

**REGULAR MEETING**  
**TUESDAY: March 15, 2016 at 7:00 P.M.**  
**DOCKET**

**APPROVAL OF THE RECORDS OF NOVEMBER 3, 2015; NOVEMBER 4, 2015; NOVEMBER 10, 2015 AND NOVEMBER 17, 2015; DECEMBER 1, 2015; DECEMBER 15, 2015; AND DECEMBER 22, 2015; JANUARY 5, 2016 AND JANUARY 19, 2016; FEBRUARY 2, 2016 AND FEBRUARY 16, 2016; MARCH 1, 2016. EXECUTIVE SESSION MINUTES OF SEPTEMBER 6, 2011 AND SEPTEMBER 27, 2011; JANUARY 17, 2012; FEBRUARY 7, 2012; APRIL 10, 2012; MAY 1, 2012; APRIL 16, 2013; AUGUST 20, 2013; DECEMBER 17, 2013; NOVEMBER 17, 2015; AND DECEMBER 15, 2015.**

**PUBLIC HEARING** relative to the following **LOAN ORDER**:

**ORDERED:** That One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) be appropriated for the cost of purchasing and equipping Fire and Police Departmental vehicles/equipment, including costs of preparing, issuing and marketing any bonds or notes in connection therewith; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) under Section 7(9) of Chapter 44 of the General Laws; and that \$30,000.00 of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing of any such borrowing, provided that any portion of such \$30,000.00 not needed for such costs of issue shall be used for project costs.

**PUBLIC HEARING** relative to amending Sections 2-11.1, 2-11.2, 2-11.3 (2), 2-16.1, 9-2, 9-43, 16-15.6, 16-18.6, and 16-18.7 of the Revised Ordinances of the City of Attleboro as follows:

**1. The Acquisition and Disposition of Real Property**

Delete in its entirety and replace with the following:

2-11.1 Acquisition of Real Property (Amended 1/21/03)

Prior to acquiring real property or an interest therein by purchase or rental at a cost exceeding *thirty-five thousand (\$35,000) dollars*, the city shall solicit written proposals by advertisement in the manner provided for in Section 2-11.3.

The Mayor's designee, with the advice and assistance of the appropriate department head and other City officials, will prepare the request for proposals. The request for proposals shall contain a description of the property needed by the City, shall indicate how the proposals will be evaluated, and shall set forth the submission requirements and the contract terms and conditions.

Delete in its entirety and replace with the following:

#### 2-11.2 Disposition of Real Property (Amended 1/21/03)

Real property owned by the City shall not be disposed of by sale or rental until it has been declared available for disposition by the Mayor and the Municipal Council. The initial declaration shall be made in writing from the Mayor to the Municipal Council and shall suggest restrictions, if any, to be placed on the subsequent use of the property. Prior to the making of such determination, the Mayor shall determine if any department of the City has an interest in the property. The Mayor's designee shall maintain an inventory of City-owned property.

Upon receipt of the Mayor's request that any parcel of real estate be declared available for disposal, and before the City solicits proposals for the acquisition of said real estate, the Municipal Council shall hold a public hearing on such request. Notice of the time and place of the public hearing shall be published at least seven (7) days prior to the hearing date. The Municipal Council shall thereafter make a determination as to whether the subject real estate shall be declared available for disposition and shall specify the restrictions, if any, to be placed on the subsequent use of the property, and any other applicable conditions.

Prior to the disposal of any real property, the City shall determine its value through procedures customarily accepted by the appraising profession as valid. The assessed value of the property may be used if it is current. If the value of the property to be disposed of exceeds *thirty-five thousand (\$35,000) dollars*, the City shall solicit written proposals for the purchase or rental of the property by advertisement in the manner provided for in Section 2-11.3. The Mayor's designee shall prepare the request for proposals.

Delete in its entirety and replace with the following:

#### 2-11-3 Advertising for Proposals

The City shall place an advertisement in a newspaper having general circulation in the City inviting the submission of proposals for the acquisition or disposition of real property, as the case may be. The advertisement shall be published at least once a week for two consecutive weeks. The last publication shall occur at least eight days preceding the day for the opening of proposals. The advertisement shall specify the geographical area, terms and requirements of the proposed transaction, and the time and place for the submission of proposals. In the case of the acquisition or disposition of more than twenty-five hundred square feet of real property, the City shall also cause such advertisement to be published, at least thirty days before the opening of proposals, in the central register published by the State Secretary pursuant to Section 20A of Chapter 9 of the General Laws.

The City may shorten or waive the advertising requirement if:

- 1) The City determines that an emergency exists and the time required to comply with the requirements would endanger the health or safety of the people or their property; provided, however, it shall state the reasons for declaring the emergency in the central register at the earliest opportunity; or
- 2) In the case of a proposed acquisition, the City determines in writing that advertising will not benefit the City's interest because of the unique qualities or location of the property needed. The determination shall specify the manner in which the property proposed for acquisition satisfied the unique requirements. The City shall publish such determination and the reasons therefore, along with the names of the parties having a

beneficial interest in the property pursuant to *Section 38 of Chapter 7C* of the General Laws, the location and size of the property, and the proposed purchase price or rental terms, in the central register not less than thirty days before the City executes a binding agreement to acquire the property.

## **2. Designer Selection Procedure**

Delete in its entirety and replace with the following:

2-16.1 A Procedure for the selection of designers for building construction, reconstruction, alteration, remodeling or repair projects the estimated cost of which exceeds ten thousand dollars shall be established in accordance with the provisions of General Laws, *Chapter 7C, Sections 44-57*. No such procedure or amendment to such procedure shall be effective until it is approved by the Municipal Council, following a proper advertised public hearing. Such procedure shall not apply to the selection of designers for Public Works projects bid under General Laws Chapter 30, Section 39M.

## **3. License and Permit Fees**

*Amend the list of fees in Section 9-2 of the City Ordinances by deleting the “Firearm Identification Card”, “Firearms, License to Carry or Possess”; and “Firearms, Permit to Purchase”.*

## **4. Dog License Late Fees**

*Amend Section 9-43 of the City Ordinances by deleting the last sentence that states, “All late fees collected under this provision shall be reserved for the Animal Shelter Building Fund, subject to further appropriation.”*

## **5. Building Sewers and Connections**

Delete in its entirety and replace with the following:

### 16-15.6 Building Sewers and Connections ( amended 10/16/07)

m. *Whoever* is found installing or repairing a sewer connection or extension before applying and obtaining a signed proper permit *shall be punished by a fine of not more than fifty dollars for the first offense and one hundred dollars for any subsequent offense*. Until said amount is paid in full, said *person* will not be allowed to apply for any additional water or sewer permits in the City of Attleboro. All permits issued herein shall be physically present at the job site. If *any person* is found to be installing or repairing a sewer connection or extension without a permit at the job site, a fifty (\$50.00) dollar fine will be assessed to said *person*.

## **6. Sewer Use Rates**

Delete in its entirety and replace with the following:

16-18.6 An Industrial User which is required as a condition of its Industrial Waste Permit to pre-treat its sewage shall pay a surcharge at the rate of ninety (.90) cents per 100 cubic feet. The surcharge shall be in addition to the charge established in Section 16-18.1 above. Billing and payment of the surcharge shall be in

accordance with Section 16-18.4. The money received from said surcharge shall be applied to the payment of costs associated with the administration of the pre-treatment program requirements by the City, including purchasing and maintenance of equipment and utilization of contract services where deemed necessary by the Superintendent .

Delete in its entirety and replace with the following:

16-18.7 An Industrial User shall pay the cost for quarterly, semi-annual or more frequent sampling as deemed necessary by the Superintendent. Such sampling may be a condition of an Industrial Waste Permit or may be ordered by the Superintendent to prevent harmful effects upon the Treatment Works or the environment.

**ZONING & LAND USE**  
**Julie A. Hall, Chairperson**

1. Letter from Attorney John F.D. Jacobi, III, dated February 17, 2016, requesting that the rezoning petition that was a subject of a public hearing on February 16, 2016, be amended to reflect that the zone currently is General Residence B rather than Single Residence B, and further to include Lot 51B, Assessors Plot 52 in the petition.
2. Amended Rezoning Petition submitted on March 1, 2016, related to 144, 146, 150, 152 and 156 Pleasant Street, Assessor's Plat Number 52, Lot Numbers 51, 51A, 51B, 52, 53 & 54.  
(Joint PH with Planning Board scheduled for 04/19/2016)

**CAPITALIMPROVEMENTS & CITY DEVELOPMENT**  
**Richard J. Conti, Chairperson**

1. The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funding for the replacement of Car 4. As part of the Fire Department FY2016 Capital Improvements Program, the request was made to replace Car 4 with a new 4-wheel drive SUV with required accessories. This capital project is presently indentified is the City of Attleboro Capital Improvements Program for FY2016-2020 as a project with an estimated cost of approximately \$40,000.00. Because of ongoing mechanical problems, the vehicle should be replaced as soon as possible. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$42,271.23 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12201000-587065 (Fire Department – Purchase Vehicle).
2. The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funding for the replacement of the Vision 21 Radio Master Box Receiver at the Briggs Brander Corner Fire Station. As part of the Fire Department FY2016 Capital Improvements Program, the request was made to replace this system. This capital project is presently identified is the City of Attleboro Capital Improvements Program for FY2016-2020 as a project with an estimated cost of approximately \$37,000.00. This system is required to be replaced. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$30,528.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12201000-585070 (Fire Department – Fire Alarm Upgrade).

3. The Mayor respectfully submits a communication from Superintendent of Park and Forestry Sonny Almeida regarding the need for funding for the replacement of their roadside mower. As part of the Park and Forestry Department FY2016 Capital Improvements Program, the request was made to replace the roadside mower. This capital project is presently identified in the City of Attleboro Capital Improvements Program for FY2016-2020 as project with an estimated cost of approximately \$104,000.00. Because of deteriorating conditions, this piece of equipment should be replaced as soon as possible. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$102,580.39 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 16501000-585046 (Park and Forestry Department – Mower).

**BUDGET & APPROPRIATIONS**  
**Shannon M. Heagney, Chairperson**

1. As you are aware, the City is in need of replacing equipment and vehicles in both the Fire and Police Departments as identified in the City of Attleboro Capital Improvements Program for FY2016-2020. The Fire Chief is in need of replacing Engine-4 and Rescue-1 with a total cost of approximately \$880,000.00. The Police Chief is in need of replacing seven (7) police cruisers (one of which being funded through the revolving fund) leaving a balance needed for six (6) police cruisers with a cost of approximately \$294,000.00.

Therefore, the Mayor respectfully requests Your Honorable Body to approve the following loan order:

ORDERED: That One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) be appropriated for the cost of purchasing and equipping Fire and Police Departmental vehicles/equipment, including costs of preparing, issuing and marketing any bonds or notes in connection therewith; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) under Section 7(9) of Chapter 44 of the General Laws; and that \$30,000.00 of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing of any such borrowing, provided that any portion of such \$30,000.00 not needed for such costs of issue shall be used for project costs.

**CITY PROPERTY & CLAIMS**  
**Sara Lynn Reynolds, Chairperson**

1. The Mayor respectfully submits a communication from Director of Planning and Development Gary Ayrassian recommending that the City accept a land donation of four parcels of land located on the paper street portion of Tremont Street (Map 46; Lots 173 through 176) from John DeBartolo. It should be noted that all the taxes have been satisfied up to and including the taxes that will be due May 1, 2016.
2. The Mayor respectfully submits a communication from City Collector Debora Marcoccio regarding Appellate Tax Board (ATB) case concerning tax abatement settlement. As part of the ATB settlements with these cases, the interest was not able to be waived and thus must be paid. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$1,332.61 from Account 11241000-578300 (City Wide-Reserve Fund for Transfer) to Account 11461000-592510 (Collector-Interest). Upon approval, the available balance in the Reserve Fund for Transfer Account will be \$81,457.36.

- The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding surplus items that the Park and Forestry Department would like to declare surplus and hereby respectfully requests Your Honorable Body to declare the following as surplus for trade-in value and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>
1994	Ford 260C Tractor/ Roadside Mower	BD55536
1996	JCB 210S Backhoe	SLP210ASTE0760521

- The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding surplus items that the Department of Public Works would like to declare surplus and hereby respectfully requests Your Honorable Body to declare the following as surplus and available for disposition:

<b>Item</b>	<b>Condition</b>
Tires (approximate quantity – 25)	Poor
Miscellaneous plow and frame parts	Poor
Army trailer	Poor
Truck Rims	Poor
Truck hoods	Poor
Miscellaneous Small Engine and parts	Poor
Metal Carts	Poor
Totes/Pallets of miscellaneous metals	Poor
Parking meters (quantity: 2)	Poor
Spool of cable wire	Poor
Miscellaneous truck parts	Poor
Obsolete guardrail parts	Poor

- Annually, the Mayor’s Office reviews the status of copy machines that need to be replaced due to age and service calls. Currently, the copy machine in the Collector’s Office needs to be replaced. The age of the machine is making it difficult to find parts for it to be repaired and in turn having increased down time. As per normal protocol, we exchange copy machines within the building in order to extend their useful life and we will pursue this once the new machine arrives. Therefore, the Mayor hereby requests Your Honorable Body transfer \$2,465.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-587023 (City Wide – Copy Machine). Upon approval, the available balance in Reserve Fund for Transfer will be \$77,492.36.

**PERSONNEL & HUMAN SERVICES**

**Mark J. Cooper, Chairperson**

- The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Jeffrey Dimarzio, 337 Richardson Avenue, Attleboro, to fill an expired term on the Municipal Building Commission. Term to expire February 2019.
- The Mayor respectfully submits for confirmation by Your Honorable Body the following appointments

to the Youth Commission to fill expired two year terms:

<b>Name</b>	<b>Appointment</b>	<b>Term</b>	<b>Expires</b>
Emily Rivers	Youth Commission	2 Years	February 2018
Kira Davis	Youth Commission	2 Years	February 2018
Shane Evans	Youth Commission	2 Years	February 2018
Donovan Riley	Youth Commission	2 Years	February 2018
Ethan Sylvia	Youth Commission	2 Years	February 2018

### **PUBLIC WORKS**

**Kate M. Jackson, Chairperson**

1. The Mayor respectfully submits a communication from Acting Superintendent of Water Paul Kennedy regarding the need for funds to purchase a new vehicle. The existing 2002 Ford Ranger, which is 14 years old and has over 110,000 miles on it, needs to be replaced. This vehicle will be replaced with a new Ford F-350 diesel pick-up truck with snow package and accessories and will be used by the meter reader crew for daily maintenance responsibilities. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$45,941.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-587044 (Water Enterprise – Truck Replacement).
2. The Mayor respectfully submits a communication from Acting Superintendent of Water Paul Kennedy regarding the need for funds to study and evaluate all of the HVAC systems at the Water Treatment Plant. This evaluation will include the systems functional usefulness, effectiveness, operating efficiency, physical condition of equipment and remaining service life. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$29,700.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-530101 (Water Enterprise Fund – Professional Services).
3. The Mayor respectfully submits a communication from Acting Superintendent of Water Paul Kennedy regarding the need for funds for improvements to the Ides Hill 3 and 5 million gallon water storage tanks. This will be done in conjunction with the Oak Hill water storage tank and will take place under the same contract. However, the improvements associated with Ides Hill tanks will be paid from a separate account. The work on both tanks will consist of modifying the overflow pipes, installation of security gates at the base of the ladder cages, installing new safety cables on the roof and a new finial vent just on the 5 million gallon tank. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$26,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584033 (Water Enterprise Fund – Water Tank Improvements).
4. The Mayor respectfully submits a communication from Acting Superintendent of Water Paul Kennedy regarding the needs for funds to replace the air conditioning unit within the electrical room at the Water Treatment Plant. This work is needed to maintain controlled temperatures for the electrical components housed in this room. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$35,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584052 (Water Enterprise Fund – Air Conditioning Unit).
5. The Mayor respectfully submits a communication from Superintendent of Wastewater Paul Kennedy regarding the needs for funds for the design to rehabilitate the Bio-Filters located at the Wastewater Treatment Plant. These filters are made up of a special filter media blend of leaf compost and wood

chips that biologically treat odors drawn through them via exhaust fans. Over time the filter media breaks down through normal degradation which typically last between four and five years in between rehabs. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$38,900.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Fund 3218 – Bio Filters.

6. The Mayor respectfully submits a communication from Superintendent of Public Works Lance Hill regarding the need for funds for the Downtown Attleboro Traffic Signal Improvements. The bids for these improvements were opened and Bell Traffic Signal Maintenance proved the lowest bid of \$226,430.00. Additionally, Nitsch Engineering submitted a quote to provide construction administration and oversight of the project of \$13,600.00. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$240,030.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3540 – Center Traffic Improvements.

### **PUBLIC SAFETY & EMERGENCY MANAGEMENT**

**Peter Blais, Chairperson**

1. The Mayor respectfully submits a communication from Plans Examiner William McDonough regarding the need for funds for overtime due to the increased number of after hour calls by both the Police and Fire Departments. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$1,500.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12401000-513000 (Protective Inspection – Overtime). Upon approval, the available balance in Reserve Fund for Transfer will be \$79,957.36.

**AGENDA  
REGULAR MEETING  
TUESDAY: MARCH 15, 2016 at 7:00 P.M.**

**7:01 P.M. - Personnel & Human Services Committee**

**APPROVAL OF THE RECORDS OF NOVEMBER 3, 2015; NOVEMBER 4, 2015; NOVEMBER 10, 2015 AND NOVEMBER 17, 2015; DECEMBER 1, 2015; DECEMBER 15, 2015; AND DECEMBER 22, 2015; JANUARY 5, 2016 AND JANUARY 19, 2016; FEBRUARY 2, 2016 AND FEBRUARY 16, 2016; MARCH 1, 2016. EXECUTIVE SESSION MINUTES OF SEPTEMBER 6, 2011 AND SEPTEMBER 27, 2011; JANUARY 17, 2012; FEBRUARY 7, 2012; APRIL 10, 2012; MAY 1, 2012; APRIL 16, 2013; AUGUST 20, 2013; DECEMBER 17, 2013; NOVEMBER 17, 2015; AND DECEMBER 15, 2015.**

**PUBLIC HEARING** relative to the following **LOAN ORDER**:

ORDERED: That One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) be appropriated for the cost of purchasing and equipping Fire and Police Departmental vehicles/equipment, including costs of preparing, issuing and marketing any bonds or notes in connection therewith; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) under Section 7(9) of Chapter 44 of the General Laws; and that \$30,000.00 of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing of any such borrowing, provided that any portion of such \$30,000.00 not needed for such costs of issue shall be used for project costs.

**PUBLIC HEARING** relative to amending Sections 2-11.1, 2-11.2, 2-11.3 (2), 2-16.1, 9-2, 9-43, 16-15.6, 16-18.6, and 16-18.7 of the Revised Ordinances of the City of Attleboro as follows:

**1. The Acquisition and Disposition of Real Property**

Delete in its entirety and replace with the following:

2-11.1 Acquisition of Real Property (Amended 1/21/03)

Prior to acquiring real property or an interest therein by purchase or rental at a cost exceeding *thirty-five thousand (\$35,000) dollars*, the city shall solicit written proposals by advertisement in the manner provided for in Section 2-11.3.

The Mayor's designee, with the advice and assistance of the appropriate department head and other City officials, will prepare the request for proposals. The request for proposals shall contain a description of the property needed by the City, shall indicate how the proposals will be evaluated, and shall set forth the submission requirements and the contract terms and conditions.

Delete in its entirety and replace with the following:

2-11.2 Disposition of Real Property (Amended 1/21/03)

Real property owned by the City shall not be disposed of by sale or rental until it has been declared available for disposition by the Mayor and the Municipal Council. The initial declaration shall be made in writing from the Mayor to the Municipal Council and shall suggest

restrictions, if any, to be placed on the subsequent use of the property. Prior to the making of such determination, the Mayor shall determine if any department of the City has an interest in the property. The Mayor's designee shall maintain an inventory of City-owned property.

Upon receipt of the Mayor's request that any parcel of real estate be declared available for disposal, and before the City solicits proposals for the acquisition of said real estate, the Municipal Council shall hold a public hearing on such request. Notice of the time and place of the public hearing shall be published at least seven (7) days prior to the hearing date. The Municipal Council shall thereafter make a determination as to whether the subject real estate shall be declared available for disposition and shall specify the restrictions, if any, to be placed on the subsequent use of the property, and any other applicable conditions.

Prior to the disposal of any real property, the City shall determine its value through procedures customarily accepted by the appraising profession as valid. The assessed value of the property may be used if it is current. If the value of the property to be disposed of exceeds **thirty-five thousand (\$35,000) dollars**, the City shall solicit written proposals for the purchase or rental of the property by advertisement in the manner provided for in Section 2-11.3. The Mayor's designee shall prepare the request for proposals.

Delete in its entirety and replace with the following:

### 2-11-3 Advertising for Proposals

The City shall place an advertisement in a newspaper having general circulation in the City inviting the submission of proposals for the acquisition or disposition of real property, as the case may be. The advertisement shall be published at least once a week for two consecutive weeks. The last publication shall occur at least eight days preceding the day for the opening of proposals. The advertisement shall specify the geographical area, terms and requirements of the proposed transaction, and the time and place for the submission of proposals. In the case of the acquisition or disposition of more than twenty-five hundred square feet of real property, the City shall also cause such advertisement to be published, at least thirty days before the opening of proposals, in the central register published by the State Secretary pursuant to Section 20A of Chapter 9 of the General Laws.

The City may shorten or waive the advertising requirement if:

- 1) The City determines that an emergency exists and the time required to comply with the requirements would endanger the health or safety of the people or their property; provided, however, it shall state the reasons for declaring the emergency in the central register at the earliest opportunity; or
- 2) In the case of a proposed acquisition, the City determines in writing that advertising will not benefit the City's interest because of the unique qualities or location of the property needed. The determination shall specify the manner in which the property proposed for acquisition satisfied the unique requirements. The City shall publish such determination and the reasons therefore, along with the names of the parties having a beneficial interest in the property pursuant to **Section 38 of Chapter 7C** of the General Laws, the location and size of the property, and the proposed purchase price or rental terms, in the central register not less than thirty days before the City executes a binding agreement to acquire the property.

## **2. Designer Selection Procedure**

Delete in its entirety and replace with the following:

2-16.1 A Procedure for the selection of designers for building construction, reconstruction, alteration, remodeling or repair projects the estimated cost of which exceeds ten thousand dollars shall be established in accordance with the provisions of General Laws, **Chapter 7C, Sections 44-57**. No such procedure or amendment to such procedure shall be effective until it is approved by the Municipal Council, following a proper advertised public hearing. Such procedure shall not apply to the selection of designers for Public Works projects bid under General Laws Chapter 30, Section 39M.

## **3. License and Permit Fees**

*Amend the list of fees in Section 9-2 of the City Ordinances by deleting the "Firearm Identification Card", "Firearms, License to Carry or Possess"; and "Firearms, Permit to Purchase".*

## **4. Dog License Late Fees**

*Amend Section 9-43 of the City Ordinances by deleting the last sentence that states, "All late fees collected under this provision shall be reserved for the Animal Shelter Building Fund, subject to further appropriation."*

## **5. Building Sewers and Connections**

Delete in its entirety and replace with the following:

### 16-15.6 Building Sewers and Connections ( amended 10/16/07)

m. *Whoever* is found installing or repairing a sewer connection or extension before applying and obtaining a signed proper permit **shall be punished by a fine of not more than fifty dollars for the first offense and one hundred dollars for any subsequent offense**. Until said amount is paid in full, said *person* will not be allowed to apply for any additional water or sewer permits in the City of Attleboro. All permits issued herein shall be physically present at the job site. If *any person* is found to be installing or repairing a sewer connection or extension without a permit at the job site, a fifty (\$50.00) dollar fine will be assessed to said *person*.

## **6. Sewer Use Rates**

Delete in its entirety and replace with the following:

16-18.6 An Industrial User which is required as a condition of its Industrial Waste Permit to pre-treat its sewage shall pay a surcharge at the rate of ninety (.90) cents per 100 cubic feet. The surcharge shall be in addition to the charge established in Section 16-18.1 above. Billing and payment of the surcharge shall be in accordance with Section 16-18.4. The money received from said surcharge shall be applied to the payment of costs associated with the administration of the pre-treatment program requirements by the City, including purchasing and maintenance of equipment and utilization of contract services where deemed necessary by the Superintendent .

Delete in its entirety and replace with the following:

16-18.7 An Industrial User shall pay the cost for quarterly, semi-annual or more frequent sampling as deemed necessary by the Superintendent. Such sampling may be a condition of an Industrial Waste Permit or may be ordered by the Superintendent to prevent harmful effects upon the Treatment Works or the environment.

## **ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS**

- Amend Sections 2-11.1, 2-11.2, 2-11.3 (2), 2-16.1, 9-2, 9-43, 16-15.6, 16-18.6, and 16-18.7 of the Revised Ordinances of the City of Attleboro. **(PH Re-Scheduled for 03/15/2016)**
- Amend the current fee structure and ordinance in order to carry out functions of the Capron Park Zoo. **(PH to be scheduled)**
- For further study and recommendation, and to the full Council for enactment: That the Rules of Procedure of the Municipal Council be amended as follows: Section 6 – Requests for Legal opinions be amended to add “Councilor questions regarding Ethics issues are excluded from these rules, they may consult with the City Solicitor regarding Ethics issues at any time.” (NB-Mr. Conti 1/19/16)
- For further study and recommendation, and to the full Council for enactment: That the Rules of Procedure of the Municipal Council be amended as follows: 1) Section 8 – Rules of Order Section 2-8.2 be amended to read “The City Clerk shall be the Parliamentarian of the Council. The City Clerk shall interpret and instruct the Council under Section 2-8.1 of these Rules. The Presiding Officer shall apply all rules, but the Presiding Officer’s application may be challenged by a Member raising a point of order, upon which the Presiding Officer shall accept the ruling of the City Clerk before continuing any further discussion.” (NB-Mr. Conti 1/19/16)
- Delete existing Section 9-46.2 under Section 9-46 Motor Vehicle Dealers of the Revised Ordinances of the City of Attleboro and insert new Section 9-46.2.
- To investigate the City Ordinances governing Hawkers and Peddlers Licenses and Leafleting Permits with the possibility of banning door to door sales within the City of Attleboro. (New Business—Mr. Denlea and Mr. Cook)
- 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)
- Legal Opinion dated August 15, 2014 from Attorney Brandon H. Moss to Jeremy Denlea relative to the proposed amendment to the Hackney Carriage (Taxi) ordinance. (8/19/14)
- That another definition of the requirements for a class #2 Dealer License. (WHOLE SALE ONLY) (NB—Thibodeau &Denlea)

## **ZONING & LAND USE**

- Letter from Attorney John F.D. Jacobi, III, dated February 17, 2016, requesting that the rezoning petition that was a subject of a public hearing on February 16, 2016, be amended to reflect that the zone currently is General Residence B rather than Single Residence B, and further to include Lot 51B, Assessors Plot 52 in the petition.
- Amended Rezoning petition relative to 144, 146, 150, 152 and 156 Pleasant street, Assessor's Plat #52, Lots 51, 51A, 51B, 52, 53 & 54 to change the current zoning of the property from General Residence-B to General Business. **(Joint Public Hearing w/ Planning Board scheduled for 4/19/16)**

## **CAPITAL IMPROVEMENTS & CITY DEVELOPMENT**

- Appropriate \$42,271.23 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12201000-587065 (Fire Department – Purchase Vehicle) to be used by the Fire Department to replace Car 4 with a new 4-wheel drive SUV.
- Appropriate \$30,528.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 12201000-585070 (Fire Department – Fire Alarm Upgrade) to be used by the Fire Department for the replacement of the Vision 21 Radio Master Box Receiver at the Briggs Brander Corner Fire Station.
- Appropriate \$102,580.39 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 16501000-585046 (Park and Forestry Department – Mower) to be used by the Park and Forestry Department for the replacement of their roadside mower.
- The Administration's proposed Program Year 2016 Community Development Block Grant Entitlement Budget for the CDBG entitlement year July 1, 2016 through June 30, 2017, the proposed Program Year 2016 Annual Action Plan, and to request that the Mayor, on behalf of the City of Attleboro, be authorized to submit to the Department of Housing and Urban Development the proposed CDBG budget and proposed activities to be undertaken during the upcoming CDBG entitlement year. **(PH scheduled for 04/05/16)**
- The City's Capital Improvement Program for FY2017–2021. **(PH scheduled for 04/19/16)**

## **TRANSPORTATION & TRAFFIC**

- Request from a constituent to install a stop sign at Edgewood Avenue and Magnolia Street that is not included in City Ordinance Section 10-4.11, Isolated Stop Signs and 10-4.12, Multi-Way Stop Signs. **(Referred to the TSC)**
- For study and recommendation: That Section 10-4.11 Isolated Stop Signs of the Revised Ordinances of the City of Attleboro is hereby amended by inserting the following in alphabetical order: Northwest drivers on Dailey Street at Camp Street. (NB- Ms. Heagney 02/16/16) **(Referred to the TSC)**
- For study and recommendation: To install a "STOP" sign on Colts Way at its intersection with Kennedy Drive. (NB-Mr. Cook) (PH-1/19/16) (Also referred to **Traffic Study Commission**)
- For study and recommendation: On street parking limitations on Sandalwood Drive and referred to **Traffic Study Commission**. (New Business-Mr. Cooper 11/17/15) **(PH held on 2/2/16)**
- To amend Section 10-5.11, Prohibited for Time Limited Parking by adding the following new section (f): No person shall park a vehicle between the hours of 6:00 A.M. though 7:00 A.M. and between the hours of 2:00 P.M. through 3:00 P.M. on any day except Saturday, Sunday and Legal Holidays, during the regular Bishop Feehan School Years, on the following streets or parts thereof; That prohibited for time limited no parking signs be posted on Harvard Street inbound (Easterly) from North Avenue on the South side of Harvard to the end of the street where it meets the Gate on Bishop Feehan Property. (Mr. Thibodeau) (9/1/15) (Public Hearing-9/15/15)
- To conduct a new study of the installation of traffic lights at the intersection of Park Street and Oak Hill Avenue and referred to **Traffic Study Commission**. (New Business—Mr. Thibodeau & Mr. Denlea)
- Application from the Attleboro Municipal Council, for the "Discontinuance Plan of a Portion of Harvard Street" Parcel A (880 Square Feet) being located on Assessor's Plat #90, 6B. (JOINT PUBLIC HEARING JANUARY 20, 2015)
- 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)
- 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)
- 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 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.

**LICENSES**

- Amended 2016 Class 2 Renewal license application from Attleboro Collision Center, Inc. d/b/a K.A.R Auto Sales, Inc., 50 Falmouth Street, Attleboro, MA 02703 for 7 customer parking spaces and 9 display spaces.

**BUDGET & APPROPRIATIONS**

- Approve the following loan order:  
 ORDERED: That One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) be appropriated for the cost of purchasing and equipping Fire and Police Departmental vehicles/equipment, including costs of preparing, issuing and marketing any bonds or notes in connection therewith; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) under Section 7(9) of Chapter 44 of the General Laws; and that \$30,000.00 of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing of any such borrowing, provided that any portion of such \$30,000.00 not needed for such costs of issue shall be used for project costs. **(PH scheduled for 03/15/16. Referred to Planning Board for Study and Recommendation)**
- For study and recommendation: That the City of Attleboro adopt the local option under Massachusetts General Law Part 1, Title IX, Chapter 59 Section 5, Fifty-Fourth, and that the Attleboro minimum value of personal property subject to taxation shall be \$10,000 effective July 1, 2016. (New Business- Mr. Conti)
- To research/investigate establishing a separate Stabilization Fund for the purposes of establishing a fund to replace the Attleboro High School track surface and/or the artificial athletic field 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.

**CITY PROPERTY & CLAIMS**

- Transfer \$20,412.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12101000-524011 (Police – Maintenance of Buildings) to make necessary repairs to the front steps at the Police Department.
- That the City accept a land donation of four parcels of land located on the paper street portion of Tremont Street (Map 46; Lots 173 through 176) from John DeBartolo.
- Transfer \$1,332.61 from Account 11241000-578300 (City Wide-Reserve Fund for Transfer) to Account 11461000-592510 (Collector-Interest) to cover the interest for an Appellate Tax Board case tax abatement settlement.
- Declare the following Park and Forestry Department items as surplus for trade-in value and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>
1994	Ford 260C Tractor/ Roadside Mower	BD55536
1996	JCB 210S Backhoe	SLP210ASTE0760521

- Declare the following Department of Public Works items as surplus and available for disposition:

<b>Item</b>	<b>Condition</b>
Tires (approximate quantity – 25)	Poor
Miscellaneous plow and frame parts	Poor
Army trailer	Poor
Truck Rims	Poor
Truck hoods	Poor
Miscellaneous Small Engine and parts	Poor
Metal Carts	Poor
Totes/Pallets of miscellaneous metals	Poor
Parking meters (quantity: 2)	Poor
Spool of cable wire	Poor
Miscellaneous truck parts	Poor
Obsolete guardrail parts	Poor

- Transfer \$2,465.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-587023 (City Wide – Copy Machine) to be used to replace the copy machine in the Collector’s Office.

- That the Municipal Council supports a proposal of the Attleboro Police Department to designate an area near Police Station with electronic surveillance for residents to engage in the exchange of goods from Internet transactions of any similar means. (12/15/15 NB- Mrs. Porreca)
- 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**

- Appointment of Jeffrey Dimarzio, 337 Richardson Avenue, Attleboro, to fill an expired term on the Municipal Building Commission. Term to expire February 2019.
- Appointments to the Youth Commission to fill expired two year terms:
 

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Emily Rivers	Youth Commission	2 Years	February 2018
Kira Davis	Youth Commission	2 Years	February 2018
Shane Evans	Youth Commission	2 Years	February 2018
Donovan Riley	Youth Commission	2 Years	February 2018
Ethan Sylvia	Youth Commission	2 Years	February 2018
- Two (2) letters from Paul Michaud, Joanne Troiano, Donald Allard, and “Margaret” to President Cook, dated February 8<sup>th</sup> and 11<sup>th</sup>, 2016 regarding the Anti-bullying Ordinance.
- 2 communications to President Cook from Donald Allard, Paul Michaud, Joanne Troiano and Margaret, disabled residents of Gardner Terrace.
- 5 Communications received from Attleboro citizens regarding the status of a proposed ordinance concerning the bullying of elderly and disabled residents (2 dated December 4<sup>th</sup>, 1 dated December 5<sup>th</sup>, 1 dated December 7<sup>th</sup> and 1 dated December 15<sup>th</sup>).
- Communication from Attleboro citizens regarding the status of a proposed ordinance concerning bullying of elderly and disabled residents.
- That the Council continues to investigate the anti-bullying issue and further discussions with the Council on Human Rights. (New Business—Ms. Heagney) (3/3/15)
- 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.

**PUBLIC WORKS**

- Appropriate \$45,941.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-587044 (Water Enterprise – Truck Replacement) to purchase a new Ford F-350 diesel pick-up truck for the Water Department.
- Appropriate \$29,700.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-530101 (Water Enterprise Fund – Professional Services) to be used to study and evaluate all of the HVAC systems at the Water Treatment Plant.
- Appropriate \$26,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584033 (Water Enterprise Fund – Water Tank Improvements) to be used for improvements to the Ides Hill 3 and 5 million gallon water storage tanks.
- Appropriate \$35,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584052 (Water Enterprise Fund – Air Conditioning Unit) to replace the air conditioning unit within the electrical room at the Water Treatment Plant.
- Appropriate \$38,900.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Fund 3218 – Bio Filters to cover the costs for the design to rehabilitate the Bio-Filters located at the Wastewater Treatment Plant.
- Appropriate \$240,030.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3540 – Center Traffic Improvements to be used for the Downtown Attleboro Traffic Signal Improvements.
- That Jones Street and Lee Street be accepted as a City street. (NB-Mr. Denlea and Ms. Jackson 02/02/16)
- To solve drainage problems in and around 86 Dexter Street. (New Business- Mr. Denlea)
- That a street be named in honor of former State Representative Stephen J. Karol. (12/19/00)

**PUBLIC SAFETY & EMERGENCY MANAGEMENT**

- Transfer \$1,500.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12401000-513000 (Protective Inspection – Overtime) to be used to cover the overtime for the Building Inspection Department’s Plans Examiner due to the increased number of after hour calls by both the Police and Fire Departments.
- Communication from Robert Truitt, South Attleboro Assembly of God, 1052 Newport Avenue, South Attleboro, MA relative to the increase in Fire Department inspection fees.
- Brenda Haskell at the Committee of the Whole relative to hunting on private property. (10/7/14)

- Communications from D Spatcher, 959 Pleasant Street, and J Palermo, 857 Pleasant Street, -hunting safety.
- Communication from Linda Chilson, 175 Pike Avenue, relative to hunting safety violations. (2/5/13)

### **NEW BUSINESS**

- Refer the following to the appropriate Committee for a vote: That the following items be accepted as a donation to the Office of the Municipal Council from an anonymous donor, in accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro:
  - 1 used HP Officejet 6500A Plus Printer/Copier/Fax Machine with an estimated value of \$150.00 in good working Condition
  - 1 New HP 920 XL black inkjet printer cartridge with an estimated value of \$12.00 (Ms. Hall)

*(Disclaimer-This agenda has been prepared in good faith based on topics that the Municipal Council anticipates being discussed at its meeting). Agenda prepared by Ken Owens from the Office of the Municipal Council.*