

**Municipal Council
REGULAR MEETING – IN PERSON**

**April 5, 2022
Tuesday, 7:00 P.M.**

All Councilors were present except for Councilor Dolan. Council Assistant Virginia Stuart-Becker was also absent.

The Council stood for a salute to the flag.

City Clerk Kate Jackson read the first public hearing notice for the following:

PUBLIC HEARING to discuss the following proposed public way:
pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Ashden Court as a public way (length of 1,102.67 feet, from STA 0+00 to STA 11+02.67) and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “ROAD ACCEPTANCE PLAN OF ASHDEN COURT”, dated December 16, 2020, revised through January 27, 2021, prepared by Byron J. Andrews, R.L.S, and David A. Russo, R.P.E., which plan and profile have been deemed satisfactory to the Superintendent of Public Works.

No one came forward to speak in favor. No one came to speak against and no one spoke neither for nor against. The public hearing was closed by Chair Holmes.

City Clerk Kate Jackson read the second public hearing notice for the following

PUBLIC HEARING to discuss the requested appropriation of \$1,097,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3563 Sidewalk Construction Read Street.

Speaking in favor was Mayor Paul Heroux.
Speaking in favor was Dawn Bender, 437 Read Street.
Speaking in favor was Jillian Webber, 10 Middle Street.
Speaking in favor was Teresa Torsell, 252 Read Street.
Speaking in favor was Tom Batisti, 27 Tanya Road.
Speaking in favor was Kristen Toomey, 41 Seth Drive.
Speaking in favor was Scott Mercier 57 Jayne Street.

Jayson Meyer of 70 Read Street came to speak neither for nor against. The public hearing was closed by Chair Blais.

Clerk Jackson read the next public hearing notice for the following:

PUBLIC HEARING to discuss the proposed amendment to the following:
Amendment to “Vacancy in the Office of the Mayor” Sec-1.1 to 2-1.1 of the Revised Ordinances of the City of Attleboro. It addresses a transition process when a vacancy of more than nine months occurs in the office of mayor.

No one came to speak in favor. No one came to speak against. No one came to speak neither for nor against. Chair DeSimone closed the public hearing.
Clerk Jackson then read the Mayor’s communication.

The Clerk then read the Mayor's communication.

April 5, 2022

Dear Municipal Councilors:

1. I respectfully submit for confirmation by Your Honorable Body the following reappointment for the position and for the term as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Rosa Lopes	Cultural Council	3 Year	February 2025

2. In conjunction with Section 10-4.18 Permanent Speed Humps/Speed Cushions of the Revised Ordinances of the City of Attleboro, I respectfully submit for recommendation, the placement of a permanent speed hump on May Street and Rocklawn Avenue. The requirements for this request have been followed and are included.

Upon approval, I hereby request Your Honorable Body vote to amend Section 10-4.18E and add May Street and Rocklawn Avenue. (Copies in your packets)

3. I respectfully submit a communication from Legal Secretary Alison Wood regarding items that the Water Department would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
200	Water Meters	Used
35	Student Desk/Chair Combos	Fair
5	Chairs	Fair

4. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull regarding the request to surplus the East Attleborough Academy Building. A surplus memorandum was sent to all City Departments and there was no interest in this property. The 0.266-acre property and 2,048 square foot building have a current Total Appraised Parcel Value of \$385,700.00. Therefore, I hereby request Your Honorable Body to declare the Academy Building located at 28 Sanford Street, specifically Plat 31, Lot 19C, as surplus and available for disposition. (Copies in your packets)

5. I respectfully submit a communication from Veterans Agent Ben Quelle regarding the donation of \$40.00 in Stop & Shop gift cards from an anonymous donor. This donation was given as part of "Random Act of Kindness to Celebrate Gus" in honor of World Down Syndrome Day on March 21st. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept this generous donation to the City of Attleboro. (Copies in your packets)

6. I respectfully submit a communication from Director of Planning and Development Gary Ayrassian and hereby request Your Honorable Body to hold a public hearing on April 19, 2022 relative to the Administration's:

- Program Year 2022 CDBG Entitlement Budget, for the period of July 1, 2022 through June 30, 2023
- Program Year 2022 Annual Action Plan

- Authorization to submit said Program Year 2022 CDBG Entitlement and Program Year 2022 Annual Action plan to the U.S. Department of Housing and Urban Development on or before May 15, 2022. (Voted unanimously (Dolan absent) to call for a public hearing on April 19, 2022)

7. I respectfully submit a communication from Public Health Nurse Allison Brum regarding the donation of 108 boxes of N-95 masks from Attleboro Seabra Foods. This donation has no value as the donation was originally provided free of charge to Seabra Foods. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept this generous donation to the City of Attleboro. (Copies in your packets)

8. I respectfully submit a communication from City Auditor Deborah Gould regarding the amount due from the City to the School Department under a Memorandum of Understanding on the revenue sharing agreement for the Medicaid Reimbursement Program. Therefore, I respectfully request Your Honorable Body appropriate \$156,960.22 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 13001000-551011 (School Appropriation - Medicaid) to fund the Municipal Sharing Agreement. (Copies in your packets)

9. I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the need for funds to replace the computer server which runs the Police Department's CAD/RMS software and to transfer files. This server is failing and the server drives will be inoperable soon. Therefore, I hereby request Your Honorable Body appropriate \$39,179.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-585140 (Police – Computer Equipment). (Copies in your packets)

10. I am requesting \$750,000.00 to build a Performing Arts Pavilion at Highland Park. Our designer RFQ will instruct the architecture firm to design a facility that can be constructed for under \$450,000.00. The remainder of the funds will be used for the design contract and as a contingency.

If Attleboro is going to build a performing arts pavilion, now is the best time. We have the cash available to pay for it now without bonding for it, and the cost of construction increases every year, making it more expensive to build something anytime in the future than now in 2022. Also, even after this project is funded, the city will still have enough in free cash to contribute even more to the city's stabilization in June 2022, in addition to the record \$800,000.00 we have already contributed in FY22.

There are many reasons to approve this request. In 2014, Attleboro was reported as being one of the five most boring municipalities in the state. There is a widely agreed upon need to improve the cultural and artistic opportunities in Attleboro and to make Attleboro a better more desirable place to live. A performing arts pavilion would enrich our local economy. Access to the performing arts builds skills, self-confidence, and self-esteem in youth.

This is widely supported by the arts community and fills a need at a relatively small cost. It is something that the city can rent out to bring revenue back to the city. This would be used by the Attleboro public school's performing arts department, rented by local dance, play, music and other performing arts businesses and organizations. It may also become part of the annual 4th of July celebration.

Many lifelong residents remember that the city had a Hatch Shell. Built in 1957, it was condemned in 1974 and later razed. Since then, the city has had a void that needs to be filled.

Locating this at Highland would allow us to repurpose the \$1 million parking lot that we built to facilitate the construction of the new high school. This is an outstanding use of the property we acquired in 2018, while leaving over 99% of the land unaffected. By having a pavilion at the park, we will use the grassy natural bowl-shaped area as the seating.

Designed with the forethought for versatility of function in the spring, summer and fall, there is no other venue in the city that can accommodate what a new performing arts pavilion would accommodate.

As we are coming out of COVID-19, the city is in a financially healthy place. We can afford this project. We should not pass up a definite way to improve the city because there is unspecified remote future concern the chance that something else might happen especially when we have the means to navigate those potential unforeseen expenses.

Using surplus money on this venue is a way that the public can enjoy tax dollars. The purchasing of a truck or a copy machine, while necessary, is not fun or enjoyable for citizens. This is fun and enjoyable for all people who want to enjoy the performing arts in an open space.

I urge you to make Attleboro a more enjoyable place, a place where we can further enjoy the outdoors, make better use of Highland Park, and have another reason to be a destination for others to visit.

Therefore, I hereby request Your Honorable Body appropriate \$750,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3572 Highland Pavilion.

11. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for funds to build a new Foremen's Office at 101 Lamb Street on the existing overhead mezzanine. This request includes the installation of heat and a/c split unit, electrical and materials to build the office. Therefore, I hereby request Your Honorable Body appropriate \$11,537.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-582513 (Public Works – Building Improvements). (Copies in your packets)

12. I respectfully submit a communication from City Clerk Kathleen Jackson regarding the need for funds to install network drops in the Clerk's Office. At this time, the City Clerk's Office can only accept cash or checks for payment. This work will allow this office to get a software program to expedite the payment process. Therefore, I hereby request Your Honorable Body appropriate \$2,615.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11611000-530101 (City Clerk – Professional Services). (Copies in your packets)

13. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull regarding the need for funds in order to reimburse the new clerical employee to attend a Massachusetts Certified Public Purchasing Official (MCPPO) course. Therefore, I hereby request Your Honorable Body transfer \$612.00 from Account 11331000-511000 (Budget & Administration – Salaries) to Account 11331000-532015 (Budget & Administration – Staff Development). (Copies in your packets)

14. I respectfully submit a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds to repair three sand filters that are failing. Without these needed repairs, the treatment plant risks violating its NPDES permit. Therefore, I hereby request Your Honorable Body appropriate \$500,000.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Fund 3230 Sandfilter Improvements.

15. I respectfully submit a communication from Veterans Agent Ben Quelle regarding the need for funds to replace the windshield on a vehicle used for veteran transport. Due to the age of this vehicle, the City's insurance policy will not cover the cost. Therefore, I hereby request Your Honorable Body appropriate \$900.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 15431000-524230 (Veterans – Maintenance of Vehicles).

16. I respectfully submit a communication from Elections Office Manager Cheryl Perry regarding the need for funds to purchase an office chair. Therefore, I hereby request Your Honorable Body transfer \$160.00 from Account

11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11621000-542010 (Elections – Supplies Office). Upon approval, the available balance in Reserve Fund for transfer, to include any pending requests, will be \$1,195.69. (Copies in your packets)

17. I respectfully submit a communication from City Clerk Kathleen Jackson regarding the need funds to purchase four desk chairs and four standing desk converters. Therefore, I hereby request Your Honorable Body transfer \$1,159.44 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11611000-542020 (Clerk – Supplies Office Equipment). Upon approval, the available balance in Reserve Fund for transfer, to include any pending requests, will be \$36.25

18. I respectfully submit a communication from Superintendent of Public Works Michael Tyler requesting to amend Section 10-5 Parking in the Revised Ordinance of the City of Attleboro for the planned re-opening of Rathbun Willard Drive from Thacher Street to Rome Boulevard. City Solicitor Cynthia Amara reviewed the changes and approved them to form. Therefore, I hereby request Your Honorable Body vote on the following ordinance change in Section 10-5 Parking 10-5.2 (A) Prohibited on certain streets:

Delete:

Rathbun Willard Drive, easterly and westerly from 570 feet northerly of Thacher Street to 720 feet northerly of Thacher Street.

Insert:

Rathbun Willard Drive entire easterly side northerly from Thacher Street to Rome Boulevard
Rathbun Willard Drive westerly side from Thacher Street 430 feet northerly and westerly side 1400 feet northerly of Thacher Street to Rome Boulevard. (Public Hearing called for May 17, 2022)

19. I respectfully submit a communication from Director of Planning and Development Gary Ayrassian regarding the need for additional funds for overtime for the remainder of FY2022. Therefore, I hereby request Your Honorable Body transfer \$367.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11751000-513000 (Planning – Overtime).

20. As you are aware, Your Honorable Body voted on March 17, 2022 to approve the expenditure of \$19,090.00 by the Fire Department associated with the Firefighter Safety Equipment Grant. Please know that the amount of this expenditure request should have been for \$16,090.00. No action is needed by Your Honorable Body at this time.

21. After a two-year break, the city will be having the July fireworks once again on July 1, 2022. The FY2022 budget included a Special Event-Professional Services account that was not used in July 2021 for the fireworks event, however, it can be used for the upcoming event with a needed transfer. Therefore, I hereby request Your Honorable Body transfer \$25,700.00 from Account 11241000-530150 (City Wide – Special Event-Professional Services) to Account 1100124-530150 (Continuing Appropriation City Wide – Special Events).

22. I respectfully submit a communication from Health Agent Jessica Horsman regarding the receipt of The Massachusetts Association of Health Board (MAHB) Public Health Excellence Grant Program for Shared Services in the amount of \$300,000 annually for the remainder of this fiscal year through June 30, 2033. The grants have been awarded to the Attleboro Health Department along with Berkley, Dighton, North Attleboro, Rehoboth and Taunton for additional shared public health services. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to approve these in-kind services by the Health Department and also approve any further grant amendments.

23. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull regarding the need for funds for the 53rd payroll week. Therefore, I hereby request Your Honorable Body transfer \$83,000.00 from Account 11241000-578360 (City Wide – Reserve for 53rd Week) to the following:

Account 11111000-511000 (Municipal Council-Salary)	\$500.00
Account 11211000-511100 (Mayor – Part Time)	\$200.00
Account 11351000-511000 (Accounting-Salary)	\$1,525.00
Account 11411000-511000 (Assessor-Salary)	\$700.00
Account 11451000-511000 (Treasurer-Salary)	\$1,275.00
Account 11461000-511000 (Collector-Salary)	\$1,200.00
Account 11621000-511000 (Elections-Salary)	\$500.00
Account 12201000-511000 (Fire-Salary)	\$20,000.00
Account 12201000-513000 (Fire-Overtime)	\$55,000.00
Account 12401000-511000 (Building Inspection-Salary)	\$1,300.00
Account 12921000-511000 (Animal Control-Salary)	\$400.00
Account 15431000-511000 (Veterans-Salary)	\$400.00

Additionally, funds are needed in order to fund the new contract for the Attleboro Municipal Clerks. Although the new contract was effective at the start of the fiscal year, it was finalized after the FY2022 budget was presented and the request to fund the contract had not been submitted. Therefore, I hereby request Your Honorable Body transfer \$17,600.00 from Account 11241000-578350 (City Wide – Reserve for Labor Negotiations) to the following:

Account 11351000-511000 (Accounting-Salary)	\$3,400.00
Account 11411000-511000 (Assessor-Salary)	\$2,600.00
Account 11451000-511000 (Treasurer-Salary)	\$2,350.00
Account 11461000-511000 (Collector-Salary)	\$3,400.00
Account 11621000-511000 (Elections-Salary)	\$1,400.00
Account 12401000-511000 (Building Inspection-Salary)	\$3,000.00
Account 15431000-511000 (Veterans-Salary)	\$1,450.00

24. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for an appropriation to install a new sidewalk on Brown Street from Mendon Road to 425 Brown Street. There have been numerous requests to the Department of Public Works, by residents in this neighborhood, seeking this new sidewalk installation. Therefore, I hereby request Your Honorable Body appropriate \$26,412.20 from 2514-599000 (DPU-TNC-Other Financing Sources) to Fund 2702-499000 (Sidewalk-Other Financing Sources).

Additionally, appropriate \$150,000.00 from 8506-599000 (Sidewalk-Other Financing Uses) to Fund 2702-499000 (Sidewalk-Other Financing Sources).

25. I respectfully submit a letter from The MLK Committee of Greater Attleboro requesting to donate one painting from *The Beloved Community* Triptych to the City of Attleboro, to be displayed at City Hall. The canvases were created by local artist Sandy Coleman. The total cost of the three paintings, including the one being donated to Attleboro City Hall, is \$470.00. The estimated cost of one of the canvases is \$156.00 with an accompanying plaque estimated at \$60.00. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept this generous donation to the City of Attleboro.

26. As you are aware, the “Environmental Protection and Prevention” ordinance was sent to Your Honorable Body on September 8, 2020 which included several proposals. The Plastic Shot Bottle Waste Reduction did not pass. Plastic shot bottles have been a problem in our city for many years. They are a source of litter and drinking and

driving. While both are real concerns, the main issue that was lost in the discussion the last time this proposal was before the city council, was the production of plastic shot bottles.

The proposal to ban plastic shot bottles was part of a comprehensive environmental ordinance targeting petrochemical based products and other products harmful to our environment, most of which were adopted by the city. That package of items to ban the use of or sale of in our city was about Attleboro doing its part to take a stand and reject unsustainable packaging such as plastic and Styrofoam like packaging.

Please consider that it takes millions of years to produce fossil fuels and these become petrochemicals. The petrochemicals that are used to make the plastic bottles and this process is toxic for the environment.

As part of the city's effort to participate in the larger societal movements that seek to decrease our consumption of fossil fuel-based products, plastic shot bottles are something that I believe the city should ban the sale of, as other communities have as well. There are several reasons, the main reason being that their production is destroying our environment.

Please consider how unsustainable this practice is. Considering that it takes millions of years to produce a product that is only used for 1-4 months on average, which is the time it takes from packaging the liquor in the bottle until it is consumed, and that once used, it is instantly discarded and not reused, it makes no sense for society (and specifically this city) to support the continued use of this type of packaging.

The argument has been made to put a deposit on these bottles. A deposit would not stop the harmful petrochemicals from being used to make these bottles. Furthermore, a deposit does not work and would not produce the desired outcomes and evidence of that is we can see there are other beer cans and soda bottles littering the city. In short, a deposit is not the solution. It asks someone else (the state) to take action on the issue of litter, but ignores the bigger use of environmentally harmful petrochemicals used to make these bottles.

I urge the city council to ban the sale of plastic shot bottles. Although, the liquor industry opposed this ban, they pulled attention away from the environmental ordinance and focused on litter, which they have not reduced.

Our continued support of this product is one of many products that destroy the earth. I hate to sound cliché but we need to think globally and act locally. We banned other harmful products in this city. We should ban these harmful products.

Therefore, I hereby request Your Honorable Body to insert the following proposed amendment to Chapter 7 Health Department of the Revised Ordinances of the City of Attleboro:

Section 7-18 Plastic Shot Bottle Waste Reduction (Public Hearing called May 17, 2022)

7-18.1 Declaration of findings and policy - Scope

The City Council hereby finds that the reduction in the use of disposable plastic bottles for alcohol by retail establishments in the City of Attleboro is a public purpose that protects marine environments, advances solid waste reductions, reduces greenhouse gas emissions and protects waterways. This ordinance seeks to reduce the number of plastic containers for alcohol beverages that are being burned, used, discarded and littered in the City of Attleboro.

7-18.2 Definitions: The following words shall, unless the context clearly requires otherwise, have the following meanings:

1. "Plastic shot bottles" shall mean a bottle less than 60ml purchased at a store by a customer for transporting a liquid alcoholic beverage away from the establishment.

2. “Plastic shot bottles” shall also be associated with bottles commonly referred to as ‘plastic shot bottles’, which are typically 50ml shots of alcohol.

7-18.3 Regulated Conduct: No retail establishment in the City of Attleboro shall provide plastic shot bottles.

7-18.4 Enforcement: The Health Officer and the City of Attleboro Health Department shall have the authority to administer and enforce this ordinance. For the first violation, the enforcing authority, upon a determination that a violation has occurred, shall issue a written warning notice to the establishment specifying the violation. The following penalties shall apply: A fine of \$150 shall apply for the first violation following the issuance of a written warning notice. A fine of \$300 shall apply for the second violation and each additional violation of this ordinance after the issuance of a written warning notice. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offense.

7-18.5 Regulations: The Health Officer or his/her designee may promulgate guidelines and regulations consistent with the enforcement of this chapter.

7-18.6 Effective Date: This ordinance shall take effect on and after January 1, 2023 for food and beverage establishments within the City of Attleboro and the Health Officer or his/her designee may exempt the retail establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Health Officer or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a food or beverage establishment requires additional time in order to draw down an existing inventory of plastic shot bottles.

27. As you are aware, Your Honorable Body voted on June 15, 2021 for Park & Forestry to purchase a 2022 Morbark Model 1922 chipper. Since that time, the chipper has not been received. Due to a variety of supply chain issues and other mitigating circumstances the Morbark 1922 is no longer available and has been replaced by the Morbark 1821 wood chipper, which the supplier now has in stock. Due to the current low availability of heavy-duty equipment, suppliers are only willing to hold equipment for a limited period of time before allowing it to be sold to the general public. Therefore, I hereby request Your Honorable Body approve to change the original vote from a Morbark 1922 to a Morbark 1821 wood chipper so the original purchase order can be changed. Once a new purchase order is printed the supplier can release the new chipper into our custody. There will be no change in pricing from our original request. Additionally, I am requesting the revision of this purchase to be sent down as an emergency measure. This will expedite the process and essentially guarantee the new chipper will end up in our possession

In accordance with Article 2, Section 2-9 (b) of the City Charter of the City of Attleboro, I respectfully request Your Honorable Body to consider this as an emergency measure. Sincerely,
Paul Heroux, Mayor

Clerk Jackson read the Clerk’s Communication:

**ATTLEBORO CITY CLERK COMMUNICATIONS
APRIL 5, 2022**

An application for a license to store flammables (Hydrogen refrigerated liquid) from LeachGarner, Inc. at 49 Pearl Street. (PH called for April 26, 2022)

An application from Morin’s Inc. to renew a license to waive S. 11-15.1 to serve alcoholic beverages or wine on the sidewalk 16 South Main Street from May to October 7 days a week 10am to 8pm. (Public Hearing called for May 3, 2022)

A letter of complaint was received from Pamela Crowley of Laurelwood Drive Stoughton, concerning business dealings of 100% Auto Wholesalers and a false bill of sale.

We received 4 letters of support for the Read Street sidewalk proposed project from:
M. Franco of Barbara Lane, M. & S. Priest of Read Street, D. and J Russell of Jody Way
And T. Torssell of Read Street.

The Council voted to enter the Committee of the Whole.

No one came to speak.

The Council voted to arise from Committee of the Whole at 8:04 p.m.

The President then called for Committee reports. The following were votes taken on during committee reports.

Voted unanimously (Dolan absent) to approve the Class II License application submitted by Papanotoniadis Automotive Group, d/b/a Toy Karzz Motorsports at 676 Pleasant Street with 17 customer and 95 display spaces.

Voted on a roll call vote 10 yeas – 0 nays (Dolan absent) to approve the Emergency measure as provided in the City Charter 2-9(b) to approve the change of the vote taken on June 15, 2021 for the purchase of a Mobark 1922 chipper, to change to a Mobark 1821 chipper so the original purchase order can be changed

Voted on Roll Call vote 10 yeas-0 nays (Dolan absent) to authorize the expenditure of the FY2023 “Chapter 90 aid for \$1,206,095.00 and any other future grant amendments, into Fund 3108 (Chapter 90 Projects) for the purpose of funding Chapter 90 eligible projects as approved by the Massachusetts Department of Transportation (MassDot).

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$25,775.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548010 (Public Works-Gasoline Fuel) due to increase in prices.

Voted on Roll Call 10 yeas- 0 nays (Dolan absent) to transfer \$3,500.00 from Account 16301000-511000 (Recreation- Salary & Wages) to Account 16301000-521010 (Recreation – Heating) due to increase in prices.

Voted on Roll Call 10 yeas – 0 nays to appropriate \$55,508.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548011 (Public Works-Diesel Fuel) due to increase in Consumption and pricing.

Voted on Roll Call 10 yeas-0 nays (Dolan absent) to appropriate \$30,250.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account 6000-589072 (Wastewater Enterprise Fund – Grit Screw) to replace two Lime Slaker grit remover assemblies.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$34,285.00 from Account 1000-359000 (Undesignated Fund Balance/ Free Cash-General Government) to Fund 3570 Peckham Street Culvert to cover the cost of an amendment in the current contract for the replacement of the Peckham Street culvert.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to approve expending such funds and any future grant amendments for the Sustainable Materials Recovery Program Municipal Grant of Approximately \$48,000 from the Mass DEP awarded to the Health Department.

Voted unanimously 10 yeas – 0 nays (Dolan absent) to approve the request to install a pole (1071) on County Street and install an intermediate pole (1071-1) 106 feet from new pole 1071 from Massachusetts Electric Company and Verizon New England, Inc.

Voted 10 yeas – 0 nays (Dolan absent) to strike the following:

New Business to be referred to the Administration and the Department of Public Works for study and recommendation:

To add the Honorable Municipal Councilor (at least ward councilor) to the discussions with DPW Superintendent regarding city improvements as it relates to new streets and sidewalks as well as repair and replacement of such, prior to the activity taking place.

Voted 10 yeas – 0 nays (Dolan absent) to strike the following:

New Business to be referred to the Administration and the Department of Public Works for study and recommendation:

To request the DPW Superintendent come before the Council at Committee of the Whole with the Department's recommendations and reasoning for picking/targeting those areas for improvements prior to any new repairs or replacement of roadways, sidewalks etc. taking place.

Voted on Roll Call (Dolan absent) to approve expending of such funds and any future grant amendments by the Attleboro Fire Department regarding the FY2022 Student Awareness of Fire Education Grant (SAFE) and the Fy2022 for the Senior SAFE Grant for approximately \$9,350.

Voted on Roll Call 9 yeas – 1 nay (Dolan absent)(Reynolds nay) to transfer \$750.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-587385 (Fire – Retrofit Lights) to replenish funds used to complete installation of security cameras.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to transfer \$103,750.00 from Account 11241000-578350 (City Wide Reserve for Labor Negotiations) to Account 12101000-513001 (Police Department – Lump Sum Retro) to fund Section 1. C. of the MOA with the Attleboro Police Association agreement for fiscal years 2021, 2022 and 2023.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$249,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 12101000-513001 (Police Lump Sum Retro) to fund Section 1.D. of the MOA.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$90,400.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to the following:

\$40,000.00 to Account 6100-517120 (Water Enterprise Fund – Health Insurance HMO)

\$4,400.00 to Account 6100-517240 (Water Enterprise Fund – Medicare Tax)

\$46,000.00 to Account 6100-511000 (Water Enterprise Fund – Salary and Wages).

Voted on Roll Call (Dolan absent) to appropriate \$100,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash General Government) to Account 16601000-584059 (Capron Park Zoo -Master Plan) to hire a consulting firm for the preparation of a Comprehensive Master Plan and Strategic Plan for Capron Park Zoo.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to amend The Attleboro Municipal Council Rules and Procedures by adding 7-1.4 the Finance Committee description and responsibilities as follows:

7-1.4 Finance Committee, whose purpose shall be to review the city budget, set the city tax rate and tax split, evaluate transfers affecting the budget between account and departments, interact with Accounting, Budget and Administration, Treasurer, Auditor, Assessor, Collector and Mayor's Office. This member shall attend the Finance Committee meetings of the School Committee, receive their meeting agendas and minutes.

Additionally, this committee shall evaluate all Capitol Improvements of the general school enterprise budgets and departments. This committee shall review capitol development projects as they may come down before the Council including, IDP, Streetscape, Downtown Revitalization and CDBG. The Chairperson of this committee will be named to sit on the EDIB Board for the duration of their term. The Chairperson will act as a liaison and the City Council and the Attleboro Redevelopment Authority. This committee typically interacts with all City Departments.

1. Items that go before this committee:
 - a. Budget revolving accounts re-authorization with continuing balance for the following year (annual) (Charter sections 6-1 & 6-2)
 - b. Set the rates for Water, Wastewater and Trash
 - c. Water and Wastewater Enterprise Budgets (annual) and Miscellaneous appropriates and transfers
 - d. Tax Classification and Tax Factor (Tax Rate) (November & December) (MGL59)
 - e. Loan Orders
 - f. Capital Improvement Plan Program (January)
 - g. Certified Projects (section 2-17.2)
 - h. Tax Increment Finance Zones (sections 2-17.3)
 - i. Exemptions from Property Tax (sections 2-17.4)
 - j. District Improvement Finance Zones
 - k. Community Development Block Grant Entitlement
 - l. Industrial Development
Public Hearings are required for:
 - a. Budget and reauthorizations with continuing balance for following year
 - b. Water, Wastewater and Trash Enterprise budgets and establishment for the year
 - c. Tax Classification and Tax Factor (Tax Rate)
 - d. Loan Orders and amendments to Loan Orders
 - e. Capital Improvement Plan Program
 - f. Community Development Block Grant Entitlement

Voted unanimously 10 yeas – 0 nays (Dolan absent) to call for a public hearing on May 3, 2022 to discuss the proposed amendment to Ordinance 10-4.11 "Isolated stop signs" by adding Westbound drivers on Jewel Avenue at Hawthorne Street.

Voted unanimously 10 yeas – 0 nays (Dolan absent) to waive the following fees on behalf of Old Colony Habitat for Humanity for the construction of the next Habitat Build, which will take place on Pike Avenue.

Building Permit
Mechanical Permit
Electric (35%)

Plumbing (35%)
Gas/HVAC (35%)
New Water Service Fee
Sewer Connection

Voted unanimously 10 yeas – 0 nays (Dolan absent) to accept the donation of 25 t-shirts from Max Crawford to the Attleboro Youth Commission to be used at their discretion for AYC activities.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to transfer \$499.99 from Account 11241000-578300 (City Wide- Reserve Fund for Transfer) to Account 11521000-542020 (Personnel – Supplies Office Equipment) for a new desk.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to surplus the following Police Department firearms:

Glock Model 30 with the following serial numbers: KRK970, XRK971, XRK972, XRK973, XRK974, XRK975, XRK976, XRK977, XRK978, XRK979, XRK980, XRK981, XRK982, XRK983, XRK984, XRK985, XRK986.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$37,488.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 14201000-587360 (Public Works – Ornamental Lights) to replace too damaged lights.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to approve the expenditure of such funds by the Council on Aging and approve any further grant amendments regarding the Formula Grant and its new process. The \$94,182 award is a ten- year rate award contract and the annual rate is a function of the state budget.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to approve expending such funds and any future grant amendments regarding the receipt of a grant for the SHINE Program for approximately \$74,746.98 from the Executive Office of Elder Affairs. The funds must be spent by June 30, 2022.

Voted unanimously 10 yeas – 0 nays (Dolan absent) to approve the appointment of Diane Mangiaratti, 50 Oxbow Drive as an Alternate member on the Historical Commission, to fill an expired term. Term to expire February 2024.

Voted unanimously 10 yeas – 0 nays (Dolan absent) to approve the reappointments for the positions and for terms indicated:

Ian Daley Constable 1 Year February 2023
Domenic Cotoia Cable Commission 1 Year February 2023
James Jones Cable Commission 1 Year February 2023
Ed Stanton Canle Commission 1Year February 2023
Marian Wrightington Historical Commission 3 Year February 2024*
Brian Ludwig Historical Commission 3 Year February 2024*
Rachel Killion Historical Commission 3 Year February 2024*
Leonard Yutkins Historical Commission (ALT) 2 Year February 2023
Jeffrey Keefer Dog Officer 1 Year February 2023
Carolyn Eaton Dog Officer 1 Year February 2023
Donald Smyth Board of Assessors 3 Year February 2025

*Term expiration was 2021; however, reappointments were not done in 2021. Expiration date listed keeps terms in line with ordinance.

Voted unanimously 9 yeas – 0 nays (Conti left chamber) (Dolan absent) to strike the appointment of Martha Iannazzi Conti, to the Board of Assessors.

Voted unanimously 9 yeas – 0 nays (Conti left chamber) (Dolan absent) to strike the following: The Historical Commission has appointed Diane Mangiaratti, as Alternate Member, to fill an expired term. Term to expire February 2024. Council confirmation is not needed for this appointment.

Voted on Roll Call 9 yeas – 0 nays (Conti left Chamber) (Dolan absent) to approve the following Ordinance Amendment to 14-7 Planning: Historical Commission

A. The Historical Commission was established by the vote of the Attleboro Municipal Council on February 20, 1968, pursuant to Massachusetts General Laws Ch. 40, Sec. 8D. The Historical Commission is responsible for the preservation, protection, and development of historic and archaeological assets in Attleboro.

B. The Historical Commission shall possess the powers, duties and responsibilities described in Massachusetts General Laws Ch. 40, Sec. 8D, as well as such other powers, duties and responsibilities as may be provided by these Revised Ordinances, including Sec. 3- 11 relating to razing and demolition permits and Sec. 9-46 pertaining to ancient burial sites.

For the purpose of protecting and preserving places of historic or archeological value, the Historical Commission may make such recommendations, as it deems necessary to the Municipal Council and, subject to the approval of the Municipal Council, to the Massachusetts Historical Commission, that any such place be certified as an historical or archeological landmark.

C. The Historical Commission shall consist of seven (7) principal members and up to seven (7) alternate members to be appointed by the Mayor subject to confirmation by the Municipal Council.

Each principal and alternate member shall be a resident of the City of Attleboro especially fitted by education, training and experience to perform the duties of said office. Each principal and alternate member shall serve a term of three (3) years.

Principal members of the Historical Commission shall annually elect a chairperson. In the absence or inability to act on the part of the a principal member, an alternate member designated by the chair shall take the place of the principal member.

D. The Historical Commission shall keep accurate records of its meetings and actions and shall prepare and submit an annual report to the Mayor and Municipal Council.

Voted unanimously 10 yeas – 0 nays (Dolan absent) that the following be referred for study and recommendation: To amend Sections 10.5-3A of the parking Ordinance to add eleven (11) more reserved parking spots in the Mullaney Twins Parking Lot on South Main Street for the Larson Senior Center, Monday thru Friday, 8am to 4pm (the remaining six parking spaces will be for the general public with a limit of 3 hours, 8am to 6pm on any day except Sundays and legal holidays as stated in the Ordinance and to hold a public hearing on May 17, 2022.

Voted on Roll Call 10 yeas – 0 nays (Dolan absent) to appropriate \$25,600.00 from Account 1000-359000 (Undesignated Balance/Free Cash- General Government) to Fund 3571 Pitas Avenue Bridge to be used to cover the cost an amendment in the current contract for the replacement of the Pitas Avenue Bridge.

The council voted 10 yeas – 0 nays (Dolan absent) to adjourn at 9:05 p.m.

A TRUE COPY

ATTEST: _____

City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____

(DATE)

City Clerk/Clerk of the Council