

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
JUNE 16, 2015**

**APPROVAL OF THE RECORDS OF MAY 19 AND JUNE 2, 2015:
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.**

**PUBLIC HEARING to amend Article XVI – Uniform and Clothing Allowances of
the Personnel Rules and Regulations for Exempt Employees.**

LICENSES

Ronald Churchill, Chairperson

1. Application from Liquid Environmental Solutions for a New Aboveground storage license for two aboveground 10,000 gallon Methanol tanks and one aboveground 5,000 gallon Windshield Wipe Fluid tank at 527 Pleasant Street, Attleboro, MA (PUBLIC HEARING- July 21, 2015) (6/2/15)
2. Communication from Mona Mopukhaiber from Best Buy Automotive, Inc, 931 Washington Street, Attleboro, MA stating that she will be closing her business on May 22, 2015 (6/2/15)
3. Application for a 2015 New Hackney Carriage Driver's License from Donald Potter Blair, 1340 County Street, #49, Attleboro, MA (6/2/15)
4. Application for a 2015 Renewal Hackney Carriage Driver's License from Albert H. Bromley, 39 South Avenue, Attleboro, MA (6/2/15)
5. Application for a 2015 New Hawker's and Peddler's License from Jason St. Jean, 7 Washington Drive, Johnston, RI 02919 (6/2/15)

CAPITAL IMPROVEMENTS AND CITY DEVELOPMENT

Richard Conti, Chairperson

1. As you may recall, in March 2014, the Commonwealth's Gateway City Parks Program awarded the City a \$300,000.00 grant to develop a greenway/blueway pedestrian connector between Riverfront Drive Park and the Balfour Riverwalk from County Street, by way of the Ten Mile River, to Wall Street. The Mayor is pleased to inform you that the Commonwealth's Gateway City Parks Program awarded the City an additional \$200,000.00 grant towards this project for the acquisition of Map 32, Lot 55B and Map 32, Lot 55C which is land under agreement between the Attleboro Redevelopment

Authority and Orville P. Richardson. These funds will be used to match other funds along with the assistance of the Attleboro Redevelopment Authority to purchase this last parcel of land on the Intermodal Transportation Center (ITC) site. The City will utilize its current Massworks Grant to demolish the two existing buildings in addition to the DPW Highway Division Buildings later this year and will further extend plans for the new Riverfront Park out from its current end point to Olive Street. The subject property along with the property where Riverfront Park and Riverfront Drive will be situated, will be conveyed to the City of Attleboro once the project is complete.

This land transaction must be completed by June 30, 2015 in order to satisfy the grant as these remaining State dollars must be expended by this time period.

In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to approve expending of such funds and any future grant amendments by the Attleboro Planning and Development Department. (Copies in your packets)

In accordance with Article 2, Section 2-9 (b) of the City Charter of the City of Attleboro, the Mayor respectfully requests Your Honorable Body to consider this as an emergency measure. (2/6/2/15)

2. The Mayor respectfully submits a communication from Acting Superintendent of Water and Superintendent of Wastewater Paul Kennedy regarding the appropriation of funds needed for capital improvement projects in both enterprise funds. These funds need to be captured before the end of FY2015 to allow for the design or construction of projects to begin before retained earnings are certified in the Fall, as retained earnings lapse at June 30th. Please be aware that the following appropriations are approximate costs and any needed adjustments per final bids will be made in the future.

Therefore, the Mayor respectfully requests Your Honorable Body appropriate \$325,000.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to the following:

\$125,000.00 to Fund #3216 – Construction of Brownell Street Sewer
\$200,000.00 to Fund #3217 – Construction of the Wastewater plant’s Diffused Air System

In addition, to appropriate \$153,000.00 from Account 6100-359000 (Water Enterprise Fund - Retained Earnings) to Fund #3318 – Design to rehabilitate the Oak Hill Water Storage Tank

(Copies in your packet)

(5/6/2/15)

BUDGET AND APPROPRIATIONS

Brian Kirby, Chairperson

1. As you may recall, at your meeting on May 19, 2015, a request to appropriate \$100,000.00 of the total \$200,000.00 that the Board of Assessors released from the Allowance for Abatement for FY2005 and FY2006 was made to support the FY21016 budget. This left \$100,000.00 that remained to be appropriated as of May 19, 2015. Further, you were advised that a request to appropriate this remaining \$100,000.00 would be forthcoming as well as an additional release of overlay to satisfy old abatement matters.

Since that time, and in accordance with M.G.L. c 59, Section 25, the Attleboro Board of Assessors did in fact release \$100,000.00 from the FY2004 Allowance for Abatement Account. Please find the enclosed vote of the Board of Assessors releasing \$100,000.00 of available surplus overlay to the City for any lawful purpose.

Thus, this now leaves a total balance to be appropriated in the amount of **\$200,000.00** to be used for any lawful purpose.

Therefore, the Mayor respectfully submits a communication from City Auditor Deborah Gould, City Collector Debora Marcoccio and Chief City Assessor Stanley Nacewicz regarding deficit and surplus amounts needed in overlay accounts from previous years in regards to abating personal property taxes that are uncollectable. You will find the required communication from the Board of Assessors certifying the available overlay surplus for any lawful purpose, and hereby request Your Honorable Body to appropriate **\$200,000.00** from Account 1000-359600 (Fund Balance Overlay Surplus) to Accounts as follows:

- \$ 4.26 to Account 1000-123086 (Allowance for Abatement 1986)
- \$ 4.46 to Account 1000-123087 (Allowance for Abatement 1987)
- \$ 4.70 to Account 1000-123088 (Allowance for Abatement 1988)
- \$ 4.78 to Account 1000-123089 (Allowance for Abatement 1989)
- \$ 8.76 to Account 1000-123090 (Allowance for Abatement 1990)
- \$ 8.96 to Account 1000-123091 (Allowance for Abatement 1991)
- \$18,520.42 to Account 1000-123093 (Allowance for Abatement 1993)
- \$ 6.30 to Account 1000-123094 (Allowance for Abatement 1994)
- \$28,859.00 to Account 1000-123095 (Allowance for Abatement 1995)
- \$28,805.28 to Account 1000-123096 (Allowance for Abatement 1996)
- \$ 3,268.50 to Account 1000-123002 (Allowance for Abatement 2002)
- \$30,000.00 to Account 1000-123008 (Allowance for Abatement 2008)
- \$51,118.57 to Account 1000-123009 (Allowance for Abatement 2009)
- \$25,000.00 to Account 11411000-530895 (Assessor – Legal Services)

\$14,386.01 to Account 11241000-5783000 (City Wide – Reserve Fund for Transfer)
(Copies in your packets) (1/6/2/15)

TRANSPORTATION & TRAFFIC

Walter Thibodeau, Chairperson

1. Communication from Attorney Edward Casey relative to Bishop Feehan High School and Harvard Street. (6/2/15)
2. [That “No Parking” signs be installed on the east side of Berwick Road from Pole #7261 through Pole #7268. These signs are needed to prevent vehicles from parking on the shoulder of the roadway and depressing said shoulder to degrade the embankment of the river also adjacent to the roadway. This request is being made by the Cities Conservation Agent](#) and to refer the above matter to the **Traffic Study Commission** for study and recommendation. (6/2/15)

CITY PROPERTY & CLAIMS

Heather Porreca, Chairperson

1. The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding surplus items that the Water Department 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>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
200	Water Meters	Used (3/6/2/15)

2. The Mayor respectfully requests Your Honorable Body to accept the generous donation of a veteran’s flag from the family of the late Russell E. Marchand to the City, in accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro. (Copies in our packets) (4/6/2/15)

**ATTLEBORO MUNICIPAL COUNCIL
AGENDA
REGULAR MEETING
TUESDAY, JUNE 16, 2015**

6:45 P.M. BUDGET & APPROPRIATIONS

APPROVAL OF THE RECORDS OF MAY 19, JUNE 2 AND JUNE 9, 2015: 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.

PUBLIC HEARING to amend Article XVI – Uniform and Clothing Allowances of the Personnel Rules and Regulations for Exempt Employees.

MAYOR’S COMMUNICATION AND OTHER COMMUNICATIONS

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Application from the Attleboro Zoning Board of Appeals relative to amending certain sections pertaining the Flood Plain District (Joint Public Hearing on Tuesday, June 2, 2015)
- To ban the sale of nicotine and nicotine products to individuals under the age of 18 years old within the City of Attleboro; this includes, but is not limited to, liquids including nicotine, e-cigarettes and liquid vaporizers utilized to consume nicotine products. (New Business - Mr. Denlea) (PUBLIC HEARING JUNE 2, 2015)
- At the request of Attleboro departmental personnel and constituents across the city, I would like to refer to the appropriate committee for study and recommendation a city-wide sidewalk snow removal ordinance. (New Business—Ms. Porreca)
- That the Director of Emergency Management and the Emergency Management Advisory Council (as described in Chapter #4 of the Revised Ordinances of The City of Attleboro) develop and implement a solution to the city wide problem of removing snow or other obstacles inhibiting pedestrians from safely utilizing developed and undeveloped sidewalks adjoining existing roadways and or roadways that otherwise will exist when accepted. (New Business—Mr. Thibodeau)
- 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 from Liquid Environmental Solutions for a New Aboveground storage license for two aboveground 10,000 gallon Methanol tanks and one aboveground 5,000 gallon Windshield Wipe Fluid tank at 527 Pleasant Street, (PUBLIC HEARING- July 21, 2015)
- Communication from Mona Mopukhaiber from Best Buy Automotive, Inc, 931 Washington Street, Attleboro, MA stating that she will be closing her business on May 22, 2015
- Application for a 2015 New Hackney Carriage Driver’s License from Donald Potter Blair, 1340 County Street, #49,
- Application for a 2015 Renewal Hackney Carriage Driver’s License from Albert H. Bromley, 39 South Avenue
- Application for a 2015 New Hawker’s and Peddler’s License from Jason St. Jean, 7 Washington Drive, Johnston, RI 02919
- Communication from Renee Lumb requesting that the License Committee hold her Hawker’s and Peddler’s License
- 2015 Hawkers & Peddlers License from Renee Lumb, 62 Sycamore Avenue, Attleboro to sell food, novelties and beverages.

CAPTITAL IMPROVEMENTS AND CITY DEVELOPMENT

- Appropriate \$325,000.00 from (Wastewater Enterprise Fund – Retained Earnings) to two accounts
- Appropriate \$153,000.00 from (Water Enterprise Fund - Retained Earnings) to Fund #3318 – Design to rehabilitate the Oak Hill Water Storage Tank

ZONING & LAND USE

ATTLEBORO MUNICIPAL COUNCIL
AGENDA
REGULAR MEETING
TUESDAY, JUNE 16, 2015

BUDGET & APPROPRIATIONS

- Appropriate \$24,571.21 from (General Fund Reserve for Encumbrances) to (Special Education Collaborative Tuition). (Copies in your packets)
- Transfer \$2,400.00 from (City Wide- Reserve Fund for Transfer) to (City Wide – Special Event Professional Service). Appropriate \$200,000.00 from Account 1000-359600 (Fund Balance Overlay Surplus) to 16 accounts
- General Government Annual Budget, Water & Wastewater for Fiscal Year 2016. (Public Hearing on Tuesday, June 9, 2015)
- Transfer \$688,880.51 from Fund 6100 (Water Enterprise Fund) to the General Government Fund to fund the indirect cost for FY2016.
- Transfer \$586,201.94 from Fund 6000 (Wastewater Enterprise Fund) to the General Government Fund to provide funding for the indirect cost for FY2016 budget.
- Appropriate \$100,000.00 from (General Fund – Fund Balance Reserve for Overlay Surplus) to (Fund Balance Reserve for Expenditures) to fund the FY2016 Budget.
- 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

- 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)
- That a street be named in honor of former State Representative Stephen J. Karol (12/19/00)

TRANSPORTATION & TRAFFIC

- Communication from Attorney Edward Casey relative to Bishop Feehan High School and Harvard Street. (6/2/15)
- That “No Parking” signs be installed on the east side of Berwick Road from Pole #7261 through Pole #7268. These signs are needed to prevent vehicles from parking on the shoulder of the roadway and depressing said shoulder to degrade the embankment of the river also adjacent to the roadway. This request is being made by the Cities Conservation Agent. (New Business—Mr. Thibodeau)
- Recommendation from the Planning Board requesting the Municipal Council to request Bishop Feehan High School to prepare and submit a full and comprehensive traffic study
- Memorandum to the Planning Board from relative to the Discontinuance of a portion of Harvard Street.
- Communication from Karla Bassler, 18 Old Farm Lane, Attleboro, MA relative to the Discontinuance of a portion of Harvard Street. (two-week time period allowed for information to be submitted-ends today)
- That Stop Signs could be placed on unaccepted roads were subdivisions are still being developed but not finished, by order of the Police Chief on a temporary basis until the roadways are completed at which time they would be subject to the current process of approval through the Public Hearing process, to be accepted after the streets have been inspected and approved as City Streets. (New Business—Mr. Thibodeau)
- Communication from City Solicitor Robert Mangiaratti relative to the Harvard Street layouts.
- Communication from McMahon Transportation Engineers & Planners relative to Bishop Feehan High School: Proposed Alternatives Summary.
- 2 Communications in favor of the Discontinuance of Harvard Street
- 21 Communications in opposition of the Discontinuance of Harvard Street
- 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)
- Harvard Street. Vote to submit the application and engineering plan for the Discontinuance of a portion of Harvard Street (Old Business—Mr. Thibodeau)
- 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)

**ATTLEBORO MUNICIPAL COUNCIL
AGENDA
REGULAR MEETING
TUESDAY, JUNE 16, 2015**

TRANSPORTATION & TRAFFIC CONTINUED

- 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.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

- 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)

CITY PROPERTY & CLAIMS

- 200 water meters declare as surplus and available for disposition
- Donation of a veteran’s flag from the family of the late Russell E. Marchand to the City
- School Department items as surplus for trade-in or resale value 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

- Appointment of Jason Gittle, 553 Lindsey Street, --Planning Board. Term to expire February 2016.
- Amend Article XVI – Uniform and Clothing Allowances of the Personnel Rules and Regulations for Exempt Employees. (public hearing June 16, 2015)
- That the Council continue 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.

OLD BUSINESS: NONE

NEW BUSINESS: NONE

(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

**ATTLEBORO MUNICIPAL COUNCIL
SUPPLEMENTAL DOCKET
JUNE 16, 2015**

APPROVAL OF THE RECORDS OF MAY 19, JUNE 2 and JUNE 9, 2015: 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.

PUBLIC HEARING to amend Article XVI – Uniform and Clothing Allowances of the Personnel Rules and Regulations for Exempt Employees.

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

Jeremy Denlea, Chairperson

1. Recommendation from the Attleboro Planning Board voting in the affirmative (7 yeas—0 nays, 1 absent) to recommend to the Municipal Council to adopt the proposed amendments to Section 17-12, Flood Plain.

BUDGET AND APPROPRIATIONS

Brian Kirby, Chairperson

1. The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding the appropriation of unused prior year encumbrance funds to the School. As you know, the annual End of Year Report for the Attleboro Public Schools requires unexpended prior year encumbrance amounts to be reflected on the report. Encumbrances are recorded as expended thus when unexpended, the amounts increase requirements in future years reports. In FY2015 \$24,571.21 of prior FY2014 encumbrances remain unexpended for the School Department. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$24,571.21 from Account 1000-321100 (General Fund Reserve for Encumbrances) to Account O9400020-53201 (Special Education Collaborative Tuition). (Copies in your packets)

In order to be able to process this request for the end of FY2015 deadline, the Mayor hereby requests Your Honorable Body to consider this prior to June 30, 2015 (1/6/9/15)

2. The City of Attleboro is excited to improve on this year's Fourth of July festivities by planning a two day event that will commence at the Attleboro High School and conclude at Capron Park. Prior to the fireworks display at the High School on the fourth, entertainment will be provided by Strictly Sinatra; and on July 5th the 215th Army Band will perform at Capron Park. The cost associated with the entertainment will be \$10,900.00 which will include \$3,900.00 for the stage for both days, \$1,800.00 for the lighting for both days, along with \$5,200.00 for Strictly Sinatra on July 4th. There will be no fee for the entertainment associated with the 215th Army Band on July 5th. As in the past, the majority of the costs are paid out of the 4th of July Donation Account and the fund can contribute \$8,500.00 which leaves a remaining balance of \$2,400.00 needed for this expense. In order to secure these services for the holiday, the Mayor hereby requests Your Honorable Body to transfer \$2,400.00 from Account 11241000-578300 (City Wide- Reserve Fund for Transfer) to Account 1100124-530150 (City Wide – Special Event Professional Service). (2/6/9/15)