

**ATTLEBORO MUNICIPAL COUNCIL
REGULAR MEETING
TUESDAY MAY 1, 2018
7:00 P.M.
AGENDA**

APPROVAL OF THE RECORDS –MARCH 20, 2018, APRIL 3, 2018, APRIL 17, 2018. EXECUTIVE SESSIONS – APRIL 10, 2018, JUNE 6, 2017 AND JUNE 6, 2017

PUBLIC HEARING relative to the petition from National Grid/Verizon to erect a pole on Maple Street

PUBLIC HEARING relative to the petition from National Grid/Verizon to erect a pole on Hickory Road

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 regarding funds to replace the gearbox in the 2005 Elgin sweeper. (3/4/17/18)
- 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

- Communication from Planning regarding funds to provide a 7 % construction contingency for the Phase 1A the Dodgeville Pond Dam renovation project. (6/4/17/18)
- FY2018 Community Development Block Grant Entitlement Budget (13/3/20/18) (PUBLIC HEARING-4/17/18)
- City Capital Improvement Program FY2019 – 2023 (8/4/3/18) (PUBLIC HEARING-4/17/18)

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)
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- 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

- 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

- Donation of \$125.00 in Stop & Shop gift certificates from Studley Elementary School. In
- Donation of four (4) cases of diapers and one (1) case of assorted items including: baby lotions, bibs, pacifiers, bath toys, diaper cream, bottles and water bottles with an estimated value of \$300.00 from Father Ted Brown of LaSalette to the Children’s Center at Attleboro High School.
- Veterans’ Department to declare surplus
- Personnel Department would like to declare surplus
- Fire Department 1996 - E-One Fire Engine - 4ENDAAA88T1005891-97,883-Poor

PERSONNEL & HUMAN SERVICES

- 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:**
To elect Virginia Stuart, 101 South Avenue, Attleboro, as Administrative Assistant to the Municipal Council for a term of two years. Term to end February 2020.

(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.