

**ATTLEBORO MUNICIPAL COUNCIL DOCKET
JULY 18, 2019**

APPROVAL OF THE RECORDS: APPROVAL OF THE RECORDS: May 7, 2019, May 14, 2019, May 21, 2019, June 4, 2019, June 18, 2019, June 25, 2019 and July 16, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.

CONTINUED 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 proposed amendment to the Revised Ordinances of the City of Attleboro, Section 10-4.18, Permanent Speed Humps/Speed Cushions.

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Merigold Circle (length of 610 feet, from STA 0+00 to STA 6+10) as a public way.

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Cedar Creek Drive (length of 1,310 feet, from STA 0+00 to STA 13+10) as a public way.

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Joanna Drive (length of 839.47 feet, from STA 0+00 to STA 8+39.47) as a public way.

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Marissa Circle (length of 212 feet, from STA 0+00 to STA 2+12) as a public way

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Jenna Drive (length of 413 feet, from STA 0+00 to STA 4+13) as a public way

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Austin Drive (length of 400.00 feet, from STA 0+00 to STA 4+00) as a public way.

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of St. Don Street (length of 228.58 feet, from STA 1+15 to STA 3+43.58) as a public way

PUBLIC HEARING relative to street acceptance pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a

portion of Woodside Avenue (length of 352.92 feet, from STA 0+20 to STA 3+72.92) as a public way

PUBLIC HEARING relative to street acceptance pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Landers Road (length of 396.89 feet, from STA 0+00 to STA 3+96.89) as a public way.

PUBLIC HEARING relative to street acceptance pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Tennant Circle (length of 202.16 feet, from STA 0+00 to STA 2+02.16) as a public way.

PUBLIC WORKS

Kate Jackson, Chairperson

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for an appropriation of \$134,621.20 to install new sidewalks on Mendon Road. Therefore, the Mayor hereby requests this Honorable Body appropriate \$130,000.00 from 8506-599000 (Sidewalk-Other Financing Uses) to Fund 2702-499000 (Sidewalk-Other Financing Sources).

Additionally, appropriate \$4,621.20 from 2514-599000 (DPU-TNC-Other Financing Sources) to Fund 2702-499000 (Sidewalk-Other Financing Sources).

PERSONNEL AND HUMAN SERVICES

Ty Waterman, Chairperson

The Mayor respectfully submits a communication from Library Director Christine Johnson regarding a Grant from the National Endowment for the Arts to the City of Attleboro for the Community-wide Big Read Program of approximately \$15,000.00. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds and any other further grant amendments received by the Attleboro Public Library to support the Big Read Program activities as authorized by the granting authority. Details of the program will be announced to the public in August.

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Douglas Greene, 3 Commonwealth Avenue, TH2, to fill an expired term on the Cultural Council. Term to expire February 2022.

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Chairperson

Richard Conti,

In furtherance of the Water Department’s Fiscal 2020-2024 Capital Improvement Program (Three-Cycle Municipal Water System Plan Annual Distribution System Rehabilitation Program Part 3), my administration is moving forward with a capital project to replace approximately 5,200 l.f. of water main on Steere Street. This project is explained in greater detail in a memorandum from Superintendent of Water, Kourtney Wunschel.

As shown below, a loan authorization of \$1,700,000.00 (rounded) is now needed for this project:

5,200 l.f. Water Main Replacement (construction):	\$1,100,000.00	
Road Restoration (construction):	<u>\$ 250,000.00</u>	
TOTAL Construction (est.)	\$1,350,000.00	
Design, bidding & oversight		\$ 195,000.00
Advertising		\$ 1,000.00
Contingency		<u>\$ 110,000.00</u>
TOTAL PROJECT	<u>\$1,656,000.00</u>	

If after all bids are received and verified, this loan amount is greater than the actual costs, then I will be requesting that the loan amount be reduced appropriately. Therefore, the Mayor hereby requests this Honorable Body to approve the following loan order:

ORDERED: that One Million, Seven Hundred Thousand Dollars (\$1,700,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with the replacement of approximately 5,200 linear feet of water mains, including the road restoration, on Steere 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 One Million, Seven Hundred Thousand Dollars (\$1,700,000.00) 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 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Furtherance of the Water Department’s Fiscal 2020-2024 Capital Improvement Program (Three-Cycle Municipal Water System Plan Annual Distribution System Rehabilitation Program Part 3), my administration is moving forward with a capital project to replace approximately 5,200 l.f. of water main on Steere Street. This project is explained in greater detail in a memorandum from Superintendent of Water, Kourtney Wunschel.

9. As you may recall, on February 19, 2019 the Mayor sent Your Honorable Body a loan authorization request of \$2,700,000.00 for 8,800 linear feet of water mains on Read Street. This loan authorization was approved on April 16, 2019 (and again on June 4, 2019). An essential component of the Read Street Water Main Project was the City’s ability to utilize the water main on Roy Avenue (near Hill Roberts Elementary School) for water looping purposes during construction. At some point after the loan authorization was sent to Your Honorable Body, and during the design phase of the project, it was discovered that the Roy Avenue water main was leaking in an area where it crosses under the Seven Mile River. Looping the Roy Avenue water main into the Read Street project without repairing the leak will cause insufficient water

pressure (i.e., fire protection) near a school, which is unacceptable. Insertion valves have been installed to temporarily shut down the leak, but it must be permanently repaired to complete the Roy Avenue loop before the Read Street water main project can begin. The City’s engineers on this project (Tata Howard) have provided the following proposed budget to repair the Roy Avenue water main:

Engineering	Cost
Design*	\$36,800.00
Construction Administration	\$19,900.00
Resident Project Representation	\$21,900.00
	<i>*Includes sub consultant fees for survey, wetlands delineation, and soil boring exploration</i>
Construction**	\$230,000.00
	<i>**Includes Mobilization, erosion controls, excavation, directional drilling, connection to existing water main, backfill, and paving.</i>
Contingency	\$191,400.00
TOTAL	\$500,000.00

To ensure that the repairs to the Roy Avenue water main are completed prior to the Read Street project beginning in the Spring of 2020, it is necessary to have access to the loan authorization funds immediately following Your Honorable Body’s anticipated approval (i.e., on or before August 22, 2019). However, a provision in the City’s Charter (2-9(a)) would require that the City wait an additional 30 days following the vote to have access to these funds, which would only cause further water leakage, jeopardize adequate water pressure near a school and ultimately delay the much-needed water main repairs on Read Street. To cure this problem, I am further requesting that Your Honorable Body vote to treat this loan authorization as an emergency measure, pursuant to Section 2-9(b) of the City’s Charter.

Therefore, the Mayor hereby requests this Honorable Body to refer this matter to the Planning Board, call for a **public hearing for August 20, 2019** and to approve the following measures at your August 22, 2019 meeting:

EMERGENCY PREAMBLE: That the Attleboro Municipal Council hereby declares that an emergency presently exists relative to the need to repair the water main leak off of Roy Avenue and that any delay of the authorization of an appropriation of funds to repair such leak would only jeopardize adequate water pressure near a school and delay the much-needed water main repairs on Read Street; and therefore, hereby votes pursuant to the City Charter, Section 2-9(b), that an appropriation and loan order for these repairs in the amount of \$500,000.00 may be voted as an emergency measure.

ORDERED: that Five Hundred Thousand Dollars (\$500,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with the repair of a water main leak off of Roy Avenue, 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 Five Hundred Thousand Dollars (\$500,000.00) 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 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Further, the Attleboro Municipal Council hereby approves this loan authorization as an emergency measure, pursuant to Section 2-9(b) of the Attleboro City Charter.

ZONING & LAND USE

Todd Kobus, Chairperson

The Mayor respectfully submits a communication from Director of Planning and Development Gary Ayrassian regarding the receipt of a Municipal Vulnerability Preparedness (MVP) Grant of approximately \$32,000.00 from the Executive Office of Energy and Environmental Emergency Affairs (EOEEA). The requisite local match will be provided in the form of in-kind services by City staff. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests this Honorable Body to approve the expenditure of such funds and any further grant amendments.

A RESOLUTION OF THE ATTLEBORO MUNICIPAL COUNCIL TO SUGGEST THE ADMINISTRATION CONDUCT A RETROSPECTIVE ANALYSIS OF A GAS LEAK ON TORREY STREET:

WHEREAS, on April 27, 2019, a car accident at 124 Emory Street helped officials detect a natural gas leak in the vicinity of Emory Street and Torrey Street resulting in houses being evacuated, and

WHEREAS, Columbia Gas discovered and fixed a Grade 1 gas leak on Torrey Street which was venting natural gas from the street into the evacuated houses, and

WHEREAS, on April 22, 2019, days before the natural gas leak was detected, the Attleboro Water Department fixed a water main break on Torrey Street, and

WHEREAS, on March 4, 1998, an explosion caused by a natural gas leak in the basement of a house on George Street in Attleboro killed two city workers and injured seven others, and

WHEREAS, on September 13, 2018, excessive pressure in natural gas lines owned by

Columbia Gas caused explosions and fires in more than 40 homes across Andover, Lawrence and North Andover,

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Attleboro suggests the Mayor of the City of Attleboro conduct a retrospective analysis of the natural gas leak on Torrey Street and an analysis of the policies and procedures in effect under which the incident occurred. Results of the analysis as well as any policy or procedural changes should be reported back to the Municipal Council. (NB – Kobus, DiLisio 7-16-19)

TRANSPORTATION & TRAFFIC

Heather Porreca,

Chairperson

A communication from Andreoni Law Offices regarding the “misunderstood” letter sent in March referring to the problems on Angeline Street.

Correspondence from a number of resident of Holden Street with suggestions to alleviate traffic and road condition issues.

LICENSES

Laura Dolan, Chairperson

A request from the American Legion Auxiliary, Unit 312 for September Poppy Drives at two grocery stores in Attleboro.

An application for a Class II license from New England Cars, Inc. at 923 Washington Street, with 7 customer parking spaces and 33 display spaces.

Correspondence from Attorney David Manoogian for JT Automotive, LLC requesting an amendment to the recently issued Class 1 License

CITY PROPERTY & CLAIMS

Sara Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Superintendent of Schools David Sawyer regarding the donation of playground equipment with a value of \$3,558.70 from Willett PTO to the Willett Elementary School. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests this Honorable Body to accept this generous donation to the City of Attleboro.

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding a bus that the Attleboro Public Schools would like to declare surplus. Therefore, the Mayor hereby requests this Honorable Body to declare the following vehicle as surplus and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN NO.</u>	<u>CONDITION</u>
2005	Chevrolet 22 Passenger Bus	1GBJG31U251102652	Poor

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding equipment that the Wastewater Department would like to declare surplus. Therefore, the Mayor hereby requests Your Honorable Body to declare the following equipment as surplus and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN NO.</u>	<u>MILEAGE</u>	<u>CONDITION</u>
1980	Mack Dump Truck	DM685SX46698	32,268	Poor
1980	Mack Dump Truck	DM685SX46697	90,728	Poor
2004	Ford F250 Pick-Up	1FDNF21L84EA71217	110,760	Poor

<u>ITEM</u>	<u>CONDITION/VALUE</u>
Canon Image RUNNER 2230 Copier	Poor Condition/\$0 Value

As you may be aware, the Attleboro Historical Commission has been working on building a replica of the Wolfenden smoke stack to be erected at the Judith H. Robbins Riverfront Park. Jeffrey DiMarzio of DiMarzio Masonry has graciously agreed to donate his time and materials in the amount of \$9,640.00 to construct the smoke stack. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous donation to the City of Attleboro.

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Diana Holmes, Chairperson

Correspondence from Attorney John Jacobi summarizing the School Building Committee interest in the Permanent Traffic Calming Measures public hearing scheduled July 18, 2019.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds for tuition and books reimbursement. The City is required to reimburse members of the bargaining unit for the cost of tuition and books for each approved course in a fire science program that they successfully complete. There are seventeen (17) members of the bargaining unit who have received written pre-approval to

take four (4) courses during FY2020. Therefore, the Mayor hereby requests Your Honorable Body transfer \$39,481.90 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-532010 (Fire – Tuition and Books).