

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
APRIL 18, 2023**

Records pending approval: April 4, 2023

Public hearings for 4-18-2023:

PUBLIC HEARING: pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of Hillcrest Avenue as a public way (length of 225 feet, from STA 10+00 to STA 13+25) 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 (HILLCREST AVENUE EXTENSION), ATTLEBORO MASSACHUSETTS”, dated December 15, 2021 and revised through April 25, 2022, prepared by Joyce E. Hastings, R.P.L.S. and Daniel R. Campbell, R.P.E., which plan and profile have been deemed satisfactory to the Superintendent of Public Works.

PUBLIC HEARING: pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of Hillcrest Avenue as a public way (length of 125 feet, from STA 13+25 to STA 14+50) 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 (HILLCREST AVENUE EXTENSION II), ATTLEBORO, MASSACHUSETTS”, dated December 16, 2021 and revised through April 25, 2022, prepared by Joyce E. Hastings, R.P.L.S. and Daniel R. Campbell, R.P.E., which plan and profile have been deemed satisfactory to the Superintendent of Public Works.

LICENSE

Ty Waterman, Chairperson

PUBLIC WORKS

Laura Dolan, Chairperson

The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding the need for funds to purchase supplies for the remainder of FY23. Therefore, the Mayor hereby requests Your Honorable Body transfer \$4,000.00 from Account 16301000-521020 (Recreation – Lights & Power) to Account 16301000-546012 (Recreation – Rec Grounds).

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds to complete the installation and programming of the remaining fifteen RACO Verbatim units associated with the SCADA system. Therefore, the Mayor hereby requests Your Honorable Body transfer \$45,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 6000-599000 (Wastewater Enterprise Fund – Other Financing Uses) and further transfer \$45,000.00 from Account 6000-599000 (Wastewater Enterprise Fund – Other Financing Uses) to Fund 3224-499000 (Wastewater SCADA – Other Financing Sources).

The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding the need for funds to purchase supplies and maintain recreational areas through the end of the fiscal year. Therefore, the Mayor hereby requests Your Honorable Body transfer \$13,075.00 from Account 16301000-511000 (Recreation – Salary & Wages) to the following:

\$4,075.00 to Account 16301000-524002 (Recreation – Maintenance of Rec Areas)

\$9,000.00 to Account 16301000-546012 (Recreation – Rec Grounds)

We have received a Petition from Massachusetts Electric Company d/b/a National Grid requesting permission to install a new 35’C2 stub pole (P2022-84) 50’+/- across the street SE of Pole 2022. This is to allow removal of pole in customers property at HSE #206. Also, for permission to lay and maintain underground laterals, cables , and wires in the above or intersecting public ways for the purpose of making connections.

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds for the cost of design, bidding and construction services to repair a 30” sewer main. The 30” sewer mains that transmit flow to the wastewater treatment facility were installed circa 1910. Recently it came to the attention of the Wastewater Department that a 100’ section of the 30” sewer main that crosses the 10-mile river in the woods behind Attleboro Sand & Gravel is starting to leak and stress cracks are beginning to develop. Temporary repairs have been made and monitoring for new leaks will continue until a permanent repair can be performed. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$100,050.00 from Account 6000-359000 (Wastewater Enterprise Fund) to Fund 3233 30” Sewer Main Repair. This request includes a 15% contingency.

FINANCE COMMITTEE

Richard Conti, Chairperson

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding ARPA funding for Wading River Pilot Test Phase II. As you are aware, the Water Department is preparing for a large upgrade to the Wading River Treatment Plant that requires pilot testing. Superintendent Allen has requested funding in the amount of \$325,000 to engage a firm to complete services related to the Pilot Test Evaluation of Wading River, please see the memo from the Superintendent. Financing options have been discussed including bond authorization, use of Bristol County ARPA, Water Retained Earnings and City ARPA funds. As a result of these discussions, and in the interest of moving this important project forward as quickly as possible, it is recommended that the City’s ARPA funds be the funding source for this project. It is the Mayor’s understanding that this particular project is very time sensitive as it requires warm weather testing. Therefore, the Mayor hereby requests Your Honorable Body authorize the City to expend \$325,000.00 of ARPA funds on costs associated with the Wading River Pilot Test Phase II.

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding ARPA Funding for Sand Filter Improvements. As you are aware, the bid for construction to complete the Sand Filter Improvements originally funded by the Honorable Municipal Council in April of 2022 is significantly greater than the original appropriation. Superintendent Hayes has requested an additional \$800,000 to complete this project. Financing options have been discussed including bond authorization, use of Bristol County ARPA, Wastewater Retained Earnings and City ARPA funds. As a result of these discussions and in the interest of moving this important project forward as quickly as possible it is recommended that the City’s ARPA funds be the funding source for this project. Therefore, the Mayor hereby requests Your Honorable Body authorize the City to expend \$800,000.00 of ARPA funds on costs associated with the Sand Filter Project.

On March 8, 2022 the City was notified by the Commonwealth of Massachusetts that in accordance with M.G.L. Chapter 98, Section 34, the Division of Standards must stop performing the weights and measures functions statutorily assigned to the City of Attleboro as of June 30, 2022. Although an individual was appointed to perform these services for the City, an invoice

was sent from the Common of Massachusetts for inspections done in FY22. Therefore, the Mayor hereby requests Your Honorable Body transfer \$13,500.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-578030 (City Wide – Previous Year Bills).

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding expenditures of up to \$350,000 from SPED Stabilization Fund. As you know, in accordance with MGL Chapter 40 Section 13E requires the Honorable Municipal Council by a majority vote before expenditures from the SPED Special Purpose Stabilization Fund can be disbursed. On March 10, 2023, a memo was sent on this matter, (copy attached) at that time the recommendation was for \$300,000 to be approved. Between the 10th of March and the school committee vote of March 27th additional changes to student enrollment caused the increased amount to be voted by the school committee. Therefore, the Mayor hereby requests Your Honorable Body approve to expend no more than \$350,000 from the SPED Stabilization Fund 8507 for unexpected special education transportation costs incurred during the current fiscal year.

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding ARPA Revenue Replacement Funds to Capron Zoo Revolving Fund 2607. After multiple recent meetings with the Superintendent of Parks and Forestry and Zoo Director, the Capron Zoo Revolving Fund 2607 suffered significant revenue losses due to the pandemic. In March of 2020, the Zoo, like many entertainment venues, were ordered closed to the public at the onset of the pandemic. The fixed costs of the zoo staffing and fringe benefits, utilities, food and care for the animals continued while revenue streams halted. The equity position of the zoo at the beginning of fiscal year 2020 was \$1,286,499 and ended the year with a fund balance of \$817,583 a reduction of \$468,916. The revenue shortfall in fiscal year 2020 was \$469,567; the difference to equity of \$651 is related to a year-end encumbrance.

For the zoo, the negative fiscal impact of the pandemic continued into fiscal 2021 and fiscal 2022 with expenditures, including encumbrances outpacing revenues by \$144,584.52 and \$194,512 respectively.

The fund balance at the end of fiscal year 2022 was \$483,623 and revenues during fiscal 2023 still do not keep pace with expenditures.

As you may recall the City designated half of its American Rescue Plan Act (ARPA) local funding as revenue replacement. This designation is allowed by the US Treasury. The City may utilize these funds with some limitations for any lawful purpose. The Capron Park Zoo Revolving Fund is in need of operating funds. Therefore, the Mayor hereby requests Your Honorable Body transfer \$470,000 from Fund 2423-599000 ARPA Funds – Other Financing Uses to Fund 2607-499000 Capron Park Zoo –Other Financing Sources to support the operation of the Capron Park Zoo.

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi requesting proposed amendments to Section 9-2, Section 9-41.2, Section 20-11.2 and Section 20-11.3 of the Revised Ordinance of the City of Attleboro. Recently a review was conducted of Section 9-2 Adoption Fees, 9-41 Impoundment of Dogs and Section 20-11 Animal Welfare Fund. It is determined that updates are needed to change some of the established fees related to the adoption, licensing and impoundment of dogs and expand the capacity of the Animal Welfare Fund #2615. These changes will bring Animal Control in line with our surrounding communities and give the Animal Control Department the ability to provide an in-

house rabies clinic to the public. Therefore, the Mayor hereby requests Your Honorable Body vote on the following ordinance changes:

Section 9-2 License and Permit Fees - **increase** the following fees:

Neutered Male	\$ 10.00
Spayed Female	\$ 10.00
Replacement of Lost Tag	\$ 10.00
Adoption of Dog	\$ 300.00

Section 9-2 License and Permit Fees - **delete** the following fee:

Feline Adoption	\$90.00
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Section 9-2 License and Permit Fees - **add** the following fee:

City Run Rabies Clinic Vaccination (Dogs & Felines)	\$20.00
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REQUEST FOR REVISION OF SECTION 9-41.2 THE REVISED ORDINANCES OF THE CITY OF ATTLEBORO:

Delete Section 9-41.2 in its entirety and replace with the following:

9-41.2 The owner of an impounded dog shall be entitled to resume possession of any impounded dog once it is licensed. A fee will be assessed to the owner for the intake of the dog by an Animal Control Officer at the rate of Twenty-Five (\$25.00) and the boarding of the dog at the shelter at the rate of Twenty-Five (\$25.00) dollars per day. The owner shall also be required to pay the costs incurred by the City for the services of a veterinarian to render emergency care or treatment to a dog impounded in the City's Animal Shelter.

REQUEST FOR REVISION OF SECTION 20-11.2, 20-11.3 THE REVISED ORDINANCES OF THE CITY OF ATTLEBORO:

Delete Section 20-11.2 in its entirety and replace with the following:

20-11.2 Revenues: The City Auditor shall establish the Animal Welfare Fund # 2615 as a separate fund and credit to the fund one-third of the income generated by the adoption fee derived under City Ordinances 9-2 (as amended) for both dogs and felines, one hundred percent of the income generated from fees collected during city run rabies vaccination clinics derived under City Ordinances 9-2 (as amended) for both dogs and felines and to receive \$1.00 of every fee collected pursuant to Section 9-43 of the Revised Ordinances of the City of Attleboro.

Delete Section 20-11.3 in its entirety and replace with the following:

20-11.3 Purposes and Expenditures During each fiscal year, the Animal Control Officer with the approval of the Superintendent of Parks and Forestry and the Mayor may incur liabilities against and spend monies from the Animal Welfare Fund # 2615 for the purpose of direct services for the care of animals, such as medical treatment, spay and neutering of animals, food for animals, and to pay for any expenses incurred with the supplies, structure and organization of a city run rabies clinic. Prohibited expenditures are building maintenance, facility care expenses and salary and wages.

IT & INFRASTRUCTURE COMMITTEE

Todd Kobus, Chairperson

ZONING AND LAND USE

Diana Holmes, Chairperson

CITY PROPERTY AND CLAIMS

Sara – Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Chief of Police Kyle Heagney regarding vehicles that the Police Department would like to surplus. There was no interest for these vehicles from any of the departments. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition for trade-in or to sell:

<u>Year</u>	<u>Make/Model</u>	<u>Vin #</u>	<u>Miles</u>	<u>Condition</u>
2014	Ford/PI Utility Explorer	1FM5K8AR3EGC26653	128,517	Poor
2015	Ford/PI Utility Explorer	1FM5K8AR1FGA15906	126,934	Poor

The Mayor respectfully requests Your Honorable Body to transfer \$30,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11211000-530890 (City Solicitor). Additional funds are needed for the remainder of FY23 due to an increase in matters that involved litigation.

PERSONNEL, VETERANS AND HUMAN SERVICES COMMITTEE

Michael Angelo, Chairperson

It has come to the Mayor’s attention that the following appointment/reappointments were not sworn in within the appropriate time. Therefore, the Mayor respectfully re-submits for confirmation by Your Honorable Body the following reappointments.

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Lee Ghazil	Board of Park Commissioners	5 Year	February 2028
Albert Richmond	Disability Commission	3 Year	February 2026
Christopher Quinn	Health Officer	1 Year	February 2024
Kevin Smith	Cable Advisory Commission	1 Year	February 2024

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

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Peter Mello	City Solicitor	1 Year	February 2024
Catherine Merkle	Zoning Board of Appeals	3 Year	February 2026

The Mayor respectfully submits a communication from Director of Veterans’ Services Ben Quelle regarding the donation of twelve (12) 3X5 American flags valued at a total of \$300.00 from Eric J. Purcell, Exalted Ruler, Attleboro Elks #1014. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body accept these generous donations to the City of Attleboro.

PUBLIC SAFETY

Peter Blais, Chairperson

SPECIAL COMMITTEE ON SENIOR TAX

Richard Conti, Chairperson

SPECIAL COMMITTEE ON CLASSIFICATION AND COMPENSATION

Michael Angelo, Chairperson