

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
JANUARY 6, 2015**

APPROVAL OF THE RECORDS NOVEMBER 10 and DECEMBER 16, 2014. EXECUTIVE SESSION MINUTES OF JUNE 14, SEPTEMBER 6 AND SEPTEMBER 27, 2011, JANUARY 17, 2012 AND FEBRUARY 7, APRIL 10, 2012, MAY 1, 2012, APRIL 16, AUGUST 20, DECEMBER 17, 2013

Continued from the Meeting of December 16, 2014: PUBLIC HEARING relative to the layout and acceptance of Roadway D (Opportunity Drive) as shown on the mylar plan entitled “PLAN AND PROFILE OF ROADWAY, OPPORTUNITY DRIVE, IN THE CITY OF ATTLEBORO, MASS, BRISTOL COUNTY”, being approximately 364.5 feet in length from STA 0+00 to STA 3+64.50, drawn and engineered by Douglas E. Miller, P.E. (Civil #33965) of Goldsmith, Prest & Ringwall, South east, LLC, 500 East Washington Street, North Attleboro, MA 02760, dated May 4, 2011.

PUBLIC HEARING relative to the application for a New 2014 Junk Dealer’s License from EcoAtm, Inc, 10121 Barnes Canyon Road, San Diego, CA to buy back used electronics through a fully automated Kiosk machine to be located at **251 Washington Street**, Attleboro, MA.

PUBLIC HEARING relative to the application for a New 2014 Junk Dealer’s License from EcoAtm, Inc, 10121 Barnes Canyon Road, San Diego, CA to buy back used electronics through a fully automated Kiosk machine to be located at **469 Pleasant Street**, Attleboro, MA.

PUBLIC HEARING to install a “Stop” sign at the intersection of Read Street and Laura Drive.

LICENSES

Ronald Churchill, Chairperson

1. Application for a 2015 Renewal Class 2 Auto License from Blue & White Motors, Inc., 1815 County Street, Attleboro, MA for 4 Customer Parking Spaces and 15 Display Spaces. (12/16/14)
2. Application for a New 2014 Hackney Carriage Driver’s License from Jeffrey Stewart Wallis, 900 North Main Street, Attleboro, MA. (Police recommended denial) (12/16/14)

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti, Chairperson

1. The Mayor respectfully submits a communication from Director of Budget & Administration Barry LaCasse regarding the need for funds to bring electrical service to two (2) City projects, the new Animal Shelter located on Pond Street North and the new DPW-Highway Division complex located on Lamb Street. National Grid has submitted proposals to include the installation of several poles, transformers and other associated equipment. Therefore, the Mayor hereby requests Your Honorable Body to appropriate \$18,807.66 from Account 1000-359000 (Undesignated Fund Balance/General Government) to Account 11241000-589040 (City Wide – Site Development). (Copies in your packets) (3/12/16/14)

Several items were recommended to be replaced and/or repaired by Your Honorable Body in the Capital Improvements Plan voted on June 3, 2014 (Vote #2). Therefore, the Mayor is recommending the following items listed below from the Capital Improvements Plan, and other items that are less than \$10,000.00 that do not appear in the plan, and hereby request Your Honorable Body to appropriate \$268,821.20 from Account 1000-359000 (UNDESIGNATED FUND BALANCE/GENERAL GOVERNMENT) to accounts as follows:

General Government	
11611000-530840 City Clerk - Preservation of Documents	\$15,000.00
12101000-585060 Police - Radios (Year 4 Annual Portable Radio Upgrade)	\$37,500.00
12101000-587037 Police - Motorcycle (Police - 1 Motorcycle Replacement)	\$20,500.00
12201000-587410 Fire - Turnout Gear (Firefighter Protective Equipment Phase #4)	\$55,000.00
12201000-587042 Fire - Replacement Light Truck (Replacement of Pick-up Truck)	\$55,000.00
14201000-587041 DPW - Replace 1 Ton Truck (Replacement of Highway #44)	\$65,000.00
11241000-587023 Citywide - Copier Replacement (Police Station)	\$10,021.20
15411000-585040 Council on Aging - Equipment (COA - Dishwasher)	\$8,000.00
16501000-558090 Park - Supplies Other (Mini Storage Container)	\$2,800.00
TOTAL	\$268,821.20

The mayor further requests Your Honorable Body to appropriate needed items in the Water and Wastewater Enterprise Funds that appear in the Capital Improvement Plan as follows:

Appropriate \$308,248.15 from 6100-359000 (Water Enterprise Fund Retained Earnings) to:

Water Enterprise Fund	
6100-558205 Water Enterprise Fund-Special Safety Equipment (Safety Trailer)	\$15,450.00
6100-587039 Water Enterprise Fund-Replacement Heavy Truck (Replacement for 2001 Ford Ranger)	\$55,823.70
6100-553150 Water Enterprise Fund-Water Meters Supplies (Replacement of 1,100 Water Meters)	\$236,974.45
TOTAL	\$308,248.15

Appropriate \$84,874.00 from 6000-359000 (Wastewater Enterprise Fund Retained Earnings) to:

Wastewater Enterprise Fund	
6000-587042 Wastewater Enterprise Fund-Replace Light Truck (Replacement of existing F-350)	\$59,374.00
Fund 3216 Brownell Street Sewers (Funding the design & engineering services to replace 175ft of 10-inch sewer main on Brownell Street with 5 sewer laterals)	\$25,500.00
TOTAL	\$84,874.00

(6/12/16/14)

PUBLIC WORKS

Peter Blais, Chairperson

1. The Mayor respectfully submits a communication from Superintendent of Wastewater Paul Kennedy regarding the need for funds to have his engineering consultant (CDM Smith) provide services to investigate the slow response time that the Wastewater plant has been experiencing with their SCADA system which is affecting plant operations. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$5,500.00 from Account 6000-359000 (Wastewater Enterprise Fund-Retained Earnings) to Account 6000-530101 (Wastewater Enterprise Fund-Professional Services).

(7/12/16/14)

TRANSPORTATION & TRAFFIC

Walter Thibodeau, Chairperson

1. Application from the Attleboro Municipal Council, 77 Park Street, Attleboro, MA for the “Discontinuance Plan of a Portion of Harvard Street ” by E. Otis Dyer, 368 Fairview Avenue, Rehoboth, MA identified as Parcel A (880 Square Feet) being located on Assessor’s Plat #90, bounded by Plat #90, Lots #230, 231, 232 and 233 and Plat #91, Lot 6B. (filed with the City Clerk’s Office on December 16, 2014) (12/16/14) (JOINT PUBLIC HEARING JANUARY 20, 2015)

(12/16/14)

CITY PROPERTY & CLAIMS

Heather Porreca, Chairperson

1. The Mayor respectfully submits a communication from Director of Veterans Services regarding the donation of \$300.00 in gift cards to Stop & Shop from the Holiday Spirit Committee. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous gift to the City of Attleboro. (Copies in your packets) (1/12/16/14)

2. The Mayor respectfully submits a communication from Zoo Director Jean Benchimol regarding the donation of the following items with an estimated value of \$40,000.00 for the Zoo’s outdoor eating area from the Friends of Capron Park Zoo. In accordance with Section 1-12 of the Revised Ordinance of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept this generous gift to the City of Attleboro. (Copies in your packets)
 - Fifteen Hexagon tables made from recycled material
 - Three lighting fixtures for evening events
 - New blacktop for eating area
 - Landscape blocks for new planters (2/12/16/14)

3. Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding surplus items that the Attleboro Public Schools would like to declare surplus and hereby respectfully request Your Honorable Body to declare the following as surplus and available for disposition: (Copies in your packets)

<u>DESCRIPTION</u>	<u>MODEL</u>	<u>SERIAL NO.</u>	<u>QUANTITY</u>	<u>CONDITION</u>
Heideberg Printing Press ATF Davidson Super	KORD	327071	1	Unsalvageable
Chief XLK Printing Press	XLK-27	K88X287	1	Unsalvageable
AB Dick Printing Press	9810	6495	1	Unsalvageable

(4/12/16/14)

PERSONNEL AND HUMAN SERVICES

Shannon Heagney, Chairperson

1. The Mayor respectfully submits for confirmation by Your Honorable Body the reappointment of Ellie Kirby to fill an expired term on the Youth Commission for a term of two years. Term to expire February 2017. (Copies in your packets) (5/12/16/14)

**ATTLEBORO MUNICIPAL COUNCIL
AGENDA
REGULAR MEETING
TUESDAY, JANUARY 6, 2015**

APPROVAL OF THE RECORDS NOVEMBER 10 and DECEMBER 16, 2014. EXECUTIVE SESSION MINUTES OF JUNE 14, SEPTEMBER 6 AND SEPTEMBER 27, 2011, JANUARY 17, 2012 AND FEBRUARY 7, APRIL 10, 2012, MAY 1, 2012, APRIL 16, AUGUST 20, DECEMBER 17, 2013

Continued from the Meeting of December 2, 2014: PUBLIC HEARING layout/ acceptance of Roadway D (Opportunity Drive)

PUBLIC HEARING relative to the application for a New 2014 Junk Dealer's License from EcoAtm, Inc, to buy back used electronics through a fully automated Kiosk machine to be located at 251 Washington Street, Attleboro, MA.

PUBLIC HEARING relative to the application for a New 2014 Junk Dealer's License from EcoAtm, Inc, to buy back used electronics through a fully automated Kiosk machine to be located at 469 Pleasant Street, Attleboro, MA.

PUBLIC HEARING to install a "Stop" sign at the intersection of Read Street and Laura Drive.

MAYOR'S COMMUNICATIONS AND OTHER COMMUNICATIONS

COMMITTEE MEETINGS

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Communication from John Murray, 17 Jenna Drive, in support of passive use of the Manchester Reservoir (Clifton Street side)
- Communication from Colin Blaney-Young former resident in support of passive use of Manchester Reservoir.
- Communication from Chris Castano, 831 West Street, in support of passive use of Manchester Reservoir.
- Information from Michael J. Crowley, 20 Beagle Club Road, and petition from residents
- Amend Section 16-20 Restricted Use of Orr's Pond and Manchester Reservoir (Public Hearing October 21, 2014)
- To amend Section 9-11 Hackney Carriage (Taxi) by adding the following language to 9-11.7 (New Business—Mr. Thibodeau)
- To review and update Ordinances the description and duties of the Personnel Board. (New Business - Ms. Reynolds)
- That another definition of the requirements for a class #2 Dealer License (WHOLE SALE ONLY) (NB—Thibodeau &Denlea)

LICENSES

- Application for a 2015 Renewal Class 2 Auto License from Blue & White Motors, Inc., 1815 County Street,
- Application for a New 2014 Hackney Carriage Driver's License from Jeffrey Stewart Wallis, 900 North Main Street
- Application for a New 2014 Junk Dealer's License from EcoAtm, Inc to buy back used electronics through a fully automated Kiosk machine to be located at 251 Washington Street, Attleboro, MA. (PH Tuesday, January 6, 2015)
- Application for a New 2014 Junk Dealer's License from EcoAtm, Inc to buy back used electronics through a fully automated Kiosk machine to be located at 469 Pleasant Street, Attleboro, MA. (PH January 6, 2015)
- Renewal Class 2 Auto License 2015 Stateline Auto Brokers, Inc., 1115 Washington Street,
- Complaint from Jaime McKenna, 18 Newton Street, Attleboro MA relative to AOK Use Cars, 650 Washington Street

CAPTITAL IMPROVEMENTS AND CITY DEVELOPMENT

- Appropriate \$18,807.66 from (Undesignated Fund Balance/General Government) to (City Wide – Site Development).
- Appropriate \$268,821.20 from (UFB/GENERAL GOVERNMENT) to accounts for Capital Improvement Items
- \$308,248.15 from 6100-359000 (WEF Retained Earnings) for Water Department Capital Improvement items.
- Appropriate \$84,874.00 from (WEF Retained Earnings) for Wastewater Capital Improvement items

ZONING & LAND USE

- Communication from the Attleboro Planning Board recommending approval (4 yeas—2 nays 1 absent) to adopt the proposed amendment to Section 17-3.5 Table of Accessory Use Regulations of the Zoning Ordinance relative to parking school buses in residential zoning districts.
- Communication submitted by Heather Porreca in support of the proposed ordinance relative to parking school buses in residential neighborhoods.
- 14 communication in support of the proposed ordinance - school buses to park in residential zones during certain hours
- 122 communications in support of the proposed ordinance-school buses to park in residential zones during certain hours.
- Petition from forty-four residents in opposition of the proposed ordinance to allow school buses to park in residential zones during certain hours.
- Communication from Martha Iannazzi Conti, 100 Berwick Road, in opposition of the proposed ordinance to allow school buses to park in residential zones during certain hours.

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ZONING & LAND USE CONTINUED

- Opinion from Attorney Mangiaratti to Jonathan Weydt relative to the proposed ordinance amendment - school buses.
- That Section 17-3.5, #7 is amended by adding #7A.7A Exemption: All school transportation vehicles (New Business—Ms. Porreca) (Joint Public Hearing 10/21/2014)

BUDGET & APPROPRIATIONS

- To research/investigate establishing a separate Stabilization Fund for the purposes of establishing a fund to replace the Attleboro High School track surface and/or the artificial athletic field in the future. (NB—Mr. Kirby and Mr. Conti)
- To investigate/discuss the tax classification regarding the small business exemption. (New Business—Ms. Heagney)
- To establish a procedure for notifying the business community of proposed new ordinances or revisions to existing ordinances that may impact their businesses. (New Business—Mr. Cook and Mr. Bergevine)
- That an ordinance be established requiring that all fees enacted by the city be reviewed on a bi-annual basis
- Create and implement beginning in FY06, a Debt Policy.

PUBLIC WORKS

- Appropriate \$5,500.00 from (Wastewater Enterprise Fund-Retained Earnings) to (Wastewater Enterprise Fund-Professional Services).
- To solve drainage problems in and around 86 Dexter Street. (New Business- Mr. Denlea)
- To solve drainage problems in and around 86 Dexter Street. (New Business- Mr. Denlea)
- Resolve drainage problem on Sullivan Street alleyway behind Mon Kou Restaurant.(New Business—Mr. Thibodeau)
- The layout and acceptance of Roadway D (Opportunity Drive) (Public Hearing continued)
- That the City Council investigate the issue of flooding at and around the area of 349 Handy Street. (New Business—Mr. Denlea)
- That a street be named in honor of former State Representative Stephen J. Karol (12/19/00)

TRANSPORTATION & TRAFFIC

- Application from the Attleboro Municipal Council, 77 Park Street, Attleboro, MA for the “Discontinuance Plan of a Portion of Harvard Street ” by E. Otis Dyer, 368 Fairview Avenue, Rehoboth, MA identified as Parcel A (880 Square Feet) being located on Assessor’s Plat #90, bounded by Plat #90, Lots #230, 231, 232 and 233 and Plat #91, Lot 6B. (JOINT PUBLIC HEARING JANUARY 20, 2015)
- Harvard Street. Vote to submit the application and engineering plan for the Discontinuance of a portion of Harvard Street and to hold a JOINT PUBLIC HEARING on Tuesday, January 20, 2015 or Tuesday, January 20, 2015 (Old Business—Mr. Thibodeau)
- To install a “Stop” sign at the end of Dale Avenue, where it intersects with Woodcrest Drive and Edgecliff Avenue (New Business—Ms. Heagney and Mr. Thibodeau)
- That a “Stop” sign be erected at the intersection of Read Street and Laura Drive (New Business—Mr. Cooper)
- That the parking options for Beagle Club Road and that restrictions up to and including NO PARKING.(NB: Mr. Cooper)
- To install a “Stop” sign at the intersection of Essex Street and Guisti Drive (New Business—Ms. Heagney)
- Opinion from City Solicitor Robert Mangiaratti relative to Harvard Street Access to Bishop Feehan High School.
- To amend Section 10-4.11, Isolated Stop Signs, or Section 10-4.16, Yield Signs as follows: on Lussier Avenue at the intersection of Mendon Road (New Business—Mr. Thibodeau)(Public Hearing 6/17/14)
- To install a traffic light at the intersection of Rathbun Willard Drive and Thacher Street (New Business—Mr. Cooper)
- That following streets under Section 10-4.15 Operation of Heavy Commercial Vehicles be retested by the DPW resubmitted for approval from MassHighway District 5 for acceptance: Belair Avenue, Branch Street, Brown Street, Collins Street, Clayton Street, Newport Avenue (North Attleboro Town Line to intersection at West Street), Orr Street, Read Street (West Street County Street), Riverside Avenue/Ellis Street, Roadway A, Robinson Avenue, Sixth Street, from County Street to Robert Street, Wolfenden Street, from County Street to Robert Street (NB—Mr. Thibodeau)
- East side of Scott Street at the end of the current parking restriction be reviewed to add distance (NB—Mr. Thibodeau)
- That the end of Collins St, curved to intersects with Scott St, reviewed for parking restrictions (NB—Mr. Thibodeau) That “NO THROUGH TRUCKING” sign be posted on May Street (NB—Mr. Thibodeau and Mr. Cooper)
- That Robert Street - “No thru Trucking Street” (NB—Ms. Heagney)
- Amend Section 10-5.2 Prohibited on Certain Streets delete Section Street and insert under Section 105.2N Second Street, easterly side, from County Street to Cliff Street;
- Letter from the Morin family, residents of May Street, with concerns relative to May Street.

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PUBLIC SAFETY & EMERGENCY MANAGEMENT

- Information submitted by Brenda Haskell at the Committee of the Whole relative to hunting on private property. (10/7/14)
- Communication from the Planning Board requesting to table Regulations of Registered Marijuana Dispensary Uses
- Communications from D Spatcher, 959 Pleasant Street, and J Palermo, 857 Pleasant Street, -hunting safety
- Opinion from City Solicitor relative to the Medical Use of Marijuana. (2/5/13) (public hearing March 18, 2014)
- Communication from Linda Chilson, 175 Pike Avenue, relative to hunting safety violations. (2/5/13)
- That the Council considers a resolution for a six month moratorium on all medical marijuana treatment centers in Attleboro, in order to afford the appropriate amount of time and study of the intricacies of the new state law. (NB—Mr. DiLisio)
- That the Municipal Council establish an ordinance marijuana for medical purposes etc. (NB—Mr. Weydt) (JPH- 3/18/14)

CITY PROPERTY & CLAIMS

- \$300.00 in gift cards to Stop & Shop from the Holiday Spirit Committee to Veterans Department.
- Donation value of \$40,000.00 for the Zoo's outdoor eating area from the Friends of Capron Park Zoo.
- To declare School Department items as surplus and available for disposition:
- To review, discuss and consider reducing the dollar amount in Sections 2-12 and Sections 2-13
- To investigate relocating the Hebronville Plaque from Dolores Cotnoir Gaudreas (NB—Ms. Heagney)

PERSONNEL & HUMAN SERVICES

- Ellie Kirby to fill an expired term on the Youth Commission for a term of two years. Term to expire February 2017.
- Anti-Bullying Ordinance (NB—Mr. Conti)
- Amend the Personnel Rules and Regulations Article XVIII Reimbursement for Education Courses
- Amend Section 13-6 Personnel Rules and Regulations to receive compensation to advance their education shall be obligated to reimburse the City if they terminate their employment.

OLD BUSINESS:

NEW BUSINESS: To refer the following matter to the appropriate committee for study and recommendation: That volunteers be recruited to be appointed, by the Mayor, to the Attleboro Disability Council because it has been inactive for too long and the Disability Council's members provide a great service to the community being active in the planning stages of City projects by their impute of applying the American Disabilities Act. All interested residents of Attleboro must submit their request to the Mayor's office with a brief resume of their experience and their desire to make their city a friendlier place for all disabled residents and our guests, who visit here. (New Business—Mr. Thibodeau)

(Disclaimer-This agenda has been prepared in good faith based on topics that the council anticipates being discussed at its' meeting) Agenda prepared by Linda Alger, Administrative Assistant to the Council