

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
NOVEMBER 21, 2023**

Records pending approval: Oct 17 and Nov 7, 2023

PUBLIC HEARING regarding the proposed amendment to Section 16-12.24 of the Revised Ordinances of the City of Attleboro, Water Emergency. Proposal available through the City Council office council@cityofattleboro.us

PUBLIC HEARING regarding the proposed addition to Chapter 11, Offenses, of the Revised Ordinances of the City of Attleboro to include Section 11-23, Trade in Fur Products. Proposal available through the City Council office council@cityofattleboro.us

(Sustainability Hearing not needed and Recycle & Rubbish hearing cancelled)

LICENSE

Ty Waterman, Chairperson

24 Class II license renewals were received.

3 Class I license renewals were received.

1 Class II license renewal was received

1 Auto Amusement Device license renewal was received.

PUBLIC WORKS

Laura Dolan, Chairperson

The Mayor respectfully submits a communication from Economic Development Director Catherine Feerick regarding the receipt of a MassDevelopment Brownfields Redevelopment Fund Grant in the amount of \$165,000.00 to perform environmental remediation at the site of the former American MetalCraft building, located at 53 Falmouth Street. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, The Mayor hereby requests Your Honorable Body to approve expending such funds and any future grant amendments.

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler requesting funds for the mandated six (6) year maintenance and hydro testing of the central fueling station's fire suppression system at 101 Lamb Street. Therefore, the Mayor hereby requests Your Honorable Body transfer \$9,875.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-530181 (Public Works – Fire Suppression Services).

The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding the need to replenish funds used to hire Nationwide Aquatics to perform a dye test to determine where the leak was in Briggs Pool. Therefore, the Mayor hereby requests Your Honorable Body transfer \$2,270.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16301000-530101 (Recreation – Professional Services).

The Mayor respectfully submits a communication from Superintendent of Public Works Michael Tyler requesting funds to building a new 8’x8’ block building with metal door to replace the plastic shed. Therefore, the Mayor hereby requests Your Honorable Body transfer \$12,456.24 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following:

\$9,700.00 to Account 14201000-530101 (Public Works – Professional Services)

\$2,756.24 to Account 14201000-548040 (Public Works – Supplies Equipment)

The Mayor respectfully submits a communication from City Treasurer Laura Gignac regarding a loan authorization for rehabilitation of a 30-inch sewer crossing located off of Tiffany Street. Therefore, the Mayor hereby requests Your Honorable Body to approve the following loan order:

ORDERED: that Five Hundred Thousand (\$500,000.00) is appropriated for the labor, materials and equipment necessary for the rehabilitation of the existing sewers including but not limited to the following: preparatory cleaning of existing sewers; CCTV inspection; installation of cured-in-place pipe lining (CIPP) 30-in sewers; and all miscellaneous work and clean up as specified or required to complete the work off of Tiffany St. (collectively the “Project”), including the payment of all costs incidental or related thereto; that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow Five Hundred Thousand (\$500,000.00) under Section 8(5) of Chapter 44 of the General Laws, or any other enabling authority; and that the Mayor is authorized to take any other action necessary or convenient to carry out this Project.

FINANCE COMMITTEE

Richard Conti, Chairperson

The Mayor respectfully submits a communication from Attleboro Public Schools Director of Finance Marc Furtado regarding the following FY23 fiscal obligations that were not received in time to be processed in the normal FY23 business cycle:

NAME OF VENDOR	AMOUNT
Skills USA Massachusetts	\$173.33

Therefore, the Mayor hereby requests Your Honorable Body to authorize the School Department to pay these previous year school bills totaling \$173.33 as identified in Mr. Furtado’s communication.

TRAFFIC AND TRANSPORTATION COMMITTEE

Kelly Bennett, Chairperson

IT & INFRASTRUCTURE COMMITTEE

Todd Kobus, Chairperson

ZONING AND LAND USE

Diana Holmes, Chairperson

On October 17, 2023, your Honorable Body approved by unanimous vote to accept 66 public ways in the City of Attleboro. The Mayor has been advised that, as a curative measure related to a delay in the street acceptance process set forth in the Special Act approved for this purpose, the city should submit a second and related Special Act to validate the October 17th vote. Said Special Act is attached having been reviewed by the City Solicitor and approved as to form.

CITY PROPERTY AND CLAIMS

Sara – Lynn Reynolds, Chairperson

The Mayor respectfully submits a communication from Health Department Outreach Worker/Case Manager Tecia Silva regarding the donation of gift cards totaling \$325.00 from the Holiday Spirit Committee. In accordance with Section 1-12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body to accept these generous donations to the City of Attleboro.

The Mayor respectfully submits a communication from Treasurer Laura Gignac regarding office furniture that the Treasurer’s Office would like to surplus. There was no interest in the listed items from any of the departments. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition.

Item:	Condition:	Value:
1 Bookshelf -4 shelves 34.5 x 59	Good	\$100.00
1 Office chair-adjustable on wheels	Good	\$100.00

The Mayor respectfully submits a communication from Superintendent of Schools David Sawyer regarding a copier that the School Department would like to surplus. There was no interest in the copier from any of the departments. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition.

Item	Condition
Rizo Model RZ220 Copier	Inoperable

The Mayor respectfully submits a communication from Director of Recreation Dennis Walsh regarding equipment that the Recreation Department would like to surplus. There was no interest in this equipment from any of the departments. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition.

Description	Vin#	Condition
1990 John Deere Backhoe	T0510CG768310	Very Poor

The Mayor respectfully submits a communication from Building Commissioner William McDonough regarding a vehicle that the Inspection Department would like to surplus. There was no interest in this vehicle from any of the departments. Therefore, the Mayor hereby requests Your Honorable Body to declare the following as surplus and available for disposition. City Property

<u>Year</u>	<u>Make/Model</u>	<u>Vin #</u>	<u>Miles</u>	<u>Condition</u>
2011	Ford Crown Victoria	2FABP7BV9BX180692	180,000+	Very Poor

PERSONNEL, VETERANS AND HUMAN SERVICES COMMITTEE

Michael Angelo, Chairperson

The Mayor respectfully submits a communication from Personnel Director Lynn Davine requesting funds to purchase a badge printer for employee ID badges. Therefore, the Mayor hereby requests Your Honorable Body transfer \$2,300.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11521000-542020 (Personnel – Supplies Office Equipment).

As you know, Personnel Director Lynn Davine has identified a need for an update to the city's job safety trainings and protocols. After further review, it has become clear that to better assess their particular job safety training needs, we are in need of an updated Safety, Health & Compliance Program for city departments similar to those programs recently secured for the DPW and the Water and Waste Water Departments. Therefore, the Mayor hereby request Your Honorable Body transfer \$35,000 from Account 11241000-578300 (City-Wide – Reserve Fund for Transfer) to Account 11521000-530180 (Personnel - Safety Study).

The Mayor respectfully submits a communication from Personnel Director Lynn Davine requesting to add a new position on the Exempt Classification Plan. A review of the Personnel Assistant II position has found that the obligations, functions, and level of authority and responsibility have changed significantly over the past several years. Therefore, the Mayor hereby requests Your Honorable Body add the position of Assistant Personnel Director and placing the position at grade 10 on the Exempt Classification Plan. The Mayor fully supports this recommendation and ask that Your Honorable Body approve this change

ORDINANCES, ELECTIONS & LEGISLATIVE MATTERS

Jonathan Tavares, Chairperson

Following his review of correspondence the City received recently from the ACLU alleging that Section 12-3.3(p) of the Revised Ordinances appears on its face to be unconstitutional and potentially problematic in its enforcement, and having conducted an independent review and analysis of this issue, the City Solicitor has advised that in his view, it is likely that in any legal challenge a court would conclude that the language of

Section 12-3.3(p) is unconstitutionally vague, and that the City should delete Section 12-3.3(p) accordingly. As a result, the Mayor respectfully requests that Section 12-3.3(p) of the Revised Ordinances be deleted in its entirety and replaced with the word “RESERVED,” so as to avoid the need for the City to renumber other provisions and adjust associated internal cross-references.

PUBLIC SAFETY

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney requesting funds to pay an FY23 invoice due to an unanticipated cost increase. Therefore, the Mayor hereby requests Your Honorable Body transfer \$1,372.01 from Account 12101000-587060 (Police – Vehicle & Equipment Replacement) to Account 12101000-578020 (Police – Bills from Previous Year). Public Safety

SPECIAL COMMITTEE ON SENIOR TAX

Richard Conti, Chairperson

SPECIAL COMMITTEE ON CLASSIFICATION AND COMPENSATION

Michael Angelo, Chairperson