wetlands protection zone from 25 feet to 75 feet. This is not an unreasonable request. It is consistent with so many other communities who take a stand and try to protect the environment from overdevelopment. City Solicitor Cynthia Amara reviewed the changes to the Revised Ordinances of the City of Attleboro and approved them to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendments:

Amend §18–1.8, PERMITS AND CONDITIONS of the LOCAL WETLANDS PROTECTION ORDINANCE by deleting the phrase “land within twenty–five (25’) feet of resource areas” and inserting in place thereof the phrase “land within seventy–five (75’) feet of resource areas” and deleting the phrase “a 25–foot wide continuous and undisturbed Wetlands Protection Zone” and inserting in place thereof the phrase “a 75–foot wide continuous and undisturbed Wetlands Protection Zone”.

Additionally, some minor changes in the same section for housekeeping purposes are needed. Specifically, increasing the amount of time the Conservation Commission may grant an extension for a Local Wetlands Permit (LWP) in order to bring the LWP more in line with Orders of Conditions issued under the state’s Wetlands Protection Act (WPA). Under WPA regulations, Orders of Conditions may have their effective dates extended for additional 3-year periods. Local Wetlands Permits are almost always accompanied with an Order of Conditions. Providing the Conservation Commission with the discretion to extend Local Wetlands Permits to 3 years would give applicant’s greater flexibility for long term projects if they required an extension to a previously issued permit. City Solicitor Cynthia Amara reviewed the changes to the Revised Ordinances of the City of Attleboro and approved them to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendments:

Amend the fourth paragraph under §18–1.8, PERMITS AND CONDITIONS of the LOCAL WETLANDS PROTECTION ORDINANCE by deleting the sentence “Any permit may be renewed once for an additional one–year period, provided that a request for a renewal is received in writing by the Commission prior to expiration.” and inserting in place thereof “Any permit may be extended once for up to three (3) additional years,

subject to the discretion and approval of the Conservation Commission, provided that a request for an extension is received in writing by the Commission prior to expiration.”

New Business requesting a Special Commission be formed to review the City Charter.

New Business requesting the adoption of MGL Chapter 41, S. 61