

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
MAY 4, 2021**

PUBLIC HEARING FOR MAY 4, 2021:

PUBLIC HEARING regarding the proposed amendments to Chapter 18, Local Wetland Protection, of the Revised Ordinances of the City of Attleboro

PUBLIC SAFETY

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds to cover the cost of overtime, in order to maintain services for the remainder of FY2021. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$50,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12201000-513000 (Fire – Overtime).

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the receipt of the Firefighter Safety Equipment Grant from Department of Fire Services of \$20,000.00. The funds will be used to purchase four AC/DC Battery powered PPV fans, a battery powered reciprocating saw with battery and a hand light with charger. 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 a communication from Chief of Police Kyle P. Heagney regarding the need for funds due to the retirement of an employee on March 27, 2021. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$36,446.63 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-515075 (Police – Earned Time).

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to purchase software and associated computer equipment (hard drive, monitor, mobile workstation). The Attleboro Police Computer Crimes Detective has identified software called Cellebrite. Currently, the Norton, Mansfield, Seekonk, North Attleboro, and East Providence Police Departments have this software and their investigators are able to process cell phones and digital evidence and then immediately return the cell phone to the victim or witness. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$14,391.73 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-558207 (Police - Investigative Supply).

TRAFFIC AND TRANSPORTATION

Cathleen DeSimone, Chairperson

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti,
Chairperson

The Mayor respectfully submits a communication from Economic Development Director Catherine Feerick regarding the receipt of the MassDevelopment TDI Challenge Grant in the amount of approximately \$45,000.00. The TDI Challenge Grant will allow Attleboro to contract with an experienced project manager to analyze City development review processes across departments, creating recommendations to improve efficiency and communication. 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 a communication from Economic Director Catherine Feerick regarding the need for authorization for a proposed Tax Increment Exemption (TIE) Agreement, as required under the Massachusetts Housing Development Incentive Program (HDIP) for 27-39 South Main Street. The approved TIE structure has been negotiated between the development team and the Economic Development Incentive Board. Therefore, the Mayor hereby requests Your Honorable Body authorize the following resolution for the Mayor to enter into a TIE agreement with 27-39 South Main St LLC pursuant to MGL 40V section 4(b)(i) and MGL 59 section 5M:

**ATTLEBORO MUNICIPAL COUNCIL
RESOLUTION AUTHORIZING THE
TAX INCREMENT EXEMPTION AGREEMENT
For
27-39 SOUTH MAIN ST LLC**

WHEREAS, 27-39 South Main St LLC, the owner of the building located at 27-39 South Main Street (Parcel 031 248 000) in the City of Attleboro, is proposing to demolish the existing dilapidated structure and construct a new market-rate, multifamily residential building. The total investment at this location, including site acquisition, site preparation, environmental remediation, rehabilitation and construction, will be approximately \$10,909,000; and

WHEREAS, 27-39 South Main St LLC is seeking to become a “Certified Project” in accordance with the Massachusetts Housing Development Incentive Program and is seeking a Tax Increment Exemption Agreement from the City of Attleboro in accordance with the Massachusetts Housing Development Incentive Program and M.G.L. c. 40V; and

WHEREAS, the City of Attleboro strongly supports increased economic development within its downtown, increasing the market-rate housing inventory within the City, and expanding the consumer base for downtown businesses; and

WHEREAS, the proposed project meets the location and eligibility criteria set forth in the Downtown Attleboro Housing Development Zone and Plan; and

WHEREAS, the Economic Development Incentive Board has negotiated an Agreement, voting unanimously to approve a Tax Increment Exemption Agreement structure for 27-39 South Main St LLC and now recommends authorization of said Agreement and vote by the Municipal Council of the City of Attleboro.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Attleboro hereby:

1245033v1

(A) Ratifies and authorizes the Mayor to execute a Tax Increment Exemption Agreement, pursuant to the Massachusetts Housing Development Incentive Program, between 27-39 South Main St LLC and the City of Attleboro to further the development of market-rate residential housing on South Main Street in Downtown Attleboro, including the following parcels: a. Parcel 031 248 000

(B) Authorizes the Mayor or his designee to take such other and further actions as may be necessary or appropriate to carry out the purposes of this resolution.

Signed and Sealed this day
of _____ in the year 2021

Mark Cooper
Municipal Council President

PERSONNEL, VETERANS AND HUMAN SERVICES

Ty Waterman, Chairperson

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Christina Rogers, 43 Pass Farm Road, to fill an expired term on the Board of Recreation Commissioners. Term to expire February 2024.

The Mayor respectfully submits a communication from Personnel Director Owen Bebeau regarding a change to the current approved Personnel Rules and Regulations for the City's Exempt group. As you are aware, the MIS Director position has taken on additional responsibilities that were not listed in the original job description. That job description has been updated and the Municipal Council approved a stipend for those duties. However, after further review with consideration of the Municipal Council's

input when we discussed the additional stipend, it is believed that the stipends can be eliminated with an increase of a 35-hour work week to a 40-hour work week. Therefore, the Mayor hereby requests Your Honorable Body approve the following proposed changes to the Personnel Rules and Regulations for the Exempt Employees. The MIS Director position be budgeted for a 40-hour workweek and the two stipends (Article XIX Stipends) be eliminated. In addition, the position should be added to Article II, Section 2 stating that the individual must be available for duty seven days a week, twenty-four hours a day with an effective date of July 1, 2021 for the proposed changes.

The Mayor respectfully submits a communication from Personnel Director Owen Bebeau regarding a change to the current approved Personnel Rules and Regulations for the City's Exempt group. A review of the Personnel Assistant II position has found that the obligations and functions have changed significantly over the past several years. Therefore, the Mayor hereby requests Your Honorable Body move the position of Personnel Assistant II to a grade 7 on the reclassification plan and Personnel Rules and Regulations

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding the need for funds for the purpose of funding an Accounting Supervisor I position in June of 2021 to be filled by an internal promotion within the Accounting/Auditing Department. As part of the annual budget process, an evaluation of resources of the office including the job classification of each position takes place. Filling the existing Accounting Supervisor I position within the office by process of an internal promotion of eligible employees is the most prudent course of action. This exempt position already exists in the classification plan approved by the Honorable Municipal Council as a Grade six. The flexibility in assigning tasks within the office and the opportunity to both plan and train for succession within the department also drives this request. Therefore, the Mayor hereby requests Your Honorable Body transfer \$300.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11351000-511000 (Accounting - Salary and Wages).

PUBLIC WORKS

Kate Jackson, Chairperson

A joint request from National Grid and Verizon to relocate a pole on the east edge of 831 West Street. As this is a relocation, there is no public hearing necessary.

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for additional funds to pay the heating bills for the remainder of FY2021. Therefore, the Mayor hereby requests Your Honorable Body transfer \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-521010 (Public Works – Heating).

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for additional funds to pay the electric bills for the remainder of FY2021. Therefore, the Mayor hereby requests Your Honorable Body

transfer \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-521020 (Public Works – Lights and Power).

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds for the installation of an “early warning” fence alarm system for zoo security purposes. In addition to the safety and security of the zoo patrons, zoo staff, and the zoo animals, this project must be completed before the Zoo’s AZA accreditation, which is set to take place in 2022. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$27,426.30 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to account 16601000-585021 (Capron Park Zoo - Security System). The request amount includes a 10% contingency.

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds for the replacement of two safety gates in the bear/ lion building. In addition to the safety and security of the zoo patrons, zoo staff, and the zoo animals, this project must be completed before the Zoo’s AZA accreditation, which is set to take place in 2022. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$18,036.70 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to account 16601000-582513 (Capron Park Zoo - Building Improvements). The request amount includes a 10% contingency.

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the need for funds in Supplies Grounds, Supplies Vehicles and Supplies Equipment for the remainder of FY2021. Therefore, the Mayor hereby requests Your Honorable Body transfer \$9,000.00 from Account 16501000-511000 (Park & Forestry - Salary & Wages) to the following:

- \$6,000.00 to Account 16501000-546010 (Park & Forestry - Supplies Grounds)
- \$1,000.00 to Account 16501000-548030 (Park & Forestry - Supplies Vehicles)
- \$2,000.00 to Account 16501000-548040 (Park & Forestry - Supplies Equipment)

The Mayor respectfully submits a communication from Health Agent Jessica Horsman regarding the receipt of The Massachusetts Association of Health Board (MAHB) grant in the amount of approximately \$16,666.66. The funds will be used for the prevention, testing and mitigation of Covid-19. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds by the Health Department and also approve any further grant amendments.

BUDGET AND APPROPRIATIONS

Jay DiLisio, Chairperson

The Mayor respectfully submits a communication from City Collector Zaida Keefer regarding the need for funds in Recordings and Advertising to properly record and advertise six (6) new tax titles. Therefore, the Mayor hereby requests Your Honorable Body transfer \$1,680.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following:

\$1,200.00 to Account 11461000-530820 (Collector – Recordings)
 \$ 480.00 to Account 11461000-534110 (Collector - Advertising Services)

ZONING AND LAND USE

Todd Kobus, Chairperson

LICENSES

Laura Dolan, Chairperson

CITY PROPERTY AND CLAIMS

Sara-Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding a vehicle that the Police Department would like to declare as surplus. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition:

<u>Year</u>	<u>Make/Model</u>	<u>Vin #</u>	<u>Miles</u>	<u>Condition</u>
2013	Ford Explorer	1FM5K8AR0DGC63528	146,291	Poor

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding equipment that the Collector’s 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)

<u>Quantity</u>	<u>Description</u>	<u>Condition</u>
1	NCR Payment Processor	Obsolete

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding equipment that the Wastewater Department would like to declare as surplus. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition:

<u>Description</u>	<u>Condition</u>
Royal Litton Electric Typewriter	Inoperable
Diablo 1640 Electric Typewriter	Inoperable
IBM Correcting Selecting III Typewriter	Inoperable
Sybron Thermolyne 1500 Furnace (Model: F-D1520M, Serial No: 266/4635)	Inoperable
Barnstead Nanopure Diamond (Model: D11901, Serial No: 1367070131203)	Inoperable
Precision Scientific Incubator (Serial No. 9504-201)	Inoperable

LC Drying Oven

Inoperable

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding the donation of 120' of 48" high black vinyl chain link fence with one 8' wide double swing gate from Richard Cathcart of National Fence. The approximate value of this donation is \$7,000.00. The donation of fence will be used around a new playground apparatus at Capron Park. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous donation to the City of Attleboro.

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Diana Holmes, Chairperson

The Mayor respectfully submits a communication from Director of Budget and Administration Jeremy Stull requesting to amend 10-7.3 Automated Parking Fee Collection Device Fees (Amended 12/21/04) in the Revised Ordinance of the City of Attleboro. The City maintains the Municipal parking lots, pays a parking enforcement officer to monitor them, and pays for the service and upkeep of the machines located there. The cost of all of those things rises each year and the cost to take advantage of those lots has not changed in the last 17 years. As a reminder, parking fines and fees are split between the parking revolving fund and the general fund. This split, accounted for in the local receipts budget, pays for a portion of the everyday general government operations, the cost which has certainly increased over the past 17 years.

Therefore, the Mayor hereby requests Your Honorable Body vote on the following Ordinance amendment to take effect on July 1, 2021:

Delete in its entirety and replace with the following:

10-7.3 Automated Parking Fee Collection Device Fees (Amended 12/21/04)
Fees for automated parking fee collection devices are hereby established as follows:
Seventy-five cents for each hour in any municipal parking area other than the Municipal Parking Garage.

Furthermore, the Mayor hereby requests Your Honorable Body to hold a Public Hearing at the appropriate time on the above ordinance changes. **(PH May 18, 2021)**