



ATTLEBORO MUNICIPAL COUNCIL
REGULAR MEETING
TUESDAY: SEPTEMBER 6, 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 17, 2016 AND MAY 31, 2016; JUNE 21, 2016; AND JUNE 23, 2016; JULY 19, 2016 AND JULY 21, 2016; AUGUST 16, 2016 AND AUGUST 18, 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:

Delete existing Section 9-47.2 under Section 9-47 Motor Vehicle Dealers of the Revised Ordinances of the City of Attleboro and insert new Section 9-47.2 as follows:

Section 9-47.2

Completed renewal applications for licenses issued under Massachusetts General Laws Chapter 140, Sections 57 to 59 (Class 1, Class 2, and Class 3) must be received by the Office of the City Clerk on or before the first Friday in November. In order to be processed, the renewal application must be submitted in its entirety, including a check or money order for the applicable license renewal fee. If a renewal application does not meet the conditions hereunder, the existing license shall expire on January 1st in accordance with Massachusetts General Laws, Chapter 14, Section 59. The license renewal fee for an application received after the first Friday in November shall be tripled. Payments of such triple fee shall not relieve any person from fully complying with the requirements of the above mentioned Massachusetts General Laws and the Revised Ordinances of the City of Attleboro.

(Originally from the Docket of December 22, 2015)

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

James J. DiLisio, Chairperson

1. The Mayor respectfully submits a communication from Election Commission Chairman George Spatcher regarding the need for funding and staff allocation. The reduction of force that was planned for July 1, 2016 was extended to November 28, 2016 and causes the need for funding in the amount of \$8,879.42 for this time period. Therefore, the Mayor hereby requests Your Honorable Body to approve a supplemental appropriation in the amount of \$8,879.42 to Account 11621000-511000 (Elections – Salary).

In addition, there still exists the need for additional staff coverage during the election season especially with the implementation of early voting as required by law. It was my administration's plan in conjunction with the Elections Office, to cover the additional staff needs with the Constituent Service Administrator. As Your Honorable Body did not discuss the reduction of staff in my office with me in order to fully understand the impact of that staff reduction, this further causes another issue that now impacts the Elections Office. Currently, other departments within City Hall have their own personnel demands and limitations that do not allow to provide such ongoing coverage. As such, the Board further recommends the reinstatement of the Constituent Service Administrator.

ZONING & LAND USE
Julie A. Hall, Chairperson

1. For further review and recommendation:

All Building Permits for construction and alterations in the Transit Oriented Development (TOD) include an impact fee of one hundredth of one percent (0.01%) of the building permit stated improvement value to be placed in a Fund for the maintenance and repair of TOD common ground capital improvements. Said Fee and Fund shall meet all Federal and State law requirements and shall benefit the residents of the TOD.

(New Business: Mr. Conti-08/18/16)



REGULAR MEETING
TUESDAY: SEPTEMBER 6, 2016 at 7:00 P.M.
AGENDA

6:30: Budget & Appropriations 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; AND MARCH 1, 2016; AND APRIL 5, 2016 AND APRIL 19, 2016; AND MAY 3, 2016; MAY 17, 2016 AND MAY 31, 2016; JUNE 21, 2016; AND JUNE 23, 2016; JULY 19, 2016 AND JULY 21, 2016; AUGUST 16, 2016 AND AUGUST 18, 2016.

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The license renewal fee for an application received after the first Friday in November shall be tripled. Payments of such triple fee shall not relieve any person from fully complying with the requirements of the above mentioned Massachusetts General Laws and the Revised Ordinances of the City of Attleboro.

(Originally from the Docket of December 22, 2015)

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Approve a supplemental appropriation in the amount of \$8,879.42 to Account 11621000-511000 (Elections – Salary) to cover the reduction of force in the Elections Office that was planned for July 1, 2016 that was extended to November 28, 2016.
- 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 9-47.2 under Section 9-47 Motor Vehicle Dealers of the Revised Ordinances of the City of Attleboro and insert new Section 9-47.2. (NB: President Cook & Mr. Thibodeau 12/12/15)
- 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

- For further review and recommendation: All Building Permits for construction and alterations in the Transit Oriented Development (TOD) include an impact fee of one hundredth of one percent (0.01%) of the building permit stated improvement value to be placed in a Fund for the maintenance and repair of TOD common ground capital improvements. Said Fee and Fund shall meet all Federal and State law requirements and shall benefit the residents of the TOD. (NB: Mr. Conti-08/18/16)

CAPITAL IMPROVEMENTS & CITY DEVELOPMENT

NO ITEMS

TRANSPORTATION & TRAFFIC

- For Study and Recommendation: To add a crosswalk on Rome Boulevard at Green Drive and referred to **Traffic Study Commission**. (New Business-Mrs. Porreca 07/21/16)
- 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

- Complaint from Pasquale Passi, 11 Summer St. APT. D, North Attleboro, MA about Old School Auto, located at 187 Cumberland Avenue, Attleboro, MA.

BUDGET & APPROPRIATIONS

- 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 the donation of services for the lettering and graphics on the City of Attleboro Veteran's Van from Greenwood Emergency Vehicles with an estimated value of \$3,000.00.
- Approve the Mayor's request to declare the following Police Department items as surplus for trade-in or resale value and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>	<u>MILES</u>	<u>CONDITION</u>
2007	Ford / C.V.	2FAFP71W17X104242	135,954	Poor
2008	Ford / C.V.	2FAFP71V98X123811	117,401	Poor
2007	Ford / Taurus	1FAFP53U07A181807	91,209	Poor
2006	Ford / Taurus	1FAFP53UX6A124058	91,927	Poor
2003	Utility Trailer	1B9BR10103H659058	N/A	Poor

- Approve the Mayor's request to accept the donation of (2) five drawer steel flat files with an approximate value of \$500.00 from Bob Rautenstrauch.
- In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, to approve the Mayor's request to accept the donation of (5) desk chairs with an approximate value of \$500.00 and (3) desks with an approximate value of \$1,200.00 from Bristol County Savings Bank.
- Approve a supplemental appropriation of \$3,027.00 to Account 14201000-524013 (Public Works – Maintenance of Traffic Lights) to repair City property that was damaged by a motorist at the intersection of Pleasant and Emory Streets. The total repair cost is \$8,027.00 but the driver's insurance company will only pay \$5,000.00, which leaves a remaining balance of \$3,027.00 needed to facilitate the repairs.
- 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 a supplemental appropriation of \$199.60 to Account 16101000-532010 (Public Library – Tuition & Books) to pay for tuition and books for a Library employee has been approved to take courses for the Fall 2016 semester and who is eligible for reimbursement according to contract agreement, Article XXI, Section 1.
- To the appropriate Committee for further study and recommendation: That Section 13-6 of the Revised Ordinances of the City of Attleboro relative to the Personnel Rules and Regulations for employees not covered by Collective Bargaining Agreements (Exempt Employees) be reviewed, and that revisions, updates or changes be made as appropriate. (NB- Mr. Cooper 08/16/16)
- To the appropriate Committee for further study and recommendation: That Section 5-1.2 of the Revised Ordinances of the City of Attleboro, Powers and Duties (Amended 4/3/08), be amended by deleting that section in its entirety and replacing it with the following: The Board of Assessors shall assess taxes and estimate the value of property for the purpose of taxation. The Board of Assessors shall have all the powers and duties now or from time to time vested by General Law or Special Act in Board of Assessors. The Chief Assessor under the administrative direction of the Mayor, not to include assessing of property, shall be the administrative head of the Assessors' Department and shall assist the Board of Assessors in estimating the value of real and personal estate and in the performances of such other duties as the Assessors require. (NB: Mr. Cooper- 08/16/16)
- 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

- 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

- Letter from Ellie Sugar, 11 Manchester Street, Attleboro MA regarding the increasing installation and use of outdoor fire pits by individuals on their properties in Attleboro.

OLD BUSINESS:

- To the Planning & Land Use Department for further study & recommendation:
All Building Permits for construction and alterations in the Transit Oriented Development (TOD) include an impact fee of one hundredth of one percent (0.01%) of the building permit stated improvement value to be placed in a Fund for the maintenance and repair of TOD common ground capital improvements. Said Fee and Fund shall meet all Federal and State law requirements and shall benefit the residents of the TOD. (Ms. Hall)

NEW BUSINESS

- To the appropriate Committee for further study & recommendation:
That the following items be accepted as a donation to the Office of the Municipal Council, in accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro:
 - 2 Mainstays brand Wall Clocks with an estimated value of \$5.00 each in good working condition
 - 4 Energizer AA batteries with an estimated value of \$5.00 (Mrs. Porreca)
- To the appropriate Committee for further study and recommendation:
That the Municipal Council approves a supplemental appropriation for FY2017 in the amount of \$60,866.17 to Account # 13001000 (Education) / 511110 (Personnel Services-Salaries) to fund the 8 crossing guard positions that were recently eliminated due to this cut. (Mr. DiLisio & Ms. Heagney)

(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.