

**ATTLEBORO MUNICIPAL COUNCIL  
DOCKET  
MARCH 3, 2020**

**APPROVAL OF THE RECORDS: January 14, January 21, January 24, February 4, February 18, 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 receipt of a FY2020 Student Awareness of Fire Education (SAFE) Grant and a FY2020 Senior SAFE Grant from the Commonwealth of Massachusetts of approximately \$8,393.00. 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 Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments by the Attleboro Fire Department.

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds due to an unexpected retirement that has resulted in an unbudgeted earned time payment. Therefore, the Mayor hereby requests Your Honorable Body transfer \$13,923.60 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 12201000-515075 (Fire - Earned Time Payment). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$190,312.69.

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to conduct mandatory medical examinations and purchase equipment and uniforms for six new candidates. Therefore, the Mayor hereby requests Your Honorable Body transfer \$10,200.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following:

12101000-530104 (Police – Medial Screening) \$4,200.00  
12101000-558310 (Police – Uniforms) \$6,000.00

Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$180,112.69.

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to purchase a traffic data collection counter. Currently, the City requests the Southern Regional Planning and Economic Development District (SRPEDD) to deploy its traffic counter to assist in capturing speed and traffic data. Difficulties arise when SRPEDD is unable to deploy the counter because it is committed to

other communities or when our request does not meet their criterion. Therefore, the Mayor hereby requests Your Honorable Body transfer \$3665.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12101000-585040 (Police – Equipment). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$176,447.69.

**CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT**

**Richard Conti,**

**Chairperson**

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds to conduct a study to determine the best option for future sludge disposal at the Wastewater Treatment Facility. This project is listed in the 2021-2025 Capital Improvement Program. The project consists of two phases. The first phase is researching and evaluation potential sites for a new sludge-only land and the second phase consist of developing an RFP for the City to use to bid and assess alternate disposal methods. Therefore, the Mayor hereby requests Your Honorable appropriate \$75,000.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account 6000-587350 (Wastewater Enterprise Fund – Landfill Expansion).

**PERSONNEL AND HUMAN SERVICES**

**Ty Waterman, Chairperson**

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

Name	Term Expiration
Sarah Ribeiro	February 2022
Laura Santoro	February 2023
Owen Kobus	February 2023

The Mayor respectfully submits for confirmation by Your Honorable Body the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>
Rose Larson <u>Expires</u> February 2025	Attleboro Redevelopment Authority	5 Years
Anthony Gowen February 2023	Board of Assessors	3 Years
Joseph Parent February 2023	Board of Fire Commissioners	3 Years
Charles Oliver February 2023	Board of Library Trustees	3 Years
Deborah Leach Years February 2025	Board of Park Commissioners	5

Greg Bartek February 2023	Board of Recreation Commissioners	3 Years
Brian Hatch February 2023	Conservation Commission	3 Years
Vicki Nason February 2024	Council on Aging	4 Years
Marion Aspinall February 2024	Council on Aging	4 Years
Mary Flaherty February 2023	Council on Human Rights	3 Years
Joan Lesperance February 2023	Council on Substance Abuse Prevention	3 Years
Susan Jenson February 2023	Disability Commission	3 Years
Edward Stanton February 2023	Municipal Building Commission	3 Years
Michael Tyler February 2023	Municipal Building Commission	3 Years
Gerry Fricot February 2023	Municipal Building Commission	3 Years
Ryan DiLisio February 2023	Youth Commission	3 Years
Kira Davis February 2023	Youth Commission	3 Years

New Business to confirm the appointments of Mayor Paul Heroux and Council President Mark Cooper as representatives of the City on the Study Memorial Hospital Board of Managers subject to the confirmation of the Mayor. Terms to expire December 2021.

New Business to elect Virginia Stuart, 101 South Avenue, Attleboro as Administrative Assistant to the Municipal Council for a term of two years. Term to expire February 2022.

New Business to elect Deborah Gould of 386 South Washington Street, North Attleboro as Auditor for a term of two years. Term to expire February 2022.

**PUBLIC WORKS**

**Kate Jackson, Chairperson**

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds to purchase a RICOH IMC300 Color Multifunction Copier. This copier will replace a surplus machine received from the Council on Aging that is now beyond repair. Therefore, the Mayor hereby requests Your Honorable Body transfer \$5,500.00 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 16501000-558330 (Park - Copier). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$209,430.59.

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need to replenish funds used to purchase LED bulbs for the Lloyd G. Balfour Riverwalk after an internal transfer was made. Therefore, the Mayor hereby requests Your Honorable Body transfer \$1,194.30 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 16501000-546010 (Park - Supplies Ground). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$208,236.29.

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds in the equipment and vehicle supply accounts for the remainder of the fiscal year. Additional funding is needed due to unexpected repairs in FY20. Therefore, I hereby request Your Honorable Body transfer \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following accounts:

16501000-548040 (Park – Supplies Equipment)	\$2,000.00
16501000-548030 (Park – Supplies Vehicles)	\$1,000.00
16501000-546010 (Park – Supplies Grounds)	\$1,000.00

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds to purchase and install a vehicle lift at the Wastewater Treatment Plant. This project is listed in the 2021-2025 Capital Improvement Program. The current 10,000lb capacity vehicle lift has been in service since 1999 and is no longer serviceable and, due to safety concerns, has been removed from service. The amount requested includes a 15% contingency. Therefore, I hereby request Your Honorable Body appropriate \$13,145.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account 6000-585051 (Wastewater Enterprise Fund – Hydraulic Lift).

A communication from February 10, 2020 from Justin Szeto regarding the parking on Riverbank Road.

**ZONING AND LAND USE**

**Chairperson**

**Todd Kobus,**

A communication sent in by Joe Drazek of Bacon Street voicing concern about a proposed marijuana establishment that is currently in front of the Zoning Board of Appeals.

**LICENSES**

**Laura Dolan, Chairperson**

An application for a Scrap Metal Recycler/Junk Dealer license from Prolerized New England Company, LLC. dba Schnitzer Northeast at 136 Bacon Street, Attleboro.

## **CITY PROPERTY & CLAIMS**

**Sara Lynn Reynolds, Chairperson**

On January 16, 2020, Your Honorable Body voted to declare for disposition a 7,236 square foot area of a discontinued portion of Frank Mossberg Drive specified as "Lot A" as shown on the plan entitled "STREET DISCONTINUANCE PLAN OF LAND IN ATTLEBORO, MA" prepared by John D. Bremser, P.L.S. of Hancock Associates, 183 Centre Street, Danvers, MA 01923, dated April 8, 2019. As you are aware, Morin's Inc. is interested in purchasing this property for further development of their **site**. Therefore, the Mayor recommends Your Honorable Body accept the offer of \$3,500.00 from Morin's **Inc.** Proceeds from the sale will be placed in Fund 2502 (Sale of City Property-Real Estate) which is restricted by Massachusetts General Law, use of these funds in the future would require approval of the Mayor and a vote of the Honorable Municipal Council.

Enclosed please find a letter from the Attleboro Contributory Retirement Board requesting my support and that of the Honorable Municipal Council for a Home Rule Petition for one of its members, Walter L. Guertin. Upon review of the letter, you will note it is the position of the Attleboro Contributory Retirement Board that an Administrative error of the Board occurred when it allowed Mr. Guertin to purchase call fire-fighter service. Due to other sections of MGL Chapter 32, this public safety retiree cannot return to active service for the required length of time to earn the creditable service time now denied and taken away from the member. Thus, it is the position of the Retirement Board that the only avenue to remedy the inequity to the retired member is through a Home Rule Petition to restore his pension to that which he believed he was entitled to on the date of his retirement. It is my understanding that the Attleboro Contributory Retirement Board through its legal Counsel and discussions with its oversight agency PERAC explored other options to remedy this matter, when none were determined it voted unanimously to pursue this Home Rule Petition. The Mayor is in support of this measure and now forward the matter to Your Honorable Body of its consideration.

Therefore, the Mayor respectfully submits a communication from the Attleboro Retirement Board regarding the need to approve a motion to petition the General Court to enact the following legislation designed to amend the provisions of Chapter 32, §§ 4(2)(b) and 4(2)(c), solely as they apply to Walter L. Guertin, to enable him to continue to receive his current monthly pension, based upon thirty two (32) years of creditable service, as previously determined by the Retirement Board and used to establish his present monthly pension calculation of \$5,832.54, meaning and intending to have this statutory provision date back to November 17, 2017, the date of retirement; provided, that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition.

Therefore, the Mayor hereby requests Your Honorable Body petition the General Court to enact the following legislation:

AN ACT RELATIVE TO THE AMENDMENT OF M.G.L. c. 32, §§ 4(2)(b) and 4(2)(c), SOLELY AS THEY RELATE TO THE CALCULATION OF WALTER L. GUERIN'S PENSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1 - Notwithstanding the provisions of M.G.L. c. 32, §§ 4(2)(b) and 4(2)(c) or any other general or special law to the contrary, Walter L. Guertin shall continue to receive his pension based upon the thirty two (32) years of creditable service previously determined by the Retirement Board, resulting in a present pension calculation of \$5,832.54 per month, meaning and intending to have this statutory provision date back to November 17, 2017, the date of retirement.

Section 2 - This legislation is limited to the pension calculation of Walter L. Guertin and is not meant to otherwise alter the provisions of M.G.L. Chapter 32.

Section 3 - This act shall take effect upon its passage.