

**ATTLEBORO MUNICIPAL COUNCIL
REGULAR MEETING
TUESDAY, MARCH 19, 2019
7:00 P.M.
AGENDA**

APPROVAL OF THE RECORDS: February 19, 2019 and March 5, 2019. Executive Sessions June 6, 2017, June 27, 2017, April 10, 2018 and March 12, 2019.

Continued PUBLIC HEARING relative to amending sections of Chapter 10 of the Revised Ordinances of the City of Attleboro, Ch. 10, Motor Vehicles and Parking, as it pertains to Beagle Club Road.

PUBLIC HEARING relative to the following loan order for water main work on Read Street:

ORDERED: that Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with the replacement of approximately 8,800 linear feet of water mains, including the road restoration, on Read Street, Attleboro, Massachusetts (collectively the "Project"), including the payment of all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow Two Million, Seven Hundred Thousand Dollars (\$2,700,000.00) under Chapter 29C of the General Laws and/or Section 8(5) of Chapter 44 of the General Laws, or any other enabling authority; that the Mayor is authorized to take any other action necessary or convenient to carry out this Project. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 8(5) of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

PUBLIC HEARING relative to the following loan order to upgrade the Wastewater Treatment Plant located at 27 Pond Street (North) Attleboro:

ORDERED: that One Million, Five Hundred Thousand Dollars (\$1,500,000.00) is appropriated for the permitting, bidding, construction oversight and construction costs associated with plant upgrades to the City's Wastewater Treatment Facility, located at 27 Pond Street (North), Attleboro, Massachusetts (collectively the "Project"), including the payment of all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow One Million, Five Hundred Thousand Dollars (\$1,500,000.00) under Chapter 29C of the General Laws and/or Section 7(1) of Chapter 44 of the General Laws, or any other enabling authority; that the Mayor is authorized to take any other action necessary or convenient to carry out this Project. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 7(1) of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

PUBLIC HEARING relative to application for a Special Permit pursuant to Section 17-10.15, REGISTERED MARIJUANA DISPENSARY USES of the Revised Zoning Ordinances from Major Bloom, LLC, 50 Loring Street, Hyde Park, MA, to operate a Marijuana Business for property located at 20 John Williams Street, Attleboro, MA. said premises being Assessor's Plat #33, Lot's #221A, 221C, 221D and 222, located in an Industrial Zoning District and having an area of 3.62 + acres.

PUBLIC WORKS

- Public Works request regarding the need to purchase two (2) walk behind sidewalk sweepers \$8,870.00. (3/5/19)
- Transfer \$5,000.00 (Park & Forestry – Overtime) for the remainder of FY2019. (3/5/19)
- To appropriate \$1,213,763.00, and any other future grant amendments, into Fund 3108 (Chapter 90 Projects). (3/5/19)
- Communication dated January 21, 2018 from resident Kellie Marcil, suggesting a change in the Winter Parking Ban (2/6/18)
- Communication dated January 15, 2018 from Adam Stuminski, relative to changes in the Winter Parking Ban (2/6/18)
- 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

PERSONNEL & HUMAN SERVICES

- Confirm Frank Cook, to fill an unexpired term on the COA Board of Directors. (3/5/19)
- Amend Vote #12, of 11-6-2018 by deleting a portion and replacing with "as needed." (3/5/19)
- To assign a permanent department and department head for the formerly known Highland Country Club. (3/5/19)
- Communication from City Auditor Deborah Gould regarding Disclosure by Non-Elected Municipal Employee form (4/3/18)

- That in accord with the City of Attleboro Massachusetts City Charter Article 3 Section 3-1 which reads “The Mayor shall receive for his services such salary as the municipal council shall by ordinance determine within the first eighteen months of the term of office and is to be effective at the start of the next term of office.” that effective January 1, 2020, the salary of the City of Attleboro Mayor be set at \$100,000.00 per year and, in addition, that the position of Mayor shall be removed from the City of Attleboro Classification Plan as defined in the Revised Ordinances of the City of Attleboro Chapter 13, Personnel, Section 5.1 Mayor (amended 1/5/11) which is to be deleted. In accord with City Charter Article 2 Section 7B, this measure will call for a public hearing and that a majority of the Municipal Council shall be required to adopt said Ordinance revision. (New Business – Mr. Conti) (3/20/18)

CAPITAL IMPROVEMENTS & CITY DEVELOPMENT

- Rescind Vote #1, 3-5-2019 for a PH March 19, 2019 to Capital Improvement Plan for 2020-2024. (3/5/19)
- Loan Authorization for \$1,500,000.00 for Wastewater Treatment Plant upgrade. (4/2/19/19) (PH 3-19-19)
- Loan Authorization for \$2,700,000.00 for Read Street water main work. (5/2/19/19) (PH 3-19-19)

ZONING & LAND USE

- Application for a Special Permit from Major Bloom, LLC, to operate an RMD located at 20 John Williams St.. (PH 3-19-19)
- Amend section 17, ZONING ORDINANCES of the Revised Ordinances of the City of Attleboro to change the Special Permit Granting authority for Marijuana Establishments from Special Permit Municipal Council (SMC) to Special Permit ZBA
- 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)

TRANSPORTATION & TRAFFIC

- Amend Section 10-4.6 Left Turn Prohibited: Greenfield St. to South Ave: Greenfield St. Traffic travelling ---- bound prohibited from making a left turn on South Ave. N-bound unless directed by a public safety official. (Ms. Porreca 11/6/18)
- Amend Section 10-4.15: Operation of Heavy Commercial Vehicles adding May St. from Washington St. to Newport Ave. (Ms. Porreca 11/6/18)
- Amend Section 10-4.6 Left Turn Prohibited: May Street to Newport Avenue: May Street traffic traveling --- bound prohibited from making a Left turn onto Newport Avenue Northbound unless directed by a public safety official. (Ms. Porreca 11/6/18)
- Request to study the need for a “Stop” sign at Bank Street Extension and Bridget Way. (PH 10-16-18) (9/18/18)
- Request for amendments to ordinances 10 – 5 and 10- 14 as it pertains to Beagle Club Road (Public Hearing scheduled for September 18, 2018) (7/17/18)
- 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 the parking options for Beagle Club Road and that restrictions up to and including NO PARKING. (NB: Mr. Cooper)

BUDGET & APPROPRIATIONS

- Attleboro Schools previous year bill \$228.92 from FY2018. (3/5/19)
- Rabies Clinic – water department overtime needed - \$209.54. (3/5/19)
- A Budget be established under a specific department and superintendent for the former Highland Country Club. (3/5/19)
- Funds for Veteran’s van tires \$281.57 from Reserve funds for Transfer. (3/5/19)
- Veteran’s Agent bringing The Vietnam Veteran’s Moving Wall to Attleboro in September \$281.57 needed (3/5/19)
- Demolition of Lidell Pool and bathhouse demolition money - \$24,310.00. (3/5/19)
- Planning request for \$228.00 for remainder of FY19 for overtime. (3/5/19)
- Communication from Public Employee Retirement Administration Commission regarding FY2020 appropriation (11/20/18)
- Collaborate with state officials to have a meeting to understand the Community Pact Program thru FY2019 for best financial policies for capital improvement (NB Conti 11/13/18)
- 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)
- 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 affect their businesses. (New Business—Mr. Cook and Mr. Bergevine)

LICENSE

- Hawkers and Peddlers License request for Renee Lumb. (3/5/19)
- A communication dated January 29, 2019 with a complaint from August 18, 2018 against Old School Auto Sales 187 Cumberland Ave. Attleboro. (2/5/19)

- A communication dated July 12, 2018 from Zoning Enforcement Officer William McDonough regarding a violation for unregistered vehicles at 11 Horton Avenue.

CITY PROPERTY & CLAIMS

- \$100 Market Basket Gift Card to the Veteran's office from LiUNA local 1144. (3/5/19)
- Allow Passive Recreation on property formerly known as Highland Country Club. (3/5/19)

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- 1-30-2019 letter from Dale Rheame Attleboro regarding Hunting Ordinance. (2/5/19)
- Amendment to 11-9.4 No person shall discharge or cause to be discharged surface or other water upon any street etc. (Public Hearing on February 19, 2019) (3/1/8/19)
- To adopt MGL Chapter 40 Section 8j as it pertains to changing the Attleboro Disabilities Committee to the Attleboro Disabilities Commission and all that entails. (New Business--Ms. Holmes and Mr. Waterman) (1/8/19)
- Amend section 17, ZONING ORDINANCES of the Revised Ordinances Attleboro to change the SP Granting authority for Marijuana Establishments from SP Municipal Council (SMC) to SP Zoning Board of Appeals (S). (Mr. Kobus 11/6/18)
- To differentiate between the positions of an executive and legislative city solicitor section 2-3 of the Ordinances of the City of Attleboro. (Ms. Holmes and Mr. Kobus 10/16/18)
- Addition of Ordinance for Speed Humps/Cushions, 10-4.18 (9/10/16/18)
- To amend section 11-14 under Chapter 11, Offenses of the Ordinances of Attleboro pertaining to Hunting and Firearms and replace. (Ms. Dolan and Mr. Kobus 10/16/18) (Public Hearing February 5, 2019)
- Request for a new ordinance as it pertains to Smoking restrictions in cars with children in car seats (Public Hearing scheduled for September 18, 2018) (7/17/18)

PUBLIC SAFETY & EMERGENCY MANAGEMENT

- FY2019 grant of \$7,948.00 for Pedestrian/Bicycle Safety from Public Safety and Security Highway Safety Division (3/5/19)
- Grant of \$50,000 from Department of Fire Services to fund a Health and Wellness Initiative for the AFD. (3/5/19)
- To change the ordinance as it relates to appointing authority - Section 13-7 Civil Service Appointments (3/20/18)
- The following proposal relative to the practice of hunting on public lands and private property in Attleboro without permission of the landowner from Roxanne Houghton of 13 Eisenhower Street.

SPECIAL COMMITTEE ON THE COUNCIL'S RULES OF PROCEDURES

SPECIAL COMMITTEE FOR TAX ABATEMENT REVIEW

- Home Rule petition for city with House of Representatives Amendment Article 89 and MGL Ch. 43B to adopt Ordinance for a Senior Tax Program authorizing City to amend Ch. 169 of Acts of 2012 (House, 3815). (Mr. Conti 7/17/18)
- Create an Elderly and Disabled Taxation Aid Fund. (Mr. Kobus 9/18/18)
- That the City of Attleboro create a local property tax freeze program that will bar property tax increases for certain seniors and other eligible populations who are on a fixed income and most affected by an increase taxes (Mr. Kobus 9/18/18)

Old Business: - None

New Business: -

(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.