

Municipal Council
REGULAR COUNCIL MEETING

March 7, 2023
Tuesday, 7:00 P.M.

Councilors absent were Peter Blais, Diana Holmes and Cathleen DeSimone

Acting President Kobus asked the Council to join him to salute the flag.

Council voted unanimously to approve the records from February 21, 2023.

Council voted unanimously to suspend the rules with 7 yeas – 0 nays.

A resolution of appreciation was presented to Debra Reilly and Jennifer Spaulding as the main players in the Attleboro Angels organization. A volunteer group that helps where they are needed.

City Clerk Kate Jackson read the public hearing notice:

PUBLIC HEARING: regarding the proposed amendment to 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.”

Speaking in favor was Chair of the Municipal Building Commission, Attorney Jack Jacobi. No one came to speak against, no one came to speak neither for nor against. Chair Angelo of Personnel agreed to close the public hearing.

Clerk Jackson then read the **Mayor’s Communication**

March 7, 2023

Dear Municipal Councilors:

I respectfully submit a communication from Park & Forestry Superintendent Derek Corsi regarding the need for funds to repair an issue with the DPF system on the 2014 Ford F-350 (AC-1). Therefore, I hereby request Your Honorable Body transfer \$2,500.00 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 12921000-524230 (Animal Control - Maintenance of Vehicles).

I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the need for funds to purchase required crossing guard uniforms for new employees. Therefore, I hereby request Your Honorable Body transfer \$1,750.00 from Account 13001000-519110 (Education - Allowance Clothing) to Account 13001000-558310 (Education - Uniforms).

I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the donation of fifteen (15) 2022 Massachusetts Criminal Law text books and six (6) 2022 Massachusetts Criminal Procedure text books from Commonwealth Police Legacy Inc., with an approximate value of \$1,680.00. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept this generous donation.

I respectfully submit a communication from Director of Recreation Dennis Walsh regarding the need for funds to purchase the seat and rope for the zip line and the saucer swing at the Brigg's Playground that are broken and need to be replaced. This request includes a 10% contingency. Therefore, I hereby request Your Honorable Body transfer \$8,042.92 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to Account 16301000-585012 (Recreation - New Playground Equipment).

As Your Honorable Body may recall, the Willett Elementary School Roof is categorized as "urgent" in the FY2024-2028 Capital Improvements Program. Willett Elementary School was built in 1941 and the roof was replaced in 1987. This roof is over 35 years old, leaking and is past its useful life expectancy. Unfortunately, this project is not MSBA reimbursable. The time has now come to finally replace this roof. A recent analysis of the roof has the estimated cost of \$2,000,000.00.

Therefore, I hereby request Your Honorable Body to approve the following loan order:

"ORDERED: that Two Million Dollars (\$2,000,000.00) is appropriated for the designing, permitting, bidding, construction oversight and construction costs associated with the remodeling, reconstructing and making of extraordinary repairs to the roof and windows at Willett Elementary School, located at 32 Watson Ave in Attleboro, MA, including the payment of all costs incidental or related thereto (the "Project"); that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow Two Million Dollars (\$2,000,000.00) under Section 7(1) of Chapter 44 of the General Laws, or any other enabling authority; that the Mayor is authorized to take any other action necessary or convenient to carry out this Project."

Additionally, I hereby request Your Honorable Body to hold a Public Hearing on March 21, 2023. **(Public hearing was called for March 21, 2023)**

I respectfully submit a communication from City Auditor Deborah Gould regarding funding for the design services of the Willett Roof Project. On December 20, 2022, Your Honorable Body voted to authorize the use of \$60,000 for the Willett Roof Project; in part this service includes establishing a project timeline and budget. The next step in the project is to engage a design firm for the design of the roof. The estimated cost for Designer Services for the Thomas Willett Elementary School Roof Repair project, which includes some window and related

interior repair work is \$150,000. In order to provide an available funding option for the design services for the Willett School Roof Project, I recommend that the \$125,000 that was funded in fiscal year 2021 for the COA Feasibility Study be transferred to the Willett Roof Project. As you know, the cost of the feasibility study for the COA was funded by an earmark, as such, this \$125,000 is not needed for that purpose. The balance of the \$150,000 could be funded by using available free cash.

Therefore, I hereby request Your Honorable Body appropriate \$25,000 from 1000-359000 (General Fund - Undesignated Fund Balance) to Fund 3433 Willett Roof Project and further to transfer \$125,000 from 3568-599000 (COA Feasibility Study- Other Financing Uses) to 3433-499000 (Willett Roof Project - Other Finance Sources).

I respectfully submit a communication from Legal Secretary Alison Wood regarding printers that the Council on Aging would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

| <u>PRINTER</u> | <u>CONDITION</u> |
|--------------------|------------------|
| HP Office Jet 4690 | Inoperable |
| HP Jet Pro 6978 | Inoperable |
| HP Desk Jet 1112 | Inoperable |

I respectfully submit a communication from Legal Secretary Alison Wood regarding office furniture that the Council on Aging would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

| | | |
|----------|-----------|-----------------------------------|
| Chair #1 | Qty of 1 | Wood Frame - Maroon Cushioning |
| Chair #3 | Qty of 18 | Metal Frame - Blue Padding |
| Chair #4 | Qty of 4 | Wood Frame - Blue Cushioning |
| Desk | Qty of 1 | Metal Frame - Wood Top - 2 Drawer |

I respectfully submit a communication from Legal Secretary Alison Wood regarding a vehicle that the Recreation Department would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition:

| <u>MAKE/MODEL</u> | <u>MILEAGE</u> | <u>VIN#</u> | <u>CONDITION</u> |
|-------------------|----------------|-------------------|------------------|
| 2003 Ford Ranger | 105,637 | 1FTZR11E53TA32734 | Very Poor |

I respectfully submit a communication from Legal Secretary Alison Wood regarding equipment that Park and Forestry would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition:

| QTY. | DESCRIPTION | MODEL | SERIAL/ VIN NO. | CONDITION |
|------|----------------------------|-------|-------------------|------------|
| 1 | Hot Dog Cart | N/A | 1C9BT0716TH376006 | Fair |
| 1 | 2003 GMC Sierra | 1500 | 1GTEK14V33E215004 | Very Poor |
| 1 | 2008 Ford F-350 Super Duty | | 1FTWF31538EA07883 | Junk |
| 1 | Kubota Mower | ZD21 | 1324-3321 | Frame Only |
| 1 | Kubota Snow Blower | | F2400 9533719 | Poor |

Sincerely,
James J. DiLisio, Acting Mayor

Clerk Jackson then read the Clerk’s Communication:

CLERK’S COMMUNICATION
Tuesday March 7, 2023

This to inform you that on March 2, 2023 the City Clerk’s Office received the notice of resignation from At Large City Councilor, Cathleen DeSimone. This resignation will take effect at Midnight on Friday March 10th, 2023, in accordance with Section 2-6; 4-5, 5-5 of the Revised Ordinances, as amended, changes the way vacancies are filled in elected positions of municipal councilors, school committee members, city clerk city treasurer and city collector by requiring a special election by the voters.

We have received a letter from Deborah & William Blackburn thanking the council for eliminating the \$50.00 fee for the storage of propane.

We have received a letter from Ken Badertscher, Executive Director of the Attleboro Retirement Board, informing all that the Attleboro Municipal Contributory Board will be holding a public hearing on Wednesday March 27th, 2023 at 9 am to discuss the Cost-of-Living Allowance (COLA) increase for retirees and surviving beneficiaries. This meeting will be held remotely

The Council entered the **Committee of the Whole**.
Chair Jack Jacobi of the Municipal Building Commission came forward to explain the time frame and imperative reason for the Willet Roof loan order in the Mayor’s communication.
The Council arose from Committee of the Whole at 7:33 pm

Acting President Todd Kobus then asked for **Committee Reports**.

Chair Waterman, of the **License Committee** requested a meeting at the next appropriate time.

Chair Dolan of the **Public Works Committee** brought the following votes forward:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to transfer \$13,700.00 from Account 16301000-511000 (Recreation – Salary & Wages) to the following accounts to fund the rest of FY23:

| | | |
|-------------|-----------------|-----------------------|
| \$ 4,000.00 | 16301000-521020 | Lights & Power |
| \$ 2,000.00 | 16301000-530101 | Professional Services |
| \$ 200.00 | 16301000-542010 | Office Supplies |

\$ 7,500.00 16301000-546012 Rec Grounds

Voted 7 yeas – 0 nays to (Blais, DeSimone, Holmes absent) to transfer \$6,000.00 from 16501000-511000 (Park - Salary & Wages) to 16501000 -530101 (Park - Professional Services) to fund police details needed for tree removals throughout the city, port-o-john cleaning and geese abatement services at Judy Robbins Park.

Voted 7 yeas – 0 nays to (Blais, DeSimone, Holmes absent) to approve the following ordinance amendments:

12-6 Inclusive municipal playgrounds

Section 1. Purpose. The purpose of this ordinance is to: (a) facilitate the ability of every child and adult to enjoy recreational and leisure activity, and (b) provide safe, developmentally appropriate, and equitable access to recreation and leisure opportunities throughout the city utilizing welcoming, collaborative, engaging, and sustainable design.

Section 2. Scope.

(a). Subject to any legal restrictions, encumbrances or other requirements applicable to a particular property, and when practicable, the City of Attleboro shall ensure that all newly created or renovated municipal playgrounds shall be designed to reasonably ensure that any play equipment, structures, and spaces that are provided therein are accessible to persons of differing abilities, including those with physical, cognitive, communicative, social, and/or emotional special needs, so that they may enjoy the opportunity to play, learn, and grow together.

(b). The City of Attleboro shall encourage open public participation in the design and renovation of new and existing municipal playgrounds so as to promote meaningful consideration of the needs and concerns of persons of differing abilities, including those with physical, cognitive, communicative, social, and/or emotional special needs.

Section 3. No private cause of action. This section does not create any private cause of action, including without limitation any cause of action against the city, and/or any officials, employees, public bodies, departments, or entities. Nor shall this section be construed to require that the city renovate any municipal playground.

Section 4. Definitions. For purposes of this section, the phrase “municipal playground” shall mean any playground property under the jurisdiction of the Recreation Director, Board of Park Commissioners, Board of Recreation Commissioners and/or Superintendent of Parks & Forestry."

Chair Conti of the **Finance Committee**, brought forward the following votes:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to authorize the School Department to pay previous year school bills totaling \$5,809.29 as listed below:

| | |
|----------------|----------|
| Groden Network | \$375.09 |
| Hub Technical | \$62.20 |

Lifespan School Solutions \$5,372.00

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to appropriate \$24,000 from Account 6100-578300 (Water Enterprise Fund – Reserve for Transfer) to the following accounts to provide extra funds needed for FY23:

\$13,000.00 to Account 6100-517120 (Water Enterprise Fund – Health Insurance HMO)

\$11,000.00 to Account 6100-517125 (Water Enterprise Fund – HMO 500)

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to appropriate \$25,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11451000-517240 (Treasurer-Medicare Tax) for funds to pay the Medtax for non-school and non-enterprise employees.

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to appropriate \$40,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11451000-530101 (Treasurer – Professional Services) to pay attorney fees for the remainder of FY23.

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to transfer \$2,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11451000-530101 (Treasurer – Professional Services) to contract with an arbitrage rebate and refunding specialist.

Member Councilor Conti Chair of the **It & Infrastructure Committee** read the following vote:
Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to transfer \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following accounts for the balance of FY23:

\$1,000 to Account 11331000-534030 (Budget & Administration – Online Services)

\$3,000 to Account 11331000-558010 (Budget & Administration – Data Processing)

Vice Chair Conti of the **Zoning and Land Use Committee** brought forward the following vote:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to accept the following street:

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, revised through August 23, 2021, prepared by Lucas E. Klim, R.L.S. and Todd Pilling, R.P.E., which plan and profile have been deemed satisfactory to the Superintendent of Public Works. Enclosed please find the necessary documents.

Chair Bennett of the **Traffic and Transportation Committee** brought forward the following votes:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to strike the following:

I entertain a motion to amend Section 10-4.11 of the Revised Ordinances, Isolated Stop Signs, by adding Eastbound drivers on Jefferson Street at Fifth Street. (Bennett)

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to strike the following:

We received a letter expressing concern from Juliet Teizeira of Hanish Road regarding Snell St. traffic light removal.

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to strike the following:
 A request to review the traffic and speeding patterns of widely used cut thru streets in South Attleboro, specifically Mendon Road and Carleton Street (Reynolds)

Vice Chair Bennett of the **Ordinances Committee** called for a meeting at the next appropriate time.

Chair Blais, of the **Public Safety Committee**, brought forward the following votes:

Voted 10 yeas – 0 nays to appropriate \$34,856.08 from Account 1000-359000 (Undesignated Fund time.

Chair Reynolds, of the **City Property and Claims Committee** brought forward the following votes:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to accept the generous donation from the Bristol County Sheriff’s Office, of a black 2020 Ford Expedition, 4WD, Platinum Edition to the Attleboro Police Department.

Voted 9 yeas – 0 nays (Blais, DeSimone, Holmes absent) to declare the following DPW equipment as surplus for trade in value:

| <u>YEAR</u> | <u>MAKE/MODEL</u> | <u>VIN#</u> | <u>CONDITION</u> |
|-------------|---------------------------------|-------------------|------------------|
| 1989 | International S16000 | 1HTLAZPP1KH670004 | Very Poor |
| 1997 | GMC Sierra | 1GDHK34F1VF052251 | Very Poor |
| 1970 | Mueller 6cf Cement Mixer | 7750.7 | Very Poor |
| 2000 | Stone 4cf Mortar Mixer | 172010195 | Very Poor |
| 1999 | Graco Linelazer 1 Paint Machine | GM3500-GC01 | Very Poor |
| 2001 | Graco Linelazer 2 Paint Machine | GM3900-QX52 | Very Poor |

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to declare the following items from the Water Department as surplus and available for disposition:

| <u>QUANTITY</u> | <u>DESCRIPTION</u> | <u>CONDITION</u> |
|-----------------|--------------------|------------------|
| 200 | Water Meters | Used |

| <u>YEAR</u> | <u>MAKE/MODEL</u> | <u>VIN#</u> | <u>CONDITION</u> |
|-------------|-------------------|-------------------|------------------|
| 2010 | Ford Ranger | 1FTKR1EE7APA04211 | Bed and Body Rot |

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) to declare the following Police Department file systems as surplus and available for disposition:

| <u>Description & Model</u> | <u>Serial Number</u> | <u>Condition</u> |
|--|----------------------|------------------|
| Kardex Laketrieve Series 80, Model LK-S80M | 24817 | Poor |
| Kardex Laketrieve Series 80, Model LK-S80M | 24818 | Poor |

ACME Rotary file storage cabinet, 84”h x 36”w x 26”d N/A Poor
ACME Rotary file storage cabinet, 84”h x 36”w x 26”d N/A Poor

Chair Angelo of the **Personnel, Veterans and Human Services** Committee asked for a meeting at the next available time.

Vice Chair Reynolds of **Public Safety** called for a meeting at the next appropriate time.

Chair Conti of the **Special Committee on Tax Abatement** brought forward the following:

Voted 7 yeas – 0 nays (Blais, DeSimone, Holmes absent) 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

Chair Angelo of the Special Committee on **Classification & Compensation** called for a meeting at the next appropriate time.

There was no old business and no new business.

The council voted unanimously to adjourn at 9:20 PM.

A TRUE COPY

ATTEST: _____

City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____

(DATE)

City Clerk/Clerk of the Council