

MEMBERS PRESENT: President Frank B. Cook, Vice-President Jeremy Denlea. Councilors: Peter Blais, Richard Conti, Mark Cooper, James DiLisio, Julie Hall, Shannon Heagney, Kate Jackson, Heather Porreca, and Sara Reynolds.

MEMBERS ABSENT: None

President Cook led the Council and the audience in the Salute to the Flag.

President Cook reminded Councilors and the audience to turn off all cell phone devices as it interferes with the cable broadcast.

A motion was made, duly seconded and unanimously voted to approve the minutes of January 5, 2016.

A motion was made, duly seconded and unanimously voted to approve the minutes of March 15, 2016.

President Cook informed the Council that after the March 15 , 2016 Minutes were sent there was an additional line added regarding the amended motion to the Class 2 renewal license of the Attleboro Collision Center.

The following Notice of Public Hearing was read by the City Clerk/Clerk of the Council, Stephen K. Withers:

PUBLIC HEARING relative to the following:

Delete in its entirety and replace with the following:

Section 12-3.7 Capron Park Zoo Admission Fees and Policies Amended 6/24/10

Jean Benchimol, Director of Capron Park Zoo for the past 11 years, spoke in favor.

Ms. Benchimol distributed a packet of information to the Councilors (Attachment 1).

Ms. Benchimol stated that the packet that she distributed will help to demonstrate why the Zoo is seeking to increase its fees, and that everything that is listed in the packet is funded through the Zoo's Revolving Account. She explained that the last fee increase at the Zoo occurred in 2010, and at that time the Revolving account paid \$196,578 to fund the Zoo's expenses. She went on to explain that the Revolving Account is now paying out \$510,940 in expenses.

Mr. DiLisio asked Ms. Benchimol what she thought the Revolving Fund would pay out in FY2017.

Ms. Benchimol explained that she anticipates the amount in FY2017 to be higher but that she only has done a cost analysis for the budget in FY2016, anticipating that her budget will be \$917,838.

Mr. Cooper stated that there were some changes made in regards to the way in which the Zoo is funded, explaining that there were several expenses that had been previously funded from the City side that are now being funded through the Revolving Account which explains the dramatic increase in spending over the 5-year period that Ms. Benchimol explained earlier.

Ms. Benchimol explained that the ultimate goal of the Zoo is to carry all of the responsibility of maintaining the facility through its Revolving Account, and while the Zoo isn't quite there yet the goal is to be self-sustaining which is why the Zoo is looking at an admissions increase of \$2.00 across the board and an increase of \$15.00 for its annual memberships.

Vice-President Denlea asked Ms. Benchimol if any consideration was given to keeping resident fees as they currently are and increasing only the fees for non-residents.

Ms. Benchimol responded by stating no, because a $\frac{1}{4}$ of the admission fees that the Zoo receives are from Attleboro residents and $\frac{3}{4}$ are from non-residents in the surrounding areas. She explained that the non-residents travel quite a distance to get to the Zoo, and because there are other zoos in the area that are larger that non-residents can choose to go to and, therefore, she wants to continue to encourage non-residents to travel to the City to enjoy our zoo by keeping the playing field level in terms of the admission fees that are charged.

Vice-President Denlea followed up, asking Ms. Benchimol if the Zoo needed more revenue through increased admissions fees or just needed more revenue in general.

Ms. Benchimol responded, stating that the Zoo's primary revenue source is through the admission fees, although other revenue is generated through membership and educational programs, birthday parties and camps.

Ms. Reynolds asked if the Zoo was self-sustaining.

Ms. Benchimol responded that the Zoo is not quite there yet, in regards to it being self-sustaining, but that it is about 7 full-time employees away from reaching that goal.

Mr. Conti asked Ms. Benchimol if there are any members of the Friends of Capron Park Zoo who are experienced in financing and marketing that provide her with guidance in regards to the gift shop.

Ms. Benchimol responded no, explaining that she handles all of these things and that the gift shop does very well.

Mr. Conti went on to state that although the Zoo does not do any fundraising that it has done a great job expanding. He went on to state that it is very important that the Zoo gets to being self-sustaining as soon as possible, and that he supports the fee increase in order for the zoo to be financially independent.

Mr. Conti asked Ms. Benchimol if there was an organization that assists Zoos with becoming accredited.

Ms. Benchimol responded that all accredited zoos are members of the AZA. She went on to explain that as part of the accreditation process the zoo and its services are reviewed and best practices are recommended.

Mrs. Porreca asked if it was correct that 2/3 of the visitors to the Zoo are from out of town. She also asked for information about the number of people who take advantage of the annual memberships and the number of seniors that are within that category.

Ms. Benchimol responded yes, that 2/3 of the Zoo's visitors are from out of town. Ms. Benchimol also stated that she would provide the information about senior membership to the Committee Chair.

Mr. Blais asked Ms. Benchimol for the number of senior citizens and veterans that visit the Zoo.

Ms. Benchimol responded that she did not have those figures, but that she would do some research and get that information to the Committee Chair.

Mr. DiLisio asked Ms. Benchimol if the Zoo was up for a renewal of the Zoo's re-certification this year.

Ms. Benchimol responded yes, that the hearing would take place in September and the site visit inspection would take place in June.

Ms. Jackson asked Ms. Benchimol about the number of zoos in the United States that are accredited.

Ms. Benchimol responded that there are over 2,800 zoos in the country and only 240 of those are accredited.

Mr. Cooper asked Ms. Benchimol if she had provided information in the packet that she distributed related to the Zoo's expenditures and its other sources of revenues.

Ms. Benchimol responded that the information is provided in the packet in the section related to the Zoo's budget.

Ms. Benchimol went on to explain that there are letters of support from the Park Department and Friends of Capron Park Zoo in the packet that she provided, as well as information related to what other Zoos charge for admission.

Ms. Hall asked if the Zoo received the fee increase that it is requesting if it would be self-sustaining.

Ms. Benchimol stated that while the fee increase would not result in the Zoo being self-sustaining, it would allow the Zoo to meet its budget.

Ms. Hall asked if she has received any feedback regarding the fee increase from members of the public.

Ms. Benchimol responded that she did not solicit comments from members of the public about the fee increases because she wanted to present the idea to the Municipal Council and Mayor's Office first.

Vice-President Denlea asked Ms. Benchimol if she could provide the Council with a calculation about what the fee increase would need to be if only the non-resident admission fees were increased.

Ms. Benchimol responded that she can research that information and provide it to the Council, but she cautioned that increasing the fees too much for non-residents might result in their choosing to visit other zoos and a marked decrease in admission numbers.

Sonny Almeida, Superintendent of the City's Parks & Forestry Department, also spoke in favor.

Mr. Almeida stated that he is 100% in favor of the fee increase. He explained that running a Zoo is very difficult, especially given the fact that money has to be raised to run it, and that there were several discussions about whether or not to raise the Zoo's admissions fees and that Ms. Benchimol has shined throughout this process. He went on to explain that the goal is to make the Zoo better than it already is, and that he hopes that the Council will support the admissions fee increase in order to do that.

Deb Kirby, Vice-President of the Friends of Capron Park Zoo, also spoke in favor.

Ms. Kirby stated that the Friends of Capron Park Zoo truly believe in Ms. Benchimol's vision for the Zoo, that she knows what it needs, and that they are in support of her proposal to increase admissions fees. Ms. Kirby went on to discuss some of the reviews of the Zoo's that she found on Yelp, and she provided a copy of those reviews to the Municipal Councilor's (Attachment 2). She explained that the Zoo is a great place to visit, that the admissions fees are extremely reasonable, and that if the goal is to keep the Zoo being a great place that the admissions fees have to be increased in order to do that.

Mr. Conti asked Ms. Kirby to discuss the Friends of Capron Zoo's activities last year.

Ms. Kirby responded that last year the Friend of Capron Zoo assisted with the renovation of the concession stand by donating \$45,000. She explained that this year they will sponsor a Passport to Mexico event at the Zoo and that they try to raise funds as best as they can in order to support the Zoo.

Mr. Conti asked Ms. Kirby how residents can become involved with the Friends of Capron Park Zoo.

Ms. Kirby explained that information about joining the Friends of Capron Zoo can be found their Facebook page as well as on the Zoo's website.

Judy Sears, a volunteer at the Zoo, also spoke in favor.

She stated that she supports the raising of the admissions fees, explaining that she has done her homework on what the admissions fees are at other area zoos and that Capron Zoo's fees are reasonable in comparison.

Nancy Manning, one of the docents at the Zoo for 11 years, also spoke in favor.

She explained that people that she has spoken with have expressed to her that the Zoo is always clean and that they have enjoyed their visits.

Leanne Collins, the Treasurer of the Friends of Capron Park Zoo, also spoke in favor.

She explained that she is a life-long resident of Attleboro who grew up using the park and the Zoo, but when her 3 children were younger she was a member of Roger Williams Zoo, which was a lot more expensive, because she thought they would enjoy going to a much larger zoo. She explained that was not the case, and that she found that her children liked going to Capron Park Zoo as opposed to Roger Williams Zoo any day. She went on to explain that in her opinion the admission fees are underpriced and that the \$2.00 increase will not stop people from coming to the Zoo.

Michael Herder, a resident of School Street, spoke in opposition.

Mr. Herder asked the Municipal Council if it thought that a \$2.00 increase in the Zoo's admissions fees is appropriate because it impacts a single parent household negatively and could take them out of budget.

President Cook explained that the purpose of holding the Public Hearing is to get information so that the Municipal Council can render a decision. President Cook also explained that this is an issue that the Municipal Council was asked to consider and by getting information from those who are in support, in opposition and neither for nor against allows the Municipal Council to render a decision that is in the best interest of the City.

Ms. Hall stated that the Zoo has an animal exchange program and that the Zoo has birthed animals that have been sent to other Zoos, contributing to the preservation of animal species throughout the country.

No one spoke neither for nor against.

After consultation with Mr. DiLisio, President Cook declared the Public Hearing closed.

The following Notice of Public Hearing was read by the City Clerk/Clerk of the Council, Stephen K. Withers:

PUBLIC HEARING relative to the Administration's proposed Program Year 2016 Community Development Block Grant Entitlement Budget for the CDBG entitlement year July 1, 2016 through June 30, 2017, the proposed Program Year 2016 Annual Action Plan, and to request that the Mayor, on behalf of the City of Attleboro, be authorized to submit to the Department of Housing and Urban Development the proposed CDBG budget and proposed activities to be undertaken during the upcoming CDBG entitlement year.

Dorothy Brissette, Director of Community Development for the City of Attleboro, spoke in favor.

Ms. Brissette stated that this evening opens up the Department Housing and Urban Development mandatory 30-day required public comment period on the Program Year 2016 Annual Action Plan. She went on to explain that there is a copy of the draft Plan available in the Community Development Office, as well as at the Attleboro Public Library and on the City's website.

Ms. Brissette went on to explain that the City of Attleboro has been an entitlement community of Block Grant funds since the mid-80's, that while these funds serve the community as a whole the primary use

of the funds is to assist low-income residents. She explained that in developing the City's 5-year Plan, approximately 2 ½ years ago the City addressed areas of need in the City, including the creation and retention of affordable housing through the rehabilitation of existing single and multi-family homes. She also explained that there is also an opportunity to use these funds to create economic opportunities by the creation of jobs. She also explained that the funds may also be used for the improvement of public facilities, including handicapped Accessible sidewalks and the improvement of public facilities with which the primary use is to assist low and moderate-income residents. She also explained that the funds would also be used to assist social service agencies.

Ms. Brisette explained that a needs meeting was held on February 24, 2016 in which interested social service agencies, city departments and residents discussed the needs of the community. Ms. Brisette explained that 11 proposals were received with a request of approximately \$150,000 more than is available for allocation. Ms. Brisette explained that it was determined by the review committee how the funds could be distributed and that information is outlined in the handout that she provided to the Municipal Councilors (Attachment 3). Ms. Brisette explained the CDBG budget of \$443,320.00, including the capped amounts to be used for administration of the Program, allocation to Public Service agencies, Public Facility Improvements and Housing Rehabilitation.

Ms. Brisette also explained that the request for funds was very competitive and that 9 requests were received from social service agencies for Block Grant funds. She explained that a decision was made to fund the top 7 agencies based on the number of individuals that they serve, the needs of the community and the 5-year Plan that was submitted to HUD 5 years ago.

Ms. Brisette explained that the submission deadline for the Action Plan to HUD is May 15, 2016. She respectfully requested that the Municipal Council review and approve the submission of the Plan prior to that date.

President Cook explained that the Municipal Council has to vote on the Plan prior to May 15th. He also disclosed that he is a volunteer tutor at the Literacy Center, one of the agencies listed as a potential recipient of funds. He clarified that he does not receive any payment for his tutoring services.

Ms. Hall also disclosed that she is on the Board of Directors of the Literacy Center.

Mr. Conti asked Ms. Brisette to describe the two projects that are proposed to be funded as public improvements under the Plan.

Ms. Brisette responded, explaining that she is proposing to allocate \$50,000 to renovate sidewalks in low-income neighborhoods on Pine, Emory, Dunham, Foil and Park Streets and the renovation of these sidewalks is also a part of the City's Plan to improve the downtown area. She also explained that the other \$100,000 is proposed to fund the Ten Mile Riverwalk Connector, a fully-accessible walking path throughout the City.

Mr. Conti also asked Ms. Brisette to describe the \$144,897 housing rehabilitation budget item.

Ms. Brisette explained that the funding is being proposed to address energy efficiency and emergency assistance issues for two single family and two multi-family homes.

Mr. Conti also disclosed that he volunteers his services as an auctioneer for On Common Ground and that he has done so for several years and will continue to do so in the future.

Vice-President Denlea stated that he has seen improvements with the CBDG since he has been on the Council. He explained that most of the projects are in his Ward, and he thanked Ms. Brissette for her proposals.

Mr. Cooper asked Ms. Brissette if she can provide some detail on Program income and where that money is coming from.

Ms. Brissette responded that there are various economic development projects that have been assisted in the past that are now repaying their loans back. She also explained that she has instituted a small Loan Repayment Program through the rehabilitation of multi-family homes. She further explained that the majority of the assistance that is being provided is through fixing heating systems and that type of assistance is offered in grant form. She also explained that 0% interest loan are provided to homeowners who have needs related to code violations.

Mr. Cooper asked Ms. Brissette who the members of the review team are.

Ms. Brissette stated that Mayor Dumas, City Planner Gary Ayraasian and herself make up the Committee, that there is a scoring process that is used when reviewing proposals.

No one spoke in opposition.

No one spoke neither for nor against.

After consultation with Mr. Conti, President Cook declared this Public Hearing closed.

The following communications were received from the Mayor and read by the City Clerk/Clerk of the Council, Stephen K. Withers:

April 5, 2016

Dear Municipal Councilors

1. I respectfully submit for confirmation by Your Honorable Body the appointment of Kathryn Rautenstrauch, 17 Second Street, to fill an unexpired term as an associate member on the Zoning Board of Appeals. Term to expire February 2017. (Copies in your packets)

1/4/5/16 – **REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE**

2. I respectfully submit for confirmation by Your Honorable Body the appointment of Sarah Ribeiro, 87 Fairway Drive, to fill an expired term on the Youth Commission. Term to expire February 2018. (Copies in your packets)

2/4/5/16 – **REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE**

3. I respectfully submit a communication from Director of Recreation Dennis Walsh regarding the need for funding to make repairs to the brick façade at the Bartek Center. Therefore, I hereby request Your Honorable Body transfer \$13,446.00 from Account 16301000-511000 (Recreation – Salary & Wages) to Account 16301000-524031 (Recreation – Maintenance of Buildings-Exterior). (Copies in your packets)

3/4/5/16 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

4. I respectfully submit a communication from Acting Superintendent of Water Paul Kennedy regarding the need for funds due to the increase costs associated with the delivery charge on National Grid accounts. Therefore, I hereby request Your Honorable Body appropriate \$75,000.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-521020 (Water Enterprise Fund – Lights & Power). (Copies in your packets)

4/4/5/16 – REFERRED TO THE BUDGET & APPROPRIATIONS COMMITTEE

5. I respectfully submit a communication from Superintendent of Wastewater Paul Kennedy regarding the need for funds to rebuild the hydraulic piston and the hydraulic press on a filter press. Both pieces of equipment are critical to the solids handling process. Therefore, I hereby request Your Honorable Body transfer \$20,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 6000-524240 (Wastewater Enterprise Fund – Equipment Maintenance). (Copies in your packets)

5/4/5/16 – REFERRED TO THE PUBLIC WORKS COMMITTEE

6. I respectfully submit a communication from Chief of Police Kyle P. Heagney regarding the need for funds to cover the associated costs for the Metropolitan Law Enforcement Council (METRO-LEC) Search & Rescue and SWAT team. Therefore, I hereby request Your Honorable Body transfer \$735.00 from Account 12101000-532012 (Police – Academy Tuition) to Account 12101000-573010 (Police – Dues). (Copies in your packets)

6/4/5/16 – REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

7. I respectfully submit a communication from Superintendent of Schools Kenneth Sheehan regarding the donation of the following items:

Four (4) basketball rims and nets with an approximate value of \$600.00 to Hyman Fine from the Attleboro Youth Basketball Association

Six (6) ipads with an estimated value of \$1,920.00 from the Willett PTO to the Willett Elementary School

Fourteen (14) Hewlett Packard Chromebooks with a total value of \$3,052.35 from the Willett PTO to the Willett Elementary School

Four (4) cases of paper from an anonymous donor distributed as follows: two (2) cases to Studley; one (1) case to Willett; and one (1) case to Hill-Roberts

One (1) Onkyo TX-NR545 7.2 Channel Network A/V Receiver with an estimated value of \$448.00 from the Willett PTO to the Willett Elementary School

Four (4) ipads with an estimated value of \$1,300.00 from the Willett PTO to the Willett Elementary School

In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to accept these generous donations to the City of Attleboro. (Copies in your packets)

7/4/5/16 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

8. On March 15, 2016, Your Honorable Body voted to approve an appropriation of \$45,941.00 to purchase a new Ford F-350 diesel pick-up truck for the Water Department. This request should have been for a new Ford F-350 gasoline pick-up truck for the Water Department. Therefore, I hereby request Your Honorable Body amend the previous vote from a Ford F-350 diesel pick-up to a Ford F-350 gasoline pick-up truck.

8/4/5/16 – REFERRED TO THE PUBLIC WORKS COMMITTEE

9. As you are aware, on December 22, 2015, Your Honorable Body transferred \$35,000.00 for a boiler replacement at Fire Headquarters. In order to expedite the replacement of the boiler, the cost of the project was an estimate. The contract was awarded in the amount of \$19,000.00. The surplus of \$16,000.00 is no longer needed. Therefore, I hereby request Your Honorable Body to transfer \$16,000.00 from Account 12201000-587054 (Fire – Boiler Replacement) to Account 11241000-578300 (City Wide- Reserve Fund for Transfer). Upon approval, the available balance in Reserve Fund for Transfer will be \$85,568.64. (Copies in your packets)

9/4/5/16 - REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

10. I respectfully submit a communication from City Auditor Deborah Gould regarding the need for additional funding for the Ides Hill portion of the Water Tank Rehabilitation Project. Therefore, I hereby request Your Honorable Body to transfer \$118,650.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584033 (Water Enterprise Fund – Water Tank Improvements). (Copies in your packets)

In accordance with Article 2, Section 2-9 (b) of the City Charter of the City of Attleboro, I respectfully request Your Honorable Body to consider this as an emergency measure as the contract cannot be signed until these funds have been appropriated.

10/4/5/16 – REFERRED TO THE PUBLIC WORKS COMMITTEE

11. As you are aware, on July 23, 2015, Your Honorable Body transferred \$18,350.00 for a septic system replacement at Briggs Corner Station. The 10% construction contingency is no longer needed. Therefore, I hereby request Your Honorable Body to transfer \$1,675.00 from Account 12201000-584015 (Fire – Septic Improvement) to Account 11241000-578300 (City Wide- Reserve Fund for Transfer). Upon approval, the available balance in Reserve Fund for Transfer will be \$87,253.64. (Copies in your packets)

11/4/5/16 - REFERRED TO THE PUBLIC SAFETY & EMERGENCY MANAGEMENT COMMITTEE

12. I respectfully submit a communication from Election Office Manager Maryann Draine regarding the need for funds due to unanticipated expenses involved with the changing of Ward 1 polling location. Therefore, I hereby request Your Honorable Body transfer \$200.00 from Account 11621000-511550 (Election Commission – Salary Election) to Account 11621000-542020 (Election Commission–Supplies Election Equipment). (Copies in your packets)

12/4/5/16 – REFERRED TO THE ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS COMMITTEE

13. I respectfully submit a communication from Executive Director of the Contributory Retirement Board Leslie Ring regarding the need for funds to cover the expense of employees during their military deployment. Therefore, I hereby request Your Honorable Body to transfer \$8,231.19 from Account 11241000-578300 (City Wide -Reserve Fund for Transfer) to Account 11241000-517315 (City Wide - Military Retirement Credit). Upon approval, the available budget in the Reserve Fund for Transfer Account will be \$79,012.45. (Copies in your packets)

13/4/5/16 – REFERRED TO THE PERSONNEL & HUMAN SERVICES COMMITTEE

14. I respectfully submit a communication from Legal Secretary Alison Wood regarding surplus items that the Health 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>DESCRIPTION</u>	<u>MODEL</u>	<u>CONDITION</u>
Husky Air Compressor 26 Gallon 1.7 HP	WL660900AJ	Very poor
Myers Waste Oil Air Diaphragm Pump	Series J98B	Very poor/no longer works

14/4/5/16 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

15. I respectfully submit 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>
5	14" Dresser Coupling	Poor
4	16" Dresser Coupling	Poor
2	18" Dresser Coupling	Poor
6	20" Dresser Coupling	Poor
6	24" Dresser Coupling	Poor
1	Cap for 10" Main	Poor
2	Cap for 12" Main	Poor
1	Cap for 14" Main	Poor

15/4/5/16 – REFERRED TO THE CITY PROPERTY & CLAIMS COMMITTEE

16. The City of Attleboro has been notified of its FY2017 apportionment for the "Chapter 90" local transportation aid in the amount of \$1,211,000.00. Therefore, I respectfully request Your Honorable Body to appropriate \$1,211,000.00 and any other future grant amendments into Fund 3108 (Chapter 90 Projects) for the purpose of funding Chapter 90 eligible projects as approved by the Massachusetts Department of Transportation (MassDOT). (Copies in your packets)

16/4/5/16 – REFERRED TO THE PUBLIC WORKS COMMITTEE

Sincerely,

Kevin J. Dumas, Mayor

April 5, 2016

Dear Municipal Councilors

1. As you are aware, the Election Commission is required to update their voting tabulator equipment & associated computer. This project is noted in the Capital Improvement Program. The lowest responsible bid for the voting tabulators is \$80,500 and the new laptop computer that is needed is \$1,139.17. Therefore, I hereby request Your Honorable Body to transfer \$81,639.17 to Account 11621000-585101 (Elections – Voting Equipment) from the following Accounts:

- \$30,700.00 from Account 11621000-511550 (Elections – Salary)
- \$6,000.00 from Account 11621000-530910 (Elections – Printing and Reproduction)
- \$44,939.17 from Account 11241000-578300 (Citywide – Reserve Fund for Transfer)

1/4/5/16 – REFERRED TO THE CAPITAL IMPROVEMENTS & CITY DEVELOPMENT COMMITTEE

Sincerely, Kevin J. Dumas, Mayor

The following other communication was also received and read by the City Clerk/Clerk of the Council, Stephen K. Withers:

1. Petition from National Grid and Verizon, 280 Melrose Street, Providence, RI to relocate Pole #130 with anchor approximately 17' South as requested by town officials for driveway to be installed to business of ACERRONE LIMITED. The City will need to relocate a "lane must turn left" traffic sign to a new location.

REFERRED TO THE PUBLIC WORKS COMMITTEE

VOTED: at 7:52 P.M. TO GO INTO THE COMMITTEE OF THE WHOLE

No one spoke during the Committee of the Whole.

VOTED: at 8:07 P.M. TO ARISE

VOTED: at 8:08 P.M. TO RECESS

The meeting was called back to order at 8:17 P.M.

Committee Reports:

On recommendation of the **Ordinances, Elections & Legislative Matters Committee**, and on the motion of Mr. DiLisio, the following votes were taken:

1. Voted on Roll Call (10 yeas, 1 nay. Mr. Conti voting nay) to adopt the following Ordinance:

"ORDINANCE RELATIVE TO THE DESIGNER SELECTION PROCEDURE"

BE IT ORDAINED by the Municipal Council of the City of Attleboro as follows:

That Section 2-16.1 (Designer Selection Procedure) of Chapter 2-Administration, of the Revised Ordinances of the City of Attleboro, be hereby amended by deleting Section 2-16.1 in its entirety and replacing that Section with the following:

2-16.1 A Procedure for the selection of designers for building construction, reconstruction, alteration, remodeling or repair projects the estimated cost of which exceeds ten thousand dollars shall be established in accordance with the provisions of General Laws, *Chapter 7C, Sections 44-57*. No such procedure or amendment to such procedure shall be effective until it is approved by the Municipal Council, following a proper advertised public hearing. Such procedure shall not apply to the selection of designers for Public Works projects bid under General Laws Chapter 30, Section 39M.

Mr. DiLisio requested a waiver of the entire reading of this motion given that he read the motion in its entirety at the Ordinances, Elections & Legislative Matters Committee meeting that was held during the previous week.

2. Voted on Roll Call (11 yeas, 0 nays) to adopt the following Ordinance:

“ORDINANCE RELATIVE TO LICENSE AND PERMIT FEES”

BE IT ORDAINED by the Municipal Council of the City of Attleboro as follows:

That the list of fees in Section 9-2 (License and Permit Fees) of Chapter 9-License and Permits, of the Revised Ordinances of the City of Attleboro, be hereby amended by deleting “Firearm Identification Card”, “Firearms, License to Carry or Possess”; and “Firearms, Permit to Purchase, Rent or Lease”.

Mr. DiLisio made a friendly amendment to this motion by adding “,Rent or Lease” after “Firearms, Permit to Purchase”.

3. Voted on Roll Call (11 yeas, 0 nays) to adopt the following Ordinance:

“ORDINANCE RELATIVE TO BUILDING SEWERS AND CONNECTIONS”

BE IT ORDAINED by the Municipal Council of the City of Attleboro as follows:

That Section 16-15.6 m (Building Sewers and Connections) of Chapter 10-Department of Public Works and Departments of Water and Wastewater, of the Revised Ordinances of the City of Attleboro, be hereby amended by deleting that Section in its entirety and replacing that Section with the following:

16-15.6 Building Sewers and Connections (amended 10/16/07)

m. Whoever is found installing or repairing a sewer connection or extension before applying and obtaining a signed proper permit shall be punished by a fine of not more than fifty dollars for the first offense and one hundred dollars for any subsequent offense. Until said amount is paid in full, said person will not be allowed to apply for any additional water or sewer permits in the City of Attleboro. All permits issued herein shall be physically present at the job site. If any person is found to be installing or repairing a sewer connection or extension without a permit at the job site, a fifty (\$50.00) dollar fine will be assessed to said person.

Mr. DiLisio requested a waiver of the entire reading of this motion given that he read the motion in its entirety at the Ordinances, Elections & Legislative Matters Committee meeting that was held during the previous week.

4. Voted on Roll Call (10 yeas, 1 nay. Mr. Conti voting nay) to adopt the following Ordinance:

“ORDINANCE RELATIVE TO SEWER USE RATES”

BE IT ORDAINED by the Municipal Council of the City of Attleboro as follows:

That Sections 16-18.6 and Section 16-18.7 (Sewer Use Rates) of Chapter 16-Department of Public Works and Department of Water and Wastewater, of the Revised Ordinances of the City of Attleboro, be hereby amended by deleting those Sections in their entirety and replacing those Sections with the following:

16-18.6 An Industrial User which is required as a condition of its Industrial Waste Permit to pre-treat its sewage shall pay a surcharge at the rate of ninety (.90) cents per 100 cubic feet. The surcharge shall be in addition to the charge established in Section 16-18.1 above. Billing and payment of the surcharge shall be in accordance with Section 16-18.4. The money received from said surcharge shall be applied to the payment of costs associated with the administration of the pre-treatment program requirements by the City, including purchasing and maintenance of equipment and utilization of contract services where deemed necessary by the Superintendent.

16-18.7 An Industrial User shall pay the cost for quarterly, semi-annual or more frequent sampling as deemed necessary by the Superintendent. Such sampling may be a condition of an Industrial Waste Permit or may be ordered by the Superintendent to prevent harmful effects upon the Treatment Works or the environment.

Mr. DiLisio requested a waiver of the entire reading of this motion given that he read the motion in its entirety at the Ordinances, Elections & Legislative Matters Committee meeting that was held during the previous week.

Mr. DiLisio also called for a Committee meeting at the next appropriate time.

Ms. Hall reported that the **Zoning and Land Use Committee** had no business.

She explained the there are two Public Hearings scheduled for next week (Mrs. Porreca left the Council Chambers during this discussion given a Conflict of Interest) relative to the AMENDED rezoning petition of Juliana M. Morin, 144 Pleasant Street, Attleboro, MA; and Charles A. and Mona Fathallah, 146 Pleasant Street, Attleboro, MA; and Pegasus Estates LLC, 150 Pleasant Street, Attleboro, MA; and Bayridge Realty LLC, 156 Pleasant Street, Attleboro, MA; and Barone Realty Company, Inc., 152 Pleasant Street, Attleboro, MA relative to 144, 146, 150, 152 and 156 Pleasant Street, Assessor's Plat #52, Lots 51, 51A, 51B, 52, 53 & 54 to change the current zoning of the property from General Residence-A to General Business and relative to the Rezoning Petition from Alвити Realty, Inc. relative to 67 Mechanic Street, Assessor's Plat 41, Lot 102C to change the current zoning from Industrial to General Residence A.

Ms. Hall then called for a Committee meeting at the next appropriate time.

Mrs. Porreca returned to the Council Chambers.

On recommendation of the **Capital Improvements & City Development Committee** and on motion of Mr. Conti, the following vote was taken:

1. Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor's request to appropriate \$122,500.00 from Account 6100-359000 (Water Enterprise Fund Retained Earnings) to Account 6100-530145 (Water Enterprise Fund – Distribution Assets Study) to fund an Asset Management Plan for the City's Water Distribution System, which is outlined in the Water Enterprise Capital Improvements Program. This request of funds will be for the first two (2) phases of a three (3) phase project.

Mr. Conti also called for a Committee meeting at the next appropriate time.

Mrs. Porreca reported that the **Transportation & Traffic Committee** had no business and she called for a Committee meeting at the next appropriate time.

On recommendation of the **License Committee** and on motion of Vice-President Denlea, the following votes were taken:

1. Voted unanimously to approve the application for a 2016 Renewal Ring a Bell license to sell ice cream on the streets of Attleboro from Alejandro Arteaga, d/b/a Palagis Ice Cream, 55 Bacon Street, Pawtucket, RI.
2. Voted unanimously to approve the application for a 2016 Renewal Hawkers & Peddlers license from Alejandro Arteaga, d/b/a Palagis Ice Cream, 55 Bacon Street, Pawtucket, RI.
3. Voted unanimously to approve the application for a New Hawkers & Peddlers license from Richard McLaughlin d/b/a Big Team Ice Cream, 210 Richardson Avenue, Attleboro, MA.
4. Voted unanimously to approve the application for a New Ring a Bell license to sell ice cream on the streets of Attleboro from Richard McLaughlin d/b/a Big Team Ice Cream, 210 Richardson Avenue, Attleboro, MA.
5. Voted unanimously to approve the request from VFW Post 115, 122 Park Street, Attleboro, MA to hold their annual Poppy Drive on Saturday, May 14, 2016 with a rain date of Saturday, May 21, 2016.

Vice-President Denlea also called for a Committee meeting at the next appropriate time.

On recommendation of the **Budget and Appropriations Committee** and on motion of Ms. Heagney, the following votes were taken:

1. Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor's request to appropriate \$138,800.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11411000-595010 (Assessor – Revaluation) to perform a Triennial Revaluation in Fiscal Year 2017 as part of the last portion of the three (3) year contract with Northeast Revaluation Group, LLC, Inc.

Ms. Heagney made a friendly amendment to this motion by changing the receiving Account from 11411000-591490 (Assessor-Revaluation) to 11411000-595010 (Assessor – Revaluation).

2. Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor’s request to appropriate \$115,478.23 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to the following accounts to cover the increased costs associated with the delivery charge on National Grid accounts for 4 City departments and the City Wide Lights & Power and Street Lighting accounts for the remainder of FY2016:

\$25,000.00 to Account 11241000-521020 (City Wide – Lights & Power)

\$75,000.00 to Account 11241000-521030 (City Wide – Street Lighting)

\$2,850.00 to Account 14201000-521020 (Public Works – Lights & Power)

\$3,000.00 to Account 15411000-521020 (Council on Aging – Lights & Power)

\$6,500.00 to Account 16101000-521020 (Library – Lights & Power)

\$3,128.23 to Account 16301000-521020 (Recreation – Lights & Power)

Ms. Heagney made a friendly amendment to this motion by adding “and the City Wide Lights & Power and Street Lighting accounts” after “for 4 City departments”.

3. Voted on Roll Call (8 yeas, 3 nays. Ms. Reynolds, Mr. Denlea and Mr. Conti voting nay) to approve the following Loan Order:

ORDERED: That One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) be appropriated for the cost of purchasing and equipping Fire and Police Departmental vehicles/equipment, including costs of preparing, issuing and marketing any bonds or notes in connection therewith; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow One Million Two Hundred Four Thousand Dollars (\$1,204,000.00) under Section 7(9) of Chapter 44 of the General Laws; and that \$30,000.00 of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing of any such borrowing, provided that any portion of such \$30,000.00 not needed for such costs of issue shall be used for project costs.

There was a lengthy discussion about this Loan Order prior to the vote. Ms. Reynolds expressed her concern about the amounts of money that the City is planning to bond for through the recent Loan Orders that the Municipal Council has approved for the High School’s feasibility Study, the DPW, the Oak Hill Water tank Rehab, Police and Fire Vehicles, and the School department. She stated that she would not vote in support of this Loan Order because she doesn’t feel confident given the possibility of a Proposition 2 1/2 override happening, the state being under budgeted by approximately \$55M, and the City’s unfunded liability/debt.

Mr. Cooper stated that the Budget Chair has, in the past, asked for quarterly updates and that it is time to have those meetings again to ask Mr. LaCasse about where the shift is coming from, where the City

stands in terms of the City's bonded amount with a discussion around future projects that are expected to be bonded, etc.

Mr. Conti stated that he also has concerns about the City's budget, and recognizing that we do need capital improvement projects, that he also understands that the City is already over \$60M in bonding and that he has received repeated requests from his constituents to close the check book. He stated that some of the new growth that is coming to the City may be able to fund some of the future projects but he doesn't believe that those funds will be nearly enough.

Mr. Blais stated that this Loan Order pertains to public safety and that public safety shouldn't be jeopardized because the Council wants to make a point.

Ms. Reynolds rebutted that it is not about making a point, and having been married to the former Police Chief she understands the issue of public safety. She explained that her concerns are about understanding what all of the City's needs are and how those needs are going to be funded.

Mr. Conti also explained that his concern is about the budget and funding the City's project needs. He stated that maybe this is the year that the City may want to not have the Fireworks given all of the Police and Fire department overtime that is involved because that is how serious the issues related to the budget and spending is going to be this year.

Mr. DiLisio stated that there were valid points that have been raised and this Loan Order, given the items that it will fund, is something that is a need to have and not a nice to have.

Mrs. Porreca stated that although she also has concerns about the City's budget and this Loan Order that she will be supporting it, but that she will not be in support of funding every item that needs a Loan Order that comes before the Council.

Ms. Heagney also called for a Committee meeting at the next appropriate time.

On recommendation of the **City Property & Claims Committee** and on the motion of Ms. Reynolds, the following votes were taken:

1. Voted unanimously, in accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, I move to approve the following items from an anonymous donor as gifts to the City of Attleboro's Office of the Municipal Council:
 - 1 used HP Officejet 6500A Plus Printer/Copier/Fax Machine with an estimated value of \$150.00 in good working condition
 - 1 New HP 920 XL black inkjet printer cartridge with an estimated value of \$12.00

- Voted on Roll Call (11 yeas, 0 nays) to declare the following Collector’s Office item as surplus and available for disposition:

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
1	Cannon IR3570 Copy Machine installed in 2006	Poor

- Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor’s request to transfer \$5,673.72 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-524011 (City Wide – Maintenance of Buildings) to be used to replace the air conditioning unit in the computer/server room located in the basement of City Hall.

Ms. Reynolds also called for a Committee Meeting at the next appropriate time.

On recommendation of the **Personnel & Human Services Committee** and on motion of Mr. Cooper the following votes were taken:

- Voted on Roll Call (9 yeas, 2 nays. Ms. Heagney and Mr. Conti voting nay) to approve the Mayor’s request to transfer \$2,250.00 from Account 1124100-578300 (City Wide – Reserve Fund for Transfer) to Account 16301000-530101 (Recreation – Professional Services) to be used to pay for services provided by Patriot Goose Patrol through the remainder of FY2016 to help deal with our ongoing geese problem on our athletic fields.
- Voted unanimously to approve the Mayor’s request to appoint Robert J. Gay, of 23 Berndt Drive, Attleboro, to fill an expired term on the Election Commission. Term to expire February 2020.
- Voted unanimously to approve the Mayor’s request to appoint Marcus Robbins, of 20 Ashton Road, Attleboro, to fill an expired term on the Board of Assessors. Term to expire February 2019.
- Voted unanimously to approve the Mayor’s request to appoint Sheryl Guglielmo, of 24 Colleens Way, Attleboro, to fill an unexpired term on the Planning Board. Term to expire February 2020.

Mr. Cooper also called for a Committee meeting at the next appropriate time.

On recommendation of the **Public Works Committee** and on the recommendation of Ms. Jackson, the following votes were taken:

- Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor’s request to appropriate \$39,752.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to the following accounts to be used to make permanent street repairs to 27 temporary patches due to numerous water breaks in the City throughout the winter, and to cover the cost for Police Details that are required to complete the work:

 \$31,656.00 to Account 14201000-553010 (Public Works – Street Maintenance)

 \$8,096.00 to Account 14201000-530101 (Public Works – Professional Services).

2. Voted on Roll Call (11 yeas, 0 nays) to approve the Mayor's request to appropriate \$63,900.00 from Account 6000-359000 (Wastewater Enterprise Fund – Retained Earnings) to Fund 3217 – Diffused Air System, to be used to cover the Water Department's resident engineering services and SCADA integration costs.
3. Voted on Roll Call (11 yeas, 0 nays) to adopt the following EMERGENCY PREAMBLE:
That the Attleboro Municipal Council vote to take action as provided in the City Charter Section 2-9(b) regarding the emergency which presently exists relative to the request of the Mayor to transfer \$118,650.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584033 (Water Enterprise Fund – Water Tank Improvements) because this additional funding is needed for the Ides Hill portion of the Water Tank Rehabilitation Project.

Due to the time constraints involved, the nature of the emergency makes it necessary to take action without waiting the prescribed time as provided in the City Charter because the contract cannot be signed until these funds have been appropriated.

4. Voted on Roll Call (11 yeas, 0 nays) to approve, as an emergency measure, the request of the Mayor to transfer \$118,650.00 from Account 6100-359000 (Water Enterprise Fund – Retained Earnings) to Account 6100-584033 (Water Enterprise Fund – Water Tank Improvements).

Ms. Jackson also called for a Committee meeting at the next appropriate time.

Mr. Blais reported that the **Public Safety & Emergency Management Committee** had no business and he called for a Committee meeting at the next appropriate time.

OLD BUSINESS: None

NEW BUSINESS:

On motion of President Cook, the following vote was taken:

1. Voted unanimously that the following item be assigned to the appropriate committee for study and recommendation:

That inasmuch as the Massachusetts Foundation Budget has significantly understated the true cost of educating students in the Commonwealth and also failed to keep pace with rising costs, that the Municipal Council adopt the "Resolution Calling for Full Funding of the Foundation Budget Review Commission's Recommendations" and forward it to the Governor and Legislature of Massachusetts.

REFERRED TO THE BUDGET & APPROPRIATIONS COMMITTEE

VOTED: TO ADJOURN at 9:35 P.M.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)

City Clerk/Clerk of the Council