

**ATTLEBORO MUNICIPAL COUNCIL  
REGULAR MEETING  
TUESDAY APRIL 17, 2018  
7:00 P.M.  
AGENDA**

**APPROVAL OF THE RECORDS** –MARCH 2, 2018, MARCH 6, 2018, MARCH 20, 2018, APRIL 3, 2018, JUNE 6, 2017  
JUNE 27, 2017 AND JUNE 6, 2017

**PUBLIC HEARING** relative to the 2018 Community Development Block Grant Entitlement Budget for the CDBG  
entitlement year July 1, 2018 through June 30, 2019.

**PUBLIC HEARING** relative to the City Capital Improvement Program FY2019 – 2023.

**MAYOR’S COMMUNICATION AND OTHER COMMUNICATIONS**

**PUBLIC SAFETY & EMERGENCY MANAGEMENT**

- To change the ordinance as it relates to appointing authority - Section 13-7 Civil Service Appointments (SEE DOCKET  
3/20/18 NEW BUSINESS MR. DILISIO)
- 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)

**PUBLIC WORKS**

- Communication from Public Works for Reserve Fund transfer \$23,012.00 to Public Works Street Maintenance and Professional  
Services from Reserve Funds. (4/3/18)
- Communication from Water Department for funds to install a new 6” water main on High Street and request to appropriate  
\$38,177.00 from Water Fund – Main Construction. (6/4/3/18/)
- Petition from National Grid/Verizon to erect a pole on the northerly side of 4969 Maple Street. (4/3/18) Public hearing 5/1/18
- Petition from National Grid/Verizon to erect a pole on the easterly side of 3445 Hickory Road. (4/3/18) Public hearing 5/1/18
- 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 resident 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)

**ZONING & LAND USE**

- Communication from Attorney J. Jacobi, III requesting a Letter of Non-Opposition for Leonard J. Irving Center for 0 Frank  
Mossberg Drive for a Registered Marijuana Dispensary. (4/3/2018)
- Communication dated January 2 from Ashley Driscoll, to Chairman of the Zoning and Land Use Committee, Councilor Todd  
Kobus relative to suggested changes to the current medical marijuana zoning (RMD). (2/6/18)
- 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)
- 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)

## **CAPITAL IMPROVEMENTS & CITY DEVELOPMENT**

- **PUBLIC HEARING-4/17/18** for the proposed FY2018 Community Development Block Grant Entitlement Budget (13/3/20/18)
- **PUBLIC HEARING-4/17/18** for the City Capital Improvement Program FY2019 – 2023 (8/4/3/18)

## **TRANSPORTATION & TRAFFIC**

- Communication from Phyllis Carter of West Street addressing speed limit enforcement and alternatives (4/3/2018)
- Install a Stop sign on Steeple Chase Circle at Bishop Street (New Business – Ms. Porreca) referred to the Traffic Study Commission (4/3/18)
- Reduce the speed from 40 MPH to 30 MPH on County Street in the area of 721 County. Additionally, research whether truck traffic can be limited on County Street. (New Business - Ms. Porreca) ) referred to the Traffic Study Commission (4/3/18)
- To erect signs on County Street that indicate a right turn at Commerce Way (coming from Attleboro Center) will bring you to the Sports Complex. (New Business – Ms. Reynolds) (3/20/18)
- To erect signs on County Street that indicate a right turn at Commerce Way (coming from Attleboro Center) will bring you to the on ramps for 95 North and South (Rt. 123) or signage indicating staying straight on County will bring you to Rt. 95 on ramps by way of Newport Avenue in Pawtucket, RI. (New Business – Ms. Reynolds) (3/20/18)
- Communication dated February 26, 2018 from resident Diane Federico regarding the speed limit on County Street.
- To install a “Stop” sign Lilac and Springdale, as well as Springdale and Orchard Lane (New Business—Ms. Porreca)
- 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)
- That the parking options for Beagle Club Road and that restrictions up to and including NO PARKING. (NB: Mr. Cooper)

## **BUDGET & APPROPRIATIONS**

- Communication from resident Steve Hosmer regarding the cost of building a new high school in Fall River.
- 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)
- 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)

## **LICENSE**

- Application for 2018 Hawkers and Peddlers License from Robert S. Palagi - Palagi Brothers, 28 Delta Drive, Pawtucket, RI 02860. (4/3/18)
- Application for 2018 Ring a Bell License from Robert S. Palagi – Palagi Brothers, 28 Delta Drive, Pawtucket, RI 02860. (4/3/18)
- Application for 2018 Hawkers and Peddlers License from Adam D. Palagi – Palagi Brothers, 28 Delta Drive, Pawtucket, RI 02860. (4/3/18)
- Application for a 2018 Hawkers and Peddlers License from Paul Piatelli – Dels Lemonade, 33 Hope Street, Attleboro (4/3/18)
- Application for a 2018 Ring a Bell License from Paul Piatelli – Dels Lemonade, 33 Hope Street, Attleboro, MA. (4/3/18)
- Communication from Zoning Enforcement Officer regarding Looney Tuned Auto Sales.
- 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**

- Communication from the Library regarding security camera need and request to transfer from City Wide –Reserve fund for Transfer \$1,743.41 Transfer to Library – Supplies of Equipment. (1/4/3/18)
- Communication from Veterans Agent Ken Badertscher regarding the donation of \$40.00 in Stop & Shop gift certificates from Lori Scales. (2/4/3/18)
- Communication from Veterans’ Agent Ken Badertscher regarding the donation of \$1,000.00 in Stop & Shop gift certificates from the Attleboro Elks Lodge #1014. (7/4/3/18)
- Communication from Fire Chief regarding the need to surplus four obsolete Automatic External Defibrillators and to donate these to the Fryeburg Rescue Service (11/4/3/18)

## **PERSONNEL & HUMAN SERVICES**

- Communication from City Treasurer to pay the Medtax for non-school and non-enterprise employees for the remainder of FY2018. Requesting a transfer \$20,000.00 from (City Wide – Reserve Fund for Transfer) to (Treasurer-Medicare Tax).
- Communication from Building Commissioner regarding the need for funds for overtime due to unexpected leave of absence. Transfer \$6,000.00 from Account (City Wide – Reserve Fund for Transfer) to (Protective Inspection – Overtime). (5/4/3/18)
- Confirmation for two appointments to serve on the Council on Human Rights. (10/4/3/19)
- City Auditor requesting a transfer of \$2,483.48 from (Auditor – Audit Services) to Salary; Longevity and Overtime.(12/4/3/18)
- 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)

## **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)
- 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 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:**

That the City of Attleboro create an Elderly and Disabled Taxation Aid Fund. Monies collected in this fund will be available to eligible elderly and/or disabled taxpayers of low income to assist them in paying their real estate taxes. All donations to this fund will be tax deductible and will be in addition to your tax bill. This will be a voluntary contribution with all monies managed by the Collector's Office or the office most appropriate as designated by the administration. (New Business – Ms. Hall and Mr. DiLisio) (5/1/17)

- **To refer the following matter to the appropriate committee for study and recommendation:**

That this Honorable Body work in conjunction with the Traffic Study Commission, the Police Chief, the Superintendent of Schools, the DPW Director, the Principal of Willett Elementary School, and residents of the neighborhood to address the well-documented traffic concerns in and around Willett Elementary School, including (but not limited to) the speed limit and creating a safe environment for pick-up and drop-off of students in this area. (New Business – Ms. Porreca and Mr. Kobus)

(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.