

MEMBERS PRESENT: President Frank B. Cook. Vice-President Jeremy Denlea. Councilors: Peter Blais, Mark Cooper, James DiLisio, Julie Hall, Heather Porreca, Richard Conti, Shannon Heagney, Sara Lynn Reynolds, and Kate M. Jackson.

MEMBERS ABSENT: None.

Benjamin Bonville, of 8 Allen Avenue in South Attleboro and a member of Boy Scout 23, led the Council and the audience in the Salute to the Flag.

President Frank B. Cook reminded Councilors and the audience to turn off all cell phone devices as it interferes with the cable broadcast.

The following **MAYOR'S COMMUNICATION** was read by the City Clerk/Clerk of the Council, Stephen K. Withers:

March 7, 2017

Dear Municipal Councilors:

1. I respectfully submit for confirmation by Your Honorable Body the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Jo-Ann Vaughan	Attleboro Housing Authority	5 Years	February 2022
Joe Parent	Board of Fire Commissioners	3 Years	February 2020
Glen Marshall	Board of Police Commissioners	3 Years	February 2020
John Bement	Board of Recreation Commissioners	3 Years	February 2020
Greg Bartek	Board of Recreation Commissioners	3 Years	February 2020
James Castro	Contributory Retirement Board	3 Years	February 2020
Juliet Teixeira	Council on Human Rights	3 Years	February 2020
Bryan Simmons	Cultural Council	3 Years	February 2020
Jacqueline DaSilva	Cultural Council	3 Years	February 2020
Bert Buckley	Planning Board	5 Years	February 2022
John Siddall	Trust Fund Commissioners	3 Years	February 2020
Phil Audette	Veterans Graves Officer	1 Year	February 2018
Catherine Merkle	Zoning Board of Appeals	3 Years	February 2020

1/3/7/17 – **REFERRED TO PERSONNEL & HUMAN SERVICES COMMITTEE**

2. For Your Information: The following reappointments have been made to positions for which confirmation is **not** required and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Richard McKearney	Cable Advisory Commission	1 Year	February 2018
Jean Doyle	Cable Advisory Commission	1 Year	February 2018
Jeffery Keefer	Dog Officer	1 Year	February 2018
Carolyn Eaton	Dog Officer	1 Year	February 2018

2/3/7/17

3. I respectfully submit for confirmation by Your Honorable Body the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Randal Vincent	Alternate Inspector of Wiring	1 Year	February 2018
Laban O'Brien	Assistant Inspector of Wiring	1 Year	February 2018
Barry LaCasse	Director of Budget & Administration	3 Years	February 2020
Scott Lachance	Director of Emergency Management	3 Years	February 2020
Ken Badertscher	Director of Veteran Services/Veteran Agent Veterans' Burial Agent	1 Year	February 2018
Gary Ayrassian	Director of Planning & Development	2 Years	February 2019
Tara Martin	Environmental Planner	2 Years	February 2019
Scott Lachance	Forest Warden	1 Year	February 2018
Christopher Quinn	Health Officer	1 Year	February 2018
William McDonough	Inspector of Buildings	3 Years	February 2020
Paul Palermo	Inspector of Wiring	3 Years	February 2020
Kyle Heagney	Lockup Keeper	1 Year	February 2018
William McDonough	Mechanical Inspector	3 Years	February 2020
Catherine Rego	Parking Administrator	1 Year	February 2018
Dennis Walsh	Recreation Director	3 Years	February 2020
Lance Hill	Superintendent of Public Works	3 Years	February 2020
Paul Kennedy	Superintendent of Wastewater	3 Years	February 2020
Jean Benchimol	Zoo Director/Curator	3 Years	February 2020

3/3/7/17 – **REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE**

4. For Your Information: I regret to inform Your Honorable Body we have received the resignation of City Solicitor Robert Mangiaratti. I know you will join me in thanking Mr. Mangiaratti for his many years of service to the City. Department Heads enjoyed working with him on many issues throughout his tenure as Solicitor and will be missed.

4/1/17/17

5. I respectfully submit for confirmation by Your Honorable Body the appointment of Lauren Galvin of Murphy, Hesse, Toomey and Lehane, LLP to fill an expired term as City Solicitor. Term to expire February 2018.

5/3/7/17 – REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE

6. I respectfully submit a communication from School Director of Finance Marc Furtado regarding FY2016 fiscal obligations that were not received in time to be processed in the normal FY2016 business cycle. Therefore, I hereby request Your Honorable Body to authorize the School Department to pay these previous year school bills totaling \$10,036.50 as identified in Mr. Furtado's communication. (Copies in your packets)

6/3/7/17 – REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE

7. I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the funding need for training to have all Police Department personnel trained in the subject of Unconscious Biases. Therefore, I hereby request Your Honorable Body transfer the following to Account 12101000-532010 (Police – Tuition and Books)

\$6,600.00 from Account 12101000-519915 (Police – Defibrillator Stipend)

\$3,550.00 from Account 12101000-515030 (Police – Sick Pay Incentive) (Copies in your packets)

7/3/7/17 – REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

8. I respectfully submit for confirmation by Your Honorable Body the appointment of Rose Larson of 142 Fairway Drive to fill an unexpired term on the Attleboro Redevelopment Authority. Term to expire February 2020. (Copies in your packets)

8/3/7/17 – REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE

9. I respectfully submit a communication from Superintendent of Schools David A. Sawyer regarding the donation of the following items. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept these generous donations to the City of Attleboro. (Copies in your packets)

- Eight sections of 11-foot retractable belt sanctions from Attleboro Youth Basketball valued at \$543.78 for the Attleboro High Gymnasium
- Two mobile storage units with an estimated value of \$500 from Kevin Cryan of Cryan Landscaping to the CTE Automotive Technology Program.
- Twelve 1- inch LCD Panel Monitors with an estimated total value of \$600 (\$50/monitor) from Mr. Michael Lortos of Attleboro to Coelho to be used by students in the classrooms.
- Thirteen cases of Hammerhill Tidal MP 8 ½ x 14 paper (\$949) and eight cases of Hammerhill Tidal MP 11 x 17 paper (\$504) with an approximate value of \$1,452 to the Copy Center from Harvard Bioscience Inc of Holliston MA.

9/3/7/17 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

10. I respectfully submit a communication from Superintendent of Public Works Lance Hill regarding the need for funds to pay heating invoices at the new DPW facility for the remainder of the fiscal year. Therefore, I hereby request Your Honorable Body transfer \$12,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-521010 (Public Works – Heating). Upon approval, the available balance in Reserve Fund for Transfer will be \$37,885.55. (Copies in your packets)

10/3/7/17 – REFERRED TO THE PUBLIC WORKS COMMITTEE

11. I respectfully submit a communication from Superintendent of Public Works Lance Hill regarding the need for approval to pay a previous year bill of \$4,930.00 for repairs made to a traffic signal mast arm at the intersection of Emory and Forest Streets, which resulted in a claim being filed through the insurance company. No funding is necessary as the insurance account has the insurance proceeds. (Copies in your packets)

11/3/7/17 – REFERRED TO THE PUBLIC WORKS COMMITTEE

12. I respectfully submit a communication from Superintendent of Wastewater Paul Kennedy regarding the need to amend Chapter 16-21.3 Remedies Non-Exclusive Attachment A, City of Attleboro Local Limits of the Revised Ordinances of the City of Attleboro from Parameters/Pollutant Temperature (F/C) Local Limit 100/40 to 125/51.6 and hereby request Your Honorable Body to approve this amendment. Lauren Galvin from the Office of the City Solicitor reviewed the changes and approved them to form. (Copies in your packets)

12/3/7/17 – REFERRED TO THE PUBLIC WORKS COMMITTEE

13. I respectfully submit a communication from Building Commissioner William McDonough regarding funds for the hardware needed to complete the implementation process of the new on line permitting and file storage in the Protection Inspection Department. Therefore, I hereby request Your Honorable Body transfer \$8,667.11 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11331000-558015 (Budget & Administration – New Computers). Upon approval, the available balance in Reserve Fund for Transfer will be \$29,218.44. (Copies in your packets)

13/3/7/17 – REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

14. I respectfully submit a communication from Legal Secretary Alison Wood regarding surplus items that the Water Department would like to declare surplus and hereby respectfully 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

14/3/7/17 – REFERRED TO THE PUBLIC WORKS COMMITTEE

15. I respectfully submit a communication from Legal Secretary Alison Wood regarding surplus items that the Police Department would like to declare surplus and hereby respectfully request Your Honorable Body to declare the following as surplus for trade-in or resale value and available for disposition:

(Copies in your packets)

<u>YEAR MAKE/MODEL</u>	<u>VIN #</u>	<u>MILES</u>	<u>CONDITION</u>
2005 Ford/Crown Vic	2FAFP74W65X162453	106,629	Poor – Transmission Leak
2010 Ford/Crown Vic	2FABP7BV6AX102112	78,499	Poor– Missing Engine Parts
2005 GMC Envoy	1GKET16S056205905	91,520	Poor– Needs Cylinder

15/3/7/17 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

16. I respectfully submit a communication from Fire Chief Scott T. Lachance regarding the need to upgrade the current fire reporting software and for approval to enter into a 60 month contract with Firehouse Software. In accordance to M.G.L. Chapter 30B, Section 12, subsection b, any contract exceeding 36 months, must be authorized by the local government body. Therefore, I hereby request Your Honorable Body to approve this 60 month contract. (Copies in your packets)

16/3/7/17 – REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

Sincerely,

Kevin J. Dumas, Mayor

The following **OTHER COMMUNICATION** was read by the City Clerk/Clerk of the Council, Stephen K. Withers:

1. Certificate of Vote from Lauren Stamatis, Planning Board Clerk, certifying that at the Planning Board meeting held on Monday, March 6, 2017, the Planning Board unanimously voted in the affirmative (6 Yeas, 0 Nays, 2 Absent) to recommend to the Municipal Council the adoption of proposed amendments relative to raising and keeping poultry for commercial use.

REFERRED TO THE ZONING & LAND USE COMMITTEE

VOTED: at 7:34 P.M. TO GO INTO THE COMMITTEE OF THE WHOLE

No one spoke at the Committee of the Whole.

VOTED: at 7:34 P.M. TO ARISE.

Committee Reports:

Mr. DiLisio reported that the **Ordinances, Elections & Legislative Matters Committee** had no business. He discussed that he had planned on making two motions on issues pending before his Committee, but that he is holding them because he was informed late during the afternoon that there may be a need to invoke the Rule of Necessity.

A Point of Order was called because Ms. Hall started her Committee Meeting prior to Mr. DiLisio calling for a Committee Meeting at the next appropriate time. Mr. DiLisio informed the Council that he and Mrs. Porreca have Committee Meetings scheduled on Saturday: March 11, 2017 to discuss issues that are pending before their Committees. He then called for a Committee meeting at the next appropriate time.

On recommendation of the **Zoning & Land Use Committee**, and on the motion of Ms. Hall, the following vote was taken:

1. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor's request to accept the donation of a parcel of real estate to the City from William Pitas. The parcel is located on Pitas Avenue, more specifically, Assessor's Plat #74, Lot #46F.

It should be noted here that prior to the vote taking place, Ms. Hall thanked the Pitas family for donating the land.

Ms. Hall also called for a Committee meeting at the next appropriate time.

Mr. Conti reported that the **Capital Improvements & City Development Committee** had no business and he called for a Committee Meeting at the next appropriate time.

On the recommendation of the **Transportation & Traffic Committee**, and on the motion of Mrs. Porreca, the following vote was taken:

2. Voted on Roll Call (11 Yeas, 0 Nays) to amend the following Ordinance:

ORDINANCE RELATIVE TO ISOLATED STOP SIGNS

BE IT ORDAINED by the Municipal Council that Section 10-4.11 (Isolated Stop Signs) of the Revised Ordinances of the City of Attleboro (Amended 01/03/2017) be amended by striking “Southbound drivers on Magnolia Avenue at Brown Street” and replacing it with “Southbound drivers on Magnolia Street at Brown Street”.

It should be noted here that prior to the vote on this matter taking place, Mrs. Porreca stated upon review of the Ordinance book it was discovered that it stated Magnolia Avenue instead of Magnolia Street. She explained that this motion is a housekeeping matter.

Mrs. Porreca also called for a Committee Meeting at the next appropriate time.

On the recommendation of the **License Committee**, and on the recommendation of Vice-President Denlea, the following vote was taken:

3. Voted unanimously to approve the 2017 NEW Hawkers and Peddlers License Application from Shane T. Matlock, 11 Westgate Road, Attleboro, MA to sell coffee beverages on Saturday and Sunday from 10:30 A.M. – 3:30 P.M.

It should be noted here that prior to this vote taking place, Vice-President Denlea explained that he did call Mr. Matlock and that the application as presented is what he plans on doing in terms of his running his business on Saturday and Sunday. Vice-President Denlea explained that Mr. Matlock eventually plans on expanding his business, and when he does he will submit another application.

Vice-President Denlea also called for a Committee meeting at the next appropriate time.

On recommendation of the **Budget & Appropriations Committee**, and on the motion of Ms. Heagney, the following votes were taken:

4. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor’s request to transfer \$80.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-578020 (Public Works – Previous Years Bills) to pay a previous year bill to reimburse an employee for his Hoisting License renewal.

It should be noted here that prior to this vote being taken, Ms. Heagney stated that the City is contractually obligated to pay for the employee’s Hoisting License renewal.

5. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor’s request to appropriate \$186,217.88 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 13001000-551011 (School Appropriation - Medicaid) to fund the Municipal Sharing Agreement.

It should be noted here that prior to this vote taking place, Ms. Heagney informed the Council that this Agreement had been made in 1999, that it's up to the Mayor to decide, that she had been contacted by other Councilors who aren't on her Committee to do some research that she plans on doing.

Mr. Conti stated that during discussions about this issue, and that this is not something that the Council can address during the budget cycle.

President Cook responded that it would not be something that the Council could take up during the Budget cycle.

Mr. Conti requested a copy of the Municipal Sharing Agreement.

Mrs. Porreca stated that she will support this issue for this year.

Mr. Cooper stated that what we do budget for is \$75,000 so that they can meet the expenses that are supported by this measure and that is made very clear in the budget. He further explained that the amount is not conclusive of everything that is recovered from Medicaid.

Ms. Hall stated that the Agreement was signed by former Mayor Judy Robbins and that Mayor Dumas has never signed an Agreement of his own and that he has simply honored this Agreement. Ms. Hall stated that she would like to see Mayor Dumas enter into an Agreement of his own.

Mr. Conti stated that, for clarification, we have a former Mayor who signed an Agreement obligating the funds, that it then becomes before the Municipal Council to approve the transfer of the funds that the Council has no discretion, and that it is time to re-examine this Agreement.

Mr. DiLisio asked if the Agreement is contractual or policy.

President Cook responded yes, it is contractual. He also requested Administrative Assistant Ken Owens to obtain and send to all Councilors a copy of the agreement.

Ms. Heagney also called for a Committee meeting at the next appropriate time.

On recommendation of the **City Property & Claims Committee**, and on the motion of Ms. Reynolds, the following vote was taken:

6. Voted unanimously to declare the following Department of Public Works item as surplus for trade-in value and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>	<u>MILES</u>	<u>CONDITION</u>
1994	Ford F550 Dump Truck	1FDLF47MXREA50928	96,000	Poor

Ms. Reynolds also called for a Committee Meeting at the next appropriate time.

On recommendation of the **Personnel & Human Services Committee**, and on the motion of Mr. Cooper, the following votes were taken:

7. Voted unanimously to approve the Mayor’s request to confirm the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Anthony Gowen	Board of Assessors	3 Years	February 2020
Tony Viveiros	Constable	1 Year	February 2018
Walter Chicoine	Constable	1 Year	February 2018
Terrance McCrosson	Constable	1 Year	February 2018
Robert Belanger	Council on Aging	4 Years	February 2021
Carol O’Connor	Council on Aging	4 Years	February 2021
Ann Spinelli	Council on Aging	4 Years	February 2021
Sean Rogers	Council on Human Rights	3 Years	February 2020
Laurie Drucker	Cultural Council	3 Years	February 2020
Abbey McGrath	Cultural Council	3 Years	February 2020
Max Volterra	Election Commission	4 Years	February 2021
Charles Oliver	Library Trustees	3 Years	February 2020
Cathleen DeSimone	Library Trustees	3 Years	February 2020
Donald Hebert	Licensing Board	6 Years	February 2023
Edward Stanton	Municipal Building Commission	3 Years	February 2020
Gerry Fricot	Municipal Building Commission	3 Years	February 2020
Scott Jones	Planning Board	5 Years	February 2022
Jackie Romaniecki	Redevelopment Authority	5 Years	February 2022
Robert Lerio	Solid Waste Advisory Committee	3 Years	February 2020
Jim Poore	Solid Waste Advisory Committee	3 Years	February 2020
Adolfo Sanchez	Traffic Study Commission	3 Years	February 2020
Ellie Kirby	Youth Commission	2 Years	February 2019
Connor Davis	Youth Commission	2 Years	February 2019
Connor Hanrahan	Youth Commission	2 Years	February 2019
Kathryn Rautenstrauch	ZBA Associate	2 Years	February 2019

8. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor’s request to transfer funds to cover the cost of overtime for the Animal Control Department as follows:

-\$750.00 from Account 12921000-521010 (Animal Control – Heating) to Account 12921000-513000 (Animal Control – Overtime)

-\$2,000.00 from Account 12921000-521010 (Animal Control – Heating) to Account 12921000-513022 (Animal Control Call Back Overtime)

-\$3,000.00 from Account 12921000-530121 (Animal Control – Animal Control Services) to Account 12921000-513100 (Animal Control – Holiday, Vacation & Sick Overtime)

-\$2,750.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12921000-513100 (Animal Control – Holiday, Vacation & Sick Overtime).

It should be noted here that prior to the vote taking place, Mr. Cooper stated that this issue was discussed in Committee and that a comprehensive report had been submitted by Butch Keefer and none of the Municipal Councilors had any questions or comments.

Mr. Cooper also called for a Committee meeting at the next appropriate time.

On the recommendation of the **Public Works Committee**, and on the motion of Ms. Jackson, the following votes were taken:

9. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor's request to transfer \$1,224.68 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-514050 (Public Works – Previous Years Salaries) to pay previous years' salaries that are required to be paid to an employee who had been inadvertently assigned to an incorrect step.
10. Voted on Roll Call (11 Yeas, 0 Nays) to approve the 2017 Petition for a Joint or Identical Pole location from VERIZON NEW ENGLAND, INC. VERIZON requests permission to install a pole, down guy and anchor with a 8 foot lead across from County Street Pole 1083, and the anchor will be located on city property on the west side of County Street. This pole will be labeled 1083-84.

It should be noted here that prior to this vote being taken, Ms. Jackson stated there was a Public Hearing that was held on this matter and there was no opposition.

11. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor's request to appropriate \$30,000.00 from Account 6100-359000 (Water Enterprise Fund - Retained Earnings) to Account 6100-584077 (Water Enterprise Fund -Sludge Collector Equipment) to purchase a new drive assembly for the pretreatment sludge collectors at the water treatment plant. The installation will be done by plant personnel.
12. Voted on Roll Call (11 Yeas, 0 Nays) to approve the 2017 Petition for a New Pole location from MASSACHUSETTS ELECTRIC COMPANY. NGRID requests the relocation of existing service to new Pole #8384-1. That lot can be subdivided into 3 lots without a trespass from existing pole on what will then become lot 3.

It should be noted here that prior to this vote being taken, Ms. Jackson stated that a Public Hearing was held on this matter and there were no objections to this pole.

Ms. Jackson also called for a Committee meeting at the next appropriate time.

On the recommendation of the **Public Safety & Emergency Management Committee**, and on the motion of Mr. Blais, the following votes were taken:

13. Voted on Roll Call (11 Yeas, 0 Nays) to approve the Mayor's request to transfer \$2,770.75 from Account 11241000-578300 (City Wide- Reserve Fund for Transfer) to Account 12101000-599100 (Police – Transfer to 911 Grants) to properly close out prior year amounts due from the Commonwealth that will not be reimbursed; and to further authorize the Accounting Department to complete the necessary entries to close prior year grants.

14. Voted on Roll Call (11 Yeas, 0 Nays), in accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, to approve the Mayor's request to expend approximately \$10,144.00 in 2017 Senator Charles E. Shannon Jr. Community Safety Initiative (Shannon CSI) grant funds, and any future grant amendments, by the Attleboro Police Department. No matching funds are required by the City.

Mr. Blais also called for a Committee Meeting at the next appropriate time.

There was no **OLD BUSINESS**.

There was no **NEW BUSINESS**.

VOTED: at -8:13 P.M. TO ADJOURN.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)

City Clerk/Clerk of the Council