

**ATTLEBORO MUNICIPAL COUNCIL
AGENDA
REGULAR MEETING
NOVEMBER 3, 2015**

APPROVAL OF THE RECORDS OF OCTOBER 6, 2015 AND OCTOBER 20, 2015; EXECUTIVE SESSION MINUTES OF 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.

NO PUBLIC HEARINGS ARE SCHEDULED DUE TO THE ELECTIONS

MAYOR'S COMMUNICATION AND OTHER COMMUNICATIONS

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

- Proposed amendment to the Zoning Ordinance relative to Transit Oriented Development.
- 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)
- 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)
- 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)

LICENSES

- Application for a 2016 Renewal Amusement Device License from South Attleboro Post 312, Inc., 437 Newport Avenue, South Attleboro, MA for one pool table and one juke box.
- Application for a 2016 Renewal Class 1 License from Priority Automotive, LLC d/b/a Cerrone Chevrolet, Buick, GMC Truck, 68 and 103 Washington Street, Attleboro, MA for 84 Customer Parking Spaces and 288 Display Spaces.
- Application for a 2016 Renewal Class 1 License from Just Trailers, Inc., 1863 County Street, Attleboro, MA for 12 Customer Parking Spaces and 7 Display Spaces.
- Application for a 2016 Renewal Class 2 License from Bristol County Auto Sales LLC, 227 Pine Street, Attleboro, MA for 20 Customer Parking Spaces and 10 Display Spaces.
- Application for a 2016 Renewal Class 2 License from North Main Street Auto, a division of K&L Tire and Automotive Co., Inc., 44 North Main Street, Attleboro, MA for 17 Customer Parking Spaces and 1 Display Space.
- Application for a 2016 Renewal Class 2 License from County Auto Sales & Service, Inc., 42 County Street, Attleboro, MA for 10 Customer Parking Spaces and 28 Display Spaces.
- Application for a 2016 Renewal Class 2 License from Tri Town Auto Sales, 1850 County Street, Attleboro, MA for 4 Customer Parking Spaces and 6 Display Spaces.
- Application for a 2016 Renewal Class 2 License from Liberty Coach, Inc., 78 Eddy Street, Attleboro, MA for 15 Customer Parking Spaces and 1 Display Space.
- Application for a 2016 Renewal Class 2 License from David Montenegro d/b/a Old School Auto Sales, 187 Cumberland Avenue, Attleboro, MA for 4 Customer Parking Spaces and 16 Display Spaces.
- Application for a 2016 Renewal Class 2 License from Lapieree Auto Repair, LLC, 97 Emory Street, Attleboro, MA for 30 Customer Parking Spaces and 12 Display Spaces.
- Application for a 2016 Renewal Class 3 License from Tri Town Auto, 1850 County Street, Attleboro, MA for 4 Customer Parking Spaces and 6 Display Spaces.
- Application for a 2015 Hawkers & Peddlers License from Renee Lumb, 62 Sycamore Avenue, Attleboro to sell food, novelties and beverages.
- Complaint from Patricia Savasta, 30 Observatory Road, Warwick, RI against Looney Tuned Auto Sales, 826 Washington
- 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

ATTLEBORO MUNICIPAL COUNCIL
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NOVEMBER 3, 2015

ZONING & LAND USE

- Rezoning Petition relating to 144, 146, 150, 152 and 156 Pleasant Street, assessors Plat 52, lots 51, 51A, 52, 53 and 54.

BUDGET & APPROPRIATIONS

- Expend \$7,500.00 for a Disney funded American Library Association (ALA) grant and any future grant amendments by the Attleboro Public Library.
- Transfer of \$820.00 from Account 11241000-524011 (City Wide-Maintenance of Buildings) to Account 11241000-578300 (City Wide- Reserve Fund for Transfer) for steam and water repair work at 95 Pine Street.
- Transfer of \$12,248.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-524011 (Fire – Maintenance of Buildings) to address for heating concerns at Headquarters and South Attleboro Fire Stations.
- Approve the transfer of FY2016 Local Cultural Council funds from the Massachusetts Cultural Council to the Attleboro Cultural Council in the amount of approximately \$18,300.00 and expending such funds any future grant amendments.
- Approve the request of the Mayor to approve the transfer of \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following accounts: \$2,900.00 to Account 11461000-530910 (Collector’s - Printing and Reproduction); and \$1,100.00 to Account 11461000-530107 (Collector’s - Banking Services) for the City’s new agreement for lockbox services with Bristol County Savings Bank.
- 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. (New Business—Mr. Cook)
- 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 Lynn and Ed Smith, Harvard Street residents, relative to traffic issues related to the opening of Harvard Street to Bishop Feehan traffic.
- 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 install a “Stop” sign at Hebron Avenue and Bliss Avenue and referred to **Traffic Study Commission**. (New Business—Ms. Heagney)
- 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)
- To install a traffic light at the intersection of Rathbun Willard Drive and Thacher Street (New Business—Mr. Cooper)

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- 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 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

- 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)

CITY PROPERTY & CLAIMS

- 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

- Confirm the appointment of Lance Hill, 14 Adelray Lane, Attleboro, MA, to fill an unexpired term of Superintendent of Public Works-Highway Division. Term to expire February 2017.
- 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.

OLD BUSINESS

NEW BUSINESS

- 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. Said Law reads: “Personal Property, if less than an amount established by the city of town, but not in excess of \$10,000 of value. This clause shall take effect upon its acceptance by a city or town, which shall establish a minimum value of personal property subject to taxation and may modify the minimum value by vote of its legislative body.” (Mr. Conti) (10/17/15)
- For study and recommendation: On street parking limitations on Sandlewood Drive. (Mr. Cooper) (10/17/15)
- For study and recommendation: To install a "STOP" sign on Colts Way at its intersection with Kennedy Drive. (Mr. Cook) (10/17/15)

(Disclaimer-This agenda has been prepared in good faith based on topics that the council anticipates being discussed at its meeting) Agenda prepared by Ken Owens, Assistant to the Council

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
NOVEMBER 03, 2015**

APPROVAL OF THE RECORDS OF OCTOBER 06, 2015 AND OCTOBER 20, 2015: EXECUTIVE SESSION MINUTES OF 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.

**No Public Hearings Scheduled
Elections Night**

LICENSES

Ronald Churchill, Chairperson

1. Application for 2016 Renewal Amusement Device License from South Attleboro Post 312, Inc., 437 Newport Avenue, South Attleboro, MA for one pool table and one juke box.
2. Application for a 2016 Renewal Class 1 License from Priority Automotive, LLC d/b/a Cerrone Chevrolet, Buick, GMC Truck, 68 and 103 Washington Street, Attleboro, MA for 84 Customer Parking Spaces and 288 Display Spaces.
3. Application for a 2016 Renewal Class 1 License from Just Trailers, Inc., 1863 County Street, Attleboro, MA for 12 Customer Parking Spaces and 7 Display Spaces.
4. Application for a 2016 Renewal Class 2 License from Bristol County Auto Sales
5. LLC, 227 Pine Street, Attleboro, MA for 20 Customer Parking Spaces and 10 Display Spaces.
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10. Application for a 2016 Renewal Class 2 License from David Montenegro d/b/a Old School Auto Sales, 187 Cumberland Avenue, Attleboro, MA for 4 Customer Parking Spaces and 16 Display Spaces.
11. Application for a 2016 Renewal Class 2 License from Lapieree Auto Repair, LLC, 97 Emory Street, Attleboro, MA for 30 Customer Parking Spaces and 12 Display Spaces.

12. Application for a 2016 Renewal Class 3 License from Tri Town Auto, 1850 County Street, Attleboro, MA for 4 Customer Parking Spaces and 6 Display Spaces.

BUDGET AND APPROPRIATIONS

Brian Kirby, Chairperson

1. The Mayor respectfully submits a communication from Library Director Joan Pilkington-Smyth regarding the receipt of a Disney funded American Library Association (ALA) grant in the amount of approximately \$7,500.00. The Library will be working with the Arc to bring interactive, sensory programming to children of all ability levels. There is no match for this grant. 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 such funds and any future grant amendments by the Attleboro Public Library.
(1/10/2015)
2. As you are aware, on September 15, 2015, Your Honorable Body transferred funds for steam and water repair work at 95 Pine Street. All expenses for these repairs have been satisfied and no longer require funding. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$820.00 from Account 11241000-524011 (City Wide-Maintenance of Buildings) to Account 11241000-578300 (City Wide- Reserve Fund for Transfer). Upon approval, the available balance in Reserve Fund for Transfer will be \$302,356.48.
(2/10/2015)
3. The Mayor respectfully submits a communication from Fire Chief Scott T. Lachance regarding the need for funds for heating concerns at Headquarters and South Attleboro Fire Stations. South Attleboro has two circulator pumps that are malfunctioning and must be replaced to restore the system and ensure that the building is adequately heated. Additionally, it has been determined that one of the unit heaters in the headquarters apparatus bays must be relocated to provide sufficient clearance for the new ladder truck. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$12,248.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12201000-524011 (Fire – Maintenance of Buildings). Upon approval, the available balance in Reserve Fund for Transfer will be \$290,108.48. (4/10/2015)
4. The Mayor respectfully submits a letter requesting the transfer of FY2016 Local Cultural Council funds from the Massachusetts Cultural Council to the Attleboro Cultural Council in the amount of approximately \$18,300.00. 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 to approve expending such funds and any future grant amendments. Monies from this grant must be expended no later than June 30, 2016. (5/10/2015)

5. The Mayor respectfully submits a communication from City Collector, Debora Marcoccio, regarding the City's new agreement for lockbox services with Bristol County Savings Bank and its savings along with associated benefits to the City. There will be \$4,000.00 needed for remittance envelopes and banking services. However, this expense is offset by approximately \$68,000.00 worth of cost avoidance. Therefore, the Mayor hereby requests Your Honorable Body to transfer \$4,000.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following accounts:

\$2,900.00 to Account 11461000-530910 (Printing and Reproduction); and
\$1,100.00 to Account 11461000-530107 (Banking Services).

Upon approval, the available balance will be \$286,108.48. The funding for this request should be approved as soon as possible in order to process the third quarter tax bills. (6/10/2015)

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Jeremy Denlea, Chairperson

1. Certificate of Vote from the Planning Board voting in the affirmative (5 Yeas, 0 Nays, 4 Absent) to recommend to the Municipal Council to adopt the proposed Transit Oriented Development zoning amendments.

PERSONNEL & HUMAN SERVICES

Shannon Heagney, Chairperson

1. The Mayor respectfully submits for confirmation by Your Honorable Body the appointment of Lance Hill, 14 Adelray Lane, Attleboro to fill an unexpired term of Superintendent of Public Works-Highway Division. Term to expire February 2017. Mr. Hill was offered employment with the City of Attleboro on October 13, 2015, under a temporary 90 day appointment in accordance with Section 3.3 (b) of the Attleboro Home Rule Charter. (3/10/2015)

ZONING & LAND USE

Jonathan Weydt, Chairperson

1. Rezoning Petition relative to 144, 146, 150, 152 and 156 Pleasant Street, Attleboro, assessors Plat 52, lots 51, 51A, 52, 53 and 54 to change the current zoning of the property from SR-B (Single Residence-B) to GB (General Business) (Public Hearing Not Scheduled)