

**In Municipal Council
Regular**

**JULY 23, 2015
7 P.M.**

MEMBERS PRESENT: President Frank B. Cook, Vice-President Peter Blais. Councilors: Richard Conti, Jeremy Denlea, Shannon Heagney, Brian Kirby, Heather Porreca, Walter Thibodeau and Jonathan Weydt.

MEMBERS ABSENT: Mark Cooper and Ronald Churchill.

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.

President Cook explained that there will be two presentations this evening and that the rules would be suspended. President Cook entertained a motion to suspend the rules.

Voted on Roll Call— 9 yeas—0 nays (Cooper and Churchill absent) to Suspend the Rules.

Appearing before the Council was Joan Pilkington-Smyth (Medusa) official guest presentation of the Big Read. She read the following statement into the record:

“Imagination is more important than knowledge. For knowledge is limited to all we now know and understand, while imagination embraces the entire world, and all there ever will be to know and understand.” - Albert Einstein

Welcome to this year’s NEA/The Big Read/Attleboro’s I ABC. The Big Read is a program of the National Endowment for the Arts in partnership with Arts Midwest. Attleboro’s I ABC partners include: Attleboro Arts Museum, Attleboro Council on Aging, Attleboro Public Library, Attleboro Public Schools, Attleboro YMCA, Bishop Feehan High School, Bridgewater State University, Bristol Community College, DoubleACS, Friends of the Attleboro Public Library, The Literacy Center and The Sun Chronicle.

Imagination

Even the WSJ weighs in on the matter of Imagination on why imagination has been undervalued for so long: For most of human history, there was a ruling class and then there was everybody else. If you were part of everybody else, it wasn't your job to imagine a different future, different ways of doing things. So, imagination is a fairly modern phenomenon....

What is imagination? To imagine something is to think of it as a possibly being so. It is unfortunate that we often lose or neglect that vital connection to the imagination that seems to bubble out of us so spontaneously in childhood, because this ability to envision possibilities is a powerful too. Imagination is what propels the visionary leader; it is a force that guides the transformation of societies; it has the ability to carry us beyond our limitations and alter our lives.

Fiction has two uses. Firstly, it's a gateway drug to reading. The drive to know what happens next, to want to turn the page, the need to keep going, even if it's hard, because someone's in trouble and you have to know how it's all going to end ... that's a very real drive. And it forces you to learn new words, to think new thoughts, to keep going. To discover that reading per se is pleasurable. Once you learn that, you're on the road to reading everything. And reading is key. And the second thing fiction does is to build empathy. When you watch TV or see a film, you are looking at things happening to other people. Prose fiction is something you build up from 26 letters and a handful of punctuation marks, and you, and you alone, using your imagination, create a world and people it and look out through other eyes. You get to feel things, visit places and worlds you would never otherwise know. You learn that everyone else out there is a me, as well. You're being someone else, and when you return to your own world, you're going to be slightly changed. The world doesn't have to be like this. Things can be different. Neil Gaiman Who or what would we be without imagination? - the ability to think of new things. Imagination is the source of every form of human achievement. Scientists, environmentalists, psychologists, religions, architects, planners, futurists, sociologists, artists.....Speak of the necessity of imagination in our lives. Well, I hope I've whetted your appetite. This year's Big Read.... No, wait, I think someone is here, or am I imagining it....

Quote from the book:

"But you must not change one thing, one pebble, one grain of sand, until you know what good and evil will follow on that act. The world is in balance, in Equilibrium. A wizard's power of Changing and of Summoning can shake the balance of the world.... To light a candle is to cast a shadow."

Mr. Conti praised Ms. Pilkington-Smyth for bringing a librarian to a new level.

Also appearing before the Council as the Wizard was Rusty D'Arconte who distributed the books to Council members.

No communications were received from the Mayor.

No communications were received from the City Clerk's Office.

Voted to Recess at 7:20 p.m. to hold committee meetings.

The Meeting was called back to order at 8:59 P.M.

Appearing before the Council was School Committee Chairperson Dave Murphy. He thanked the Council for keeping the lines of communication open between the City Council and the School Department. He discussed the documents that were submitted to the Council earlier in the week and that there were three issues: leadership transition, the strategic planning process and the budgetary challenges within the school system. He stated that School Committee member Bill Larson is also present.

Mr. Conti noted that there has been a parade of superintendents for many years and that this position changes frequently. He asked if the School Committee has addressed the tenancy of the superintendent and the turn over.

Mr. Murphy answered yes. He stated that the Interview Committee made that a critical point. He stated that they have hired internally for the School Superintendent position in the past but that no one has been appointed half way through his/her career (referring to David Sawyer). He stated that David Sawyer is an internal candidate and that he is a long term educator and Assistant Superintendent. He went on to say that there is no substitute for long term stability.

Mr. Conti congratulated Mr. Murphy for leading an effort that Mr. Sawyer can succeed in.

President Cook asked Mr. Murphy what the overall reaction of the decision to hire Mr. Sawyer for the Superintendent's position was.

Mr. Murphy responded that the reaction has been overwhelmingly positive for those who know Mr. Sawyer.

President Cook asked what the transition plan is.

Mr. Murphy stated that he has had discussions with School Superintendent Sheehan relative to the timetable for the delegation of responsibility and that there will be opportunities for Mr. Sawyer during the following year.

Ms. Porreca discussed the round table discussion with middle school students and that Mr. Sawyer has not forgotten his teaching routes. She stated that she is very excited to have Mr. Sawyer as the new Superintendent of Schools.

Mr. Murphy discussed the school's strategic plan and that the committee is in the final stages of setting goals. He stated that the schools have done extremely well in some areas and need great improvement in other areas.

Ms. Porreca asked if the two new policy changes to the kindergarten are connected to the strategic plan.

Mr. Murphy answered yes. He stated that the School Committee is trying to make decisions in a thoughtful manner. He stated that the School Department would be returning to a modified version for the non-resident staff members to have an opportunity to enroll their children in the schools. He noted that at one time this was an entitlement program but now it is dependent on the space available with other criteria and the teacher must apply to the Superintendent. He stated that the other policy change is the deadline of five years old before September 1st for kindergarten students and that the school would screen children for readiness and if there is space, the child would be enrolled.

Mr. Murphy discussed the financial circumstances under which the Attleboro Public Schools are preparing to operate in FY16. He stated that the situation is not good and that challenges lie

ahead. Mr. Murphy emphasized that it is incumbent upon the Municipal Council to know this information.

President Cook noted the importance of maintaining this type of regular communication between the two legislative bodies of the City.

Mr. Conti asked Mr. Murphy about the School Department's budget.

Mr. Murphy replied that the circumstances are not good and that the approved budget is not sustainable. He stated that the school faces financial challenges as the issues have grown more difficult over time and that there are complex reasons for these problems.

Mr. Conti agreed that the financial situation of Attleboro public schools is not sustainable and makes regression inevitable.

Mr. Murphy stated that it will be up to the community to stave this off.

Mr. Conti asked if the School Committee would be able come up with a financial plan.

Mr. Murphy responded that it is difficult to address this as the structure is set by the State's expectations and that the school is not allowed to disagree with the priorities. He stated that the school needs to identify where it is; where it needs to go and how to get there. He went on to say that the School Committee put together a strategic financial plan but that the State formulas are flawed. He stated that the State mandates cannot be addressed solely at a local level. He stated that the needs of the students need to be addressed properly but that the process is extremely fragile.

Mr. Kirby stated that over a year ago, the City increased taxes in order to help the schools. He stated that the second year, the schools were funded over One Million Dollars in excess of net school funding. He went on to say that the Council has not cut the school budget in the last twelve years and that the schools must find alternative funding sources. He suggested looking at Finberg School and the old Brennan Middle School buildings.

Mr. Murphy responded that he appreciated this dialog and being candid with one another. He stated that the State funding formula is grossly flawed and uses an arbitrary number. He stated that every dollar is spent wisely and that it is spent on the students. He stated that there is a responsibility over time to look at these buildings and to make a determination.

Mr. Denlea advised Mr. Murphy that the Councilors are all disappointed that the City cannot give the schools more money. He stated that in the FY16 city-side budget there was a .57% increase and that on the school side there was a 2.1% increase.

Mr. Murphy stated that the cost of the schools is accelerating at a disproportionate rate. He stated that the solution needs to come at the State level for a change in the formula.

President Cook noted that Mayor Dumas is serving on this state committee. He asked if the State Representatives have been contacted for help.

Mr. Murphy responded that he communicates with the State Representatives on a regular basis.

President Cook thanked Mr. Murphy for coming before the Council and stressed the need for the Council to continue to work with the School Committee.

VOTED: TO GO INTO COMMITTEE OF THE WHOLE at 9:50 P.M. to hear anyone who wishes to speak on any matter pertaining to City business.

No one appeared at the Committee of the Whole

VOTED: TO ARISE at 9:50

Committee Reports:

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

A motion was made and duly seconded to amend Section 5-7 System of Auditing and Accounting, Subsection Section 5-7.5 of the Revised Ordinances of the City of Attleboro relative to increasing \$200.00 to \$500.00 and \$5,000.00 to \$10,000.00. A discussion followed.

A motion was made by Mr. Weydt to increase \$200.00 to \$400.00. This motion was not seconded and the amendment failed.

1. Voted on Roll Call—8 yeas—1 nay (Conti voting nay and Cooper and Churchill absent) to adopt the following ordinance:

“ORDINANCE RELATIVE TO THE SYSTEM OF AUDITING AND ACCOUNTING”

BE IT ORDAINED by the Municipal Council that Section 5-7 System of Auditing and Accounting, Subsection 5-7.5 of the Revised Ordinances of the City of Attleboro, is hereby amended by deleting Section 5-7.5 in its entirety and inserting the following section:

Delete in its entirety and replace with the following:

5-7.5 The procurement of supplies and services by the City shall be accomplished, to the extent it is applicable, in accordance with the Uniform Procurement Act contained in Chapter 30B of the General laws and, to the extent it is not applicable, in accordance with other applicable statutes and ordinances. All contracts made for supplies and services which are in the amount of \$500.00 or more shall be in writing and signed by the Mayor, except as otherwise provided herein, and the City Auditor. Contracts made by the School Committee which are in an amount of less than \$10,000.00 need not be signed by the

Mayor or the City Auditor. The signature of the City Auditor at the amount defined in this section shall indicate that sufficient funds are available in an appropriate account to pay the contract amount.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to adopt the following ordinance:

**“ORDINANCE RELATIVE TO THE
SYSTEM OF AUDITING AND ACCOUNTING”**

BE IT ORDAINED by the Municipal Council that Section 5-7 System of Auditing and Accounting, Subsection 5-7.12 of the Revised Ordinances of the City of Attleboro, is hereby amended by deleting Section 5-7.12 in its entirety and inserting the following section:

5-7.12: Upon receipt of any bill, invoice, account, or claim against the City (each hereinafter referred to as an “Invoice”), other than a final judgment, the department, board, or officer authorized to create the liability, or if not within the authority of any department, board or officer then the Mayor (hereinafter collectively referred to as “Department”) shall examine such Invoice to determine if it is properly due and payable. If the Department determines, that the Invoice is properly due and payable, then within two weeks of receiving the Invoice, the Department shall certify the Invoice and immediately transmit the certified Invoice to the Accounting Department. Except that each Department shall so examine and certify Invoices dated June of any calendar year so as to allow the processing of payment no later than the following July 15th and such payments shall be deemed to be as the June 30th preceding. Each Department shall similarly examine and certify the payrolls of their respective employees and transmit them to the Accounting Department on a regular basis so as to allow the payment of City employees in accordance with the pertinent collective bargaining agreement, the City Personnel Regulations or the employment contract of such employees. Provided, however, that payrolls shall be made up to the 30th day of June for that period between the last full payroll and the end of the fiscal year, which shall be paid on or before July 15th following, and shall be deemed to be as of June 30th preceding. With each such certified Invoice or payroll, the Department shall submit to the Accounting Department a schedule giving the dates of the Invoices or payroll, the payee, the appropriation chargeable therewith and the amounts thereof.

--Approved by the Mayor on July 27, 2015

Mr. Denlea called for an Ordinance, Elections and Legislative Matters Committee meeting on Tuesday, August 18, 2015.

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

1. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to transfer \$4,237.50 from Account 3512-599000 (Equipment Loan Other Financing Uses) to

Account 3417-499000 (AHS Athletic Complex – Other Financing Sources) relative to the remainder of funds of an equipment loan authorization from December 3, 2009.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays, in accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, to allow the Recreation Department to expend approximately \$11,100.00 and any further grant amendments through the Community Development Block Grant for Federal Fiscal Year 2015 (FFY2015) to fund Youth Advocate positions, provide supplies and assist towards field trips in Attleboro Youth Center.

--Approved by the Mayor on July 27, 2015

Mr. Conti called for a Capital Improvements & City Development Committee meeting on Tuesday, August 18, 2015.

Mr. Weydt called for a Zoning & Land Use Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **Budget & Appropriations Committee** and on motion of Mr. Kirby, the following votes were taken:

Mr. Conti abstained from the following vote and left the Council Chambers.

1. Voted on Roll Call—8 yeas—0 nays (Mr. Conti abstained from the vote and left the Council Chambers) to approve the request of the Mayor appropriate \$24,600.00 from Account 11241000-578300 (City Wide-Reserve Fund for Transfer) to Account 11411000-595010 (Assessor-Revaluation) to provide assessment and maintenance work for FY2016.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to close Fund 2503-Sale of City Property as follows:
 - Transfer \$41,871.30 from Account 2503-599000 (Sale of City Property – Other Financing Uses) to the following accounts:
 - \$22,999.46 to Account 10004-499000 (General Fund – Other Financing Sources) (These funds will be reported on the FY16 Recap and are therefore available for supplemental appropriation)
 - \$ 1,461.00 to Account 60004-499000 (Wastewater Enterprise Fund – Other Financing Sources)
 - \$17,410.84 to account 61004-499000 (Water Enterprise Fund – Other Financing Sources)

--Approved by the Mayor on July 27, 2015

3. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to approve a supplemental appropriation in the amount of \$18,350.00 to Account 12201000-584015 (Fire – Septic Replacement) for funding to replace the septic system at the Brigg's Corner Fire Station.

--Approved by the Mayor on July 27, 2015

4. Voted on Roll Call—9 yeas—0 nays approve the request of the Mayor to transfer \$121.80 from Account 1100420-524029 (Continuing Appropriation Fund DPW – Street Repair to Account 1100-599000 (Continuing Appropriation Fund – Other Financing Uses) and to further transfer \$121.80 from Account 1100-599000 (Continuing Appropriation Fund – Other Financing Uses) to Account 10004-499000 (General Fund Other Financing Sources) relative to unused funds for trench repairs throughout the city. This action would close the project to the general fund.

--Approved by the Mayor on July 27, 2015

5. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to transfer \$1,790.00 from Account 1100210 – 582510 (Continuing Appropriation Fund – Police Renovations) to Account 1100-599000 (Continuing Appropriation Fund – Other Financing Uses) and to further transfer the \$1,790 from Account 1100-599000 (Continuing Appropriation Fund – Other Financing Uses) to Account 10004-499000 (General Fund Other Financing Sources) relative to unused funds for the replacement of showers at the Attleboro Police Station.

--Approved by the Mayor on July 27, 2015

6. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to transfer \$22.80 from Account (3418-599000 Apprentice Café – Other Financing Uses) to Account 10004-499000 (General Fund Other Financing Sources) relative to unused funds for the AHS Apprentice Cafe. This action would close the fund to the general fund.

--Approved by the Mayor on July 27, 2015

7. Voted on Roll Call—9 yeas—0 nays to approve the following loan order: **ORDERED:** that Four Million, Three Hundred Fifty Thousand Dollars (\$4,350,000.00) is appropriated for the construction of a Water Department equipment and maintenance facility, including the payment of all costs incidental or related thereto and the 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 Four Million, Three Hundred Fifty Thousand Dollars (\$4,350,000.00) under Section 7(3) of Chapter 44 of the Massachusetts General Laws or any other enabling authority; that One Hundred Thousand Dollars (\$100,000.00) of the amount appropriated shall be allocated to the costs of preparing, issuing and marketing any such borrowing, provided that any portion of such One Hundred Thousand Dollars (\$100,000.00) not needed for such costs of issue may be used for project expenses; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

--Approved by the Mayor on July 27, 2015

Mr. Kirby called for a Budget & Appropriations Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **Public Works Committee** and on motion of Mr. Blais, the following votes were taken:

1. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to accept the release deed from Allen Homes Limited Partnership and the Trustees of Meadowsweet Farms Trust for the land shown as Lots 1K, 1L, 1M and 59 on Assessors Map 171 pursuant to M.G.L. c 60, § 77C. This deed would be accepted in lieu of foreclosure of the tax title accounts now pending.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to transfer \$190.00 from Account 6100-530101 (Water – Professional Services) to Account 6100-578020 (Water – Previous Years Bills) relative to a new employee’s physical examination.

--Approved by the Mayor on July 27, 2015

Mr. Blais called for a Public Works Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **Transportation & Traffic Committee** and on motion of Mr. Thibodeau, the following votes were taken:

1. Voted on Roll Call—9 yeas—0 nays to adopt the following ordinance:

“ORDINANCE RELATIVE TO PROHIBITED PARKING”

BE IT ORDAINED by the Municipal Council that Section 10-5.2 Prohibited on Certain Streets of the Revised Ordinances of the City of Attleboro is hereby amended by adding the following street in alphabetical order:

Berwick Road, easterly side from 100 feet from Mechanics Street for a distance of 600 feet

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to adopt the following ordinance:

“ORDINANCE RELATIVE TO ISOLATED STOP SIGNS”

BE IT ORDAINED by the Municipal Council that Section 10-4.11, Isolated Stop Signs of the Revised Ordinances of the City of Attleboro is hereby amended by inserting “accepted or unaccepted” after the word “following” and before the word “streets” of the first sentence.

--Approved by the Mayor on July 27, 2015

Mr. Thibodeau called for a Transportation & Traffic Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **Public Safety & Emergency Management Committee** and on motion of Ms. Porreca, on behalf of Mr. Cooper, the following vote was taken:

1. Voted on Roll Call—9 yeas—0 nays, in accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, to approve the request of the Mayor to allow the Police Department to expend approximately \$19,486 and any further grant amendments of the FY2016, 911 Training Grant, from the Executive Office of Public Safety and Security (EOPSS).

--Approved by the Mayor on July 27, 2015

On behalf of Mr. Cooper, Ms. Porreca called for a Public Safety & Emergency Management Committee meeting on Tuesday, August 18, 2015.

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

1. Voted on Roll Call—9 yeas—0 nays, in accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, to approve the request of the Mayor to allow the Library to expend approximately \$10,000.00 and any further grant amendments relative to a grant from the National Endowment for the Arts to the City of Attleboro for the Community-wide Big Read Program.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to approve the request of the Mayor to declare the following Council on Aging items as surplus and available for disposition:

<u>QUANTITIY</u>	<u>DESCRIPTION</u>	<u>CONDITION</u>
4	Red Cloth Guest Chairs	Good to Fair
1	Vinyl Loveseat	Good
1	Rose Colored Rocker	Good
2	Desk Chairs (#1 red & #1 black)	Fair
6	Blue Cloth Guest Chairs	Good to Fair
1	Circular Dining Table	Broken

--Approved by the Mayor on July 27, 2015

Ms. Porreca called for a City Property & Claims Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **License Committee** and on motion of Ms. Heagney on behalf of Mr. Churchill, the following votes were taken:

1. Voted unanimously to approve the application for a 2015 Renewal to Keep a Stand in a Public Place from Carlos M. Silva, Sangria's, 59 Park Street, Attleboro MA.

--Approved by the Mayor on July 27, 2015

2. Voted on Roll Call—9 yeas—0 nays to approve the application from Liquid Environmental Solutions for a New Aboveground storage license for two aboveground 10,000 gallon Methanol tanks and one aboveground 5,000 gallon Windshield Wiper Fluid tank at 527 Pleasant Street, Attleboro, MA

--Approved by the Mayor on July 27, 2015

On behalf of Mr. Churchill, Ms. Heagney called for a License Committee meeting on Tuesday, August 18, 2015.

On recommendation of the **Personnel & Human Services Committee** and on motion of Ms. Heagney, the following votes were taken:

1. Voted on Roll Call—8 yeas—1 nay (Conti voting nay) to approve a supplemental appropriation in the amount of \$7,640.00 to Account 15101000-599150 Health Department Transfer to Waste Reduction Coordinator Grant and to further authorize the Auditor's Office to complete the required accounting transactions to account for this grant.

--Approved by the Mayor on July 27, 2015

2. Voted unanimously to confirm the appointment of Ken Badertscher, 74 Sanborn Avenue, West Roxbury, MA 02132 to fill an unexpired term of Director of Veterans' Services. Term to expire February 2016.

--Approved by the Mayor on July 27, 2015

3. Voted unanimously to confirm the reappointment of Connor Davis to fill an expired term on the Youth Commission for a term of two years. Term to expire February 2017.

--Approved by the Mayor on July 27, 2015

VOTED: TO ADJOURN at 10:25 P.M.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)