

**ATTLEBORO MUNICIPAL COUNCIL
REGULAR MEETING
TUESDAY, May 7, 2019
7:00 P.M.
AGENDA**

APPROVAL OF THE RECORDS: March 19, 2019, April 2, 2019, April 16, 2019 and April 23, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.

Continued 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. (Continued to May 7, 2019)

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 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 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 WORKS

- Request for \$5,000 for Recreation Department supplies and materials for the remainder of the fiscal year. (4/16/19)
- Replenish \$24,871.95 to Water Enterprise Fund as the funds were for the State Water Mgt. Act permit renewal. (4/16/19)
- Request for \$2,000 from Wastewater enterprise fund for telephone services through the end of fiscal year.(4/16/19)
- Request for \$6,000 for Wastewater department heating bills to the end of FY2019. (4/16/19)
- Request for \$28,000 for Wastewater lights and power bills to the end of FY2019. (4/16/19)
- Communication dated January 21, 2018 from resident Kellie Marcil, suggesting a change in the Winter Parking Ban (2/6/18)
- Communication dated January 15, 2018 from Adam Stuminski, relative to changes in the Winter Parking Ban (2/6/18)
- To investigate the following amendments: Section 11-10 Sidewalk Snow and Ice Removal and Section 11-10 Sidewalk Snow Removal in Commercial or Industrial Zones_(New Business—Ms. Porreca) (1/16/18)
- That Riverfront Drive be re-named Judy's Way. (07/20/17) NB: Mr. Conti

PERSONNEL & HUMAN SERVICES

- Health department request for salary funds for \$2,000 to cover acting position. (4/16/19)
- Appoint Scott Horan to fill an unexpired term to Traffic Study Commission. (4/16/19)
- Appoint Bonnie Moore, to fill an expired Conservation Commission term. (4/16/19)
- Appoint Fred Uriot to an unexpired term on the Planning Board. (4/16/19)
- Appoint Mary Flaherty to an unexpired term on the Council on Human Rights. (4/16/19)
- Appoint Joan Lesperance to an unexpired term on Council on Substance Abuse Prevention. (4/16/19)
- To assign a permanent department and department head for the formerly known Highland Country Club. (3/5/19)
- Communication from City Auditor Deborah Gould regarding Disclosure by Non-Elected Municipal Employee form (4/3/18)
- That in accord with the City of Attleboro Massachusetts City Charter Article 3 Section 3-1 which reads "The Mayor shall receive for his services such salary as the municipal council shall by ordinance determine within the first eighteen months of the term of office and is to be effective at the start of the next term of office." that effective January 1, 2020, the salary of the City of Attleboro Mayor be set at \$100,000.00 per year and, in addition, that the position of Mayor shall be removed from the City of Attleboro Classification Plan as defined in the Revised Ordinances of the City of Attleboro Chapter 13, Personnel, Section 5.1 Mayor (amended 1/5/11) which is to be deleted. In accord with City Charter Article 2 Section 7B, this measure will call for a public hearing and that a majority of the Municipal Council shall be required to adopt said Ordinance revision. (New Business – Mr. Conti) (3/20/18)

CAPITAL IMPROVEMENTS & CITY DEVELOPMENT

ZONING & LAND USE

- An application for a Street Discontinuance on Frank Mossberg Drive requested by Morin's Inc. dated April 18, 2019. (4/16/19, PH MAY 21, 2019).
- Application for a Special Permit from Major Bloom, LLC, to operate an RMD located at 20 John Williams St.. (PH 3-19-19)
- Amend §17-16.10 ~~NON-CONFORMING SIGNS~~ Delete B in its entirety and insert new language (see New Business—Ms. Porreca & Mr. DiLisio) (12/12/17)

TRANSPORTATION & TRAFFIC

- Amend Section 10-4.6 Left Turn Prohibited: Greenfield St. to South Ave: Greenfield St. Traffic travelling --- bound prohibited from making a left turn on South Ave. N-bound unless directed by a public safety official. (Ms. Porreca 11/6/18)
- Amend Section 10-4.15: Operation of Heavy Commercial Vehicles adding May St. from Washington St. to Newport Ave. (Ms. Porreca 11/6/18)
- Amend Section 10-4.6 Left Turn Prohibited: May Street to Newport Avenue: May Street traffic traveling --- bound prohibited from making a Left turn onto Newport Avenue Northbound unless directed by a public safety official. (Ms. Porreca 11/6/18)
- Request to study the need for a "Stop" sign at Bank Street Extension and Bridget Way. (PH 10-16-18) (9/18/18)
- That a solar warning lighted sign be installed at the intersection of Lower County Street and Read Street to warn traffic northbound on Lower County that there is a four-way intersection over the hill. (New Business—Mr. Conti) (12/5/17)
- That the parking options for Beagle Club Road and that restrictions up to and including NO PARKING. (NB: Mr. Cooper)

BUDGET & APPROPRIATIONS

- The City of Attleboro's General Government Annual Budget for Fiscal Year 2020 submission (4/23/19 PH 5/14/19)
- Appropriation for \$1,200,000.00 of free cash from Account 1000-359000 to fund the FY2020 General Budget (PH 5/14/19)
- Approve the expenditure limits for a number of Revolving Funds outlined under Revised Ordinances for Fiscal Year 2020
- Approve solid waste fee of \$25.54 per unit credited to Fund #2604 Residential Special Waste Disposal for Fiscal Year 2020.
- Appropriate \$5,669.00 from Fund 2500 (Receipts Reserved for Appropriation-Title V Reserve Fund) to the General Fund to provide program funding for FY2020. (4/16/19)
- Submission of the proposed Water and Wastewater Enterprise Budgets for Fiscal Year 2020. (PH 5/14/19)
To appropriate \$250,000 from (Water Enterprise Fund - Retained Earnings) to fund the FY2020 Water Budget.
- To appropriate \$200,000 from (Wastewater Enterprise Fund - Retained Earnings) to fund FY20 Wastewater Budget.
- To appropriate \$98,355.07 from (Wastewater Enterprise Fund - Retained Earnings) to fund the Wastewater Betterment's Share of debt in the FY2020 Budget.
- Transfer \$802,314.33 from (Water Enterprise Fund) to the General Government Fund to fund the indirect cost for FY2020.
- That the Council accepts the provisions of MGL 40, S.13E, for establishing and appropriating or transferring money to a fund to be utilized in the upcoming fiscal years, to pay, costs of special education, out-of-district tuition or transportation.
- For a Special Use Stabilization account to be created for the purpose of funding Special Education for the Attleboro Public Schools. (4/16/19) New Business
- Fire Department request revolving fund #2610 increase in expenditure limit to \$1,200,000 for EMS services. (4/16/19)
- Appropriate \$47,000 to cover Medicare tax costs for the rest of FY2019.
- Transfer previous fiscal year unused encumbrance from Schools to Insurance Programs account. (4/16/19)
- To establish a budget under a specific department and superintendent for the former Highland Country Club. (3/5/19)
- Communication from Public Employee Retirement Administration Commission regarding FY2020 appropriation (11/20/18)
- Collaborate with state officials to have a meeting to understand the Community Pact Program thru FY2019 for best financial policies for capital improvement (NB Conti 11/13/18)
- That the City of Attleboro accept a local exemption to allow research and development corporations to be taxed as manufacturing corporations in accord with M.G.L. c. 59, § 5, cl. 16(3), as amended by St. 2010, c. 240, § 108, effective for tax years beginning on or after January 1, 2018. (03/21/17: NB Mr. Conti)
- To research/investigate establishing a separate Stabilization Fund for the purposes of establishing a fund to replace the Attleboro High School track surface and/or the artificial athletic field (NB—Mr. Kirby and Mr. Conti)
- To establish a procedure for notifying the business community of proposed new ordinances or revisions to existing ordinances that may affect their businesses. (New Business—Mr. Cook and Mr. Bergevine)

LICENSE

- An application for a new Class II license from Vachon Motor Company, Inc. located at 957 Washington Street to buy and sell second hand motor vehicles as well as a repair shop. (4/16/19 PH 5/21/19))
- A permit request for the Annual Poppy Drive at locations in Attleboro on 5-18-19 by VFW Post 115. (4/16/19)
- License to store flammables at 237 Washington Street from Amalgamated Group of Cranston. (3/18/19) (PH 5/7/19)
- A communication dated January 29, 2019 with a complaint from August 18, 2018 against Old School Auto Sales 187 Cumberland Ave. Attleboro. (2/5/19)

- A communication dated July 12, 2018 from Zoning Enforcement Officer William McDonough regarding a violation for unregistered vehicles at 11 Horton Avenue.

CITY PROPERTY & CLAIMS

- Accept the donation from The Friends of Capron Park Zoo for a setup and install exterior Wi-Fi system. (4/16/19)
- Public Hearing on April 2, 2019 for sale of Old high school and parking lot on County Street. (3/19/19)
- Allow Passive Recreation on property formerly known as Highland Country Club. (3/5/19)

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Ordinance amendment to Building and Inspection Section 3. (4/16/19) (PH 5/7/19)
- To adopt MGL Chapter 40 Section 8j as it pertains to changing the Attleboro Disabilities Committee to the Attleboro Disabilities Commission and all that entails. (PH 5/6/19) (1/8/19)
- To differentiate between the positions of an executive and legislative city solicitor section 2-3 of the Ordinances of the City of Attleboro. (Ms. Holmes and Mr. Kobus 10/16/18)
- Addition of Ordinance for Speed Humps/Cushions, 10-4.18 (9/10/16/18)
- Request for a new ordinance as it pertains to Smoking restrictions in cars with children in car seats (Public Hearing scheduled for September 18, 2018) (7/17/18)

PUBLIC SAFETY & EMERGENCY MANAGEMENT

- To change the ordinance as it relates to appointing authority - Section 13-7 Civil Service Appointments (3/20/18)
- The following proposal relative to the practice of hunting on public lands and private property in Attleboro without permission of the landowner from Roxanne Houghton of 13 Eisenhower Street.

SPECIAL COMMITTEE ON THE COUNCIL'S RULES OF PROCEDURES

SPECIAL COMMITTEE FOR TAX ABATEMENT REVIEW

- Home Rule petition for city with House of Representatives Amendment Article 89 and MGL Ch. 43B to adopt Ordinance for a Senior Tax Program authorizing City to amend Ch. 169 of Acts of 2012 (House, 3815). (Mr. Conti 7/17/18)
- Create an Elderly and Disabled Taxation Aid Fund. (Mr. Kobus 9/18/18)
- That the City of Attleboro create a local property tax freeze program that will bar property tax increases for certain seniors and other eligible populations who are on a fixed income and most affected by an increase taxes (Mr. Kobus 9/18/18)

Old Business: - None

New Business: -

I MOVE to refer the following matter to the appropriate committee for study and recommendation

TO ADJUST the following exemption amount and eligibility factors for the property tax exemption for senior citizens in Attleboro under General Laws Chapter 59, Section 5, Clause 41C, in accordance with Section 51 of Chapter 184 of the Acts of 2002, to be effective beginning in fiscal year 2019 as follows:

1. By increasing the amount of the exemption to \$700.00 (from \$600.00).
2. By lowering the age to 65 to qualify (from 70). (Submitted by Councilor Holmes)

I MOVE to refer the following matter to the appropriate committee for study and recommendation:

THAT THE Senior Citizen Property Tax Work-Off Abatement, MGL c. 59-5k, adopted June 22, 2000 by Attleboro, increase the total number of participants from 120 to 150. (Submitted by Councilor Holmes)

I MOVE to refer the following matter to the appropriate committee for study and recommendation:

TO RESPECTFULLY request an appropriation to the Fire Department for the second gear extractor for the prior to the close of FY 19. (Submitted by Councilor Blais)

(Disclaimer: This agenda has been prepared in good faith based on topics that the Municipal Council anticipates may be discussed at its meeting). Agenda prepared by the Administrative Assistant from the Office of the Municipal Council.