

**ATTLEBORO MUNICIPAL COUNCIL  
DOCKET  
SEPTEMBER 20, 2022**

**Public hearing on September 20, 2022:**

**PUBLIC JOINT HEARING** with the Planning Board on September 20, 2022 for the proposed amendments to Section 17, Table of Use Regulations and Definitions as it pertains to Marijuana. Proposed amendments available at the Council office.

**PUBLIC JOINT HEARING** with the Planning Board on September 20, 2022 to amend Zoning Ordinance 17 to allow for Accessory Dwelling Units on qualifying residential properties. Proposed amendments available at the Council office.

**PUBLIC HEARING** regarding the proposed amendments to Section 7-8 Solid Waste Collection Fees of the Ordinances of the City of Attleboro.

**PUBLIC HEARING** regarding Section 2-19, Economic Development Board, of the City's Ordinances to reflect the organization change from "Chairman of the Municipal Council's Committee on Capital Improvements and City Development" to "Chair of Finance Committee".

**PUBLIC HEARING** regarding Section 10-4.12 of the revised ordinance by adding the intersection of Pine Street and Carpenter Street as a designated multi way stop.

**PUBLIC HEARING** regarding a petition from National Grid to install a new 40' pole at 209 Pleasant Street to feed a new commercial customer.

**PUBLIC MEETING** to discuss the potential adoption of MGL 40U, regarding enforcement of fines and penalties by a municipality depending the violation up to and including Liens.

**LICENSE**

**Ty Waterman, Chairperson**

**PUBLIC WORKS**

**Laura Dolan, Chairperson**

The Mayor respectfully submits a communication from Director of Planning and Development Gary Ayrassian regarding the 2022 SNEP Watershed Grant. The Department of Planning and Development in collaboration with the Rhode Island Department of Environmental Management and NEIWPC have submitted an application for a Southeast New England Program (SNEP) 2022 Watershed Implementation Grant for the removal and eradication of nuisance water chestnut in the Ten Mile River watershed — more specifically, Dodgeville Pond. Included with the grant application was a letter-of-support from the City and the commitment to provide a local cash match of \$20,000.00. Therefore, the Mayor respectfully requests Your

Honorable Body transfer \$20,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to 11241000-599200 (City Wide – Transfer to Grant); and to further transfer \$20,000.00 from Account 11241000-599200 (City Wide – Transfer to Grant) to Fund 2344M4–499700 – SWIG–EPA / MUNICIPAL DISTRIBUTION.

The City Clerk received a request from Massachusetts Electric d/b/a National Grid and Verizon New England Inc. to relocate poles and raise wires on Hazel Street Ext. to accommodate roadway layout changes and truck traffic.

The City Clerk received a request from Massachusetts Electric d/b/a National Grid and Verizon New England Inc to relocate 1 JO pole on Dunham Street beginning at a point approximately 20 feet south of the centerline of the intersection of Pine Street. Relocate pole #5102 from one side of the road to the other with anchor.

**FINANCE COMMITTEE**

**Richard Conti, Chairperson**

The Mayor respectfully submits a communication from Attleboro Public Schools Director of Finance Marc Furtado regarding the following FY22 fiscal obligations that were not received in time to be processed in the normal FY22 business cycle:

<u>Vendor</u>	<u>Amount</u>
Brillion, Greg	\$175.00
HighVentures LLC	\$675.00
Great Schooling Partnership	\$600.33
National Grid	\$3,031.33
RI Department of Ed	\$298.50
Windstream	\$1.37

Therefore, the Mayor hereby requests Your Honorable Body to authorize the School Department to pay these previous year school bills totaling \$4,781.53 as identified in Mr. Furtado’s communication.

The Mayor respectfully requests Your Honorable Body transfer \$345.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-578020 (City Wide -Bills from Previous Years) in order to pay an FY22 invoice to *SS Service Corp.*

The City Clerk received a letter form Martha Iannazzi Conti, 100 Berwick Road in opposition of giving the property owners of 27 – 39 South Main Street a TIF of 1.28 million dollars.

**TRAFFIC AND TRANSPORTATION**

**Kelly Bennett, Chairperson**

The City Clerk received a letter from Juliet Teixeira, 5 Hanisch Road regarding safety concerns with the removal of Snell Street traffic lights.

**I move to have the following new business assigned for study and recommendation:**  
To restrict parking to one side of Frank Mossberg Drive. (Bennett)

**I move to have the following new business assigned for study and recommendation:**  
Amend Section 10-4.11 of the Revised Ordinances, Isolated Stop Signs, by adding Eastbound drivers on Jefferson Street at Fifth Street. (Bennett)

**IT & INFRASTRUCTURE COMMITTEE**

**Todd Kobus, Chairperson**

**ZONING AND LAND USE**

**Diana Holmes, Chairperson**

**Move to have the following new business assigned for study and recommendation:**

That Attleboro adopt an Inclusionary Zoning ordinance as a means of increasing the supply of housing that is available and affordable to low - or moderate-income households, with an emphasis on family housing, and preventing the displacement of Attleboro residents. (See Goal 11, Policy 3 of the Comprehensive Plan) (DeSimone and Dolan)

**(PH 10-4-2022)**

The Mayor hereby requests your honorable body to schedule a public hearing pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of Rhodes Street (length of 244 feet, from STA 0+00 to STA 2+44) as a public way and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “STREET ACCEPTANCE PLAN, “RHODES STREET”, ATTLEBORO, MASSACHUSETTS”, dated November 29, 2021 and revised through February 17, 2022, prepared by Daniel R. Campbell, R.P.E. and Joyce E. Hastings, P.L.S., which plan has been deemed satisfactory to the Superintendent of Public Works. Enclosed please find the necessary documents.

**(PH 10-4-2022)**

The Mayor hereby requests your honorable body to schedule a public hearing pursuant to §16-2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Steeplechase Circle (length of 3,700 feet, from STA 0+00 to STA 37+00) as a public way and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “STREET

ACCEPTANCE PLAN OF LAND, STEEPLECHASE CIRCLE (BRISTOL COUNTY – NORTH DISTRICT), ATTLEBORO, MASSACHUSETTS”, dated July 15, 2022, prepared by Richard W. Reid, Jr., P.L.S., which plan has been deemed satisfactory to the Superintendent of Public Works. Enclosed please find the necessary documents.

**(PH 10-18-22)**

The Mayor respectfully submits a communication from the Director of Planning and Development Gary Ayrassian regarding the petition of the City of Attleboro to rezone a portion of Assessor’s plat #115, lot #1 and plat #127, lot #1 (aka Highland Park, /f Highland Country Club), located along Rathbun Willard Drive, Mechanic Street, and Berwick Road, from Single Residence–D to General Business. Therefore, the Mayor hereby requests Your Honorable Body call for a joint public hearing with the Planning Board to rezone a portion of Assessor’s plat #115, lot #1 and plat #127, lot #170 from Single Residence–D to General Business.

The City Clerk received a letter from Martha Iannazzi Conti, 100 Berwick Road in opposition to allow marijuana businesses in GB districts and opposed to allowing more than 5 – 6 such businesses within the City of Attleboro

**CITY PROPERTY AND CLAIMS**

**Sara-Lynn Reynolds, Chairperson**

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

<b><u>QUANTITY</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>CONDITION</u></b>
1	Gray Fabric Office Chair	Poor
1	Black Fabric Office Chair	Poor

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

<b><u>QUANTITY</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>CONDITION</u></b>
2	Blue Fabric Chairs	Poor
1	Black Leather Chair	Fair to Poor

**PERSONNEL, VETERANS AND HUMAN SERVICES**

**Michael Angelo, Chairperson**

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

**Cathleen DeSimone, Chairperson**

### **(PH 10-04-22)**

The Mayor respectfully requests to amend Chapter 9 Licenses and Permits of the Revised Ordinances of the City of Attleboro by adding Section 9-48 Humane Pet Store. This ordinance, which has been adopted by several other municipalities, will create for a more humane treatment of animals by not subjecting them to the often less than optimal conditions at pet stores. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendment to the ordinance by adding the following section:

### **Section 9-48 Humane Pet Store**

#### 9-48.1

#### Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

- a. Pet Shop: means a retail establishment where animals are sold or offered for sale as pets which is required to be licensed pursuant to M.G.L. c. 129 § 39A and 330 CMR 12.00. A person who only sells or otherwise transfers the offspring of animals the person has bred on their residential premises shall not be considered a “pet shop” for purposes of this section.
- b. Sell: means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer for consideration.
- c. Offer for Sale: means to advertise or otherwise proffer an animal for acceptance by another person or entity.
- d. Public Animal Control Agency or shelter: means a facility operated by a governmental entity, for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or surrendered animals, or a facility operated for the same purposes under a written contract with a governmental entity.
- e. Animal Rescue Organization: means a not-for-profit organization that is registered with the Massachusetts Department of Agricultural Resources, if required, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, guinea pigs, or rabbits into permanent homes. The term “animal rescue organization” does not include any person or entity that breeds animals or obtains animals in exchange for payment or compensation from a person that breeds or brokers animals.

#### 9-48.2 Sale of Dogs, Cats, Guinea Pigs, or Rabbits by Pet Shops Prohibited

- a. It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, guinea pig, or rabbit.
- b. A pet shop may provide space for the display of dogs, cats, guinea pig, or rabbits available for adoption by a public animal control agency or shelter or an animal rescue

organization so long as the pet shop receives no part of any fees associated with the display or adoption of the animals and has no ownership interest in any of the animals displayed or made available for adoption.

**9-48.3 Enforcement and Severability**

- a. Any pet shop that makes a sale or offer for sale of a dog, cat, guinea pig, or rabbit in violation of Section 9-48.2 shall be fined in an amount not to exceed \$300 pursuant to G.L. c. 40, § 21D and Section 9-42 of the Revised Ordinances of the City of Attleboro. Each unlawful sale or offer for sale shall constitute a separate violation.
- b. In addition to any other remedy provided by law, this section may be enforced through any other means available in law or equity. Nothing in this section may be construed to alter or amend any other legal obligations applicable to pet shops, or any other entities, under state law or regulation.
- c. The invalidity of any section or provision of this section shall not invalidate any other section or provision thereof.

**(PH 10-18-2022)**

The Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull requesting to amend Section 10-13 Parking Capacity and Designation of the Revised Ordinances of the City of Attleboro. As the downtown continues to develop and we are seeing an increase in demand for both monthly passholders and for business and condo leases for dedicated parking, the idea of reserving 17 off-street covered parking spaces for free parking is incongruent with the rest of the downtown parking approach. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendment to the ordinance:

Delete in its entirety and replace with the following:

Section 10-13.1 The Municipal Parking Garage shall lease spaces for twenty-four hour (24) parking subject to the discounts in Section 10-8 of this ordinance. Six of these short-term parking spaces shall be designated “HANDICAPPED PARKING”.

This ordinance shall take effect on December 1, 2022.

**PUBLIC SAFETY**

**Peter Blais, Chairperson**

The City Clerk received a joint letter from the Attleboro Firefighters Local 848 & Attleboro Police Association MACOP Local 352 for the second time regarding the American Rescue Plan Act requesting a sit down meeting with all levels of the City administration.

**SPECIAL COMMITTEE ON SENIOR TAX**

**Richard Conti, Chairperson**

**SPECIAL COMMITTEE ON CLASSIFICATION AND COMPENSATION**

**Michael Angelo, Chairperson**

**Move to have the following new business assigned for study and recommendation:**

To create an Attleboro Municipal Council Special Committee on Classification and Compensation with the focus to better understand current hiring challenges facing the City of Attleboro with the end result being to ensure the effective, efficient, and high-quality delivery of city services through ensuring Attleboro is competitive in classification and compensation with surrounding communities. As part of this committee, the Personnel Director shall be asked to provide a report to the Council about the current Compensation and Classification Plan, the number and nature of current position vacancies and length of those vacancies, projected retirements within the next year, and recruitment strategies to fill current and future openings. (DeSimone, DiLisio)

President DiLisio announced the members as Chair Angelo, Councilor DeSimone and Vice-President Kobus.