

**ATTLEBORO MUNICIPAL COUNCIL
DOCKET
December 6, 2022**

Records pending approval: November 15, 2022

LICENSE

Ty Waterman, Chairperson

We received 18 Class II license renewal applications and 1 Class III renewal application.

We received a Class II license renewal application from Trusted Auto Inc., 64 Pleasant St with 5 customer parking spaces and 18 display spaces.

We received a Class II license renewal application from Marcus Vitali d/b/a Grecos Auto with 10 customer parking spaces and 31 display spaces.

We received a Class III license renewal application form Marcus J. Vitali d/b/a Grecos Auto with 10 customer parking spaces and 31 display spaces.

We received a Class II license renewal application from Rt 123 Village Auto Sales Inc 1076 Pleasant St with 15 customer parking spaces and 15 display spaces.

We received a Class II license renewal application from Automazed Inc., 826 Washington St. with 13 customer parking spaces and 30 display spaces and 38 storage spaces.

We received a Class II license renewal application from Michael A. Ziarko, d/b/a Mike's Automotive 801 South Main St. with 10 customer parking spaces and 15 display spaces

We received a Class II license renewal application from Mario Faria d/b/a Pine Crest Motors 2117 County St. with 5 customer parking spaces and 15 display spaces.

We received a Class II license renewal application from Vachon Motor Company 957 Washington St. with 12 customer parking spaces and 55 display spaces.

We received a Class II license renewal application from G.M.V. Inc., 957 Washington St. with 12 customer parking spaces and 58 display spaces.

We received a Class II license renewal application form Landes Enterprises LLC d/b/a Landes Family Auto Sales 859 Washington St. with 9 customer parking spaces and 27 display spaces

We received a Class II license renewal application from Blasius Auto Group LLC d/b/a Blasius of Attleboro 800 Washington St. with 6 customer parking spaces and 124 display spaces.

We received a Class II license renewal application from Leins Auto Repair, Inc. 141 Pine St. with 7 customer parking spaces and 29 display spaces.

We received a Class II license renewal application from Stateline Auto Brokers Inc. 1115 Washington St. with 6 customer parking spaces, 42 display spaces and 55 storage spaces.

We received a Class II license renewal application from Landmark Auto Sales Inc. 537 Washington St. with 3 customer parking spaces and 15 display spaces.

We received a Class II license renewal application from Papantoniadis Automotive Group, Inc. d/b/a ToyKarz Motorsports and Pleasant Auto Center 676 Pleasant St. with 17 customer parking spaces and 95 displays spaces.

We received a Class II license renewal application from Seekonk Gas and Repair Inc, d/b/a 123 Mobil 300 County St. with 4 customer parking spaces and 9 display spaces.

We received a Class II license renewal application from County Auto Sales & Service Inc. 42 County St. with 10 customer parking spaces and 28 display spaces.

We have received a Class II license renewal application from Best Buy Automotive and Tires Inc 925 & 931 Washington St. with 8 customer parking spaces and 40 display spaces.

We have received a Class II license renewal application from New England Cars, INC. 923 Washington St. with 7 customer parking spaces and 33 display spaces.

We have received a Coin Op / Automatic Amusement renewal application from the Portuguese American Club 65 Prairie Ave. for 1 pool table.

PUBLIC WORKS

Laura Dolan, Chairperson

The Mayor respectfully submits a communication from Superintendent of Water Kourtney Allen regarding a request for funds to replace four filter effluent valves and controllers at the West Street plant, which are original to the plant construction in the mid-1990s. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$25,000.00 from 6100-359000 (Water Enterprise Fund – Retained Earnings) to Fund 3338 Effluent Valves.

The Mayor respectfully submits a communication from Superintendent of Wastewater Thomas Hayes regarding a request for funds to pay an invoice from Merrick Industries, Inc that came in higher than anticipated. Therefore, the Mayor hereby requests Your Honorable Body transfer \$1,000.00 from Account 6000-578300 (Wastewater Enterprise Fund – Reserve Fund for Transfer) to Account 6000-589072 (Wastewater Enterprise Fund – Grit Screw).

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding a request to replenish funds used to repair a dump truck in preparation for the winter season, as well as repairing hydraulic issues on the roadside mower. Therefore, the Mayor hereby requests Your Honorable Body transfer \$6,600.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to the following:

\$4,800.00 to Account 16501000-521010 (Park – Heat)

\$1,800.00 to Account 16501000-524011 (Park – Building Maintenance)

FINANCE COMMITTEE

Richard Conti, Chairperson

For Your Information: The City was notified by the Department of Revenue on October 19, 2022 of our General Fund Free Cash Approval and the Water & Wastewater Enterprise Fund Retained Earnings as of July 1, 2022 as follows:

General Fund	\$9,260,238
Water Enterprise Fund	\$1,051,594
Wastewater Enterprise Fund	\$1,616,826

The Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull regarding a request for an additional appropriation to the Stabilization Fund. The City's July 1, 2022 free cash was certified on October 19, 2022 at \$9,260,238. Consistent with the goals of your administration and the sound fiscal practice of building the City's reserves, I recommend appropriating \$1,000,000.00 of this available free cash to Stabilization, for a total fiscal 2023 contribution of \$1.3 million. That would represent a greater than 23% increase in Stabilization, bringing the fund to 4.17% of the adopted fiscal 2023 operating budget. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$1,000,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11241000-596000 (City Wide – Stabilization Fund).

The Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull regarding a request for an additional appropriation for an OPEB Contribution. From fiscal 2015 through fiscal 2019, the City contributed \$35,000 per year on the general government side to the trust. Additionally, the City contributed \$50,000 per year in fiscals 2020 and 2021, and further increased it to \$100,000.00 per year in fiscals 2022 and 2023. This additional appropriation would represent a greater than 50% increase of total funds appropriated over our time in the trust. It is a sound investment in the City's future fiscal health. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$250,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 11521000-596600 (Personnel – Transfer to OPEB Trust).

The Mayor respectfully submits a communication from Director of Park & Forestry Derek Corsi regarding the receipt the Massachusetts Office of Business Development Grant for Capron Park Zoo. The City of Attleboro's "Capron Park Zoo" has been awarded \$92,000 in state funds to help support the Capron Park Zoo in the areas of visitor experience, new equipment, exhibit refurbishment and repair, and to support the overall animal welfare and zoo operations. Although this grant does not require any matching funds, the contract states that all funding should be spent or committed by June 30, 2023. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body approve expending of such funds and any future grant amendments.

The Mayor respectfully submits a communication from City Collector Zaida Keefer regarding a request for funds for In-State Travel for reimbursements for FY23. Therefore, the Mayor hereby requests Your Honorable Body transfer \$260.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11461000-571010 (Collector – In-State Travel).

The Mayor respectfully submits a communication from City Auditor Deborah Gould regarding the amount due from the City to the School Department under a Memorandum of Understanding on the revenue sharing agreement for the Medicaid Reimbursement Program. Therefore, the Mayor respectfully requests Your Honorable Body appropriate \$349,621.41 from Account 1000-

359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 13001000-551011 (School Appropriation - Medicaid) to fund the Municipal Sharing Agreement.

The Mayor is writing to inform you of my intentions, the work done by the Election Commission and Election Director, and some considerations of which you should be aware.

First, the Mayor intends to submit his resignation after the results of my election for Sheriff are certified with the state on November 23, 2022. My resignation submission to the City Clerk, per Section 3-8(a) of the City Charter, will then require the City Council to call a special election “forthwith” to fill my vacancy.

Second, the Election Office has stated that they need about nine weeks to organize, prepare for in order to follow all state laws to have a special election. As such, the Election Office and the Election Commission have identified important periods of time that will allow the Election Office to hold a special election to fill the vacancy.

These are as follows.

Nominating Process including signature certification and drawing ballot position	Weeks 1 - 3
Voters notified of mail-in option and process	Week 3
Ballot and Tabulator Preparation & Testing	Weeks 4 - 6
Mail-in applications received	Weeks 4 - 6
Mail-in ballots mailed, received and processed	Weeks 6 - 8
Election	Week 9*

- This allows for loss of business days due to Christmas and New Year’s
- Please contact the Election Department and or the Election Commission for details about the different legal requirements.

Tuesday, January 31, 2023 is the date that best allows the City Council to both 1) meet its mandate in the City Charter to have a special election “forthwith”, and 2) to allow the election office to meet the state laws describing the requirements for a special election.

Having the special election as soon as possible is in the best interest of the city since the acting mayor, by Charter, cannot perform all of the duties of interim or elected mayor.

TRAFFIC AND TRANSPORTATION

Kelly Bennett, Chairperson

NEW BUSINESS to refer the following to the Traffic Study Commission and the Traffic and Transportation Committee:

To look into multi-way, stop signs at the intersection of Dennis Street at Eldridge Street.

IT & INFRASTRUCTURE COMMITTEE

Todd Kobus, Chairperson

ZONING AND LAND USE

Diana Holmes, Chairperson

CITY PROPERTY AND CLAIMS

Sara – Lynn Reynolds, Chairperson

The Mayor is requesting \$800,000 for the construction of a performing arts pavilion at Highland Park. This idea is widely supported in our community. In 2021, the Mayor knocked on over 10,000 doors and told residents that I want to finish some projects and leave on a high note. This pavilion idea was so popular, it was what he led with. Your Honorable Body agreed that a small community performing arts pavilion is a good idea.

With this appropriation, we will have the Municipal Building Commission oversee the construction of this project from start to finish. The MBC will follow all procedures associated with assignment, including procurement, vendor selection, and project oversight. It would be treated no different than any other project of its size.

Previously, the Municipal Council requested a feasibility study for this project. At the Council's request we submitted new business for \$100,000 for said feasibility study. Considering that the Council has not acted on that funding request, we logically conclude that the Council agrees with the administration that a feasibility study is not needed for a project of this size. We agree with the Council that a feasibility study is needed for a Council on Aging, Public Safety Complex, schools, and other occupied regularly buildings, but a feasibility study is not needed for a small stage with a roof. Today's request supersedes and replaces that July 19, 2022 pieces of business. We know from consultation with those in the professional design field and from the cost estimates that we have obtained, this structure can be constructed for under \$500,000. The additional money would go towards contingency and ancillary expenses including but not limited to plumbing, lighting surrounding this pavilion, and landscaping, which would be done in-house by Park & Forestry.

This project is only getting more expensive with each passing month. This structure would be a tremendous benefit to the city and draw visitors to the city who will then patronize our restaurants and other businesses.

This pavilion would be rented for a modest fee to users. The fees would go into a dedicated fund to be spent on maintenance. Also, the creation of a fund for donations in exchange for an engraved brick to be placed in the orchestra before the stage (and even naming rights depending on the size of a donation) would help pay for the maintenance of this structure, as would modest rental fees noted above. The pavilion's uses are limited only to our collective imagination.

The Mayor urges you to approve this funding request so that we can get to work on what will improve the resident's experience in Attleboro and attract others to our city for these community performances.

Therefore, the Mayor hereby requests Your Honorable Body strike the July 19, 2022 request *to transfer \$100,000 from Account 11241000-578380 (City Wide – Reserve for Capital) to Account 11241000-599300 (City Wide – Transfer to Capital Fund) and to further transfer that \$100,000*

from Account 11241000-599300 (City Wide – Transfer to Capital Fund) to Account 3572 – 499600 (Highland Pavilion – Transfer from General Fund).

Additionally, the Mayor hereby requests Your Honorable Body appropriate \$800,000 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3572 (Highland Pavilion).

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding a refrigerator that the Health Department would like to declare as surplus. Therefore, I hereby request Your Honorable Body to declare the following as surplus and available for disposition:

<u>Description</u>	<u>Make/Model</u>	<u>Serial No.</u>	<u>Condition</u>
Refrigerator	2009 Amana/#ABB2222FEW2	KY4231016	Poor

The Mayor respectfully submits a communication from Legal Secretary Alison Wood regarding surplus items that the Water Department would like to declare as surplus. Therefore, the Mayor hereby 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>
200	Water Meters	Used
1	Brother ML100 typewriter- s/n K8K975512	Poor
2	Wanco lighted signboards	Work
	Intermittently Vin #s 5F12S1619B1002740 & 5F12S1616B1000721	

PERSONNEL, VETERANS AND HUMAN SERVICES

Michael Angelo, Chairperson

The Mayor respectfully submits a communication from Director of Council on Aging Melissa Tucker regarding the receipt of a grant for the SHINE Program through the Executive Office of Elder Affairs in the amount of \$74,746.98. The Council on Aging plans to spend the funds according to the scope of services given by Executive Office of Elder Affairs. There is no additional match required and the funds must be spent by June 30, 2023. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, the Mayor hereby requests Your Honorable Body approve expending such funds and any future grant amendments.

The Mayor respectfully submits a communication from Director of Veterans’ Services Ben Quelle regarding the donation of Stop & Shop gift cards totaling \$500 from Attleboro Elks Lodge. 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. (Copies in your packets)

The Mayor respectfully submits a communication from Health Department Outreach Worker/Case Manager Tecia Silva regarding the donation of grocery gift cards totaling \$950.00 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 Director of Veterans' Services Ben Quelle regarding the donation of grocery gift cards totaling \$750.00 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 Director of Council on Aging Melissa Tucker regarding the donation of grocery gift cards totaling \$800.00 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.

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

Cathleen DeSimone, Chairperson

On September 6, 2022, Your Honorable Body voted to remove Ordinance Section 16-11 in its entirety to allow for revisions to the Water Main Assessment portion of the existing ordinance. There was an error on the Mayor's Communication regarding this section. Section 16-11.12 Water Rates was omitted from this amendment. Therefore, the Mayor respectfully requests Your Honorable Body add the following Section:

Section 16-11.12 Water Rates (amended 6/21/05, 6/20/06, 6/19/07, 6/10/08, 6/23/11, 6/25/2012, 6/23/16, 6/23/20, 6/17/21, 6/21/22)

16-11.12 For each meter set there shall be a minimum charge of twenty-five dollars and thirty cents (\$25.30) for each three months. This minimum charge shall cover 500 cubic feet of water used at each connection; and excess over 500 cubic feet shall be charged for at a rate of five dollars and fifty-one cents (\$5.51) per 100 cubic feet, effective July 1, 2022.

(This item will be old business on December 6, 2022)

The Mayor is writing to inform you of his intentions, the work done by the Election Commission and Election Director, and some considerations of which you should be aware.

First, the Mayor intends to submit his resignation after the results of my election for Sheriff are certified with the state on November 23, 2022. My resignation submission to the City Clerk, per Section 3-8(a) of the City Charter, will then require the City Council to call a special election "forthwith" to fill my vacancy.

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Having the special election as soon as possible is in the best interest of the city since the acting mayor, by Charter, cannot perform all of the duties of interim or elected mayor.

PUBLIC SAFETY

Peter Blais, Chairperson

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding a request for funds to purchase active shooter ballistics shields. These shields provide lifesaving protection to the officers and those civilians in which they are trying to protect. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$49,399.00 from Account 1000-359000 (General Fund – Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-587412 (Police – Protective Equipment).

The Mayor respectfully submits a communication from Chief of Police Kyle P. Heagney regarding a request for funds to purchase two Ford 250 pick-up trucks with rear compartment body and all associated vehicle equipment. These vehicles will be used to store all active shooter gear and equipment which would be needed to effectively respond to incidents. Therefore, the Mayor hereby requests Your Honorable Body appropriate \$180,435.56 from Account 1000-359000 (General Fund – Undesignated Fund Balance/Free Cash-General Government) to Account 12101000-587072 (Police - Trucks).

The Mayor respectfully submits a communication from Superintendent of Park & Forestry Derek Corsi regarding a request for funds for Police details for the 2022 Holiday Happening Parade. Therefore, the Mayor hereby requests Your Honorable Body transfer \$2,500.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16501000-530101 (Park – Professional Services).

SPECIAL COMMITTEE ON SENIOR TAX

Richard Conti, Chairperson

SPECIAL COMMITTEE ON CLASSIFICATION AND COMPENSATION

Michael Angelo, Chairperson