

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
FEBRUARY 21, 2023**

Records pending approval: December 13 and 20, 2022 and January 3 and 17 and February 7, 2023

Public hearings for 2-21-2023:

PUBLIC HEARING: to discuss the creation of a Sustainability Commission and amend Chapter 2 of the Revised Ordinances of the City of Attleboro to include this Commission.

PUBLIC HEARING: to discuss the following street acceptance:
Pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of Dale Court (length of 280.21 feet, from STA 2+41.37 to STA 5+21.58) as a public way and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “STREET ACCEPTANCE PLAN DALE COURT EXTENSION, ATTLEBORO, MA”, dated June 6, 2021.

PUBLIC HEARING: to discuss the City’s Capital Improvements Program for FY2024–2028.

LICENSE

Ty Waterman, Chairperson

PUBLIC WORKS

Laura Dolan, Chairperson

It has come to the Acting Mayor’s attention that the current Intermunicipal Water Agreement between the City of Attleboro and the Town of Mansfield expired on May 23, 1940. A new agreement has been written and has been approved as to form by City Solicitor Peter Mello. Therefore, the Acting Mayor hereby requests Your Honorable Body to approve the “Intermunicipal Agreement by and between the Town of Mansfield and the City of Attleboro for Municipal Water Service in certain portions of Mansfield, Massachusetts”.

The Acting Mayor respectfully submits a communication from Superintendent of Water Kourtney Wunschel regarding the need for funds to continue with the Water Department’s ongoing Water Meter Replacement Program for Fiscal Year 2023. To date 90 percent of the residential meters in the City have been upgraded through this program. These funds will be used to purchase approximately 300 meters with associated fittings, supplies, equipment and one new set of meter reading equipment. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$112,159.96 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-553150 (Water Enterprise Fund – Water Meters).

The Acting Mayor respectfully submits a communication from Superintendent of Water Kourtney Allen regarding the need to replenish funds used in various accounts for emergency work, increased costs in CDL training, well maintenance and vehicle maintenance. Therefore, the Acting Mayor hereby requests Your Honorable Body

appropriate \$65,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-521006 (Water Enterprise Fund – Sewer Services).

The Acting Mayor respectfully submits a communication from Superintendent of Water Kourtney Allen regarding the need for funds for the replacement of traveling screens at the West Street Plant. The traveling screens in the raw water intake facility at the West Street Plant are original to the plant construction in the mid-1990s. Replacement of these screens has been on the City’s Capital Improvement Plan for several years. The function of these screens is to remove weeds and other plant life, branches, fish, and other debris from the source water before the water is pumped into the plant for treatment. The screens are essential in protecting raw water pumps and piping as well as other equipment along the treatment process. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$100,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-582516 (Water Enterprise Fund – Plant Improvement).

The Acting Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds due to an increase in price of a Smithco Lawn Sweeper. As you are aware, on January 17, 2023, vote #11, Your Honorable Body voted to transfer \$14,325.00 to purchase a Ferris stand on leaf blower. The city is able to purchase this equipment for \$2,125.00 less than the original quote, therefore, these funds will not be needed.

Therefore, the Acting Mayor hereby requests Your Honorable Body approve \$2,125.00 to be used towards the increased cost of the Smithco Lawn Sweeper, once the Ferris stand on leaf blower is purchased.

Additionally, the Acting Mayor hereby requests Your Honorable Body transfer \$3,900.00 from Account 1124100-578380 (City Wide – Reserve Fund for Capital) to Account 16501000-585040 (Park – Equipment) for the increased cost of the Smithco Lawn Sweeper.

The Acting Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds to purchase fertilizer, lime and pesticides for the remainder of FY23. Therefore, the Acting Mayor hereby requests Your Honorable Body transfer \$8,115.47 from 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16501000-546010 (Park – Supplies Ground).

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds to repair the fuel system on the bucket truck and install an aluminum truck bed on a pickup truck. Therefore, the Acting Mayor hereby requests Your Honorable Body transfer \$8,000.00 from Account 16501000-511000 (Park – Salary & Wages) to Account 16501000-524230 (Park – Vehicle Maintenance).

The Acting Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need to fund the gasoline fuel account due to an

increase in consumption and increased pricing. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$21,932.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548010 (Public Works – Gasoline Fuel).

The Acting Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for funds in the diesel fuel account due to an increase in consumption and increased pricing. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$62,835.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548011 (Public Works – Diesel Fuel).

FINANCE COMMITTEE

Richard Conti, Chairperson

The Acting Mayor respectfully submits a communication from Economic Development Director Catherine Feerick regarding the receipt of a state legislative appropriation (1599-6090) in the FY23 Economic Development Bill to perform an Industrial Development Strategy. These funds are being administered through the Executive Office of Labor and Workforce Development. The language of the earmark is included below:

“provided further, that not less than \$100,000 shall be expended to the City of Attleboro for the Industrial Development Strategy initiative to identify local workforce strengths, industry clusters, available industrial land, opportunities, and limitations for development and to recommend approaches to attract emerging industries related to the workforce strengths in the city of Attleboro.”

In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments.

The Acting Mayor respectfully submits a communication from Chief Assessor Julie Hobson regarding the need funds to purchase a twelve-month subscription to CoStar beginning March 1, 2023. This subscription allows the Assessor’s Office access to a comprehensive platform of commercial real estate information and analytics across office, industrial, retail, multifamily, hospitality and land sectors. Therefore, the Acting Mayor hereby requests Your Honorable Body transfer \$5,160.00 from Account 11411000-530895 (Assessor – Legal Services) to Account 11411000-558110 (Assessor – Subscriptions).

The Acting Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull regarding a request to expend ARPA Revenue Replacement Funds toward the Attleboro Pawtucket Water Interconnections project. The City designated half of its American Rescue Plan Act (ARPA) local funding as revenue replacement, as allowed by the US Treasury. This amounts to \$4,778,808.50 that can be used for any lawful municipal purpose with some very specific exceptions. In the interest of expediting the timeline on the long lead times associated with the Attleboro Pawtucket Interconnect project and to keep the associated debt off of the water rate, the Acting

Mayor is requesting authorization to expend \$2.5 million of that \$4.7 million to fund the anticipated shortfall between current funding and the total project estimate. Therefore, the Acting Mayor hereby requests Your Honorable Body authorize the City to expend \$2,500,000.00 of ARPA Revenue Replacement funds on costs associated with the Attleboro-Pawtucket Emergency Water Interconnection project.

The Acting Mayor is pleased to announce the receipt of the FY23 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 \$87,000.00. This grant will bring the City's signage into ADA compliance within City Hall, the Library, Animal Shelter, Recycling Facility, four parking lots and garages, and seven Parks, Playgrounds and open spaces. Monies from this grant must be expended no later than June 30, 2023. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments.

The Acting Mayor respectfully submits a communication from Director Budget & Administration Jeremy Stull regarding the allocation from the Bristol County ARPA funds. The City of Attleboro is entitled to \$7,925,972.13 of Bristol County's American Rescue Plan Act (ARPA) funding through their municipal allocation program based upon population. The City's application for \$4,305,000 for the Lindsey Street Water Main Replacement has been internally approved by the County and is awaiting a County Commissioners vote on February 7, 2023.

The Wastewater department has requested a number of pieces of equipment which are available through the program. The City will apply to the County for these multiple pieces as a single project and thus only one vote is needed. The pieces of equipment are as follows (includes up to 15% contingency):

- VACTOR Sewer truck - \$595,000
- Water Booster System - \$508,000
- Two generators, including installation - \$130,000

Total \$1,233,000

Therefore, the Acting Mayor hereby requests Your Honorable Body accept the \$1,233,000 Bristol County ARPA allocation in the form of a grant, pursuant to the Terms and Conditions and the Grant Agreement for purchase of various ARPA-eligible Wastewater equipment to include VACTOR Sewer truck, Water Booster System and two generators, including installation.

TRAFFIC AND TRANSPORTATION

Kelly Bennett, Chairperson

The Acting Mayor respectfully submits a communication from Economic Development Director Catherine Feerick regarding the receipt of a state legislative appropriation (1599-6090) in the FY23 Economic Development Bill to perform an Industrial Development Strategy. These funds are being administered through the Executive Office of Labor and Workforce Development. The language of the earmark is included below:

“provided further, that not less than \$100,000 shall be expended to the City of Attleboro for the Industrial Development Strategy initiative to identify local workforce strengths, industry clusters, available industrial land, opportunities, and limitations for development and to recommend approaches to attract emerging industries related to the workforce strengths in the city of Attleboro.”

In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments.

Referred the following for Study and Recommendation to Traffic Committee and to Traffic Study Commission:

Evaluate current layout, safety signage, and conditions of crosswalks on Oakhill Ave near Hyman Fine school. (Bennett)

IT & INFRASTRUCTURE COMMITTEE

Todd Kobus, Chairperson

ZONING AND LAND USE

Diana Holmes, Chairperson

CITY PROPERTY AND CLAIMS

Sara – Lynn Reynolds, Chairperson

The Acting Mayor respectfully submits a communication from APS Director of Finance Marc Furtado regarding a lease for thirteen copiers to be deployed throughout the Attleboro School District. In accordance to Section 5-8 (Lease/Lease-Purchase Agreement) of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body to approve a 42-month lease agreement with Konica Minolta.

The Acting Mayor respectfully submits a communication from Director of Planning and Development Gary Ayrassian regarding a lease and service agreement for a Toshiba 2520AC photocopier for the Community Development Office. In accordance to Section 5-8 (Lease/Lease-Purchase Agreement) of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body to approve a 36-month lease and service agreement between the City of Attleboro and Axion Business Technologies. The lease and service agreement will be funded in full by Community Development Block Grant.

PERSONNEL, VETERANS AND HUMAN SERVICES COMMITTEE

Michael Angelo, Chairperson

The Acting Mayor respectfully submits a letter regarding the award of the Attleboro Cultural Council FY23 allocation from the Massachusetts Cultural Council in the amount of \$37,900.00. Please note that there is no matching requirement. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Acting

Mayor hereby requests Your Honorable Body to approve expending such funds and any future grant amendments.

The Acting Mayor respectfully submits a communication from former Personnel Director Owen Bebeau regarding the executed memorandum of agreement with the Attleboro Crossing Guards Association for July 1, 2023 through June 30, 2026 to include a 3% COLA beginning July 1, 2023. The Acting Mayor believes that this agreement is in the best interest of the employees and the taxpayers. Therefore, the Acting Mayor hereby requests Your Honorable Body approve the Attleboro Crossing Guards Association MOA for fiscal years 2024-2026.

The Acting Mayor respectfully submits a communication from former Personnel Director Owen Bebeau regarding a request to add a Grade 6 Assistant Director of Recreation Exempt Classification Plan. The Recreation Department currently operates without an Assistant Director. The job description for this new position is attached. This has become problematic, as programming has increased significantly, in addition to demands for more services provided by the department. An additional leadership position is needed for the supervision of the department as well as interaction with the public to coordinate programs and make management decisions. Therefore, the Acting Mayor hereby requests Your Honorable Body add a Grade 6 Assistant Director of Recreation to the Exempt Classification Plan.

The Acting Mayor respectfully submits a communication from Personnel Director Owen Bebeau proposing amendments to the City Ordinance. On January 3, 2023, Your Honorable Body voted to add the position of Inspector of Buildings and City Facilities Manager to the Exempt Classification Plan. As such, Section 3-1.1 Building in the Revised Ordinance of the City of Attleboro needs to be amended. City Solicitor Peter Mello reviewed the changes and approved them as to form. Therefore, the Acting Mayor hereby requests Your Honorable Body vote on the following ordinance change in Section 3-1.1 Building to insert:

“In addition, in the Mayor’s discretion, the Mayor may add to the Inspector of Buildings’ duties the management of facilities maintenance and repair issues for City-owned buildings, in which case the position of Inspector of Buildings shall be titled the “Inspector of Buildings and City Facilities Manager” and classified in the manner and on the terms set forth in the Classification Plan.” (PH 3-7-23)

The Mayor respectfully submits a communication from City Auditor Deborah Gould requesting the need to fund the Assistant City Auditor position due to a planned change in employment status of a member of the staff to take effect in June of 2023. The change in staffing expected in June of 2023, additional requirements of the office and vacancies in key personnel in the City have led the City Auditor to conclude the most appropriate course of action is to fill the Assistant City Auditor Position and request funding. In FY24 a .572 FTE (20 hours per week) for the existing Accounting Supervisor II with a twenty-four month transition plan and a goal of accomplishing a number of important tasks within the office and City will be included in the budget. Therefore, the Acting

Mayor hereby requests Your Honorable Body transfer \$18,573.62 from Account 11241000-578300 (City Wide – Reserve Fund Transfer) to Account 11351000-511000 (Accounting – Salary and Wage Full Time) to begin the hiring process of an Assistant City Auditor in FY23.

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

Cathleen DeSimone, Chairperson

Referred the following for study and recommendation to Ordinance Committee:

That a senior citizen municipal parking fee waiver program be created by amending Section 10-7.2 of the Revised Ordinances of the City of Attleboro as follows:

Renumbering existing Ordinance and adding:

b. Senior citizen municipal parking fee waiver

i. Parking in the North Main Street Parking Lot (Attleboro Library lot) shall be free for senior citizens who procure a sticker from the Attleboro Council on Aging and display same on their motor vehicle, provided, however, that the time limit restriction at that particular metered location shall be obeyed.

ii. To be eligible to participate in the program, the individual must be at least 65 years old and a current resident of the City of Attleboro. Each person so eligible shall each be entitled to one such sticker for motor vehicles registered to them with an Attleboro address. A sticker may also be issued for an automobile owned by an eligible spouse.

iii. Parking stickers may be placed on passenger vehicles only. No other class of motor vehicle is eligible.

iv. This section shall not take effect until July 1, 2023. (DeSimone and Waterman)

PUBLIC SAFETY

Peter Blais, Chairperson

The Acting Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to cover the cost of filling four (4) vacancies due to retirements, promotion, resignations and a lateral transfer.

The funding will be needed to train and outfit new police recruits. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$34,856.08 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to the following:

\$14,800.00 to Account 12101000-532012 (Police – Academy Tuition)

\$4,668.60 to Account 12010000-558208 (Police – Supply)

\$10,000.00 to Account 12101000-558310 (Police – Uniforms)

\$5,387.48 to Account 12101000-530104 (Police – Medical Consultation)

The Acting Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need to replenish funds used in order to make an earned time payment to an employee who has retired. Therefore, the Acting Mayor hereby requests Your Honorable Body

to appropriate \$126,519.20 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 12201000-511000 (Fire – Salaries and Wages).

The Acting Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need to replenish funds used to purchase uniforms for five (5) recruit firefighters and one (1) civilian dispatcher. Therefore, the Acting Mayor hereby requests Your Honorable Body transfer \$2,700.00 from Account 12201000-587385 (Fire – Retrofit Lights) to Account 12201000-558211 (Fire – Scott Air Pac).

The Acting Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the receipt of the FY2023 Student Awareness of Fire Education (SAFE) Grant and the FY2023 Senior SAFE Grant from the Commonwealth of Massachusetts in the amount of \$7,958.00. The mission of the SAFE program is to provide fire and life safety education within the community, with an emphasis on educating children and seniors about fire and other related dangers. There is no matching requirement for this grant. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Acting Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments by the Attleboro Fire Department.

SPECIAL COMMITTEE ON SENIOR TAX

Richard Conti, Chairperson

Therefore, the Acting Mayor hereby requests Your Honorable Body to adopt the following language in section 2 of the Senior Tax Abatement Program:

Amount of Abatement: A person who participates in the Senior Tax Abatement program will be entitled to a maximum tax abatement of \$1,000 in exchange for hours worked for the city; the maximum number of hours will be determined based upon the Massachusetts Minimum Wage Rate. The amount of the abatement shall be reduced ratably for a participant who performs less than the maximum hours of work in the Program

SPECIAL COMMITTEE ON CLASSIFICATION AND COMPENSATION

Michael Angelo, Chairperson

The Acting Mayor respectfully submits a communication from former Personnel Director Owen Bebeau regarding the need for funds to perform a compensation and classification study. There are currently 85 positions in the Exempt group with 17 grades assigned to them. To perform this study, an outside firm would need to be brought on board and perform an in-depth analysis of wages, benefits, job duties, etc. They would also compare those findings with other comparable positions in other communities. Therefore, the Acting Mayor hereby requests Your Honorable Body appropriate \$45,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11521000-530137 (Personnel – Classification Study).