



SPECIAL MEETING
TUESDAY: May 31, 2016 at 7:00 P.M.
AGENDA

PURPOSE: The Mayor's presentation of the FY17 Budgets, and associated matters, and any other matter / legal matter that may come before the Council.

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 AND MAY 17, 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.

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

- 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 PH with PLANNING BOARD continued to 06/07/16)**
- 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."
- 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 was held and closed on 4/19/16)**

CAPITAL IMPROVEMENTS & CITY DEVELOPMENT

- Appropriate \$132,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Fund 3321 Blake's Pond Dam, for the design of a new dam at Blake's Pond to replace the current dam which is over fifty years old and shows signs that trigger replacement.
- Appropriate \$177,900.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Fund 3322 Luther Reservoir Dam, for the Phase 2 Design for the rehabilitation of the Luther Reservoir Dam.

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.

LICENSE

- Request from The Friends of Capron Zoo, dated May 5, 2016, requesting that the City Council hold a Public Hearing on a waiver of Section 11-15.1 of the Revised Ordinances of the City of Attleboro to serve beverages on City property at the Capron Zoo on September 10, 2016 from 7pm-10pm for their annual fundraising event Passport to Mexico. **(PH Scheduled for 06/07/16)**

BUDGET & APPROPRIATIONS

- Appropriate \$19,595.05 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-599000 (City Wide – Other Financing Uses); and further transfer \$19,595.00 from Account 11241000-599000 (City Wide – Other Financing Uses) to Fund 3532-499000 (MassWorks – Other Financing Sources) for additional funding for Fund 3532 MassWorks for project related expenses not eligible for reimbursement from the Commonwealth.
- Questions to the Attleboro City Council from Chris Fitzpatrick and Margie Kelley, 5 Franklin Street (Ward 3), Attleboro, MA regarding “unfunded state mandates”.
- Communications received about concerns with the City’s proposed FY17 School budget from:
 - Christopher Blouin, 17 Remington Road, Attleboro, MA
 - Carol Konvalinka-Connolly, 27 Rambler Road, Attleboro, MA
 - Nichole Nelson, Attleboro, MA
 - Katherine McEttrick, 1446 Park Street, Attleboro, MA
 - Michael McEttrick, 1446 Park Street, Attleboro, MA
 - Michael J. Davis, 99 Thayer Farm Rd., Attleboro, MA
 - Lisa Crisafulli, Attleboro, MA
 - Jacki Emond, 16 Austin Drive (Ward 5), Attleboro, MA
 - Guida Botelho, Attleboro, MA
 - Jeremy & Priscilla Morrison, 27 Brownell Street, Attleboro, MA
 - Barbara Sierota, 12 Plain Street, Attleboro, MA

- Kevin Crisafulli, 67 Springdale Ave. (Ward 4B), Attleboro, MA
- Elizabeth Kalish, a third grader at an Attleboro School
- Erin M. Kalish, 8 ½ Mechanic Street, Attleboro, MA
- Kara Lehane, Director of Jack and Jill Pre-School, 50 Park Street, Attleboro, MA
- Katie (Provost) Dunlea, 7 Steven’s Field Road, Attleboro, MA
- Kristin & Mark Houle, 25 Beagle Club Road, Attleboro, MA
- Lynn Falzone, 5 Russell Tennant Drive, Attleboro, MA
- Sothea Moth-Touch, 44 Russell Tennant Drive, Attleboro, MA
- Anne Mastinelli, 34 Lester R. Ceray Drive, Attleboro, MA
- Steve McKenna, Attleboro, MA
- Jaime McKenna, Attleboro, MA
- Constance Bozzi, 74 Veery Road, Attleboro, MA
- Luiza M. Mills & Family, Attleboro, MA
- Brad & Dawn Rabbitt, 20 Ides Hill Lane, Attleboro, MA
- Lauren Fagan, 112 Slater Street, Attleboro, MA
- Rose Brown, 58 Holden Street, Attleboro, MA
- Carrie Montgomery, 27 Cynthia Lane, Attleboro, MA
- Erin Chace, 6 Thayer Farm Road, Attleboro, MA
- Stephanie Harvey, 8 Halko Drive, Attleboro, MA
- Julie Phillips, Attleboro, MA
- 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 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.
- 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

- Transfer \$713.73 from Account 11611000-530840 (Clerk – Preserving) to Account 11611000-542020 (Clerk – Supplies Office Equipment) for City Clerk Stephen Withers to purchase a new time stamp.
- 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

- Authorize the School Department to pay FY2015 previous year school bills totaling \$868.66 as identified in Mr. Furtado’s communication.
- 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

- Appropriate \$48,750.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584052 (Water Enterprise Fund – AC Unit) for the replacement of the air conditioning unit at the Water Treatment plant.
- Transfer \$350.00 from Account 6100-578300 (Water Enterprise Fund – Reserve Fund) to Account 6100-574010 (Water Enterprise Fund – Insurance) for the anticipated insurance endorsement for the new Water Storage Building.
- Approve a 20 year (240 month) Net Metering Agreement with Douglas Solar L.L.C.
- 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 expending \$25,000.00 in Community Compact Program grant funds and any future grant amendments for the City to seek accreditation of the Attleboro Police Department. There is no matching requirement for this grant.
- Authorize the expenditure of insurance proceeds from Account 2501220-580000 (Insurance > \$20,000.00 Fire-Capital Outlay) to cover the Fire Department’s Ladder 2 accident damages that will exceed \$20,000.00.
- 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 and recommendation: The establishment, under M.G.L. c. 44, s. 53 1/2 of an Animal Building Revolving Fund comprised of fines paid by dog owners for late dog licensing. Said Fund will be annually forwarded to the Mayor upon the approval of the Municipal Council. 100% of the fund would be annually authorized to specifically: (1) fund any capital programs in the Park and Forestry Department directly related to the Animal Shelter building; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; (4) a limit on the total amount of \$5,000 which may be expended from such fund in the ensuing fiscal year; (5) the balance to be held for future use in this fund subject to the annual renewal. (Mr. Conti)

(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.