

**ATTLEBORO MUNICIPAL COUNCIL  
REGULAR MEETING  
TUESDAY, JUNE 4, 2019  
7:00 P.M.  
AGENDA**

**APPROVAL OF THE RECORDS: April 23, 2019, May 7, 2019, May 14, 2019 and May 21, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.**

**PUBLIC HEARING** relative to amending Revised Ordinance of the City of Attleboro Section 10 - 5 Parking, in order to address the signs on Sanford Street and changes to the language.

**PUBLIC HEARING** relative to the Yearly Operational Plan submitted to the Massachusetts Department of Agricultural Resources by the Attleboro Parks and Forestry Department addressing vegetation management in the city including herbicides and planned treatment.

**PUBLIC HEARING** relative to amending SECTION 3, of the Revised Ordinances of the City of Attleboro as it pertains to Buildings and the adoption of the Board of Building Regulations and Standards' Stretch Code (780 CMR 115.AA), an Appendix to the Massachusetts State Building Code. The amendments may be reviewed at the City Clerk or City Council offices during regular business hours.

**PUBLIC HEARING** relative to the request that the Council declare surplus and available for disposition the old Richardson School at 95 Pine Street.

**PUBLIC HEARING** relative to the following loan order to upgrade the Wastewater Treatment Plant located at 27 Pond Street (North) Attleboro:

**ORDERED:** that One Million, Five Hundred Thousand Dollars (\$1,500,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with plant upgrades to the City's Wastewater Treatment Facility, located at 27 Pond Street (North), Attleboro, Massachusetts (collectively the "Project"), including the payment of all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow One Million, Five Hundred Thousand Dollars (\$1,500,000.00) under Chapter 29C of the General Laws and/or 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. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 7(1) of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. (6/4/19)

**PUBLIC HEARING** relative to the following loan order for water main work on Read Street:

**ORDERED:** that Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with the replacement of approximately 8,800 linear feet of water mains, including the road restoration, on Read Street, Attleboro, Massachusetts (collectively the "Project"), including the payment of all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00) under Chapter 29C of the General Laws and/or Section 8(5) 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. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 8(5) of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. (PH 6/4/19)

**PUBLIC WORKS**

- Request for \$3,000 for Park and Forestry for a 2-piece dump top for landscaping. (5/21/19)
- 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**

- Approve expending grant funds from UMass medical for the COA. (5/21/19)
- 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**

- A letter from Planning Board with support to purchase a Vactor truck for the DPW identified CIP for 10+ years. (5/21/19)
- A letter from Planning Board regarding the purchase of a replacement plotter for Planning Department. (5/21/19)
- Capital Improvement plan and message for 2020-2024 (4/16/19)

### **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**

- Request for \$18,234 for Police Department office equipment, computers and recruit medical evaluations. (5/21/19)
- 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)
- 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**

- Application from Column Health of Railroad Avenue, Attleboro for a license to “Keep a Stand in a Public Place” (5/21/19)
- Application for a Hawkers License from Chutimon Johnson of S. Main Street to have a cart to sell hot dogs (5/21/19)
- 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))
- 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**

- Donation of computer equipment from NESPIN to the Police department. (5/21/19)
- Surplus declaration for old office chairs from Attleboro Public Library. (5/21/19)
- Donation of interior/exterior speaker and pa system and installation for zoo from Friends of Capron Park Zoo (5/21/19)
- Disposition request for the 95 Pine Street building aka Richardson School. (5/7/19)
- Allow Passive Recreation on property formerly known as Highland Country Club. (3/5/19)

### **ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS**

- Amendment to Ordinance 9-35 Dog Control Provisions and 9-35.1 Definitions Animal Control Officer. (PH 6/18/19)
- 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)
- 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**

- Yearly Operational Plan submitted MDAR by the Parks and Forestry addressing vegetation management including herbicides and planned treatments. (PH JUNE 4, 2019) (5/21/19)
- 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:**

**New Business: Recommended changes to the Revised Ordinances of the City of Attleboro, Chapter 9 Section 45 as it pertains to Dog Parks. (Submitted by Councilor Porreca)**

(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.