

**Municipal Council
REGULAR MEETING – IN PERSON**

**March 15, 2022
Tuesday, 7:00 P.M.**

All Councilors were present except for Councilor Holmes.

The Council stood for a salute to the flag.

Council voted 10 yeas (Holmes absent) to suspend the rules. President DiLisio advised there was a guest to read a statement on Ukraine support.

Unanimously (Holmes absent) voted to approve the following records:
January 18, February 1, 15 and March 1, 2022.

Laurie Sawyer, Chair of the Council on Human Rights came forward to read the Ukraine Support statement.

City Clerk Kate Jackson read the first public hearing notice for the following:

PUBLIC HEARING regarding the Class II License application submitted by Papantoniadis Automotive Group, Inc. d/b/a/ ToyKarzz Motorsports at 676 Pleasant Street with 17 customer and 95 display spaces.

Speaking in favor was Attorney John Jacobi of Bank Street who spoke on behalf of the applicant.

Speaking in favor was Francis Arujo of 61 Oak Hurst Street, North Attleboro and of the Papantoniadis Automotive Group.

No one spoke against. No one spoke neither for nor against. Chair Waterman closed the public hearing.

Clerk Jackson read the next public hearing notice for the following;

PUBLIC HEARING regarding the petition from Massachusetts Electric Company and Verizon New England, Inc. requesting to install a new pole (1071) on County Street and install an intermediate pole (1071-1) 106 feet from new pole 1071.

Speaking in favor on behalf of National Grid was Engineer Al Galvin of Hopedale, Massachusetts.

No one spoke against. No one spoke neither for nor against. Chair Dolan closed the public hearing.

Clerk Jackson then read the Mayor's communication.

March 15, 2022

Dear Municipal Councilors:

1. The City of Attleboro has been notified of its FY2023 apportionment for the “Chapter 90” local transportation aid in the amount of \$1,206,095.00. Therefore, I respectfully request Your Honorable Body to authorize the expenditure of \$1,206,095.00, and any other future grant amendments, into Fund 3108 (Chapter 90 Projects) for the purpose of funding Chapter 90 eligible projects as approved by the Massachusetts Department of Transportation (MassDOT).
2. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need to fund the gasoline fuel account due to an increase in consumption and increased pricing. Therefore, I hereby request Your Honorable Body appropriate \$25,775.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548010 (Public Works – Gasoline Fuel).
3. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for funds in the diesel fuel account due to an increase in consumption and increased pricing. Therefore, I hereby request Your Honorable Body appropriate \$55,508.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-548011 (Public Works – Diesel Fuel).
4. I respectfully submit a communication from Superintendent of Wastewater Thomas Hayes regarding the need for funds to replace two Lime Slaker grit remover assemblies. A 15% contingency has been added and the installation will be done by Wastewater staff. Therefore, I hereby request Your Honorable Body appropriate \$30,250.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account 6000-589072 (Wastewater Enterprise Fund – Grit Screw).
5. I respectfully submit a communication from Personnel Director Owen Bebeau regarding the need for funds to purchase a new desk for the office. Therefore, I hereby request Your Honorable Body transfer \$499.99 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11521000-542020 (Personnel – Supplies Office Equipment). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$2,105.69.
6. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for funds to cover the cost of an amendment in the current contract for the replacement of Pitas Avenue Bridge. The additional funds are required to cover unanticipated costs to perform environmental subsurface characterization, extended survey and roadway re-design and Chapter 91 dredge permitting. Therefore, I hereby request Your Honorable Body appropriate \$25,600.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3571 Pitas Avenue Bridge.

7. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for funds to cover the cost of an amendment in the current contract for the replacement of the Peckham Street culvert. The additional funds are required to cover unanticipated costs to perform environmental subsurface characterization, extended survey and roadway re-design and Chapter 91 dredge permitting. Therefore, I hereby request Your Honorable Body appropriate \$34,285.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3570 Peckham Street Culvert.

8. I respectfully submit a communication from Veterans Agent Ben Quelle regarding the donation of \$1,000.00 in Stop & Shop gift cards from the SONS of the American Legion Post 312. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept these generous donations.

9. I respectfully submit a communication from Attleboro Youth Commission member Sarah Ribeiro regarding the donation of 25 t-shirts from Max Crawford to be used at their discretion for AYC activities. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept these generous donations.

10. As Your Honorable Body is aware, the replacement of the ozone system at the West Street treatment plant Phase 1a and Phase 1b are categorized as priority "1" in the FY2023-2027 Capital Improvements Program. The project consists of design, permitting, bidding, construction and construction oversight for the replacement of the ozone system. The equipment is original to the plant construction in 1995 and repairs are becoming costly. The new system will reduce energy costs. This project is explained in greater detail in a memorandum from Superintendent of Water, Kourtney Allen.

A loan authorization of \$5,200,000.00 is now needed for this project.

Voted unanimously (Holmes absent) to call a public hearing on April 19, 2022 for the following loan order.

Therefore, I hereby request Your Honorable Body to approve the following loan order:

ORDERED: that Five Million Two Hundred Thousand Dollars (\$5,200,000.00) is appropriated for the design, permitting, bidding, construction and construction oversight costs associated with the replacement of the ozone system at the West Street treatment plant, located at 1296 West Street, Attleboro, Massachusetts, including all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow Five Million Two Hundred Thousand Dollars (\$5,200,000.00) 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 Project.

I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding the award of the Formula Grant and its new process. The new award is a ten-year rate award contract and the annual rate is a function of the state budget. This new award will be good until 2032 and the Council on Aging will inform the Municipal Council annually of its award amount. The Council on Aging has been awarded \$94,182.00 for this fiscal year. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to approve the expenditure of such funds by the Council on Aging and also approve any further grant amendments.

12. I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding the receipt of a grant for the SHINE Program through the Executive Office of Elder Affairs in the amount of approximately \$74,746.98. The Council on Aging plans to spend the funds according to the scope of services given by Executive Office of Elder Affairs. The funds must be spent by June 30, 2022. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body approve expending such funds and any future grant amendments.

Additionally, I request the approval of these funds by April 5, 2022 in order to spend the funds prior to the deadline.

13. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull regarding the façade restriction on 135 County Street. As you are aware, Your Honorable Body voted on May 14, 2019, to declare the Old Attleboro High School building on 135 County Street and associated parking lot on 0 Cora Street to be available for disposition with the following amendment:

“To keep as much of the outside integrity of the building, which was built in 1912, intact. To retain and maintain at the very minimum, it’s current façade, the current front stairs and the grassy area and landscaping which faces County Street.”

Additionally, a communication was sent on February 4, 2020 to Your Honorable Body to remove the façade restriction. This request was subsequently stricken from the docket and has yet to be revisited.

The City has issued three Requests for Proposals (RFPs) in an effort to sell the building with no success. The first two RFPs – issued in September and December of 2019 – were unsuccessful due to lack of bidders. The third RFP, issued in December 2020 had a single respondent who requested the City finance their \$1,000,000 purchase price with a seller note to be paid back over the course of the project. No City personnel involved in the project were comfortable with that condition and the proposal was rejected.

Based on feedback received from interested developers, we have determined that the façade restriction referenced above poses too great an obstacle for developers to overcome while maintaining economic viability.

It is the City’s intention to sell the property to defray AHS project-related borrowing, to return the property to City tax rolls, and to end yearly utility and upkeep expenses associated with the building. The façade restriction is currently complicating all three of those goals.

Therefore, I respectfully request Municipal Council revise their May 14, 2019 Vote #2 to remove the façade restriction from the 135 County Street and 0 Cora Street surplus declaration.

14. I respectfully request your approval on behalf of Old Colony Habitat for Humanity to waive certain permit fees for the construction of the next Habitat Build, which will take place on Pike Avenue. Therefore, I hereby request Your Honorable Body waive the following fees:

- Building Permit
- Mechanical Permit
- Electric (35%)
- Plumbing (35%)
- Gas/HVAC (35%)
- New Water Service Fee
- Sewer Connection

15. I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the need to surplus the following .45 Cal firearms to be used for trade-in value. Therefore, I respectfully request Your Honorable Body to surplus the items below. (Copies in your packets)

Glock Model 30 with the following serials numbers: KRK970, XRK971, XRK972, XRK973, XRK974, XRK975, XRK976, XRK977, XRK978, XRK979, XRK980, XRK981, XRK982, XRK983, XRK984, XRK985, XRK986.

16. I respectfully submit for confirmation by Your Honorable Body the appointment of Diane Mangiaratti, 50 Oxbow Drive, Attleboro as an Alternate Member on the Historical Commission, to fill an expired term. Term to expire February 2024. (Copies in your packet)

16/3/15/22 – REFERRED TO COMMITTEE

17. I respectfully submit for confirmation by Your Honorable Body the following reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Ian Daley	Constable	1 Year	February 2023
Domenic Cotoia	Cable Commission	1 Year	February 2023
James Jones	Cable Commission	1 Year	February 2023

Ed Stanton	Cable Commission	1 Year	February 2023
Marian Wrightington	Historical Commission	3 Year	February 2024*
Brian Ludwig	Historical Commission	3 Year	February 2024*
Rachel Killion	Historical Commission	3 Year	February 2024*
Leonard Yutkins	Historical Commission (Alt)	2 Year	February 2023*
Jeffery Keefer	Dog Officer	1 Year	February 2023
Carolyn Eaton	Dog Officer	1 Year	February 2023
Donald Smyth	Board of Assessors	3 Year	February 2025

*Term expiration was 2021; however, reappointments were not done in 2021. Expiration date listed keeps terms in line with ordinance.

18. I respectfully submit a communication from Health Agent Jessica Horsman regarding the receipt of a Sustainable Materials Recovery Program Municipal Grant from the Massachusetts Department of Environmental Protection. The amount of the grant this fiscal year is approximately \$48,000.00 in Recycling Dividends funds. The funds do not have to be spent in the fiscal year received and may be carried over to future years. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to approve expending such funds and any future grant amendments.

19. I respectfully submit a communication from Superintendent of Water Kourtney Allen regarding the need for funds for Health Insurance, Medicare Tax and Workers' Compensation. A review of the Health Insurance HMO and Medicare tax accounts reveal that additional funding will be required to cover the anticipated expenses for the remainder of FY2022. Additionally, due to unexpected worker's compensation claims, an internal transfer was made from Salary and Wages to cover the immediate need. Therefore, I hereby request Your Honorable Body appropriate \$90,400.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to the following:

\$40,000.00 to Account 6100-517120 (Water Enterprise Fund – Health Insurance HMO)
 \$ 4,400.00 to Account 6100-517240 (Water Enterprise Fund – Medicare Tax)
 \$46,000.00 to Account 6100-511000 (Water Enterprise fund – Salary and Wages)

20. I respectfully submit a communication from Fire Chief Scott T. Lachance regarding the receipt of the FY2022 Student Awareness of Fire Education (SAFE) Grant and the FY2022 Senior SAFE Grant from the Commonwealth of Massachusetts of approximately \$9,530. The mission of the SAFE program is to provide fire and life safety education within the community, with an emphasis on educating children and seniors about fire and other related dangers. There is no matching requirement for this grant. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body approve expending of such funds and any future grant amendments by the Attleboro Fire Department.

21. I respectfully submit a communication from Fire Chief Scott T. Lachance regarding the need to replenish funds in the Retrofit Lights Account after using the funds to

complete the installation of security cameras. Therefore, I hereby request Your Honorable Body transfer \$750.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-587385 (Fire – Retrofit Lights). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$1,355.69.

22. I respectfully submit a communication from Economic Development Director Catherin Feerick regarding the grant award of \$1,303,600.00 from the Federal Transit Administration (FTA) to be transferred to the Greater Attleboro-Taunton Regional Transit Authority (GATRA) related to transportation projects improving the Transit-Oriented Development District (TOD). This grant requires matching funds in the amount of \$325,900.00 from the City. Also, this grant includes an in-kind gift from GATRA, funded through the FTA grant, of pedestrian infrastructure (a footbridge across the Ten Mile River and sidewalk extension) and a feasibility study and economic impact analysis for a parking structure within Attleboro’s TOD.

In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body accept this generous donation to the City of Attleboro.

Additionally, I hereby request Your Honorable Body appropriate \$325,900 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3569 TOD GATRA.

23. I respectfully submit a communication from Director of Recreation Dennis Walsh regarding the need for funds in the heating account due to the increase in prices. Therefore, I hereby request Your Honorable Body transfer \$3,500.00 from Account 16301000-511000 (Recreation – Salary & Wages) to Account 16301000-521010 (Recreation – Heating).

24. I respectfully submit a communication from Superintendent of Parks & Forestry Derek Corsi regarding the need for an ordinance change to raise admission fees and change the membership fee structure at the Capron Park Zoo. As you are aware, this request was sent to Your Honorable Body in April of 2020 and was not acted on at that time. Due to the sharp rise in food, bedding and animal care costs, many of the current zoo membership and admission fees are insufficient to cover zoo operation costs as well as make significant improvements to the zoo’s infrastructure. City Solicitor Cynthia Amara reviewed the changes to the Revised Ordinances of the City of Attleboro and approved them as to form.

Therefore, I hereby request the following amendments to Sections 12-3.7 of the revised ordinances:

1.) Delete Section 12-3.7 in its entirety and replace with the following:

12-3.7 Capron Park Zoo Admission Fees and Policies

*New Fees to begin

July 1, 2022*

	RESIDENTS	NON-RESIDENTS
Children (under age 3)	FREE	FREE
Youths (age 3 – 12)	\$7.50	\$8.50
Adults (age 13 and over)	\$8.50	\$10.00
Senior Citizens (age 65 and over)	\$6.50	\$7.75
Military	\$5.50	\$5.50

Group Rates for five or more individuals of non-profit organizations only are:

	RESIDENTS	NON-RESIDENTS
Children (under age 3)	FREE	FREE
Youths (age 3 –12)	\$6.75	\$7.75
Adults (age 13 and over)	\$7.75	\$9.25

ANNUAL MEMBERSHIPS
2023*

*New Fees to begin January 1,

Individual	\$	35.00
Zoo Two	\$	45.00
Zoo Three	\$	55.00
Zoo Six	\$	85.00
Senior Zoo Six	\$	75.00
Zoo Seven	\$	125.00
Supporter	\$	250.00
Sustaining	\$	500.00
Patron	and	
Business	\$	1,000.00

Zoo Memberships

- Memberships are not transferrable
- Members must show identification along with their card for admission.

General Benefits

- Free Admission for the number of guests indicated on the membership card. One adult named on the card must be present for admission to the zoo.
- 10% discount on concession and gift shop purchases
- Discounts on Education Programs

- Free or discounted admission to over 100 AZA institutions nationwide.

Zoo Two, Zoo Three, Zoo Six and Senior Zoo Six allowed two adults to be named on the membership card, one of whom needs to be present for admission to the zoo.

Zoo Seven allows three adults to be named on the membership card, one of whom must be present for admission to the zoo. Additional guests may be added to the Zoo Seven for \$10.00 per guest at the time of membership purchase.

Zoo Supporter provides free admission for up to ten guests one of whom must be an adult named on the membership card. Three adults can be named on the cards.

Zoo Sustaining Membership allows free admission for up to 15 guests, one of whom must be an adult named on the card. Three adults can be named on the membership card

- Zoo Sustaining Memberships include 15% discounts on concession and gift shop purchases.

Zoo Patron allows free admission for up to twenty guests one of whom must be an adult named on the membership card. Three adults can be named on the card.

- Zoo Patron Membership includes 20% discount on concession and gift shop purchases.
- Discounted admission to zoo events.
- Two Director's Rounds behind the scene tours for up to 5 people. Tour must be arranged in advance.

Business Membership allows free admission for up to twenty guests one of whom must be an employee of the business. The employee must bring the business membership card and proof of employment with the business.

- Business Memberships receive a 20% discount on concession and gift shop purchases.
- Discounted admission for the business owner to special zoo events such as Zoo Moon and Zoo Boo.
- Two Director's Rounds behind the scene tours for up to five people. Tour must be scheduled in advance.

All children under the age of 13 years must be accompanied by an adult. School age persons may not enter the zoo during school hours unless accompanied by a chaperone.

Disabled people, whom are assisted by a working dog, must be accompanied by a staff member when visiting the zoo.

The Park Superintendent and the Zoo Director shall have the authority to waive the admission fee during inclement weather.

The admission fee or pass shall cover the entire day. Persons will be permitted to leave and re-enter the zoo on the same day without having to pay an additional fee. This is during regular zoo hours only.

The Superintendent of Parks & Forestry and the Zoo Director shall be responsible for implementing the provisions of this ordinance and for the safekeeping and accounting of the monies collected. All monies collected from admission fees shall be deposited in a revolving fund in accordance with the provisions of MA General Laws, Chapter 44, Section 52 1/2E.

Friends of Capron Park Zoo who are active in the organization do not pay entrance into the zoo. All other programs offered by the zoo are at normal cost.

Residents with a financial need may obtain free passes to the zoo through various agencies or by contacting the zoo office. Information regarding the availability of free passes will be posted at the zoo.

This ordinance shall become effective immediately upon passage.

Voted unanimously (Holmes absent) to call a public hearing on April 19, 2022 regarding the proposed amendments to Section 12-3.7 of the City Ordinances to raise admission fees and change the membership fee structure at the Capron Park Zoo.

25. I respectfully submit a communication from Superintendent of Parks & Forestry Derek Corsi regarding the need for funds to hire a consulting firm for the preparation of a Comprehensive Master Plan and Strategic Plan for Capron Park Zoo. This plan will create a shared vision and operational roadmap for developing the Zoo for the next 10-15 years. This plan is important to inform a logical, timely program of major repairs and replacement to the zoo's existing buildings and infrastructure. It will further identify and establish the short/long range development of the zoo to ensure its exhibits, education programs and visitor amenities continue to draw a strong number of visitors for the foreseeable future. The zoo is up for AZA accreditation this summer and it would be very beneficial during that process to have a master/strategic plan in progress at that point in time. Therefore, I hereby request Your Honorable Body appropriate \$100,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 16601000-584059 (Capron Park Zoo – Master Plan).

26. I respectfully submit a communication from Superintendent of Public Works Michael Tyler regarding the need for funds to replace two ornamental streetlights located on Pleasant Street that were damaged in separate automobile accidents earlier this year. Although claims were put through the insurance company, the City is still waiting for the insurance reimbursement to replace the ornamental streetlights. Therefore, I hereby request Your Honorable Body appropriate \$37,488.00 from Account 1000-359000

(Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-587360 (Public Works – Ornamental Lights).

27. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull regarding the executed memorandum of agreement with the Attleboro Police Association, which covers fiscal years 2021, 2022 and 2023. Therefore, I hereby request Your Honorable Body transfer \$103,750.00 from Account 11241000-578350 (City Wide Reserve for Labor Negotiations) to Account 12101000-513001 (Police Department – Lump Sum Retro) to fund Section 1. C. of the MOA.

Additionally, I hereby request Your Honorable Body appropriate \$249,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 12101000-513001 (Police – Lump Sum Retro) to fund Section 1. D. of the MOA.

28. I want to give you an update on free cash spending. As of right now, we have \$5,690,694 in free cash.

Right now, the city council is considering:

2/1/22 - COA Feasibility Study	(\$150,000.00)
3/1/22 - DPW Crosswalk Systems	(\$68,257.57)
3/1/22 Treasurer - Med Tax	(\$30,000.00)
3/1/22 Sidewalk Construction Read Street	(\$1,097,000.00)

The following are in this communication.

3/15/22 - DPW Gasoline Fuel	(\$25,755.00)
3/15/22 - DPW Diesel Fuel	(\$55,508.00)
3/15/22 - DPW Pitas Ave Bridge	(\$25,600.00)
3/15/22 - DPW Peckham Street Culvert	(\$34,285.00)
3/15/22 - TOD Project	(\$325,900.00)
3/15/22 – Zoo Master Plan	(\$100,000.00)
3/15/22 - DPW Ornamental Lights	(\$37,488.00)
3/15/22 - Police Lump Sum Retro	(\$249,000.00)

That is \$2.198 million in current requests you have before you, leaving us with \$3.491 million.

With that \$3.491 million, I have also set aside the following expenses:

Highland Pavilion	(\$750,000.00)
Balance FY23	(\$1,300,000.00)

I set aside \$750,000 for a performing arts pavilion that is estimated to have a \$550,000 construction cost. Unlike buying trucks or copy machines, a pavilion is something fun

and exciting that people will be able to enjoy. I urge you to vote to approve that when I send it to you. There is a lot of public support for this project.

Please note that I am also setting aside \$1.3 million to balance the budget if that money is needed; it may not be.

If we fund all of these things that are in front of you, the pavilion, use \$1.3 million to balance the budget, we are still left with \$1.442 million. (Even if we need \$2 million to balance the budget, we are still left with over \$700,000 in free cash and that is still after a balanced budget, and a performing arts pavilion is funded)

It is the intention to use that \$1.442 million after the budget is balanced and we fund a pavilion, to do targeted roadway improvements, add to OPEB Trust, and add more to the historic high of \$5.6 million stabilization we currently have (NOTE: we have already put another \$500,000 in stabilization in November 2021 up from \$300,000 in FY 19 through FY22 budgets, which is historically far more than was done at \$282,000 per year prior to 2018.)

Historically, we often started in October with \$2-4 million in free cash (see below). We have almost \$5.7 million right now in March.

If the council approves everything I have sent to the council, we still have nearly \$3.491 million left. This is why I am comfortable sending to the council the things I have sent, and having enough to still do a performing arts pavilion, balance the budget, pay for any other unexpected end of year bills that arise, do some more roads, and contribute even more to the OPEB Trust.

There was a comment at a recent city council meeting that we should “close the checkbook.” I strongly disagree. Never in the city’s history have we had \$5.7 million in free cash in March and closed the checkbook. Even if the council approved all of the requests I have sent, we are left with \$3.491 million. We have work to do to make the city a better place and we should do it on one-time projects that we paused over the past couple of years. Never in the city’s history did we have \$3.491 million in March and closed the checkbook.

We are in the healthy free cash place we are in because we stopped spending due to COVID, we had very conservative revenue projections, rolled over a lot of money over the last 4 years because I had been saving up for several things – like the \$400,000 Fire SCBA gear you recently approved and the \$300,000 TOD project before you right now, to name a couple expensive examples. The \$1.5 million project at Rathbun Willard Drive is one that past administrations would have bonded for; we paid for it out of free cash because I saved up for it over the course of several years, rolling the free cash over from one year to the next. The \$600,000 gunshot detection system is something that was paid for with marijuana host fee/impact fee revenues.

I think part of the perception that we are spending too much is the psychological feeling of uneasiness of spending amounts we have never spent before. I understand that. But please keep in mind that a lot of spending that did not happen in recent previous years was rolled over and is happening all right now. It is a healthy thing to spend money that was rolled over as the city has the money and we have work to do that we did not do in years past, improvements to make, and a better experience that citizens of the city get from their city government.

ARPA - We also still have over \$17 million in ARPA money that we planning for. Jeremy Stull has already provided you a break-down of how that money would be spent. Please contact him for details of how that \$17 million would be spent.

This is our historical amounts of free cashing starting in October of each year that I have mentioned above. We will not have nearly \$14 million in free cash in future certifications. We should expect to go back to the \$3-4 million range.

\$7,333.00	FY2002
\$911,559.00	FY2003
\$1,441,988.00	FY2004
\$777,368.00	FY2005
\$1,258,572.00	FY2006
\$1,118,222.00	FY2007
\$2,813,977.00	FY2008
\$1,638,504.00	FY2009
\$2,144,107.00	FY2010
\$2,218,557.00	FY2011
\$2,055,622.00	FY2012
\$2,535,620.00	FY2013
\$2,685,109.00	FY2014
\$2,261,060.00	FY2015
\$3,633,051.00	FY2016
\$3,121,574.00	FY2017
\$3,826,524.00	FY2018
\$3,828,290.00	FY2019
\$8,246,189.00	FY2020
\$13,912,318	FY2021

As I said above, we have never closed the checkbook in March when sitting on nearly \$5.7 million in free cash and we should not now. There is too much work to do to make the city a better community.

The bottom line is that we are in a very healthy place.

Sincerely,

Paul Heroux, Mayor

**ATTLEBORO CITY CLERK COMMUNICATIONS
MARCH 15, 2022**

Clerk's office received a request for permission to install a new pole (40'C#) across from Pole 5173 on Pine Street from the Massachusetts Electric Company.

Voted unanimously (Holmes absent) to hold a public hearing on April 19, 2022

Regarding the application of Massachusetts Electric Company to install a new pole (40'C#) across from Pole 5173 on Pine Street.

REFERRED TO THE PUBLIC WORKS COMMITTEE

A certificate of vote from the Planning Board regarding the proposed amendments to 17-9.0 Special Permits and 17-15.0 Site Plan Review of the City's Zoning Ordinance to certify the unanimous vote to adopt the amendments.

REFERRED TO THE ZONING AND LAND USE COMMITTEE

The Clerk's office received 2 letters from Mayor Heroux regarding Read Street paving and possible sidewalks.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Eleven letters of support for sidewalks on Read Street were received from the City Council office. The following people wrote in favor: S. Mercier, A Struminski, R. Denningham III, M. Larginho, L. Larginho, F. Calle, B. Noble, D. Walton, R. Bogins, T. Vecchiarelli and K. Marino.

REFERRED TO THE PUBLIC WORKS COMMITTEE

The Council voted to enter the Committee of the Whole.

The Council voted to arise from **Committee of the Whole at 7:48 p.m.**

The President then called for **Committee reports.**

Chair Waterman of the **License Committee** requested a meeting at the next appropriate time.

Chair Dolan of the **Public Works Committee** brought forward the following votes:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to appropriate \$68,257.57 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-585082 (Public Works – Crosswalk Systems) for the purchase of seven new solar crosswalk systems.

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to appropriate \$28,500.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Account

6000-530101 (Wastewater Enterprise Fund – Professional Services) to hire a consultant to help develop the SSO Notification Plan.

Chair Conti of the **Finance Committee** brought the following votes forward:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to appropriate \$30,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11451000-517240 (Treasurer-Medicare Tax) to cover anticipated expenses for the remainder of FY2022.

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to transfer \$50.00 from Account 11611000-542010 (Clerk – Supplies Office) to Account 11611000-573010 (Clerk – Dues) to pay the MA City Clerk’s Association dues.

Voted unanimously (Holmes absent) that the following business be referred to the administration: FROM THE DOCKET OF JANUARY 4, 2022

The request of the Attleboro Historical Commission to seek a consultant to assist in ranking the city’s existing historic resources inventory that is included in the inventory of Massachusetts Historical Commission.

Chair Bennett of the **Transportation and Traffic Committee** had the following votes:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to approve the following amendment to Section 10-4.18:

Add the following section:
10-4.18 E

The following streets are designated as having speed humps/speed cushions and the City is hereby authorized and directed to erect and maintain speed humps/speed cushions:

Add the following in proper alphabetical order:

- Claffin Street

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to amend Chapter 10-5.2a to add “no parking” on the southerly side of East St. 510 feet from O’Neil Boulevard.

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to amend Chapter 10-4.11, Isolated Stop Signs, of the Revised Ordinances as follows:

Delete “Westbound drivers on Bliss Avenue at Bourne Avenue” and replace with “Eastbound and westbound drivers on Bliss Avenue at Bourne Avenue”.

Chair Kobus of **It & Infrastructure** Committee brought the following vote forward:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to transfer \$1,870.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11411000-530102 (Assessor – Appraisal Services) to complete the appraisal process of additional telecommunication equipment within the City.

Vice President Kobus called for a **Zoning and Land Use Committee** at the next appropriate time.

Chair Reynolds of the **City Property & Claims Committee** brought out one vote:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to transfer \$1,100.00 from Account 11451000-532015 (Treasurer – Staff Development) to Account 11451000-542010 (Treasurer – Office Supplies) to buy 5 new office chairs for the Treasurer’s office.

Chair Angelo of the **Personnel, Veterans and Human Services Committee** brought forward the following votes:

Voted unanimously (Holmes absent) to approve the following reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Jo-Ann Vaughn	Attleboro Housing Authority-Tennant Rep	5 Year	February 2027
Shannon Benay	Planning Board	5 Year	February 2027

Voted unanimously (Holmes absent) to approve the appointment of Alexis Karagounis, 61 Steeple Chase Circle, and Unit 3, to fill an unexpired term on the Conservation Commission. Term to expire February 2023.

Voted unanimously (Holmes absent) to confirm the appointments of Mayor Paul Heroux and Council President James DiLisio as representatives of the City on the Sturdy Memorial Hospital Board of Managers. Term to expire February 2024.

Voted unanimously (Holmes absent) to approve the reappointment of Julie Hobson, 84 Barrows Street, North Attleboro, MA to the position of Chief Assessor, as recommended by the Board of Assessors, for a term of three years. Term to expire February 2025.

Voted unanimously (Holmes absent) to approve the appointment of Jason Allard, 7 Nick Rock Road, to fill an expired term on the Municipal Building Commission. Term to expire February 2025.

Voted unanimously (Holmes absent) to approve the appointment of Christopher Leone, 34 Constitution Avenue, to fill an expired term on the Conservation Commission. Term to expire February 2025.

Chair DeSimone of the **Ordinance, Elections and Legislative Matters Committee** brought the following vote forward:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to approve the following fee waiver policy:

Policy for Waiving Building Department Permit Fees

Pursuant to Section 3–8.2 of the Revised Ordinances of the City of Attleboro, as amended, this policy explains the process and evaluation criteria when a waiver of Building Department permit fees listed in Section 3–8.1 is requested.

I. GENERAL:

- a. This policy does not apply to municipal requests for a permit fee waiver(s).
- b. This policy does not apply to Senior Citizen Exemptions described in Section 3–8.4.
- c. All requests to waive a permit fee shall be subject to a public hearing governed by the Municipal Council Rules of Procedure.
- d. A waiver request from plumbing, gas, and electrical fees may not exceed the percentage of the gross amount of the respective inspection fees remaining after compensation for services has been made to the appropriate inspector(s), as provided by the terms of Section 3–7 in effect the waiver request is filed.
- e. Approved permit fee waivers are valid for six months from the date of the Municipal Council vote.
- f. The Municipal Council will not consider permit fee waiver request retroactively. The Municipal Council shall not reimburse any applicant for fees that have already been paid to the City.

II. PROCEDURES:

- a. All persons and private entities seeking a building permit fee waiver need to complete the attached *Building Permit Fee Waiver Application* and submit it to the Municipal Council Office. The application needs to be signed by the applicant or designated agent/representative. Incomplete applications will not be processed and will be returned to the petitioner.
- b. There is no fee to file a *Building Permit Fee Waiver Application*.
- c. Applicants are required to pay all advertising costs associated with the public hearing which must be paid prior to the public hearing.
- d. Public hearings will be scheduled according to the Municipal Council regular meeting schedule.
- e. All persons and entities, public and private, seeking a building permit fee waiver must obtain a written recommendation of support from the Mayor, which must be attached to the application package.
- f. Applications must include sufficient and relevant supporting financial and other documentation demonstrating the need for the waiver. Such documentation must include, but not be limited to: proof of entity status, a budget comprised of all

actual revenues and expenses, revenue sources, the amount of the gap in financing (if applicable) and the portion thereof that the fee waiver is sought to cover.

- g. The applicant(s) or the designated agent/representative that appears on the *Building Permit Fee Waiver Application* must appear before the Municipal Council at the public hearing and be prepared to present a case for the requested waiver.
- h. The Municipal Council may grant a fee waiver in an amount different from that requested by the applicant based on the information presented during the public hearing.
- i. Only the Municipal Council can grant a fee waiver and such waiver shall be limited to the specific fee sought to be waived listed on the Application.
- j. No individual authorized to collect a building or inspectional fee shall accept a reduced fee as full payment for the requested permit or inspection without receiving a copy of the Fee Waiver granted by the Municipal Council, which shall be kept on file in the Building Department.

III. Evaluation Criteria:

- a. If the application seeks less than a full waiver of the fee, the applicant must present written documentation of the financial resources that have been secured to pay the remainder of the applicable fee (i.e. building, inspections). The Municipal Council will not waive any permit fee(s) if the waiver covers only a portion of the gap in financing without written documentation of the availability of sufficient funds to close the gap.
- b. The amount of the requested fee waiver cannot exceed amount of the financial gap. The Municipal Council shall not waive a total fee amount exceeding the amount of the gap in financing.
- c. Permit fees are an important source of City revenue. A waiver may only be granted in circumstances where a project will improve the overall quality of life of Attleboro residents, advance objectives contained in the Comprehensive Plan, provide economic benefits to the City, increase the supply of affordable/workforce housing, create/retain jobs, remove blight or decadence, improve environmental quality, preserve City resources, upgrade infrastructure, or has civic, cultural or historical benefit.

Chair Blais of the **Public Safety Committee** brought the following votes forward:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to approve expending of such funds and any future grant amendments regarding the Fire Department's receipt of the Firefighter Safety Equipment Grant from the Department of Fire Services for \$19,090.00.

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to approve the transfer of \$92.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-573010 (Fire – Dues) to replenish funds used for parking fees.

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to transfer \$1,100.00 from Account 11241000-578300 (City Wide-Reserve Fund for Transfer) to Account 12101000-514035

(Police-Prior Year Longevity) to pay FY20 and FY21 longevity payments that were not paid.

OLD BUSINESS:

Voted on Roll Call 10 yeas – 0 nays (Holmes absent) to rescind vote #6 from February 15, 2022:

6. Voted on Roll Call 10 yeas – 0 nays (Blais absent) to replace the Yield Sign with a Stop Sign at the intersection of Jewel and Hawthorne.

NEW BUSINESS:

Voted unanimously (Holmes absent) that the following be referred for study and recommendation to the Traffic and Transportation Committee:

A motion to delete an erroneous reference of “Jewel Ave at Verndale” from existing ordinance for Yield signs (10-4, 6).

Voted unanimously (Holmes absent) that the following be referred for study and recommendation to the Traffic and Transportation Committee:

To amend Ordinance 10-4.11 “Isolated stop signs” by adding "westbound drivers on Jewel Ave at Hawthorne St."

Voted unanimously (Holmes absent) that the following be referred for study and recommendation to the Finance Committee:

To amend the Attleboro Municipal Council Rules and Procedure by adding to 7-1.4 the Finance Committee description and responsibilities.

Voted unanimously (Holmes absent) that the following be referred for study and recommendation to the IT and Infrastructure Committee:

To amend the Attleboro Municipal Council Rules and Procedure 7-1.5 the IT and Infrastructure Committee description and responsibilities.

The council voted 10 yeas – 0 nays (Kobus absent) to adjourn at 8:09 p.m.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)

City Clerk/Clerk of the Council