

**ATTLEBORO MUNICIPAL COUNCIL  
REGULAR MEETING  
TUESDAY, May 21, 2019  
7:00 P.M.  
AGENDA**

**APPROVAL OF THE RECORDS: April 23, 2019, May 7, 2019 and May 14, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.**

**JOINT PUBLIC HEARING** with the Planning Board relative to an application for a Street Discontinuance on Frank Mossberg Drive more specifically Assessor's Plat #146 Lot 6B requested by Morin's Inc. dated April 18, 2019.

**PUBLIC HEARING** relative to a new Class II license application from Vachon Motor Company, Inc. located at 957 Washington Street to buy and sell second hand motor vehicles as well as a repair shop.

**PUBLIC HEARING** relative to a Class II license application from Daniel Martinez of 47 Sussex Street, Providence d/b/a R & D Auto Sales, to buy and sell second hand motor vehicles at 116 Dickens Street dated April 26, 2019.

**PUBLIC HEARING** relative to a new Class I license from J.T. Automotive, LLC d/b/a KIA of Attleboro and KIA of South Attleboro to sell new cars at 795 Newport Avenue, Attleboro dated May 3, 2019.

**PUBLIC WORKS**

- Appropriation request for \$21,900 to repair Farmer's Pond Dam (5/7/19)
- Request for \$10 for the membership fee increase for the Society of Arboriculture. (5/7/19)
- 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**

- Request for update of Personnel Rules and Regulations for City's exempt group. (5/7/19)
- Appointment of Kelly Terreault of Commonwealth Avenue to fill an expired Cultural Council seat. (5/7/19)
- 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).
- 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)

### **BUDGET & APPROPRIATIONS**

- Appropriate \$86,370.92 from Free Cash to School Department net spending. (5/7/19)
- Transfer \$17,525.62 to library personnel needs to finish FY2019 (5/7/19)
- 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
- 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 I license from J.T. Automotive d/b/a Kia of Attleboro and KIA of S. Attleboro (5/7/19)
- An application for a Class II license from R & D Auto Sales and Daniel Martinez at 116 Dickens Street (5/7/19)
- 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))
- 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**

- Surplus declaration from the Recreation Department for a tractor and Weed whacker. (5/7/19)
- Surplus declaration from the Police Department for office furniture and partitions. (5/7/19)
- Disposition request for the 95 Pine Street building aka Richardson School. (5/7/19)
- 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**

- Amendment addition to the City Ordinances for section 3 – Building and addition of Stretch Energy Code (5/7/19)
- Request to amend section 10 of the Attleboro Ordinances as it relates to parking on Sanford Street (5/7/19)
- 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**

- Transfer request of \$5,500 for Fire Department recruit uniforms (5/7/19)
- Request a declaration of surplus for obsolete External Defibrillators (5/7/19)
- 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.
- Request an appropriation to the Fire Department for second gear extractor prior to close of FY2019 (5/7/19)

**SPECIAL COMMITTEE ON THE COUNCIL’S RULES OF PROCEDURES**

**SPECIAL COMMITTEE FOR TAX ABATEMENT REVIEW**

- Request adjustment of money from \$600 to \$700 for property tax exemption for senior citizens. (5/7/19)
- Request the Senior Citizens Property Tax Work off abatement participants’ change from 120 to 150. (5/7/19)
- 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:**

Please refer the following to the appropriate committee for study and recommendation:

To change the street name for FULLER AVE SOUTH to Harper Way (Public hearing required). (Sponsored by Councilor Porreca)

Please refer the following to the appropriate committee for study and recommendation:

To establish a special purpose stabilization fund to restrict the interest income earned on proceeds from the sale of bonds associated with the long-term borrowing of funds excluded by the debt exclusion vote of April 3, 2018. (Co-sponsored by Councilor Porreca and Councilor DiLisio )

(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.