

# **SPECIAL MEETING & COMMITTEE MEETINGS**

**TUESDAY: May 10, 2016 at 7:00 P.M.**

## **AGENDA**

7:00	Capital Improvements and City Development	7:05	Budget & Appropriations
7:01	Personnel & Human Services	7:06	License
7:02	Public Safety & Emergency Management	7:07	Transportation & Traffic
7:03	Public Works	7:08	Zoning & Land Use
7:04	City Property & Claims	7:09	Ordinances, Elections & Legislative Matters

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

- 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**

- Certificate of Vote from Lauren Stamatis, Planning Board Clerk, certifying that the Planning Board voted in favor (6 Yeas, 0 Nays, 2 Absent) to recommend that the Municipal Council approve the petition of Alviti Realty, Inc. to rezone property located at 67 Mechanic Street, more specifically, Assessor's lot #102C, containing a land area of approximately 8.85 acres, on plat #41, from "Industrial" to "General Residence-A."
- Certificate of Vote from Lauren Stamatis, Planning Board Clerk, certifying that the Planning Board voted in favor (6 Yeas, 0 Nays, 2 Absent) to recommend that the Municipal Council approve the petition of Normand and Juliana Morin, Charles and Mona Fathallah, Pegasus Estates LLC, Bayridge Realty LLC, and Barone Realty Company to rezone property located at 144 Pleasant Street, 146 Pleasant Street, 150 Pleasant Street, 152 Pleasant street, and 156 Pleasant Street, more specifically, Assessor's lots #51, 51A, 51B, 52, 53, and 54, containing a land area of approximately 74,397 square feet, on plat #52, from "General Residence-A" to "General Business."
- Waive all fees associated with the filing of local permit applications for the rehabilitation of the Dodgeville Pond Dam, as this is a municipal project.
- Rezoning Petition from Attleboro Redevelopment Authority and Massachusetts Bay Transportation Authority relative to 0 Olive Street, 101 Olive Street, 105 Olive Street, 116 Olive Street, 0 Wall Street, 15 Wall Street, 8 Wall Street, 28 Wall Street, 0 South Main Street, and 65 South Main Street, Assessor's Plat Numbers 32, Assessor's Lot Numbers #1, #1A, #2, #2A, #3, #5, #5A, #5B, #55, #55A, #55B, #55C, #129A, #129, and #130 to change the current zoning of the property from Industrial to Transient Oriented Development. Approximately twenty (20+/-) acres.  
**(Joint Public Hearing w/ Planning Board scheduled for 5/17/16)**
- Rezoning Petition from Alviti Realty, Inc. relative to 67 Mechanic Street, Assessor's Plat 41, Lot 102C to change the current zoning from Industrial to General Residence A. **(Joint Public Hearing w/ Planning Board held on 4/19/16)**

- Updated Rezoning petition dated March 3, 2016 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-A to General Business. **(Joint Public Hearing w/ Planning Board held on 4/19/16)**
- 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.

## **CAPITAL IMPROVEMENTS & CITY DEVELOPMENT**

- 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 held on 04/05/16)**
- The City's Capital Improvement Program for FY2017–2021. **(PH held on 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**

- Applications for a 2016 Renewal Hackney Carriage Driver's License from:
  - Andrew J. Maden, 216 Knight Avenue, Attleboro, MA
  - Donald P. Blair, 1340 County Street, Attleboro, MA
  - Caryn E. Smith, 38 North Main Street, Attleboro, MA
  - Kathleen A. Kade Birks, 46 Emory Street, Attleboro, MA
  - Mae I. Fitton, 14D South Avenue, Attleboro, MA
  - Albert H. Bromley, 39 South Avenue, Attleboro, MA
  - Jeffrey A. Hunt, 53 Emory Street, Attleboro, MA
- Application for a New 2016 Hawkers & Peddlers License from Shawna O'Brien, 1 Medbury Road, North Attleboro, MA.

- Application for a Ring A Bell License to sell ice cream on the streets of Attleboro from Shawna O'Brien, 1 Medbury Road, North Attleboro, MA.

**BUDGET & APPROPRIATIONS**

- Communications received about concerns with the City's proposed FY17 School budget from:
  - Mark Houle, Attleboro High School Athletic Director
  - Rachel Skerker, a second year teacher at Attleboro High School
  - Stacey Haven, 16 Ice Pond Road, Attleboro, MA
  - Christine Lussier, an Attleboro resident and Parent Educator for Project Connect Family Center (birth to 5 program)
  - Guida Botelho, an Attleboro Resident
  - Rose Brown, 58 Holden Street, Attleboro, MA
  - Mrs. Christine Alvares, 67 Hazel Street, South Attleboro, MA
  - Kevin Crisafulli, 67 Springdale Avenue, Attleboro, MA
  - Harley Holmes, a teacher at Attleboro High School
  - Jaclyn & Dustin Campbell, Attleboro residents
  - Tanya Sweet, an Attleboro resident
  - Lisa Ramos, 22 Prospect Street, Attleboro, MA
  - Matthew Cote, 32 Russell Tennant Drive, Attleboro, MA
  - Tara Frissora, 74 Leawood Lane, Attleboro, MA
  - Jessica White, 74 Alder Street, Attleboro, MA
  - Kathleen and Robert Haddad, 10 Marissa Circle, Attleboro, MA
  - Donna Neuendorf, 39 Ides Hill Lane, Attleboro, MA
  - Colleen Gordon, 22 Alfred Street, Attleboro, MA
  - Paul and Dulcina Jorge, 16 Edgecliff Avenue, Attleboro, MA
  - Lauren Heroux-Camirand, PharmD, R.Ph., 140 Rocklawn Avenue, Attleboro, MA
  - Mrs. Anabella Marques, 75 Tomlinson Road, South Attleboro, MA
  - Mrs. Anabella Luis, 75 Tomlinson Road, South Attleboro, MA
  - Lucy Pacheco, 15 Birch Street #14, Attleboro, MA
  - Steve Dunlea, an educator in another school district
  - Colleen Gordon, 22 Alfred Street, Attleboro, MA
  - Catherine Blouin, 17 Remington Road, Attleboro, MA
- Communication from Chris Fitzpatrick, an Attleboro resident, urging the Municipal Council to vote in favor of Councilor Porreca and Denlea's New Business item.
- Communication from Laura Fairweather, 35 Russell Tennant Drive, Attleboro, MA regarding her concern that the city's proposed budget for next school year is over \$4 million short of leveled services.
- Communication from Michael and Kelly Crowley, 20 Beagle Club Road, Attleboro, MA, regarding their concerns about the Mayor's proposed proposal to slash education budgets in Attleboro.
- Communication from Nicole Dull, 5 Emily Road, Attleboro, MA regarding the school budget crisis in Attleboro.
- For study and recommendation: That the City of Attleboro accept Chapter 329 of the Acts of 1987, which amended M.G.L. c. 44, §32, so that in the case of the school budget, the Municipal Council, on the recommendation of the school committee, may by a two-thirds vote increase the total amount appropriated for the support of the schools over that requested by the mayor; and provided, further, that no such increase shall be voted if it would render the total annual budget in excess of the property tax limitations set forth in section twenty-one C of chapter fifty-nine. (NB 4/19/16- Vice-President Denlea & Mrs. Porreca)
- 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 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**

- Pass a resolution to dedicate the Holden Street Bridge in honor of the late Major Thomas J. Deegan. The Commonwealth of Massachusetts requires a resolution so that they can take action to formally dedicate the bridge in his honor.
- Declare the following Wastewater Department item as surplus for trade-in value and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>USAGE</u>	<u>CONDITION</u>
1985	Caterpillar D4E Bulldozer	9,295 hours	Fair to Poor

- 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**

- Transfer \$1,425.00 to Account 16301000-546012 (Recreation – Supplies Rec Grounds) to purchase supplies for the Recreation Department for the remainder of FY2016 from the following accounts:  
 -\$650.00 from 16301000-511000 (Recreation – Salary & Wages)  
 -\$775.00 from 16301000-514030 (Recreation – Longevity)
- Appropriate \$259,000.00 in required FY16 funding for Health Insurance, Workers’ Compensation and Medtax from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to the following accounts:  
 -\$75,000.00 to Account 11521000-517120 (Personnel - Health Insurance HMOs)  
 -\$63,000.00 to Account 11521000-517220 (Personnel – Workers’ Compensation)  
 -\$5,000.00 to Account 11521000-517223 (Personnel – Workers’ Compensation Police)  
 -\$84,000.00 to Account 11521000-517224 (Personnel – Workers’ Compensation Fire)  
 -\$32,000.00 to Account 11451000-517240 (Treasurer - Medtax)
- Appointment of Kent Richards, currently an associate member of the Zoning Board of Appeals, to fill an unexpired term as a full member on the Zoning Board of Appeals. Term to expire February 2018.
- Appointment of Kathi D. Gariepy, 1077 Pleasant Street, to fill an expired term on the Conservation Commission. Term to expire February 2019.
- Transfer \$3,937.60 for Animal Control overtime for the remainder of FY2016 from Account 16501000-511000 (Park & Forestry – Salary and Wages Full Time) to the following accounts :  
 -\$2,362.56 to Account 12921000-513022 (Animal Control - Call Back Overtime)  
 -\$1,575.04 to Account 12921000-513100 (Animal Control - Holiday Overtime)
- 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 \$200,000.00 from Account 6000-359000 (Wastewater Enterprise Fund - Retained Earnings) to Fund 3218-589060 (Bio Filters-Construction) to reconstruct two bio-filters located at the wastewater treatment plant.
- Appropriate \$73,724.66 from Account 6000-359000 (Wastewater Enterprise Fund - Retained Earnings) to Account 6000-524017 (Wastewater Enterprise Fund – Heavy Equipment) to make repairs on a Cat Bulldozer and Front End Loader.
- Transfer \$57,500.00 to Account 6100-521006 (Water Enterprise Fund – Sewer) from the following accounts to pay the fourth quarter sewer bill for FY2016. :  
 -\$23,000.00 from Account 6100-548010 (Water Enterprise Fund – Gasoline)  
 - \$2,000.00 from Account 6100-548011 (Water Enterprise Fund – Diesel Fuel)  
 -\$23,000.00 from Account 6100-553130 (Water Enterprise Fund – Chemicals)  
 -\$6,500.00 from Account 6100-553150 (Water – Water Meters)  
 -\$3,000.00 from Account 6100-553182 (Water – Lab Supplies)
- 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**

- In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, approve expending \$16,500.00 in grant funds and any future amendments for the Collins Center for Public Management at the University of Massachusetts Boston

to conduct an evaluation of the City's Problem-Oriented Policing (POP) Program. There is no matching requirement for this grant.

- 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)

*(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.*