

**ATTLEBORO MUNICIPAL COUNCIL
SPECIAL MEETING AND COMMITTEE MEETINGS
TUESDAY JUNE 26, 2018
7:00 P.M.
AGENDA**

APPROVAL OF THE RECORDS: April 17, 2018, May 1, May 2 (including May 1, 2018), May 8, May 15, May 29, June 5, and June 19, 2018. Executive Sessions June 6, 2017, June 27, 2017 and April 10, 2018 and May 8, 2018.

MAYOR'S COMMUNICATIONS AND OTHER COMMUNICATIONS

PUBLIC SAFETY & EMERGENCY MANAGEMENT

- Communication from Police Chief regarding the expenditure of a grant of \$93,651(EOPSS) - State 911 (2/6/19/18)
- Communication from Police regarding \$11,926 transfer to replace station kitchenette (3/6/19/18)
- Legal Opinion from Lauren Galvin, dated April 18, 2018 relative to hunting on Conservation land. (5/1/18)
- 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 to appropriate \$117,000 for water main repair of Deanville Road under the highway (8/6/19/2018)
- Communication dated June 11, 2018 from the Water Superintendent with the annual Cross Connection Control Plan (6/19/18)
- 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 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

- Repeal Moratorium on Recreational Marijuana. Move to delete Section 1 – 16 Moratoriums (adopted 1/116/18) in its entirety. (New Business – Mr. Kobus) (6/18/19).
- Communication dated June 8, 2018 from Wastewater comments on the Briarleaf, RMD application(6/19/18)
- Communication dated June 11, 2018 from Attorney submitting references from Tamposi Brothers Holdings (6/19/18)
- Communication dated June 12, 2018 from Director of Planning Gary Ayrassian, with comments for Briarleaf RMD (6/19/18)
- 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 June 4, 2018 from Attorney John Jacobi submitting a draft ordinance for Marijuana Businesses. (6/5/18)
- Communication from BCWC, LLC, 34 Extension Street, Attleboro, MA relative to amending the Zoning Ordinance pertaining to cultivating and product manufacturing in the Industrial Zoning Districts and an Outreach meeting. (5/1/18)
- Application from Briarleaf, LLC, 54 Taylor Road, Foxboro, MA for a Special Permit pursuant to Section §17-9.0 SPECIAL PERMITS AND §17-10.15 REGISTERED MARIJUANA DISPENSARY USES 527 Pleasant Street, (PH ON JUNE 5, 2018)
- Communication from Attorney Edward J. Casey requesting that the Council vote to issue a letter of non-opposition to Briarleaf, LLC, 54 Taylor Road, Foxboro for a Registered Medical Marijuana Dispensary Center and a Medical Marijuana Cultivation Center located at 527 Pleasant Street, Attleboro, MA (5/1/18)
- 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)
- 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 to rescind unused debt associated with the Oak Hill Water Tank Rehabilitation Authorization(14/6/19/18)
- Transfer \$45,000.00 from Account 12201000-511000 (Fire – Salary) to Account 12201000-587034 (Fire – SUV). (3/6/5/18)

TRANSPORTATION & TRAFFIC

- Traffic concerns in and around Willett Elementary School, including (but not limited to) the speed limit, pick-up and drop-off of students in this area. (New Business – Ms. Porreca and Mr. Kobus)
- Communication from Phyllis Carter of West Street addressing speed limit enforcement and alternatives (4/3/2018)
- 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)
- Communication dated February 26, 2018 from resident Diane Federico regarding the speed limit on County Street.
- 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 the parking options for Beagle Club Road and that restrictions up to and including NO PARKING. (NB: Mr. Cooper)

BUDGET & APPROPRIATIONS

- Communication from Attleboro Schools requesting an appropriation to engineer and build Wi-Fi for High School (4/6/19/18)
- Communication from Council on Aging to approve expenditure of FY2019 Formula Grant money(13/6/19/18)
- Communication from Council on Aging regarding expenditure of FY2019 SHINE Fund (6/6/19/18)
- Communication dated June 18, 2018 from Tamposi Brothers Holdings, about a partnership for Highland Country Club Purchase. (6/18/19)
- \$3,100,000.00 Loan order for the purchase of Highland Country Club located at 104 Mechanic Street (PH 6/19/18)
- Investigate acquiring 91.5(+/-) located at 104 Mechanic Street known as Highland Country Club (PH 6/19/18)
- Communication dated May 15, 2018 from Matt & Barrie Mooney, 22 Green Drive, Attleboro, MA in opposition to the sale of Highland Country Club. (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 options to prevent a sale. (6/5/18)
- 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

- License application from Friends of Capron Park for one-day liquor license October 6, 2018 (PH 7/17/18)
- Communication dated May 14, 2018 from Roland Lemoi, 29 Longfellow Street, Pawtucket, RI relative to complaints 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)
- 2018 Class II Auto License 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 for 4 Display spaces and 10 Customer Parking spaces (6/5/18) (Call for a Public Hearing on July 17, 2018)
- Communication from Attorney Edward Casey to Laura Dolan, Chairperson of the License Committee relative to Stateline Auto Brokers, Inc. 1115 Washington Street, Attleboro, MA. (5/1/18)
- 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 Veteran Director regarding Elks Riders \$250 Stop & Shop G.C. donation (4/6/19/18)
- Communication from the Library regarding a National Endowment Grant and future expenditures (12/6/19/18)

PERSONNEL & HUMAN SERVICES

- Communication to appoint Kourtney Wunshcel to fill three year term as Water Superintendent – expires Feb 2021 (7/6/19/20)
- Reappointment of Brad Goldstein to the Cultural Council for a 2-year term. Term to expire February 2020 (1/6/19/18)
- 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 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

- Communication from Marian Wrightington relative to the demolition of the carriage house at 17 Peck Street, Attleboro, MA
- 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)
- 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:

NEW BUSINESS: To refer the following matter to the appropriate committee for study and recommendation: Accept MGL Regulating 3% Marijuana Sales Tax. Move to accept M.G.L. Chapter 64N, Sec. 3 as amended by Chapter 55 of the Acts of 2017. (New Business – 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.