

**Municipal Council
REGULAR COUNCIL MEETING**

**September 6, 2022
Tuesday, 6:30 P.M.**

All 11 Councilors were present.

The Council stood to salute the flag.

The Council voted 11 yeas 0 nays to suspend the rules to allow for guests to speak.

Courtney Harness, New CEO of the Attleboro YMCA spoke to the Council regarding goals and programs and his hopes to work with the Council and Administration.

Superintendent of Public Works, Michael Tyler, gave the Council an update on Rathbun Willard Drive and the new traffic patterns.

Council voted unanimously to approve the minutes of August 16, and August 18, 2022.

Clerk Jackson then read the Mayor's Communication

September 6, 2022

Dear Municipal Councilors:

1. I respectfully request to amend Chapter 9 Licenses and Permits of the Revised Ordinances of the City of Attleboro by adding Section 9-48 Humane Pet Store. This ordinance, which has been adopted by several other municipalities, will create for a more humane treatment of animals by not subjecting them to the often less than optimal conditions at pet stores. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, I hereby request Your Honorable Body vote on the following amendment to the ordinance by adding the following section:

Section 9-48 Humane Pet Store

9-48.1

Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

- a. Pet Shop: means a retail establishment where animals are sold or offered for sale as pets which is required to be licensed pursuant to M.G.L. c. 129 § 39A and 330 CMR 12.00. A person who only sells or otherwise transfers the offspring of animals the person has bred on their residential premises shall not be considered a "pet shop" for purposes of this section.
- b. Sell: means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer for consideration.
- c. Offer for Sale: means to advertise or otherwise proffer an animal for acceptance by another person or entity.
- d. Public Animal Control Agency or shelter: means a facility operated by a governmental entity, for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or

surrendered animals, or a facility operated for the same purposes under a written contract with a governmental entity.

e. Animal Rescue Organization: means a not-for-profit organization that is registered with the Massachusetts Department of Agricultural Resources, if required, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, guinea pigs, or rabbits into permanent homes. The term “animal rescue organization” does not include any person or entity that breeds animals or obtains animals in exchange for payment or compensation from a person that breeds or brokers animals.

9-48.2 Sale of Dogs, Cats, Guinea Pigs, or Rabbits by Pet Shops Prohibited

a. It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, guinea pig, or rabbit.

b. A pet shop may provide space for the display of dogs, cats, guinea pig, or rabbits available for adoption by a public animal control agency or shelter or an animal rescue organization so long as the pet shop receives no part of any fees associated with the display or adoption of the animals and has no ownership interest in any of the animals displayed or made available for adoption.

9-48.3 Enforcement and Severability

a. Any pet shop that makes a sale or offer for sale of a dog, cat, guinea pig, or rabbit in violation of Section 9-48.2 shall be fined in an amount not to exceed \$300 pursuant to G.L. c. 40, § 21D and Section 9-42 of the Revised Ordinances of the City of Attleboro. Each unlawful sale or offer for sale shall constitute a separate violation.

b. In addition to any other remedy provided by law, this section may be enforced through any other means available in law or equity. Nothing in this section may be construed to alter or amend any other legal obligations applicable to pet shops, or any other entities, under state law or regulation.

c. The invalidity of any section or provision of this section shall not invalidate any other section or provision thereof.

2. For Your Information: I regret to inform Your Honorable Body that we have received the resignation of Stephen Berdos from the Council on Human Rights. Please join me in thanking Mr. Berdos for his service to the City.

3. I hereby request your honorable body to schedule a public hearing pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout a portion of Rhodes Street (length of 244 feet, from STA 0+00 to STA 2+44) as a public way and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “STREET ACCEPTANCE PLAN, “RHODES STREET”, ATTLEBORO, MASSACHUSETTS”, dated November 29, 2021 and revised through February 17, 2022, prepared by Daniel R. Campbell, R.P.E. and Joyce E. Hastings, P.L.S., which plan has been deemed satisfactory to the Superintendent of Public Works. Enclosed please find the necessary documents.

4. I hereby request your honorable body to schedule a public hearing pursuant to §16–2.2 of the REVISED ORDINANCES OF THE CITY OF ATTLEBORO, as amended, to layout Steeplechase Circle (length of 3,700 feet, from STA 0+00 to STA 37+00) as a public way and accept said way and any related drainage, water or sewer facilities or easements, all as shown on a plan and profile entitled “STREET ACCEPTANCE PLAN OF LAND, STEEPLCHASE CIRCLE (BRISTOL COUNTY – NORTH DISTRICT), ATTLEBORO, MASSACHUSETTS”, dated July 15, 2022, prepared by Richard W. Reid, Jr., P.L.S., which plan has been deemed satisfactory to the Superintendent of Public Works. Enclosed please find the necessary documents.

5. I respectfully submit a communication from Director of Budget & Administration Jeremy Stull requesting to amend Section 10-13 Parking Capacity and Designation of the Revised Ordinances of the City of Attleboro. As the downtown continues to develop and we are seeing an increase in demand for both monthly passholders and for business and condo leases for dedicated parking, the idea of reserving 17 off-street covered parking spaces for free parking is incongruent with the rest of the downtown parking approach. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, I hereby request Your Honorable Body vote on the following amendment to the ordinance:

Delete in its entirety and replace with the following:

Section 10-13.1 The Municipal Parking Garage shall lease spaces for twenty-four-hour (24) parking subject to the discounts in Section 10-8 of this ordinance. Six of these short-term parking spaces shall be designated “HANDICAPPED PARKING”. This ordinance shall take effect on December 1, 2022.

6. I respectfully submit a communication from Attleboro Public Schools Director of Finance Marc Furtado regarding the following FY22 fiscal obligations that were not received in time to be processed in the normal FY22 business cycle:

<u>Vendor</u>	<u>Amount</u>
Brillion, Greg	\$175.00
HighVentures LLC	\$675.00
Great Schooling Partnership	\$600.33
National Grid	\$3,031.33
RI Department of Ed	\$298.50
Windstream	\$1.37

Therefore, I hereby request Your Honorable Body to authorize the School Department to pay these previous year school bills totaling \$4,781.53 as identified in Mr. Furtado’s communication. (Copies in your packets)

7. I respectfully submit a communication from Legal Secretary Alison Wood regarding items that the Assessor’s Office would like to declare as surplus. Therefore, I hereby

request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
1	Gray Fabric Office Chair	Poor
1	Black Fabric Office Chair	Poor

8. I respectfully submit a communication from Legal Secretary Alison Wood regarding items that the MIS Department would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
2	Blue Fabric Chairs	Poor
1	Black Leather Chair	Fair to Poor

9. For Your Information: I regret to inform Your Honorable Body that we have received the resignation of Mac Borgellas from the Council on Human Rights. Please join me in thanking Mr. Borgellas for his service to the City.

10. I respectfully request Your Honorable Body transfer \$345.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-578020 (City Wide -Bills from Previous Years) in order to pay an FY22 invoice to *SS Service Corp.*

11. I respectfully submit a communication from the Director of Planning and Development Gary Ayrassian regarding the petition of the City of Attleboro to rezone a portion of Assessor’s plat #115, lot #1 and plat #127, lot #1 (aka Highland Park, /f Highland Country Club), located along Rathbun Willard Drive, Mechanic Street, and Berwick Road, from Single Residence–D to General Business. Therefore, I hereby request Your Honorable Body call for a joint public hearing with the Planning Board to rezone a portion of Assessor’s plat #115, lot #1 and plat #127, lot #170 from Single Residence–D to General Business.

12. I respectfully submit a communication from Director of Planning and Development Gary Ayrassian regarding the 2022 SNEP Watershed Grant. The Department of Planning and Development in collaboration with the Rhode Island Department of Environmental Management and NEIWPC have submitted an application for a Southeast New England Program (SNEP) 2022 Watershed Implementation Grant for the removal and eradication of nuisance water chestnut in the Ten Mile River watershed — more specifically, Dodgeville Pond. Included with the grant application was a letter–of–support from the City and the commitment to provide a local cash match of \$20,000.00. Therefore, I respectfully request Your Honorable Body transfer \$20,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to 11241000-599200 (City Wide – Transfer to Grant); and to further transfer \$20,000.00 from Account 11241000-599200 (City Wide –

Transfer to Grant) to Fund 2344M4-499700 – SWIG-EPA / MUNICIPAL DISTRIBUTION.

Sincerely,
Paul Heroux, Mayor
Clerk Jackson read the Clerk's Communication.

ATTLEBORO CITY CLERK COMMUNICATIONS
TUESDAY, SEPTEMBER 6, 2022

We received a letter from Juliet Teixeira, 5 Hanisch Road regarding safety concerns with the removal of Snell Street traffic lights.

We received a letter from Martha Iannazzi Conti, 100 Berwick Road in opposition of giving the property owners of 27 – 39 South Main Street a TIF of 1.28 million dollars.

We received a letter from Martha Iannazzi Conti, 100 Berwick Road in opposition to allow marijuana businesses in GB districts and opposed to allowing more than 5 – 6 such businesses within the City of Attleboro

We received a request from Massachusetts Electric d/b/a National Grid and Verizon New England Inc. to relocate poles and raise wires on Hazel Street Ext. to accommodate roadway layout changes and truck traffic.

We received a request from Massachusetts Electric d/b/a National Grid and Verizon New England Inc to relocate 1 JO pole on Dunham Street beginning at a point approximately 20 feet south of the centerline of the intersection of Pine Street. Relocate pole #5102 from one side of the road to the other with anchor.

We received a joint letter from the Attleboro Firefighters Local 848 & Attleboro Police Association MACOP Local 352 for the second time regarding the American Rescue Plan Act requesting a sit-down meeting with all levels of the city administration.

The Council called for Committee of the Whole and invited anyone who wished to address the Council come forward.

No one came forward. Council arose at 7:09 PM from Committee of the Whole.

President DiLisio then asked for **Committee Reports** beginning with Public Safety.

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

Voted 11 yeas – 0 nays to approve expending funds and any future grant amendments associated with the anticipated receipt of the FY23 911 Training Grant from the

Executive Office of Public Safety and Security (EOPSS) for \$223,635.54. Monies from this grant must be expended no later than June 30, 2023.

Voted 11 yeas – 0 nays to approve the transfer of \$50,000.00 from Account 11241000-578350 (City Wide – Reserve for Labor Negotiations) to the following accounts to satisfy the MOA agreement with Public Safety Dispatchers:

\$27,300.00 to Account 12101000-511000 (Police – Salary and Wages)

\$22,700.00 to Account 12201000-511000 (Fire – Salary and Wages)

Voted 11 yeas – 0 nays to transfer \$2,600.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12101000-558330 (Police – Copiers) to purchase a refurbished copier for the Police Department.

Chair DeSimone of the **Ordinances and Legislative Matters** Committee brought the following forward:

Voted 11 yeas – 0 nays to strike existing sections 7-9.1 and 7-9.2 and replace with:

7-9.1 Except to comply with the provisions of Sections 7-6 and 7-7 for the storage and collection of solid waste, no person shall place, throw, discharge or discard, or cause to be placed, thrown, discharged or discarded, trash, bottles or cans, refuse, rubbish, garbage, debris, scrap or waste of any kind on any public land or on property of another.

7-9.2 Whoever violates any provision of this ordinance shall be liable for a fine as provided below, said penalty to be assessed in accordance with the noncriminal disposition process provided in Section 21D of Chapter 40 of the Massachusetts General Laws, as amended.

First offense \$100

Second offense \$150

Third and subsequent offenses \$300

Each day or portion thereof shall constitute a separate offense.

If more than one, each condition violated shall constitute a separate offense.

Add new section 7-9.3:

7-9.3 This ordinance may be enforced by the Attleboro Police Department or the Health Department.

Voted 11 yeas – 0 nays to amend Section 16-11 of City Ordinances of Water Assessments as follows:

Delete Section 16-11 in its entirety and replace with the following:

Section 16-11 Water Assessments

16-11.1 Authorization: Water assessments are governed by the provisions of this ordinance and the applicable provisions of General laws Chapter 40.

16-11.2 Cost Allocation: When a water assessment is imposed with respect to a particular water construction project, sixty-six and two-thirds percent (66 2/3%) of the actual cost of the project, after the deductions described herein are made from such cost, will be assessed against the owner or owners of land in front of which the water main in question runs and for the use of which it was installed. In determining the amount of the water assessment to be made, there shall be deducted from the actual cost of the project any federal or state grants and the principal portion of state subsidies received by the City for the project. The remainder of the actual cost of the project will be borne by the City. The City's share of the actual cost of the project shall be paid from the water use charges established by ordinance.

16-11.3 Water Assessment Criteria: Water assessments shall be made upon owners of land in accordance with a uniform unit method. Under such method, a uniform unit of cost shall be determined by dividing the total cost of the project to be assessed against owners of land by the total number of existing and potential water units to be served. Each water unit shall be equal to a single-family residence. Potential water units shall be calculated on the basis of zoning then in effect and in accordance with the criteria set forth herein. Existing and potential multifamily, commercial and industrial uses shall be converted into water units on the basis of residential equivalents. An owner's assessment shall be equal to the number of water units assessed to him multiplied by the unit of cost. Each single-family residence including any lawful conforming use as such, located on a way where the water line is installed shall be assessed one unit of cost. Each potentially buildable lot located on such way shall also be assessed one unit of cost. In determining whether any such lot is buildable, the zoning requirements for the zoning district in which the lot is located shall be applied. Existing, including any lawful conforming uses, and potential multifamily uses, commercial uses, and industrial uses located on a way where the water line is installed shall be converted into water units on the basis of single-family residential equivalents. In determining the residential equivalents for multifamily uses, the zoning requirements of the zoning district in which the multifamily use is located shall apply. The number of water units calculated for multifamily uses shall be calculated on the basis of lot area and not on the basis of the number of family units in the dwelling. In determining the residential equivalents for commercial and industrial uses, the zoning requirements for the Single Residential-D ("SR-D") Zoning District shall apply. Each residential lot equivalent will be assessed one unit of cost. A potential lot which meets the applicable zoning requirements but is deemed unbuildable for any other reason shall not be assessed as a water unit. All City-owned lots which meet the requirements established herein for classification as a water unit shall be included in the number of water units used in determining the unit of cost.

16-11.4 Planning Phase: When a need has been identified for a water construction project in a specific area of the City, the Mayor shall submit a proposal for the design and engineering for such project to the Municipal Council. When the project is fully designed and ready for the construction process, the Mayor will submit a proposal for such to the Municipal Council. Such proposal shall include the layout of the project, an estimate of the completion date of the project, an estimate of the actual cost of the project, and an estimate of the cost per water unit to be assessed to property owners. The Municipal

Council shall hold a public hearing on the proposal and shall include such information in the notice of the public hearing.

16-11.5 Notification to Property Owners: No less than thirty (30) days prior to commencement of construction of the project, the City shall give written notice of the impending project to each property owner on a way where a water line is to be installed. Such notice shall include as a minimum the following: a. Description of the property to be assessed. b. Notice that a water line is schedule to be installed on the way where the property is located. c. An estimate of the completion date of the project. d. As the property will be bettered by the installation of the water line, an assessment fee will be assessed. e. An estimate of the assessment fee to be assessed against the property. f. Notice that a municipal lien will be placed on the property on which a water assessment fee is assessed, if the fee is not paid within thirty (30) days of the date of the billing of the water assessment fee.

16-11.6 Municipal Lien Certificate: No less than thirty (30) days prior to the commencement of construction of the project, the Superintendent of Water shall give written notice to the Collector of Taxes of all properties which are to be assessed an assessment fee. Municipal lien certificates issued thereafter on properties to be so assessed will contain the notation that “this property is scheduled to be assessed a water assessment fee, the amount of which is not ascertainable at this time”.

16-11.7 Order of Assessment: The Superintendent of Water shall, within six (6) months after the completion of the water project, adopt an order of assessment for the project. Such order shall designate each property owner being assessed an assessment fee, identify the parcel of land on which the assessment is made, identify the plan of the area where the water project was constructed, and state the amount of the assessment assessed to each parcel of land. Such order shall be recorded in the Bristol County Northern District Registry of Deeds within a reasonable period of time after its adoption.

16-11.8 Collection of Assessments: The Superintendent of Water shall, within a reasonable period of time after the adoption of such order of assessment, deliver a copy thereof to the Board of Assessors which shall forthwith commit such assessments to the Collector of Taxes for collection. The Collector of Taxes shall send notice of the amount of the assessment to the owner of each parcel of land assessed with an explanation of the options available for its payment. Assessments are due and payable within thirty (30) days of the date of the billing unless an apportionment of the payment of the assessment over a maximum period of thirty (30) years is requested. If payment is made within thirty (30) days, no lien shall be placed on the property. Upon payment in full of the assessment, the City shall furnish the owner with a discharge of the lien for recording in the Registry of Deeds.

16-11.9 Deferred and Recovery Agreements: In accordance with the provisions of Chapter 40, Section 42J of the General Laws, the Superintendent of Water shall, upon the application of the owner of property assessed a water assessment fee, if such owner is eligible for an exemption under Clause Forty-first A of Section 5 of Chapter 59 of the General Laws enter into a deferral and recovery agreement with such owner on behalf of the City. Such agreement shall provide for the deferral and subsequent payment of the

assessment on the terms and conditions set forth in said Section 42J. Application to enter into such agreement must be made within six (6) months after notice of such assessment has been sent out by the Collector of Taxes.

16-11.10 Petition for Abatement: The owner of any real estate upon which a water assessment has been assessed may, within six (6) months after notice of such assessment has been sent out by the Collector of Taxes, file with the Superintendent of Water a petition for an abatement of such assessment. The Superintendent shall act on such petition within four (4) months of the date of its filing. If he does not act within that time, the petition is deemed to be denied. The Superintendent shall give written notice to the petitioner of his decision within ten (10) days after it has been made.

16-11.11 Appeal of Denial of Abatement: Any person who is aggrieved by the refusal of the Superintendent of Water to abate a water assessment in whole or in part has two (2) alternative rights of appeal. He may, under M.G.L. c. 80, Section 7 file an appeal with the Superior Court within thirty (30) days after notice of the Superintendent's decision, or he may, under M.G.L. c. 80, Section 10, appeal such decision within said thirty (30) day period to the Bristol County Commissioners.

Voted 11 yeas – 0 nays to amend Sections 7-13.6 and 7-19.6 of City Ordinances of Plastic Food Containers and Plastic Straws as follows: CURRENT VERSION

7-13.6 Effective Date: This ordinance shall take effect on and after January 1, 2022 for food and beverage establishments within the City of Attleboro and the Health Officer or his/her designee may exempt the retail establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Health Officer or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a food or beverage establishment requires additional time in order to draw down an existing inventory of plastic beverage containers and or plastic food containers.

AMENDED VERSION

7-13.6 Effective Date: This ordinance shall take effect on and after January 1, 2022 for food and beverage establishments within the City of Attleboro and the Health Officer or his/her designee may exempt a **food and beverage** establishment from the requirements of this section for a period of up to **twelve (12) months** upon a finding by the Health Officer or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a food or beverage establishment requires additional time in order to draw down an existing inventory of plastic beverage containers and or plastic food containers.

Re: Plastic straws

CURRENT VERSION

7-19.6 Effective Date: This ordinance shall take effect January 1, 2022, at all retail establishments within the City of Attleboro.

AMENDED VERSION

7-19.6 Effective Date: This ordinance shall take effect January 1, 2022 at all retail and restaurant establishments within the City of Attleboro and the Health Officer or his/her

designee may exempt a retail establishment from the requirements of this section for a period of up to twelve (12) months upon a finding by the Health Officer or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a retail establishment requires additional time in order to draw down an existing inventory of single use plastic straws.

Vote 5 yeas – 6 nays (Angelo, Bennett, Blais, Conti and DiLisio) to approve the following proposed amendment to Chapter 7 Health Department of the Revised Ordinances of the City of Attleboro:

Section 7-18 Plastic Shot Bottle Waste Reduction

7-18.1 Declaration of findings and policy - Scope

The City Council hereby finds that the reduction in the use of disposable plastic bottles for alcohol by retail establishments in the City of Attleboro is a public purpose that protects marine environments, advances solid waste reductions, reduces greenhouse gas emissions and protects waterways. This ordinance seeks to reduce the number of plastic containers for alcohol beverages that are being burned, used, discarded and littered in the City of Attleboro.

7-18.2 Definitions: The following words shall, unless the context clearly requires otherwise, have the following meanings:

1. "Plastic shot bottles" shall mean a bottle less than 60ml purchased at a store by a customer for transporting a liquid alcoholic beverage away from the establishment.
2. "Plastic shot bottles" shall also be associated with bottles commonly referred to as 'plastic shot bottles', which are typically 50ml shots of alcohol.

7-18.3 Regulated Conduct: No retail establishment in the City of Attleboro shall provide plastic shot bottles.

7-18.4 Enforcement: The Health Officer and the City of Attleboro Health Department shall have the authority to administer and enforce this ordinance. For the first violation, the enforcing authority, upon a determination that a violation has occurred, shall issue a written warning notice to the establishment specifying the violation. The following penalties shall apply: A fine of \$150 shall apply for the first violation following the issuance of a written warning notice. A fine of \$300 shall apply for the second violation and each additional violation of this ordinance after the issuance of a written warning notice. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offense.

7-18.5 Regulations: The Health Officer or his/her designee may promulgate guidelines and regulations consistent with the enforcement of this chapter.

7-18.6 Effective Date and Exemption Period: This ordinance shall take effect on and after June 30, 2023 for retail establishments within the City of Attleboro unless one or both of the following circumstances occur prior to said date:

(a) The “better bottle bill” (H.3289/S.2149) is enacted by the Massachusetts Legislature and signed into law by the Governor.

(b) Chapter 94, Sections 321-327 of the Massachusetts General Laws are amended such that plastic shot bottles (“nips”) are within the category of beverage containers defined thereunder and the refund value of a beverage container is increased to not less than ten cents.

The Health Officer or his/her designee may exempt a retail establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Health Officer or his/her designee that (1) the requirements of this section would cause undue hardship, or (2) a retail establishment requires additional time in order to draw down an existing inventory of plastic shot bottles.

MOTION FAILED

Chair Angelo of **Personnel and Veterans** Committee called for a meeting at the next appropriate time.

Chair Reynolds of the **City Property** Committee called for a meeting at the next appropriate time.

Chair Holmes of the **Zoning and Land Use** Committee called for a meeting at the next appropriate time.
costs.

Chair Kobus of **IT and Infrastructure** Committee brought forth the following motion:

Voted 11 yeas – 0 nays to transfer \$7,344.84 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16501000-530101 (Park – Professional Services) for funds to install security cameras at the Balfour Riverwalk Park.

Chair Bennett of the **Transportation and Traffic** Committee requested a meeting at the next appropriate time.

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

Voted 11 yeas – 0 nays to transfer \$10,701.52 from Account 11241000-524011 (City Wide – Maintenance of Buildings) to Account 11241000-584052 (City Wide – Air Conditioning Unit) to replace a 3 Ton air conditioning unit at the Ides Hill Radio Tower.

Voted 11 yeas – 0 nays to authorize the Council on Aging to pay an FY22 payment to Constellation in the amount of \$48.22. No transfer is required.

Voted 11 yeas – 0 nays to authorize Park & Forestry to pay an FY22 invoice to Apple Photo Booth Inc. in the amount of \$164.59 and an FY22 invoice to Lorusso Corp in the amount of \$2,585.59. No transfer is required.

Voted 11 yeas – 0 nays to transfer \$604.41 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-578020 (City Wide -Bills from Previous Years) in order to pay an FY22 invoice to Eastern Supply Company in the amount of \$57.55, an FY22 invoice to RICOH in the amount of \$55.21 and FY22 invoices to Shred-it in the amount of \$491.65.

Chair Dolan of the **Public Works** Committee requested a meeting at the next appropriate time.

Chair Waterman of the **Licenses** Committee called for a meeting at the next appropriate time.

Chair Angelo of the **Personnel, Veterans and Human Services** Committee requested a meeting at the next appropriate time.

OLD BUSINESS: (Conti)

I move to rescind vote #1 from the meeting of April 26, 2022 due to a duplicate at the State House.

Voted 8 yeas – 1 nay (Blais) (Bennett, Reynolds absent) to adopt a senior means tested exemption by way of a special act as a way of relieving some of the property tax burden of certain qualifying Attleboro residents.

AN ACT RELATIVE TO THE ESTABLISHMENT OF A MEANS-TESTED PROPERTY TAX EXEMPTION IN THE CITY OF ATTLEBORO.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential according to the classification by the Board of Assessors for the City of Attleboro (a “Qualifying Parcel”), there shall be a senior, means-tested exemption from the property tax otherwise payable with respect to such Qualifying Parcel in an amount to be determined annually by the Attleboro Municipal Council, provided in Section 3 of this act. For the purposes of this act, a Qualifying Parcel shall mean a unit of real property as defined by the Board of Assessors under the deed for the property and shall include a condominium unit. The exemption provided for herein shall be in addition to any other exemptions allowed under the General Laws.

SECTION 2. The Board of Assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. The Board of Assessors shall adopt by regulation criteria

for approvals and denials of applications. A taxpayer shall qualify for the exemption under Section 1 if all of the following criteria are met:

- (i) The Qualifying Parcel is owned and occupied by one or more persons who qualified for the circuit breaker income tax credit the previous calendar year under subsection (k) of Section 6 of chapter 62 of the General Laws;
- (ii) The Qualifying Parcel is owned by: (i) a single taxpayer age 65 (sixty-five) or older; or (ii) jointly by taxpayers so long as one owner is age 65 (sixty-five) or older and the joint owner is age 60 (sixty) or older, as determined as of December 31st of the previous calendar year;
- (iii) The Qualifying Parcel is the domicile of the taxpayer(s);
- (iv) The applicant taxpayer or at least one of the joint applicants has been domiciled and owned a residential unit of real property in the City of Attleboro for at least 10 consecutive years prior to filing an application for this exemption;
- (v) The maximum assessed value of the domicile is no greater than the prior fiscal year's maximum assessed value for qualification for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws as adjusted annually by the Department of Revenue;
- (vi) Property taxes shall not be reduced by more than fifty per cent (50%) by this exemption; and
- (vii) The Board of Assessors has approved the application for the exemption.

SECTION 3. The exemption amount provided for in Section 1 shall be an amount equal to 75% of the amount of the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws which the applicant qualified for in the previous year. The total amount exempted by this act shall be allocated proportionally within the residential tax levy on all residential taxpayers while not exceeding one per cent (1%) of the municipality's tax levy.

SECTION 4. A person who seeks to qualify for the exemption under Section 1 shall, before the deadline established by the Board of Assessors, file an application, on a form to be adopted by the Board of Assessors, with the supporting documentation of the applicant's income and assets as described in the application including a copy of the filed income tax return of the applicant showing the claimed circuit breaker income tax credit. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act until the Department of Revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by: (i) a burden shift within the residential tax levy; or (ii) an appropriation or transfer from existing funds.

SECTION 6. This act shall expire 3 years after the effective date of this act; provided, however that the City of Attleboro may reaffirm by a vote of the Attleboro Municipal Council.

SECTION 7. This act shall take effect upon its passage.

Signed and Sealed this _____ day of _____ in the Year 2022

Municipal Council President

Kate Jackson, the City Clerk for the City of Attleboro, hereby certifies that the above foregoing vote was duly and regularly adopted by said City at a regular Municipal Council meeting thereof held on _____.

NEW BUSINESS

I move to have the following new business assigned for study and recommendation:

To restrict parking to one side of Frank Mossberg Drive. (Bennett)

Assigned to Traffic and Transportation.

I move to have the following new business assigned for study and recommendation:

Amend Section 10-4.11 of the Revised Ordinances, Isolated Stop Signs, by adding Eastbound drivers on Jefferson Street at Fifth Street. (Bennett)

Assigned to Traffic and Transportation

I move to have the following new business assigned for study and recommendation:

That Attleboro adopt an Inclusionary Zoning ordinance as a means of increasing the supply of housing that is available and affordable to low - or moderate-income households, with an emphasis on family housing, and preventing the displacement of Attleboro residents. (See Goal 11, Policy 3 of the Comprehensive Plan) (DeSimone and Dolan)

Assigned to Zoning and Land Use

Move to have the following new business assigned for study and recommendation:

To create an Attleboro Municipal Council Special Committee on Classification and Compensation with the focus to better understand current hiring challenges facing the City of Attleboro with the end result being to ensure the effective, efficient, and high-quality delivery of city services through ensuring Attleboro is competitive in classification and compensation with surrounding communities. As part of this committee, the Personnel Director shall be asked to provide a report to the Council about the current Compensation and Classification Plan, the number and nature of current position vacancies and length of those vacancies, projected retirements within the next year, and recruitment strategies to fill current and future openings. (DeSimone, DiLisio)

Special committee on Classification and Compensation formed with
Chair Angelo, Councilor DeSimone and Vice President Kobus.

The council voted unanimously to adjourn at 8:09 PM.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)

City Clerk/Clerk of the Council