

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
JUNE 19, 2018**

APPROVAL OF THE RECORDS: April 17, 2018, May 1, May 2 (including May 1, 2018), May 8, May 15, May 29 and June 5, 2018. Executive Sessions June 6, 2017, June 27, 2017 and April 10, 2018 and May 8, 2018.

PUBLIC HEARING relative to application of Cannatech Medicinals, INC, 1100 Innovation Way, Fall River, MA for a Special Permit pursuant to Section §17-9.0 SPECIAL PERMITS AND §17-10.15 REGISTERED MARIJUANA DISPENSARY USES, to operate a Registered Medical Marijuana Dispensary Center and a Medical Marijuana Cultivation Center, the subject premises being located at 220 O'Neil Blvd, more specifically Assessor's plat 46, Lot #56A & 58A, located in an Industrial Zoning District.

PUBLIC HEARING relative to the following loan order for the purchase of land known as Highland Country Club located at 104 Mechanic Street, Attleboro:

Ordered: that Three Million, One Hundred Thousand Dollars (\$3,100,000.00) is appropriated for the acquisition of land, and that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow Three Million, One Hundred Thousand Dollars (\$3,100,000.00) under Section 7(1) of Chapter 44 of the General Laws, or any other enabling authority; and that the Mayor is authorized to take any other action necessary or convenient to carry out this acquisition. 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 to authorize the Mayor to purchase, on behalf of the City, from the Chapter 7 Trustee of the Estate of the Highland Country Club of Attleboro, Mass., for the United States Bankruptcy Court For the District of Massachusetts, Eastern Division, for a purchase price \$3,021,000.66, certain land adjacent to the Frank R. Sweet Memorial Forest, on terms and conditions satisfactory to the Mayor; said land, together with the buildings thereon, being the land known as the Highland Country Club, and located at 104 Mechanic Street, Attleboro, Massachusetts and more particularly described as Parcels A, B and C as shown on a plan entitled "Plan of Land in Attleboro, Massachusetts to be conveyed to Highland Country Club of Attleboro, Mass. Scale – 200 feet to an inch December, 1975, James A. Freeman Engineering, Inc. 429 North Main Street, Attleboro, Massachusetts", which plan is recorded in Bristol County Northern District Registry of Deeds in Plan Book 154 on Page 80, and also that land described in Book 6093, Page 131, recorded in said Registry of Deeds; and to borrow the appropriate funds needed for the purchase of such land.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds to make significant repairs to the fire sprinkler system and the fire alarm system at Union Street Fire Headquarters. These issues were found after the recent annual fire sprinkler system inspections completed in all municipal buildings by a licensed fire sprinkler company. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$30,000.00 from Account 12201000-511000 (Fire – Salary) to Account 1100220-585075 (General Fund Continuing Appropriation Fire Sprinkler/Fire Alarm System). (4/6/5/18)

PUBLIC WORKS

Kate Jackson, Chairperson

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for additional funds to pay the electric bills for the remainder of FY2018. Therefore, the Mayor hereby requests Your Honorable Body transfer \$5,000.00 from Account 14201000-511000 (Public Works – Salary) to Account 14201000-521020 (Public Works – Lights and Power). (1/6/5/18)

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler regarding the need for additional funds to pay the heating bills for the remainder of FY2018. Therefore, the Mayor hereby requests Your Honorable Body transfer \$5,000.00 from Account 14201000-511000 (Public Works – Salary) to Account 14201000-521010 (Public Works – Heating). (2/6/5/18)

The Mayor respectfully submits a communication from City Auditor Deborah Gould, Superintendent of Wastewater Thomas Hayes and Superintendent of Water Kourtney Wunschel regarding the residential meter replacement program and the shared meter expense between the City's Water and Wastewater Enterprise Departments. It appears as though in his memo of June 1, 2017, Superintendent Kennedy transposed the accounts with only water service and those that had both water and wastewater services and it is recommended that an adjustment be made which takes this transposition into account when addressing the shared cost for FY2018. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$4,640.90 from Account 6000-359000 (Wastewater Enterprise Fund - Retained Earnings) to Account 6000-553150 (Wastewater Enterprise Fund – Water Meter Supplies). After this appropriation, the Accounting Office will work with the Water and Wastewater Departments to complete this transaction. (Copies in your packets) (10/6/5/18)

The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding the need for funds to purchase four turf tires and rims for Kubota Tractor, a Stihl demo saw Model TS 500 and three Red Max Back Pack Blowers. Therefore, the Mayor hereby requests Your Honorable Body transfer \$5,126.00 from Account 16301000-511000 (Recreation – Salary & Wages) to the following:

\$2,460.00 to Account 16301000-548040 (Recreation – Equipment Supplies)

\$2,666.00 to Account 16301000-543020 (Recreation – Hand Tools)

(14/6/5/18)

The Mayor respectfully submits a communication from Acting Superintendent of Water Kourtney Wunschel regarding the need for funds for the replacement of the boiler at the Wading River Treatment Facility before the next heating season. This capital project is listed as urgent in the City of Attleboro Capital Improvements Program for FY2019-2023. Therefore, the Mayor hereby requests Your Honorable Body transfer \$21,043.00 from Account 6100-553130 (Water Enterprise Fund – Treatment Chemicals) to Account 6100-587054 (Water Enterprise Fund – Boiler Replacement Repair). This amount includes a 15% contingency for the project. (16/6/5/18)

ZONING & LAND USE

Todd Kobus, Chairperson

Communication dated May 25, 2018 from Attorney John Jacobi requesting a Letter of Non-Opposition for the growing, cultivation, harvesting and processing of cannabis for medical marijuana at 76 Frank Mossberg Drive, Assessor's Map 145, Lot 1. (6/5/18)

Notice of a Community Outreach Meeting by Ashli's Extracts, Inc., Ashli's Farm, Ashli's Inc. for the proposed Marijuana establishment for the processing and manufacturing of cannabis products at 76 Frank Mossberg Drive on June 12, 2018 at 6 P.M. at the Attleboro Elks Lodge, 887 South Main Street, Attleboro, Ma (6/5/18)

Communication from Attorney Edward J. Casey requesting a letter of Non-opposition for Marijuana Cultivation, Marijuana Product Manufacturing and Marijuana Retailer at 527 Pleasant Street for Briarleaf. (6/5/18)

Rezoning Petition from Laurel Knoll Land Trust, 503 Oak Hill Avenue, Attleboro, MA to rezone property located at 0 MacDonald Lane, Attleboro MA, said premises being Assessor's Plat #101; Assessor's Lot #9, to be rezoned from Single Residence-D to General Residence-C, said premises being 8.699 acres. (REFER TO THE PLANNING BOARD FOR STUDY AND RECOMMENDATION AND TO CALL FOR A JOINT PUBLIC HEARING JULY 17, 2018) (6/5/18)

Communication dated June 4, 2018 from Attorney John Jacobi submitting a draft ordinance for Marijuana Businesses. (6/5/18)

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti, Chairperson

The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the replacement of a Command car with a new 4-wheel drive SUV with required accessories. Although this capital project is presently identified in the City of Attleboro Capital Improvements Program for FY2018-2022 as an FY2018 project with an estimated cost of approximately \$45,000.00, it has not been funded due to budgetary constraints. Therefore, in order to proceed with this important public safety project, the Mayor hereby requests Your Honorable Body transfer \$45,000.00 from Account 12201000-511000 (Fire – Salary) to Account 12201000-587034 (Fire – SUV). (3/6/5/18)

BUDGET AND APPROPRIATIONS

Jay DiLisio, Chairperson

Communication dated May 15, 2018 from Matt & Barrie Mooney, 22 Green Drive, Attleboro, MA in opposition to the sale of Highland Country Club to a developer and requesting the City Council vet all possible options to prevent sale the property. (6/5/18)

Communication dated May 21, 2018 from Mary Whelan, 24 Hatch Road, Attleboro Ma relative to the sale of Highland Country Club. (6/5/18)

Communication dated May 18, 2018 from Roy Belcher, President Attleboro Land Trust supporting the City’s purchase of the Highland Country Club. (6/5/18)

Communication dated May 23, 2018 from Dominca and Joe Ribero and Dorothy Terrasi, 87 Fairway Drive, Attleboro, MA in opposition to the sale of Highland Country Club to a developer. (6/5/18)

Communication dated May 14, 2018 from Patricia and David Arcense, 31 Green Drive, Attleboro, MA in opposition to the sale of Highland Country Club to a developer and requesting the City Council vet all possible options to prevent a sale. (6/5/18)

LICENSES

Laura Dolan, Chairperson

Communication dated May 14, 2018 from Roland Lemoi, 29 Longfellow Street, Pawtucket, RI relative to complains pertaining to Greco Auto Salvage, 83-85 Dickens Street. (6/5/18)

Communication from Noelle D’Intino, Friends of Capron Park requesting a one day liquor license at the Capron Park Zoo on Saturday, October 6, 2018. (CALL FOR A PUBLIC HEARING ON TUESDAY, 17, 2018) (6/5/18)

Class II application, dated May 22, 2018, from Omar Halabi of 4 Newton Street in Fairhaven, MA D/B/A Better Auto at 473 Washington Street to sell second hand motor vehicles. (6/5/18)

CITY PROPERTY & CLAIMS

Sara Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Director of Veterans’ Services Ken Badertscher regarding the donation of \$15.00 in a Stop & Shop gift certificate from the Ed Stanton. This particular donation is remarkable because this gift certificate was earned by Mr. Stanton for volunteering an outstanding 1,578 hours of his time to the Providence VA Medical Center. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous donation to the City of Attleboro. (5/6/5/18)

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to replace the air conditioner unit in the computer server room at the Police Station. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$7,400.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-524011 (Police – Maintenance of Building). (6/6/5/18)

The Mayor respectfully submits a communication from Superintendent of Schools David Sawyer regarding the donation of furniture with an estimated value of \$4,100.00 from Cardi’s Furniture to Hill-Roberts to be used in the Teachers’ Room. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous donation to the City of Attleboro. (7/6/5/18)

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding equipment that the Public Works Department would like to declare surplus and hereby respectfully request Your Honorable Body to declare the following as surplus and available for disposition:

<u>ITEM</u>	<u>CITY TAG #</u>
Dell computer	02904
HP Laserjet 6L printer	02406
Viewsonic computer monitor	No tag
E-Machines keyboard	No tag
E-Machines computer mouse	No tag

These items were used in the old fuel network which has been replaced with an updated system. (11/6/5/18)

The Mayor respectfully submits a communication from Chief of Police Kyle Heagney regarding the need to surplus firearms that are no longer serviceable and are strictly for Law

Enforcement use. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition:

<u>Firearm Make</u>	<u>Firearm Model</u>	<u>Caliber</u>	<u>Serial Number</u>
Smith and Wesson	M&P 15T	.223	SM97013
Smith and Wesson	M&P 15T	.223	SM97111
Smith and Wesson	M&P 15T	.223	SM97160
Smith and Wesson	M&P 15T	.223	SM97172
Smith and Wesson	M&P 15T	.223	SM97279
Smith and Wesson	M&P 15T	.223	SM97325
Smith and Wesson	M&P 15T	.223	SM97331
Smith and Wesson	M&P 15T	.223	SM97692
Smith and Wesson	M&P 15T	.223	SM97698
Smith and Wesson	M&P 15T	.223	SM97699
Smith and Wesson	M&P 15T	.223	SM97701
Colt	AR15A2	.223	GC005156
Colt	AR15A2	.223	GC006119
Glock	22	.40	DYG041
Smith and Wesson	6904	9mm	TCS1597
True Flight	True Flight	37mm	7351

PERSONNEL AND HUMAN SERVICES

Diana Holmes, Chairperson

Communication dated May 17, 2018 from Council President Mark Cooper to City Clerk Stephen Withers relative to the letter of resignation from Councilor Julie Hall effective midnight September 3, 2018. (6/5/18)

Communication from Personnel Director Owen Bebeau with additional information that was requested regarding the Exempt employees receiving the same increases as other bargaining units. (6/5/18)

The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Sean Quigley, 93 Parker Street, to fill an unexpired term on the Cultural Council. Term to expire February 2019. (8/6/5/18)

The Mayor respectfully submits for confirmation by Your Honorable Body the following reappointments to the Conservation Commission for terms as indicated:

<u>Name</u>	<u>Term</u>	<u>Expires</u>
Bruce Hagerman	3 Years	February 2021
Rose Miconi	3 Years	February 2021

(9/6/5/18)

The Mayor respectfully submits a communication from Superintendent of Parks & Forestry Derek Corsi regarding the need funds to cover the cost of membership to the International Society of Arboriculture. Therefore, the Mayor hereby requests Your Honorable Body transfer \$10.00 from Account 16501000-521010 (Park & Forestry – Heating) to Account 16501000-573010 (Park & Forestry – Membership). (12/6/5/18)

The Mayor reports that union members have ratified a collective bargaining agreement between the City and the Attleboro Public Library Employees Association, Local 4928, MLSA, AFTMA, AFL-CIO for the period of July 1, 2017 through June 30, 2020. In addition, this payment will require additional funding to the Med Tax Account. Therefore, in order to fund this collective bargaining agreement, the Mayor respectfully requests Your Honorable Body to transfer \$11,409.00 from Account 11241000-578350 (City Wide – Reserve Fund Labor Negotiations) to the following:

\$11,245.00 to Account 16101000-513001 (Library – Lump Sum Retro)
\$ 164.00 to Account 11451000-517240 (Treasurer – Med Tax)

(15/6/5/18)