

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
JULY 17, 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, June 19, 2018. Executive Sessions June 6, 2017, June 27, 2017 and April 10, 2018 and May 8, 2018.

JOINT PUBLIC HEARING relative to the 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.

JOINT PUBLIC HEARING relative to the City adopting an ordinance governing the operation of non-medical Marijuana Establishments as defined under MGL Chapter 94G, Section 1. by amending certain sections and subsections of Chapter 17 – Zoning of the Revised Ordinances of the City of Attleboro as follows: §17–3.4 Table of Use Regulations, §17–8.6 FEE SCHEDULE, §17–10.15 REGISTERED MARIJUANA DISPENSARY USES, §17–11.2 DEFINITIONS (new definitions) and any other sections relative to the proposed use. (copy of the ordinance attached)

Continued from the meeting of June 5, 2018: PUBLIC HEARING relative to application of 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, to operate a Registered Medical Marijuana Dispensary Center and a Medical Marijuana Cultivation Center, the subject premises being located at 527 Pleasant Street, more specifically Assessor's plat 225, Lot #5, located in an Industrial Zoning District.

PUBLIC HEARING relative to a one-day liquor license request from the Friends of Capron Park at the Capron Park Zoo on Saturday, October 6, 2018.

PUBLIC HEARING relative to the 2018 Class II Auto License application from Omar Halabi of 4 Newton Street in Fairhaven, MA D/B/A Better Auto at 473 Washington Street for 4 Display Parking Spaces and 10 Customer Parking Spaces.

PUBLIC HEARING relative to the Class II amended license application from New England Automax, Inc., 800 Washington Street Attleboro, MA for 10 Customer Parking Spaces and 100 Display Spaces.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

Peter Blais, Chairperson

1. The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the receipt of Public Safety Answering Point Support and Incentive Grant of approximately \$93,651.00 for FY2019 from the Executive Office of Public Safety and Security (EOPSS) - State 911 Department. No match is required by the City. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds by the Attleboro Police Department as specified within the parameters of the grant and also approve any further grant amendments. (Copies in your packets) (2/6/19/18)
2. The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding the need for funds to replace the Police Station kitchenette to include applicable appliances. Also included in this request is a \$1,000.00 contingency to cover any unanticipated costs. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$11,926.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 1100210-582510 (General Fund Continuing Appropriation Police Department - Renovations). (Copies in your packet)

In order to be able to process this request for the end of FY2018 deadline, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2018.

(3/6/19/18)

3. The Mayor respectfully submits a communication from Inspector of Buildings William McDonough regarding the urgent need for funds for the demolition and removal of the partially collapsed and abandoned house at 24 Wilmarth Street. All proper notifications and procedures, in accordance with 780 CMR R114.0 Unsafe Structures and M.G.L. c. 143 sec. 6, 7, 8, 9 and 10 have been complied with. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$9,960.00 from Account 11241000-578300 (City Wide-Reserve Funds for Transfer) to the following:

\$9,660.00 to Account 12401000-530112 (Protective Inspection - Demolition Services)

\$300.00 to Account 12401000-530101 (Protective Inspection - Professional Services)

Upon approval, the available balance in the Reserve Fund for Transfer will be \$15,293.14. (Copies in your packets)

In accordance with Article 2, Section 2-9 (b) of the City Charter of the City of Attleboro, I respectfully request Your Honorable Body to consider this as an

emergency measure.
(10/6/19/18)

PUBLIC WORKS

Kate Jackson, Chairperson

1. The Mayor respectfully submits a communication from Acting Superintendent of Water Kourtney Wunschel regarding the need for funds for the design and engineering relative to the replacement of Deanville Road water main on Mass DOT land. On February 15, 2018, Your Honorable Body approved funding to make repairs to the water main on the section of Deanville Road that travels under the highway. This repair was attempted on June 6, 2018 and it was discovered that the water main is not broken in that location but is in fact broken under the highway and needs to be replaced. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$117,000.00 from Account 6100-359000 (Water Enterprise Fund - Retained Earnings) to 3330-499000 (Deanville Road - Other Financing Sources). (Copies in your packets)

In order to be able to process this request for the end of FY2018 deadline, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2018.

(9/6/19/18)

2. Communication dated June 11, 2018 from Acting Water Superintendent Kourtney Wunschel with the Water Department's annual Cross Connection Control Plan.
(6/19/18)

ZONING & LAND USE

Todd Kobus, Chairperson

1. To refer the following matter to the appropriate committee for study and recommendation: Repeal Moratorium on Recreational Marijuana. Move to delete Section 1 – 16 Moratoriums (adopted 1/116/18) in its entirety. (New Business – Mr. Kobus)
(6/19/18).
2. Communication dated June 8, 2018 from Wastewater Superintendent, Thomas Hayes with comments he submitted on the application from Briarleaf, LLC for a Registered Marijuana Dispensary.
(6/19/18)
3. Communication dated June 12, 2018 from Director of Planning Gary Ayrassian, with comments he submitted for the application from Briarleaf, LLC, for a Registered Marijuana Dispensary.
(6/19/18)

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti, Chairperson

1. The Mayor respectfully submits a communication from City Auditor Deborah Gould and City Treasurer Laura Gignac regarding a review of the Water Enterprise Capital Projects which indicates that the unissued debt associated with Fund #3318 Oak Hill Water Storage Tank Rehabilitation should be rescinded as the project is completed and no further debt will be issued for this project.

Therefore, the Mayor hereby requests Your Honorable Body rescind \$762,479.00 of the Oak Hill Water Storage Tank Rehabilitation Authorization as the remaining debt will not be issued. This vote will reduce the City's Authorized and Unissued Debt. (Copies in your packets).

In order to be able to process this request for the end of FY2018 deadline, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2018.

(14/6/19/18)

BUDGET AND APPROPRIATIONS

Jay DiLisio, Chairperson

1. The Mayor respectfully submits a communication from Attleboro Public Schools Director of Finance Marc Furtado regarding the need for an appropriation from the E-Rate Stabilization Fund in order to engineer, build and utilize a Wi-Fi network that will be installed at the high school. The network constructed will be able to be repurposed upon the demolition of the existing building. According to the City Auditor, use of the funds in this newly established Special Purpose Stabilization Fund requires a vote of the Honorable Municipal Council appropriating funds for use into an account established for the school department. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$110,000.00 from 8505-599000 (E Rate Stabilization Fund - Other Financing Uses) to Fund 2701-499000 (E Rate IT Fund- Other Financing Sources)

In order to be able to process this request for the end of FY2018 deadline, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2018.

(5/6/19/18)

2. The Mayor respectfully submits a communication from Director of Council on Aging Madeleine McNielly regarding the award of the FY2019 SHINE Grant of approximately \$18,822.00 for the first quarter, with the anticipated balance of approximately \$75,285.00. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds by the Council on Aging for expenditure during FY2019 and also approve any further grant amendments. (Copies in your packets).

In order for this grant to become effective for July 1, 2018 to pay associated salary and benefits for FY 2019, the Mayor hereby requests Your Honorable

Body to consider this prior to June 30, 2018.

(6/6/19/18)

3. The Mayor respectfully submits a communication from Library Director Christine Johnson regarding the need for funds for the rental of cooling equipment for the next three months along with the installation and removal of the rental equipment. As you are aware, the Attleboro Public Library has had on going issues with the HVAC system and it is now in disrepair. The lack of air conditioning effects not only staff and patrons but also the numerous reading material and computers in the building. One quote has been received for \$37,460.00 and we are working on getting two more quotes per procurement laws. Therefore, the Mayor hereby requests Your Honorable Body fund \$37,460.00 to Account 1100610-527011 (General Fund Continuing Appropriation - Public Library - Chiller Rental) by taking the following votes:

\$28,530.04 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to 1100610-527011 (general Fund Continuing Appropriation - Public Library -Chiller Rental)

\$8,929.96 from Account 11241000-578300 (City Wide - Reserve Fund for Transfer) to account 11241000-599000 (Citywide- -Other Financing Uses) and to further transfer from 11241000-599000 to 1100124-499000 (General Fund Continuing Appropriation Citywide - Other Financing Sources) and to finally transfer \$8,929.96 from 1100124-499000 (General Fund Continuing Appropriation Citywide - Other Financing Sources) to 1100610-527011 (General Fund Continuing Appropriation - Public Library- Chiller Rental)

Upon approval, the available balance in Reserve Fund for Transfer will be \$6,363.18. (Copies in your packets)

In accordance with Article 2, Section 2-9 (b) of the City Charter of the City of Attleboro, I respectfully request Your Honorable Body to consider this as an emergency measure. (11/6/19/18) (VOTED AS AN EMERGENCY MEASURE ON JUNE 19, 2018)

4. The Mayor respectfully submits a communication from Director of Council on Aging Madeleine McNielly regarding the anticipated award of the FY2019 Formula Grant of approximately \$94,812.00. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds by the Council on Aging for expenditure during FY2019 and also approve any further grant amendments. (Copies in your packets)

In order for this grant to become effective for July 1, 2018 to pay associated salary and benefits for FY 2019, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2018.

(13/6/19/18)

5. Communication dated June 18, 2018 from Joe and Jake Tamposi of Tamposi Brothers Holdings, LLC suggesting a partnership with the City for the Highland Country Club Purchase. (6/19/18)
6. Communication dated June 11, 2018 from Attorney Edward Casey submitting letters from the Tamposi Brothers Holdings, LLC as well as letters of support from various business leaders in Florida. (6/19/18)

CITY PROPERTY & CLAIMS

Sara Lynn Reynolds, Chairperson

1. The Mayor respectfully submits a communication from Director of Veterans' Services Ken Badertscher regarding the donation of \$250.00 in Stop & Shop gift certificates from the Attleboro Elks Riders. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro. (Copies in your packets) (4/6/19/18)
2. The Mayor respectfully submits a communication from Library Director Christine Johnson regarding a Grant from the National Endowment for the Arts to the City of Attleboro for the Community-wide Big Read Program of approximately \$15,000.00. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve the expenditure of such funds and any other further grant amendments by the Attleboro Public Library to support the Big Read Program activities as authorized by the granting authority. Details of the program will be announced to the public in July. (Copies in your packets) (12/6/19/18)

PERSONNEL AND HUMAN SERVICES

Diana Holmes, Chairperson

1. The Mayor respectfully submits for confirmation by Your Honorable Body the reappointment of Brad Goldstein to the Cultural Council for a 2-year term. Term to expire February 2020. (Copies in your packets) (1/6/19/18)
2. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Kourtney Wunschel to fill a three-year term of Superintendent of Water. Term to expire February 2021. Ms. Wunschel was offered the position with the City of Attleboro on June 14, 2018, with a start date of July 1, 2018, under a temporary 90-day appointment in accordance with Section 3.3 (b) of the Attleboro Home Rule Charter. (Resume in your packets) (7/6/19/18)
3. The Mayor respectfully submits a communication from Personnel Director Owen Bebeau regarding the need to add Laboratory Manager to the exempt classification plan. This position has been in existence for a number of years and

appears that through an oversight it has not been officially placed on the Classification Plan. It is recommended that the position, which is in the Water and Wastewater Departments, be officially placed on the Exempt Classification Plan at grade 7. Therefore, the Mayor hereby requests Your Honorable Body establish a Laboratory Manager position to be placed at Grade 7 on the City's Classification Plan. (Copies in your packets) (8/6/19/18)