

**ATTLEBORO MUNICIPAL COUNCIL  
REGULAR MEETING  
TUESDAY, JUNE 18, 2019  
7:00 P.M.  
AGENDA**

**APPROVAL OF THE RECORDS: May 7, 2019, May 14, 2019, May 21, and June 4, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.**

**CONTINUED 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.

**CONTINUED PUBLIC HEARING** relative to the request that the Council declare surplus and available for disposition the old Richardson School at 95 Pine Street. (continued to the meeting of August 20, 2019)

**PUBLIC HEARING** relative to the Class II Auto License amended application for GMV Inc., d/b/a Byrider, 957 Washington Street for 12 Customer Parking Spaces and 58 Display Spaces.

**PUBLIC HEARING** relative to amending Revised Ordinances of the City of Attleboro Section 9-35 - Dog Control Provisions and Section 9-35.1 - Definitions Animal Control Officer.

**PUBLIC HEARING** relative to the request to change the street name for Fuller Ave South to Harper Way in Attleboro.

**PUBLIC HEARING** regarding the application of Jessica Grillo for Column Health to "Keep a Stand In A Public Place" distributing outpatient materials with a table at Railroad Ave and Park Street.

**PUBLIC WORKS**

- Appropriate \$15,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-521020 (Water Enterprise – Lights & Power). (3/6/4/19)
- Appropriate \$42,250.50 from Account 6000-359000 (Wastewater Enterprise Fund - Retained Earnings) to Account 6000-553150 (Wastewater Enterprise Fund – Water Meter Supplies) (20/6/4/19)
- 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**

- Appointment of Julie Hobson, 84 Barrows Street, North Attleboro, MA to the position of Chief Assessor, as recommended by the Board of Assessors, for a term of three years. Term to expire February 2022. (1/6/4/19)
- Reappointment of Jim Lewis to the Planning Board for a 5-year term. Term to expire February 2024. (7/6/4/19)
- Transfer \$13,684.38 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11411000-515075 (Assessor – Earned Time Payment). (19/6/4/19)
- 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**

- Transfer \$2,471.43 from Account 3535-599000 (Angell Park – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources). (21/6/4/19)

- Youth Center Program in the amount of approximately \$10,566.00. (22/6/4/19)
- 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)

### **ZONING & LAND USE**

- Donation of “Open Space Lot #30” containing 30.0 ± acres of real estate located off Avalon Drive in the “Avalon Estates” subdivision to the City’s Conservation Commission from Maddi North Street Development, LLC. (8/6/4/19)
- Street Acceptance Plan Merigold Circle (9/6/4/19) (PH 7/18/19)
- Street Acceptance Plan Cedar Creek Drive (10/6/4/19) (PH 7/18/19)
- Street Acceptance of Joanna Drive in Attleboro, Massachusetts (11/6/4/19) (PH 7/18/19)
- Street Acceptance Plan Jenna Drive & Marissa Circle (12/6/4/19) (PH 7/18/19)
- Street Acceptance Plan Jenna Drive & Marissa Circle (13/6/4/19) (PH 7/18/19)
- As-Built Plan and Profile – Austin Drive (14/6/4/19) (PH 7/18/19)
- Street Acceptance Plan St. Don Street & Woodside Avenue (15/6/4/19) (PH 7/18/19)
- Street Acceptance Plan St. Don Street & Woodside Avenue (16/6/4/19) (PH 7/18/19)
- Roadway Acceptance Plan, Landers Road (7/6/4/19) (PH 7/18/19)
- Acceptance Plan and Profile of Tennant Circle in Attleboro, Massachusetts (18/6/4/19)
- Rezoning Petition from Sterry Street Auto Sales, Inc., 495 Collins Street from SR-B and Industrial zoning to GB zoning, (JPH 7/16/19) (6/4/19)
- Affirmative vote from the Planning Board to recommend the approval of the petition to discontinue a portion of Frank Mossberg Drive. (6/4/19)
- 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**

- Transfer \$8,000.00 from Account 12101000-511000 (Police – Salary & Wages) to Account 13001000-511110 (Education – Salaries School Crossing Guards) (2/6/4/19)
- Appropriate \$74,982.87 from 8505-599000 (E Rate Stabilization Fund - Other Financing Uses) to Fund 2701-499000 (E Rate IT Fund- Other Financing Sources 5/6/4/19)
- 48-month lease agreement with HP Financial Services. (6/6/4/9)
- Transfer \$5,084.24 from Account 3420-599000 (Hyman Fine/Hill Roberts Boilers – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources). (23/6/4/19)
- Transfer \$47.60 from Account 3421-599000 (Brennan/Wamsutta Boilers – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources). (24/6/4/19)
- Transfer \$553.08 from Account 3423-599000 (Willett Boiler – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources (25/6/4/19)
- Transfer \$12,050.00 from Account 3425-599000 (Willett Media Center AC – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources). (26/6/4/19)
- \$15,517.00 from Account 3426-599000 (Hill Roberts AC Units – Other Financing Uses) to Account 10004-499000 (General Fund – Other Financing Sources). (27/6/4/19)
- 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**

- Class II Auto License amended application for GMV Inc., d/b/a Byrider, 957 Washington Street for 12 Customer Parking Spaces and 58 Display Spaces. (PH 6/18/19) (6/4/19)
- Application from Column Health of Railroad Avenue, Attleboro for a license to “Keep a Stand in a Public Place” (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)(CHARTER OBJECTION JUNE 4, 2019)
- 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 playground equipment and supplies with an estimated value of \$38,000.00 from the Ariella Marie Memorial Foundation at Tilda B. Stone. (4/6/4/19)
- 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:**

(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.