

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
MAY 7, 2019**

APPROVAL OF THE RECORDS: March 19, April 2, 2019 and April 16, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.

Continued from the meeting of April 2, 2019: PUBLIC HEARING relative to application for a Special Permit pursuant to Section 17-10.15, REGISTERED MARIJUANA DISPENSARY USES of the Revised Zoning Ordinances from Major Bloom, LLC, 50 Loring Street, Hyde Park, MA, to operate a Marijuana Business for property located at 20 John Williams Street, Attleboro, MA. said premises being Assessor's Plat #33, Lot's #221A, 221C, 221D and 222, located in an Industrial Zoning District and having an area of 3.62 + acres.

PUBLIC HEARING relative to the deletion of Revised Ordinance of the City of Attleboro Section 2-17, Chapter 2 – Administration – Council on Disabilities, due to the Council becoming a Commission.

PUBLIC HEARING regarding the application from Amalgamated Financial Group 2050 Plainfield Pike, Cranston, RI to amend a license to store flammables and combustibles at 237 Washington Street, also known as Assessor's Plat 14, Lots 73E, in accordance with the provisions of Chapter 148 of Mass General Law.

PUBLIC HEARING relative to amending SECTION 3, of the Revised Ordinances of the City of Attleboro as it pertains to Buildings and SECTION 20, as it pertains to the Protective Inspection Services Fund #2603. The amendments may be reviewed at the City Clerk or City Council offices during regular business hours

PUBLIC WORKS

Kate Jackson, Chairperson

1. The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding the need for funds to purchase various materials and supplies for the remainder of the fiscal year. Therefore, I hereby request Your Honorable Body transfer \$5,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16301000-546012 (Recreation – Supplies Recreational Grounds). Upon approval, the available balance in Reserve Fund for Transfer will be \$61,135.97. (Copies in your packets). (4/16/19)
2. The Mayor respectfully submits a communication from Superintendent of Water Kourtney Wunschel regarding the need to replenish funds used to cover the cost for assistance with the Sate mandated Water Management Act Permit renewal after an internal transfer was made. Therefore, I hereby request Your Honorable Body transfer \$24,871.95 from Account 6100-578300 (Water Enterprise Fund – Reserve Fund for Transfer) to Account 6100-521006 (Water Enterprise Fund – Sewer Service). (Copies in your packets) (4/16/19)

3. The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds for telephone services to the end of FY2019. Therefore, I hereby request Your Honorable Body transfer \$2,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 6000-534010 (Wastewater Enterprise Fund – Telephone). (Copies in your packets) (4/16/19)
4. The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds for heating to the end of the FY2019. Therefore, I hereby request Your Honorable Body transfer \$6,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 6000-521010 (Wastewater Enterprise Fund – Heating). (Copies in your packets) (4/16/19)
5. The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds for Lights and Power to the end of FY2019. Therefore, I hereby request Your Honorable Body appropriate \$28,000.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account 6000-521020 (Wastewater Enterprise Fund – Lights and Power) and additionally transfer \$4,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 600-521020 (Wastewater Enterprise Fund – Lights and Power). (Copies in your packets) (4/16/19)

PERSONNEL AND HUMAN SERVICES

Ty Waterman, Chairperson

1. The Mayor respectfully submits a communication from Health Officer Christopher Quinn, M.D. regarding the appointment of the Deputy Health Agent to the position of Acting Health Agent effective April 8, 2019 due to the fact that the Health Agent will be on a leave of a medical nature.

Also, for your information, due to the anticipated retirement of the current Deputy Health Agent sometime in the autumn of 2019, it is the intention of Health Officer Christopher Quinn, M.D. to seek and hire a new Deputy Health Agent so that there is minimal disruption to fulfilling the public health needs to the residents of the City of Attleboro.

Moreover, with these anticipated changes, the Health Department will need additional funds in the salary line for the remainder of FY2019. Therefore, I hereby request Your Honorable Body transfer \$2,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 15101000-511000 (Health – Salary). Upon approval, the available balance in Reserve Fund for Transfer will be \$59,135.97. (Copies in your packets) (4/16/19)

2. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Joan Lesperance, 4 Hodges Street, Apt. 406, Attleboro, to fill an unexpired term on the Council on Substance Abuse Prevention. Term to expire February 2020. (Copies in your packets) (4/16/19)

3. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Scott Horan, 406 Tiffany Street, Attleboro, to fill an unexpired term on the Traffic Study Commission. Term to expire February 2020. (Copies in your packets) (4/16/19)
4. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Bonnie Moore, 68 Bishop Street, Attleboro, to fill an expired term on the Conservation Commission. Term to expire February 2022. (Copies in your packets) (4/16/19)
5. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Fred Uriot, 1010 Oak Hill Avenue, Attleboro, to fill an unexpired term on the Planning Board. Term to expire February 2021. (Copies in your packets) (4/16/19)
6. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Mary Flaherty, 358 South Main Street, Attleboro, to fill an unexpired term on the Council on Human Rights. Term to expire February 2020. (Copies in your packets) (4/16/19)

BUDGET AND APPROPRIATIONS

Jay DiLisio, Chairperson

1. The Mayor respectfully a communication from Fire Chief Scott T. Lachance regarding the need to increase the expenditure limit for Revolving Fund #2610 Fire Ambulances in order to provide additional capacity to pay current expenditures associated with providing EMS service. Therefore, I hereby request Your Honorable Body, under the provisions of Chapter 44, Section 53 E-½ as amended, to approve the expenditure limit of \$1,200,000.00 for Revolving Fund #2610 Fire Ambulances outlined under Chapter 20 of the Revised Ordinances of the City of Attleboro for the remainder of Fiscal Year 2019. (Copies in your packets) (4/16/19)
2. The Mayor respectfully submit a communication from City Treasurer Laura Gignac regarding the need for funds to pay the Medtax for non-school and non-enterprise employees. A review of the Medtax account reveals that additional funding will be required to cover the anticipated expenses for the remainder of FY2019. Therefore, I hereby request Your Honorable Body appropriate \$47,000.00 from 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11451000-517240 (Treasurer-Medicare Tax). (Copies in your packets) (4/16/19)
3. The Mayor respectfully submit a communication from City Auditor Deborah Gould regarding the appropriation of unused prior year encumbrance funds to the School. As you know, the annual End of Year Report for the Attleboro Public Schools requires unexpended prior year encumbrance amounts to be reflected on the report. In FY2019 \$75,463.50 of prior FY2018 encumbrances remain unexpended for the School Department. Therefore, I

hereby request Your Honorable Body appropriate \$75,463.50 from Account 1000-321100 (General Fund - Reserve for Encumbrances) to Account A52000A0-517125 (Insurance Programs Health HMOs). Please note this account has been identified by the School Department. (Copies in your packets)

In order to be able to process this request for the end of FY2019 deadline, I hereby request Your Honorable Body to consider this prior to June 30, 2019.

4. The Mayor respectfully submit a communication from Building Commissioner William McDonough regarding the need for funds due the continued need for the electrical inspector position. Therefore, I hereby request Your Honorable Body transfer \$9,650.00 from 12401000-511000 (Protective Inspection – Salary) to Account 12401000-530101 (Protective Inspection – Professional Services). (Copies in your packets) (4/16/19)

CITY PROPERTY & CLAIMS

Sara Lynn Reynolds, Chairperson

1. The Mayor respectfully submit a communication from Superintendent of Parks & Forestry regarding a donation to setup and install an exterior Wi-Fi system to cover the walking paths and buildings throughout the zoo with an estimated value of \$19,885.34 from The Friends of Capron Park Zoo. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept these generous donations to the City of Attleboro. (Copies in your packets) (4/16/19)

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Diana Holmes, Chairperson

The Mayor respectfully submits a communication from Building Commissioner William McDonough regarding proposed Ordinance changes to have the electrical inspector's job changed from a full-time employee position to an appointed position and also some minor changes in the same section for housekeeping purposes. City Solicitor Cynthia Amara reviewed the changes and approved them to form. Therefore, I hereby request Your Honorable Body vote on the following amendment:

- (1) Delete Section 3-1.4 and replace with the following:

3-1.4 Compensation of Inspectors

The Inspectors of Plumbing and Gas shall receive as compensation for services rendered 65% of the gross amount of the Inspection Fees generated and collected by the discharge of his/her duties. The Inspector of Wires shall receive as compensation for services rendered 65% of the gross amount of the Inspection Fees generated and collected by the discharge of his/her duties. The Assistant Inspectors of Wires, Plumbing, and Gas shall be paid \$25.00 per inspection.

(2) Delete Section 3-2.1 and replace with the following:

3-2.1 Organization

The Inspector of Buildings, in compliance with M.G.L. 142 §11, shall appoint an Inspector of Gas Piping and Gas Appliances in Buildings for a term of three years, subject to the confirmation of the Municipal Council. The Inspector of Gas Piping and Gas Appliances in Buildings shall be qualified in accordance with the provisions of Massachusetts Code for Installation of Gas Appliances and Gas Piping, and General Law, and shall receive such salary as the Inspector of Buildings, subject to the approval of the Municipal Council shall from time to time determine.

(3) Delete Section 3-2.3 and replace with the following:

3-2.3 Powers and Duties

The Inspector of Gas Piping and Gas Appliances in Buildings, under the general supervision and control of the Inspector of Buildings shall enforce the provisions of Massachusetts Code for the Installation of Gas Appliances and Gas Piping and any other applicable statutes, rules, regulations, or ordinances, and act on any question pertaining to gas fittings or installation.

(4) Delete Section 3-3.1 and replace with the following:

3-3.1 Organization

The Inspector of Buildings, in accordance with M.G.L. 142 §11, shall appoint the Inspector of Plumbing for a term of three years, subject to the confirmation of the Municipal Council, from those persons who have qualified under the Civil Service eligible list of the City in accordance with the Civil Service Laws, Rules and Regulations. The Inspector of Plumbing shall receive such a salary as the Inspector of Buildings, subject to the approval of the Municipal Council from time to time determine.

(5) Delete 3-3.2 and replace with the following:

3-3.2 Powers and Duties

The Inspector of Plumbing, under the supervision and control of the Inspector of Buildings, shall enforce the provisions of Massachusetts State Plumbing Code and any other applicable statutes, rules, regulations, or ordinances, and act on any question concerning plumbing.

(6) Delete 3-4.2 and replace with the following:

The Inspector of Wires, under the general supervision and control of the Inspector of Buildings, shall enforce the provisions of the Massachusetts State Electrical Code and any other applicable statutes, rules, regulations, or ordinances and act on any questions concerning wires designed to carry electric light, heat or power current.

(7) Insert the following into the end of Section 3-7:

The Inspector of Wires shall receive as compensation for services rendered 65% of the gross amount of the Inspection Fees generated and collected by the discharge of his/her duties.

(8) Delete Section 20-3.2 and replace with the following:

20-3.2 Revenues

The City Auditor shall establish the Protective Inspection Services Fund # 2603 as a separate fund and credit to the fund sixty-five percent (65%) of the fees paid for plumbing and gas inspection permits, and sixty-five percent (65%) of the fees paid for electrical inspection permits when needed to be performed by an outside contractor.

(9) Delete Section 20-3.3 and replace with the following:

20-3.3 Purposes and Expenditures

During each fiscal year, the Inspector of Buildings with the approval of the Mayor may incur liabilities against and spend monies from the Protective Inspection Services Fund # 2603 for the cost of professional services as established by ordinance for appointed plumbing and gas inspectors, Inspectors of Wires and all alternate inspectors.

Furthermore, I hereby request Your Honorable Body to hold a Public Hearing at the appropriate time on the above ordinance change.

Moreover, it is requested that the proposed Ordinance changes take place prior to July 1, 2019. (Copies in your packets)