

SPECIAL MEETING
TUESDAY: JULY 21, 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; AND MARCH 1, 2016; AND APRIL 5, 2016 AND APRIL 19, 2016; AND MAY 3, 2016; MAY 10, 2016; MAY 17, 2016 AND MAY 31, 2016; JUNE 14, 2016, JUNE 21, 2016; AND JUNE 23, 2016; AND JULY 19, 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.

LICENSE
Vice-President Jeremy Denlea, Chairperson

1. Renewal Application from Sangria's Restaurant, 59 Park Street, Attleboro, MA to waive Section 11-15.1 in order to serve alcoholic beverages or wine on city property from August to August, Monday – Sunday during the hours of 12 NOON to 1:00 A.M.

BUDGET & APPROPRIATIONS
Shannon M. Heagney, Chairperson

1. As you are aware, there were reductions made in the FY2017 General Government Budget that unfortunately have caused unintended consequences that need to be addressed. Specifically, the Municipal Council voted to reduce the Citywide Overtime account by \$1,500.00, the Citywide Cell/Pager account by \$22,000.00 and the Citywide Professional Services account by \$50,483.22. For the following reasons, the Mayor is hereby requesting that Your Honorable Body re-appropriate these funds.

The reduction of citywide overtime from \$1,500 to zero dollars causes issues with City Hall custodial coverage during vacation/sick time annually as well as overtime associated with electrical issues. This issue currently becomes more problematic as our custodian is scheduled for vacation the first week of August with no overtime coverage available. We are responsible contractually to pay employees for coverage outside of normal working hours and this coverage is needed to maintain the building operations including the proper cleaning of restrooms for the staff and others. Further, there are multiple times a year that we pay for overtime for electrical repairs. Without this funding available, we will have to contract for outside companies to perform this work when needed and pay prevailing wage and thus being much more costly.

The elimination of citywide cell service by the reduction of \$22,000 will cause me to cancel service by August 1, 2016. As you can imagine, cell phones are not only valuable tools in times of emergency, but they also enhance the operational effectiveness and efficiency of City staff while away from the office and for other means of telecommunication. Employees to whom cell phones are assigned often need to be contacted quickly when important situations arise. City cell phones are only assigned to particular employees based on the specific needs of the department and working conditions of the employee; and only in cases when such a device is proven to provide an economic, efficient, and secure solution to the City's needs. These employees maintain constant access to their phones both on and off hours so that they can communicate effectively via text and email, and utilize applications to perform their job functions. A \$22,000.00 cut in this line item will negatively impact the Police, Fire, Planning, Conservation, Public Works – Highway Division, Inspection, Park & Forestry, Recreation, Animal Control, Mayor, Budget and Administration, and MIS Departments. And despite being an invaluable tool in today's world, the Mayor is aware of no law or regulation that could mandate an employee to provide his/her own cell phone as a condition of City employment, or that would require an employee to use his/her own private cell phone for City business. In fact, members of the Police Department could not even use their own private plans due to the nature of their work. And even if a City employee could be required to use his or her private cell phone to conduct City business, the City would then be obligated to reimburse that employee for such use, at a rate that far exceeds the governmental rate the City now receives. This reduction, if allowed to stand, will take away a vital communication tool that many departments use to do their job, and will undoubtedly lead to productivity loss, communication breakdown, and a major step backwards in using technology to do our City jobs efficiently. The \$27,000.00 originally recommended by me for this account was to cover the annual expense for 68 cell phone/devices; which averages out to approximately \$33.09 per month/device.

Lastly, the \$50,483.22 reduction in the Professional Services Account will virtually eliminate the City's ability to adequately defend itself against an attempt to build an asphalt plant off Tiffany and County Streets, which affects countless constituents throughout the City. Moreover, this reduction will also affect the City Solicitor's ability to deal with bankruptcies and other complex litigation that requires additional assistance in defending the City. Please find a copy of a memorandum from the City Solicitor outlining the need for these funds.

During your June 23, 2016 deliberations on these and other reductions, one message became clear; you wanted the Mayor to provide you with a more detailed explanation as to why these funds were vital to the effective operation of the City. It is the Mayor's hope and expectation that this communication has accomplished that objective.

Therefore, the Mayor hereby request Your Honorable Body to approve the following supplemental appropriations as follows:

- \$1,500.00 to Account 11241000-513000 (Citywide – Overtime)
- \$22,000.00 to Account 11241000-534020 (Citywide – Cell/Pager)
- \$50,483.22 to Account 11241000-530101 (Citywide – Professional Services)

2. Letter dated June 30, 2016, containing a check in the amount of \$1,000.00, from Denise Preston, 121 West Street, Attleboro, MA, to be used as a gift to the City of Attleboro to be directed toward providing funding to the salary within the Mayor's Department in order to re-instate the Constituent Services

Administrator position. Ms. Preston as asked that her gift be returned to her if the Constituent Services position is not re-instated.

3. Letter dated July 19, 2016, from Irene Kozdrowski, 30 Carleton Street, South Attleboro, MA asking the Municipal Council to fund the Constituent Services position held by Scott Folan.
4. Letter from Joseph P. Harney, 68 Beagle Club Road, Attleboro, MA asking the Municipal Council to reinstate Scott Folan's Constituent Services position

CITY PROPERTY & CLAIMS
Sara Lynn Reynolds, Chairperson

1. The Mayor respectfully submits a communication from Director of Veterans' Services Ken Badertscher regarding the following donations:

Gift certificates from the Board of Directors of the Attleboro Farmer's Market totaling \$100 in value for use at the Attleboro Farmer's Market.

Gift certificates from the B.P.O. Elks Lodge #1014 of Attleboro totaling \$500 in value for use at Stop and Shop Supermarket.

Gift certificates from the Disabled American Veterans Post #91 of Attleboro totaling \$300 in value for use at Stop and Shop Supermarket.

Gift certificates from the Veterans of Foreign Wars Post #115 of Attleboro totaling \$300 in value for use at Stop and Shop Supermarket.

In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro.

2. The Mayor respectfully submits a communication from Superintendent of Schools Kenneth Sheehan regarding the donation of five (5) Chromebooks with an estimated value of \$180 per device from Mark and Louis Cooper on behalf of their son Cameron for classroom use at the Studley Elementary School. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro.
3. The Mayor respectfully submits for confirmation by Your Honorable Body the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term Expiration</u>
Barry LaCasse	Director of Budget & Administration	February 2017
Scott Lachance	Director of Emergency Management	February 2017
Paul Palermo	Inspector of Wiring	February 2017
Dennis Walsh	Recreation Director	February 2017
Paul Kennedy	Superintendent of Wastewater	February 2017
Jean Benchimol	Zoo Director/Curator	February 2017

4. The Mayor respectfully submits a communication from Health Department Outreach Worker/Case Manager June Fleischmann regarding the donation of \$475.00 in Stop & Shop food gift cards from the Holiday Spirit Committee. These cards will be offered by the Health Department's Public Nurse and Outreach Worker to individuals and families in need. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous gifts to the City of Attleboro.
5. The Mayor respectfully submits a communication from City Treasurer Laura Gignac regarding the donation of (2) customer chairs with an approximate value of \$100.00; (4) desk chairs with an approximate value of \$400.00; and (1) desk with an approximate value of \$700.00 from Rockland Trust. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous gifts to the City of Attleboro
6. The Mayor respectfully submits a communication from Council on Aging Director Madeleine McNielly regarding the donation of a leather living room set with a value of \$4,200.00 from Nick, Ron and Pete Cardi. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous gifts to the City of Attleboro.

PUBLIC SAFETY & EMERGENCY MANAGEMENT

Peter Blais, Chairperson

1. The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding a FY2017, 911 Training Grant, from the Executive Office of Public Safety and Security (EOPSS) in the amount of approximately \$19,953. Please note that there is no matching requirement. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments. Monies from this grant must be expended no later than June 30, 2017.



SPECIAL & COMMITTEE MEETINGS

THURSDAY: July 21, 2016 at 7:00 P.M.

AMENDED AGENDA

COMMITTEE MEETINGS

7:01	Public Safety & Emergency Management	7:06	License
7:02	Public Works	7:07	Transportation & Traffic
7:03	Personnel & Human Services	7:08	Capital Improvements & City Development
7:04	City Property & Claims	7:09	Zoning & Land Use
7:05	Budget & Appropriations	7:10	Ordinances, Elections & Legislative Matters

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; AND MARCH 1, 2016; AND APRIL 5, 2016 AND APRIL 19, 2016; AND MAY 3, 2016; MAY 10, 2016; MAY 17, 2016 AND MAY 31, 2016; JUNE 14, 2016; JUNE 21, 2016; AND JUNE 23, 2016; AND JULY 19, 2016.

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ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Amendment of Section 9-43 of the Licenses and Permits Ordinance 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."
(PH held & closed on 03/15/16)
- 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

- Rezoning Petition from the City of Attleboro's Planning Board to amend the following sections of the ZONING ORDINANCE: Section 17-2.1.3 ESTABLISHMENT OF INDUSTRIAL ZONING DISTRICTS and Section 17-3.4 TABLE OF USE REGULATIONS – COMMUNITY FACILITIES. **(Joint PH with PLANNING BOARD held on July 19, 2016)**

CAPITAL IMPROVEMENTS & CITY DEVELOPMENT

NO ITEMS

TRANSPORTATION & TRAFFIC

- For Study and Recommendation: To install a “STOP” sign at the intersection of Cathedral Drive and Parsonage Way and referred to **Traffic Study Commission**. (New Business—Ms. Heagney 06/07/16)
- 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: 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. through 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.

LICENSE

- Renewal Application from Sangria’s Restaurant, 59 Park Street, Attleboro, MA to waive Section 11-15.1 in order to serve alcoholic beverages or wine on city property from August to August, Monday – Sunday during the hours of 12 NOON to 1:00 A.M. (**PH scheduled for 08/16/16**)

BUDGET & APPROPRIATIONS

- Request for the supplemental appropriation of \$1,500.00 to Account 11241000-513000 (Citywide – Overtime) to cover City Hall custodial coverage during vacation/sick time annually as well as overtime associated with electrical issues.
- Request for the supplemental appropriation of \$22,000.00 to Account 11241000-534020 (Citywide – Cell/Pager) to restore this account to \$27,000.00 to cover the annual expense for 68 cell phone/devices; which averages out to approximately \$33.09 per month/device.
- Request for the supplemental appropriation of \$50,483.22 to Account 11241000-530101 (Citywide – Professional Services) to allow the City to adequately defend itself against an attempt to build an asphalt plant off Tiffany and County Streets, which affects countless constituents throughout the City, as well as to enable the City Solicitor to deal with bankruptcies and other complex litigation that requires additional assistance in defending the City.
- Letter dated June 30, 2016, containing a check in the amount of \$1,000.00, from Denise Preston, 121 West Street, Attleboro, MA, to be used as a gift to the City of Attleboro to be directed toward providing funding to the salary within the Mayor’s Department in order to re-instate the Constituent Services Administrator position. Ms. Preston as asked that her gift be returned to her if the Constituent Services position is not re-instated.
- Letter dated July 19, 2016, from Irene Kozdrowski, 30 Carleton Street, South Attleboro, MA asking the Municipal Council to fund the Constituent Services position held by Scott Folan.
- Letter from Joseph P. Harney, 68 Beagle Club Road, Attleboro, MA asking the Municipal Council to reinstate Scott Folan’s Constituent Services position.
- Approve a supplemental appropriation for FY17 of \$50,465.88 to Account 11211000-511000 (Office of the Mayor – Salary) to fund the position of Constituent Services Administrator.
- 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

- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, approve the Mayor’s request to accept these generous donations to the City of Attleboro:
 - Gift certificates from the Board of Directors of the Attleboro Farmer’s Market totaling \$100 in value for use at the Attleboro Farmer’s Market.
 - Gift certificates from the B.P.O. Elks Lodge #1014 of Attleboro totaling \$500 in value for use at Stop and Shop Supermarket.
 - Gift certificates from the Disabled American Veterans Post #91 of Attleboro totaling \$300 in value for use at Stop and Shop Supermarket.
 - Gift certificates from the Veterans of Foreign Wars Post #115 of Attleboro totaling \$300 in value for use at Stop and Shop Supermarket.
- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, approve the Mayor’s request to accept these generous donations to the City of Attleboro: Five (5) Chromebooks with an estimated value of \$180 per device from Mark and Louis Cooper on behalf of their son Cameron for classroom use at the Studley Elementary School.
- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, approve the Mayor’s request to accept these generous donations to the City of Attleboro from the Holiday Spirit Committee:\$475.00 in Stop & Shop food gift cards. These cards will be offered by the Health Department’s Public Nurse and Outreach Worker to individuals and families in need.
- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, approve the Mayor’s request to accept these generous donations to the City of Attleboro from Rockland Trust:
 - (2) customer chairs with an approximate value of \$100.00
 - (4) desk chairs with an approximate value of \$400.00
 - (1) desk with an approximate value of \$700.00
- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, approve the Mayor’s request to accept these generous donations to the City of Attleboro: A leather living room set with a value of \$4,200.00 from Nick, Ron and Pete Cardi
- 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

- Approve the Mayor’s request for confirmation of the following reappointments to positions and for terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term Expiration</u>
Barry LaCasse	Director of Budget & Administration	February 2017
Scott Lachance	Director of Emergency Management	February 2017
Paul Palermo	Inspector of Wiring	February 2017
Dennis Walsh	Recreation Director	February 2017
Paul Kennedy	Superintendent of Wastewater	February 2017
Jean Benchimol	Zoo Director/Curator	February 2017
- Two (2) letters from Paul Michaud, Joanne Troiano, Donald Allard, and “Margaret” to President Cook, dated February 8th and 11th, 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 4th, 1 dated December 5th, 1 dated December 7th and 1 dated December 15th).
- 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

- Petition from Massachusetts Electric Company for NGRID to extend 5 JO poles beyond existing P12 in a westerly direction on Commerce Way. Also included is a new guy/anchor support pole across from existing P12 Commerce Way. It also adopts the 4-2 duct conduit banks that were installed during road construction and are as specified on the original approved road plans. These facilities will be utilized to supply the new New England Sports Village. **(PH held on 07/17/16)**
- That Jones Street and Lee Street be accepted as a City street. (NB-Mr. Denlea and Ms. Jackson 02/02/16)
- 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 the Mayor's request to approve expending approximately \$19,953 in FY2017, 911 Training Grant funds, from the Executive Office of Public Safety and Security (EOPSS), and any future grant amendments. There is no matching requirement and the monies from this grant must be expended no later than June 30, 2017.
- 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)

OLD BUSINESS: NONE

NEW BUSINESS

- To the appropriate Committee for further study & recommendation:
To add a crosswalk on Rome Boulevard at Green Drive. (Mrs. Porreca)

(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.