

**ATTLEBORO MUNICIPAL COUNCIL  
COMMITTEE MEETINGS  
TUESDAY, FEBRUARY 6, 2018  
7:00 P.M.  
AGENDA**

**PUBLIC WORKS**

- 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)

**PUBLIC SAFETY & EMERGENCY MANAGEMENT**

- The following proposal relative to the practice of hunting on public lands and private property in Attleboro without the permission of the land owner from Roxanne Houghton of 13 Eisenhower Street, : (SEE COMMITTEE MINUTES)

**ZONING & LAND USE**

- Planning Board Recommendation to adopt the proposed amendments to the 17-3.4(#11C) Table of Use Regulations – Community Facilities and 17-10.15 Registered Marijuana Dispensary (1/16/18)
- That under the proposed M.G.L. being considered with a local option by the MA Cannabis Control Com., the Municipal Council develop a local ordinance for the sale of commercial marijuana and marijuana products by a marijuana retailer operating within the city in accord with the eventual laws of the commonwealth. (New Business—Mr. Conti) (1/16/18)
- That under M.G.L. Chapter 64N Section 3, the city impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city to anyone other than a marijuana establishment at a rate not greater than 3 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products. The marijuana retailer shall pay the local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth. (NB—Mr. Conti) (12/19/17)
- 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)
- Communication from John P & Marcia J. Brady and Eugene Kurtsterski requesting that the Joint Public Hearing relative to the rezoning petition for 829 and 839 Newport Avenues scheduled for Tuesday, December 19, 2017 be continued to Tuesday, January 16, 2018. (12/5/17)
- To amend Section 17-3.4, Table of Use Regulations, Principal Uses-Community Facilities #11C under Industrial-I and IBP from SMC TO S; and to amend certain sections of 17-10.15, Registered Marijuana Dispensary Uses, by deleting “Municipal Council” and inserting “Zoning Board of Appeals”.. (New Business—Mr. Cook and Ms. Hall) (Joint Public Hearing December 12, 2017) (DEADLINE **MARCH 19, 2018**)
- To refer the following matter to the appropriate committee for study and recommendation: to amend Section 17-10.15 REGISTERED MARIJUANA DISPENSARY USES
- That the City adopt an ordinance governing the operation of non-medical Marijuana Establishments as defined under MGL Chapter 94G, Section 1. (New Business—Blais and Cook) (11/7/17)
- Joint Rezoning Petition from John P. and Marcia J. Brady and Vela Inc., to rezone property located at 829 Newport Avenue and 839 Newport Avenue, from Single Residence-A District to General Business District. REFERRED TO THE PLANNING BOARD FOR STUDY AND RECOMMENDATION AND TO HOLD A JOINT PUBLIC HEARING ON 12/19/17 continued to January 16, 2018) (DEADLINE April 3, 2018)

**CAPITAL IMPROVEMENTS & CITY DEVELOPMENT**

- Communication dated December 29, 2017 from outgoing President Cook to the ARA providing a brief history of monies loaned to the ARA back to 2011 and the need for repayment. (1/16/18)
- Appropriate \$700,000.00 from (Undesignated Fund Balance/Free Cash – General Government) to Fund 3548 (Finberg Field).
- Appropriate \$44,169.40 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 15431000-582512 (Veteran's Monument) for the restoration of the Soldier's and Sailors Monument
- Appropriate \$10,800.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 16501000-585046 (Park-Mower) for the purchase of a Kubota Mower (54")

**TRANSPORTATION & TRAFFIC**

- That the parking situation on Stobbs Drive be examined to ensure the safe passage of vehicular traffic, including emergency apparatus, as well as pedestrians. Also, that “No Parking to corner” signs be added on Stobbs Drive at its intersection with both Holcott Street and Commonwealth Avenue. (New Business—Mr. Cook)
- That a solar warning lighted sign be installed at the intersection of Lower County Street and Read Street to warn traffic northbound on Lower County that there is a four-way intersection over the hill. (New Business—Mr. Conti) (12/5/17)

- That a solar warning lighted sign be installed at the intersection of Lower County Street and Read Street to warn traffic northbound on Lower County that there is a four-way intersection over the hill. (New Business—Mr. Conti) (12/5/17)
- To reevaluate the parking issues and erect the proper signage on Riverbank Road and to refer the above matter to the **Traffic Study Commission** for study and recommendation. (10/24/17) (New Business—Mr. Cook)
- Amend Section 10-5.2(A) Prohibited Parking on Beagle Club Road, and to insert new Section 10-5.15 Seasonally Prohibited on Certain Streets.
- That the parking options for Beagle Club Road and that restrictions up to and including NO PARKING. (NB: Mr. Cooper)

### **BUDGET & APPROPRIATIONS**

- Planning Board Recommendation that the Loan Order, (\$3,200,000.00) HVAC system at the Water Department's Water Treatment Plant on West Street is consistent with Municipal Facilities, Goal 16, Policy 1 of the City's COMPREHENSIVE PLAN. (1/16/18)
- Planning Board Recommendation Loan Order, (\$731,000.00) DOLLARS, for the purpose of purchasing and equipping vehicles for the Police Department and Department of Public Works is consistent with the Public Safety, Goal 15, Policy 1, Municipal Facilities of the City's COMPREHENSIVE PLAN. (1/16/18)
- Planning Board Recommendation, that the Loan Order (\$975,000.00) DOLLARS, for the purpose of purchasing and equipping vehicles for the Fire Department is consistent with Public Safety, Goal 15 Policy 1 and Municipal Facilities, Goal 16 of the City's COMPREHENSIVE PLAN. (1/16/18)
- Transfer \$95,000 from account 11241000-578300 (City Wide - Reserve Fund for Transfer) to account 11241000-599000 (City Wide – Other Financing Uses)
- Transfer \$95,000.00 from 11241000-599000 (City Wide Other Financing Uses) to account 2307H4-499000 (Gateway City Parks Program – Other Financing Sources).
- Motion to petition the General Court to enact the following legislation to repeal An Act Increasing the Expenditure Limit on Revolving Funds in the City of Attleboro, sections 1-2 of Chapter 116 of the Acts of 2006
- To allow the Library to expend \$5,000.00 from ALSC (Association for Library Services to Children) funded grant, Strengthening Communities through Libraries
- To establish a fund to reserve E-Rate Revenue for the School Department
- Loan Order: (\$975,000.00) purchasing and equipping Fire Department vehicles (Public Hearing 1/16/18)
- Loan Order: (\$731,000.00) be appropriated for the cost of purchasing and equipping Police and Public Works Departmental vehicles/equipment; (Public Hearing on January 16, 2018)
- Loan Order: (\$3,200,000.00) HVAC at the City's Water Treatment Plant (Public Hearing on January 16, 2018)
- That given the council has not voted to issue a budget message to the Mayor, its intentions remain non-public and apart of the historical record. That the council consider a resolution to the Mayor itemizing the wishes of the council on the budgeted items. (07/20/17: NB Mr. Conti)
- 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)
- That this Municipal Council create a City policy stating that Water and Wastewater Departments (Water and Wastewater Enterprise Accounts) (SEE LANGUAGE IN COMMITTEE MINUTES) (New Business: Ms. Reynolds. Co-Sponsors: Vice-President Denlea, Mr. Conti, Mrs. Porreca & Mr. Cooper)
- 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 impact their businesses. (New Business—Mr. Cook and Mr. Bergevine)
- That an ordinance be established requiring that all fees enacted by the city be reviewed on a bi-annual basis.
- Create and implement beginning in FY06, a Debt Policy.

### **LICENSE**

- Application for a Renewal 2018 Scrap Metal Recycler/Junk Dealer License for Prolerized New England Company, LLC - D/B/A Schnitzer Northeast, 136 Bacon Street, S. Attleboro, MA (1/16/18)
- Application for a Renewal 2018 Class II license from B&C Auto Service, Robert J. Pedro d/b/a B&C Auto Service located at 21 South Avenue, Attleboro, MA for 5 Customer Parking Spaces and 5 Display Spaces. (1/16/18)
- Communication dated 11/28/17 from Mark S. LaVita, 34 Turner Street relative to a complaint against Old School Auto Sales, 187 Cumberland Avenue, Attleboro, MA. (12/5/17)
- Communication from Stephen Bishop of Peters Way regarding WEFT Auto, 496 Tiffany Street, Attleboro, MA.

### **CITY PROPERTY & CLAIMS**

- Transfer \$3,067.96 from (City Wide – Reserve Fund for Transfer) to Account 16101000-558330 (Library – Copiers).
- Donation of \$250.00 in Stop & Shop food gift cards from an anonymous donor.
- Donation of three parcels of real estate of Viridian Development Plat #136A, Lot #2 and Plat #213, Lot #2

## **PERSONNEL & HUMAN SERVICES.**

- Transfer \$1,500.00 from Account 16501000-511000 (Park – Salary & Wages) to Account 16501000-530101 (Park – Professional Services). (Copies in your packets) (1/1/16/18)
- To confirm the appointments of Mayor Paul Heroux and Council President Mark Cooper as representatives of the City on the Sturdy Memorial Hospital Board of Managers.(New Business—Ms. Holmes) (1/1/16/18)
- Rules and Regulations for the City’s Exempt group. The first would be an amendment
- Appointment of Duff White, 12 Carnegie Way, Police Commissioners. Term to expire February 2018.

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

- To revise the Revised Ordinances of the City of Attleboro: Section 1-9.1 Time and Place of Municipal Council Meetings (Amended 10/1/2013) striking the measure following “The regularly scheduled meetings of the Municipal Council shall be held on the first and third Tuesdays of each month.” Said revisions to take effect January 1, 2019 NB—Mr. Conti) (1/16/18)
- Communication dated January 9, 2018 from School Committee Chairman Stephen K. Withers, Jr., regarding the request for a referendum scheduled for Tuesday, May 1, 2018 for residents to vote on the construction of a new High School. (1/16/18)
- Communication from Linda Blodgett, 21 Prospect Street, Attleboro, MA requesting permission to use the Dog Park with their own lighting until 7 P.M. (12/12/17)
- That the annual Senior Exemption for those meeting income and savings requirements be raised from \$600 to \$1000 as a local adoption to Massachusetts General Laws Chapter 59 section 5. (New Business—Mr. Conti) (12/5/17)
- That all Commercial and industrial classification accounts in the city with personal property assessments lower than \$10,000 shall be exempt from personal property taxation. Said exemption shall be a local adoption under Massachusetts general Law Ch 59 taxation under section 18, exemption under section 5. (New Business—Mr. Conti) (12/5/17)
- To refer the following be referred to the appropriate committee for r study and recommendation. That the city adopt an annual Automobile Rental License program under Chapter 140 of the Massachusetts General Laws with a license application fee of \$100. Said licenses shall act in compliance with M.G.L Ch 90 Section 32 E 1/2. (New Business—Mr. Cooper and Mr. Conti)
- To investigate Hawkers and Peddlers Licenses and Leafleting Permits with the possibility of banning door to door sales within the City of Attleboro. (New Business—Mr. Denlea and Mr. Cook

## **SPECIAL COMMITTEE ON THE COUNCIL’S RULES OF PROCEDURES**

- To revise the Attleboro Municipal Council Rules of Procedure as follows: Article III Section 1 – Regular Meetings, 3-1.1 striking the measure following “Regular Meetings of the Municipal Council shall be held on the first and third Tuesdays of each month.” Said revisions to take effect January 1, 2019 (New Business—Mr. Conti) (1/16/18)
- To revise the Attleboro Municipal Council Rules of Procedure as follows: Article IV Section 3 – Duties of Council Officers, adding to item h. “Set and prepare Council Meeting Dockets.” the additional measure to read “including any legal deadlines for a Committee.” As it directly relates, to also amend Article3 Order of Business and Docket Section 2 – Dockets, 5-2.1 Regular Meeting Dockets, item a. to insert “including any legal deadlines for a Committee,” after “The President shall be responsible for the preparation of a Docket...” Said revisions to take effect January 1, 2019. (NB—Mr. Conti) (1/16/18)
- To allow Council members the use of non-cellular devices (tablets). In addition, to request the Administration to investigate the possibility of supplying council members with tablets to be used at meetings to provide members with electronic copies of agendas, committee minutes, motions, etc. and decrease the use of paper in the Council Office. (New Business—Ms. Porreca and Mr. DiLisio) (1/16/18)

## **OLD BUSINESS: NONE**

## **NEW BUSINESS:**

- To refer the following matter to the appropriate committee for study and recommendation:  
In accord with the Attleboro Municipal Charter Article 11, Section 11 -5 Reenactment and Publication of Ordinances, the municipal council shall cause to be prepared a proposed revision of all city ordinances which shall be submitted to the council for reenactment. (New Business – Mr. Conti)
- To refer the following matter to the appropriate Committee for study and recommendation:  
To insert as a NEW Section: Section 10 -5.15 as follows:  
To designate and maintain four (4) standard on street parking spaces along the curb to be identified as “Parking Spaces for Manchester Reservoir Visitors”. Sundown Clause: To be reviewed on October \_\_\_\_ 2018. (New Business – Ms. Reynolds)
- To refer the following matter to the appropriate Committee for study and recommendation:  
To remove the following relative to Section 10-5.2A: Beagle Club Road, both sides of the entire street including the cul-de-sac through February 28, 2018. Insert the following relative to Section 10-5.2A as follows:  
Erect two signs, which state ‘No Parking Allowed Between Signs’. (New Business – Ms. Reynolds)

- To refer the following matter to the appropriate Committee for study and recommendation:  
To propose and set date for a Public Hearing, for further review in regards to the construction of a small parking lot, with a capacity of 10 standard size spaces with a small turnaround to be located at the North side entrance of the Manchester Reservoir entrance on Beagle Club Rd. (New Business – Ms. Reynolds).

(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.