

**Municipal Council
REGULAR MEETING -HYBRID**

**February 1, 2022
Tuesday, 7:00 P.M.**

President DiLisio stated who was on zoom and who was in the chamber. Councilor Blais was not present.

The Council voted unanimously to accept the minutes of December 7 and 21, 2021.

City Clerk Kate Jackson read the public hearing notice for the following:

PUBLIC HEARING to approve the following loan order:

ORDERED: That Four Hundred Fifty Thousand Dollars (\$450,000.00) be appropriated for the cost of purchasing and equipping an Ambulance; that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow Four Hundred Fifty Thousand Dollars (\$450,000.00) under Section 7(1) of Chapter 44 of the General Laws, or any other enabling authority, and that the Mayor is authorized to take any other action necessary to carry out this project.

No one came forward to speak in favor. No one came forward to speak against.

No one came forward to speak neither for nor against.

The public hearing was closed by Vice Chair of Safety Committee Councilor Reynolds.

Clerk Jackson then read the Mayor's communication.

February 1, 2022

Dear Municipal Councilors:

As you are aware, Your Honorable Body voted on May 30, 2017, to amend Section 10-5.2(A) of the Revised Ordinances of the City of Attleboro (Prohibited on Certain Streets) to include Angeline Street, both sides. I have been contacted by a business owner on Angeline Street asking for this ordinance to be changed. Therefore, I hereby request Your Honorable Body to revisit this issue to see if a different solution can be made.

REFERRED TO TRAFFIC COMMITTEE

I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding the donation of \$360.00 in food gift cards from Home Instead. 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.

REFERRED TO PERSONNEL COMMITTEE

3. I respectfully submit for confirmation by Your Honorable Body the following reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Terrance McCrosson	Constable	1 Year	February 2023
Joshua Jorge	Constable	1 Year	February 2023
Laurie Sawyer	Council on Human Rights	3 Year	February 2025
Stephanie Gray	Council on Human Rights	3 Year	February 2025
Cynthia Van Voris	Disability Commission	3 Year	February 2025
Mary Flaherty	Disability Commission	3 Year	February 2025

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

4. I respectfully submit for confirmation by Your Honorable Body the appointment of Michael Morgan, 97 May Rocha Way, to fill an expired term on the Traffic Study Commission. Term to expire February 2025. (Copies in your packets)

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

I respectfully submit for confirmation by Your Honorable Body the appointment of Linda Alger, 24 Handy Street, to fill an expired term on the Board of Park Commissioners. Term to expire February 2027.

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

I respectfully submit for confirmation by Your Honorable Body the appointment of Delia Russell, 6 Jody Way, to fill an unexpired term on the Board of Park Commissioners. Term to expire February 2025.

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

7. I respectfully submit a letter regarding the award of the Attleboro Cultural Council FY22 allocation from the Massachusetts Cultural Council in the amount of \$32,200.00. Please note that there is no matching requirement. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body to approve expending such funds and any future grant amendments. (Copies in your packets)

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

8. I respectfully submit a communication from Director of Veterans Ben Quelle regarding the need for funds to repair brakes and for a state inspection sticker for a vehicle that has been transferred from the School Department to the Veteran's Department. Therefore, I hereby request Your Honorable Body transfer \$400.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 15431000-524230 (Veterans – Maintenance of Vehicles). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$34,993.26.

REFERRED TO CITY PROPERTY AND CLAIMS COMMITTEE

9. I respectfully submit communications from Chief of Police Kyle P. Heagney and Director of Budget & Administration Jeremy Stull regarding the need for funds to purchase body worn cameras, in-car video system and necessary associated computer software and technical components for the systems operation. This request is for this project to be funded through the Reserve for Cannabis Impact Fee expenditure line. As you are aware, this particular revenue source – 3% of calendar year gross sales of the cannabis store in Attleboro – sunsets after five years. Therefore, I hereby request Your Honorable Body transfer \$636,000 from Account 11241000-578390 (City Wide – Reserve for Cannabis Impact Fee) to 11241000-599300 (City Wide – Transfer to Capital Fund) and further transfer the \$636,000 from 11241000-599300 (City Wide -Transfer to Capital Fund) to Account 3567- 499000 (Police Body Cameras – Other Financing Sources).

REFERRED TO CAPITAL IMPROVEMENTS COMMITTEE

10. I respectfully submit a communication from Economic Development Director Catherine Feerick regarding a grant to participate in *Making it Public!* a partnership between the New England Foundation for the Arts (NEFA), Forecast, and MAPC. This grant is to promote public art across the Commonwealth of Massachusetts. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body approve expending of such funds and any future grant amendments.

10/2/1/22 – REFERRED TO CAPITAL IMPROVEMENTS COMMITTEE

11. I respectfully submit a communication from City Auditor Deborah Gould, City Treasurer Laura Gignac, City Collector Zaida Keefer and Chief Assessor Julie Hobson regarding the acceptance of additional statutes for deferral of utility liens for real estate properties deferred under M.G.L. c.59 s.5 Clause 41A. On December 17, 2019 Your Honorable Body voted to reduce the interest rate that accrues on property taxes deferred by eligible seniors under M.G.L. c.59 s.5 Clause 41A and also voted to amend the income limits for seniors to be consistent with the ‘circuit breaker’ this change also was effective for deferrals granted for taxes assessed for the fiscal year beginning after July 1, 2020. In implementing these changes, the City’s treasurer, chief assessor, collector and auditor, herein the finance team met multiple times and reviewed documentation related to deferred property in the Commonwealth. As a result of this research and these meetings and in consultation with the City Solicitor, the finance team has determined that the City would need to accept additional statutes. Therefore, I hereby request Your Honorable Body accept the following statutes:

MGL c.40 § 42J for the authority to defer water liens
MGL c.83 § 16G for the authority to defer wastewater liens
MGL c.40 § 42J for the authority to defer rubbish liens
MGL c40 §§42G-42I (§42K optional)

REFERRED TO ORDINANCES COMMITTEE

12. I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding a grant that has been awarded from Bristol Elder Service in the amount of \$18,884.57. This grant will be used for a part time Outreach position. There is a non-federal match required by the City. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body approve expending of such funds and any future grant amendments. Additionally, I hereby request Your Honorable Body transfer \$3,332.57 from 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-599200 (City Wide – Transfer to Grant) and further transfer \$3,332.57 to Account 2338L4-499700 (Bristol Elder – COA Outreach – Municipal Distribution). Upon approval, the available balance, to include any pending requests, in Reserve Fund for Transfer will be \$31,310.66.

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

13. I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding a grant that has been awarded from Bristol Elder Service in the amount of \$4,615.00. This grant will be used to implement a new initiative called “Mind and Body” which will offer a combination of technology and exercise classes. There is a non-federal match required by the City. In accordance with Chapter 1, Section 12 of the Revised Ordinances of the City of Attleboro, I hereby request Your Honorable Body approve expending of such funds and any future grant amendments. Additionally, I hereby request Your Honorable Body transfer \$814.50 from 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-599200 (City Wide – Transfer to Grant) and further transfer \$814.50 to Account 2337L4-499700 (Bristol Elder – COA – Mind & Body). Upon approval, the available balance, to include any pending requests, in Reserve Fund for Transfer will be \$30,496.16. (Copies in your packets)

REFERRED TO PERSONNEL, VETERANS AND HUMAN SVCS COMMITTEE

14. I respectfully submit a communication from Director of Council on Aging Melissa Tucker regarding the need for funds for a feasibility study for a new Senior Center Facility. The “Needs Assessment Study” conducted by UMASS Boston and completed in 2020 justifies the need in the community for a new facility to adequately meet the needs of our senior citizens. Therefore, I hereby request Your Honorable Body appropriate \$150,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3568 Feasibility-New Senior Center.

REFERRED TO CAPITAL IMPROVEMENTS COMMITTEE

15. I respectfully submit a communication from Personnel Director Owen Bebeau regarding the need for funds to purchase four desk chairs, four standing desk converters

and five wireless keyboard/mouse combinations for the Personnel Office. Therefore, I hereby request Your Honorable Body transfer \$1,052.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11521000-542020 (Personnel – Supplies Office Equipment). Upon approval, the available balance in Reserve Fund for Transfer, to include any pending requests, will be \$29,444.16.

REFERRED TO CITY PROPERTY AND CLAIMS COMMITTEE

Sincerely,
Paul Heroux, Mayor

ATTLEBORO CITY CLERK COMMUNICATIONS FOR FEBRUARY 1, 2022:

A Certificate of Vote from the Planning Board stating that the Board found the Loan Order for \$450,000 for the cost of purchasing and equipping an ambulance is consistent with the City's Comprehensive Plan.

REFERRED TO THE PUBLIC SAFETY COMMITTEE

The Council voted unanimously to enter Committee of the Whole.

Resident Andrew Kirk of 31 Chapel Hill Lane came forward with a complaint about election officials and an incident at LaSalette Shrine polling place from the fall election. Mr. Kirk felt the handling of his complaint to the Chair of the Election Commission was not appropriate and felt the Council should not approve the reappointment of Chair was not in the city's best interest.

President DiLisio requested the written statement Mr. Kirk read from and advised he would get back to Mr. Kirk.

The Council voted to arise from Committee of the Whole at 7:30 p.m.

The President then called for Committee reports.

Chair Waterman of the **License Committee** asked for a meeting at the next appropriate time.

Chair Dolan of the Public Works Committee brought forward the following votes:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$70,171.84 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-585083 (Public Works – Radar Sign Systems) to purchase 16 new solar powered speed radar signs.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$61,776.75 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to

16301000-585046 (Recreation – Mower) to purchase a John Deere 1600 Series III Mower

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$62,312.98 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 14201000-585082 (Public Works – Crosswalk Systems) to purchase 6 new solar powered crosswalk systems.

Voted on Roll Call 9 yeas – 1 nays (Conti nay, Blais absent) to transfer \$2,055.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 14201000-585040 (Public Works – Equipment) to cover the increased purchase price of a new berming/gravel thrower voted on December 21, 2021.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$1,085.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 12921000-524011 (Animal Control – Maintenance of Buildings) to fund pest extermination at the old animal shelter.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$7,091.42 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 16501000-524230 (Park – Vehicle Maintenance) to repair the support arm and hose protection chain on the grapple/crane truck for Park & Forestry.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to authorize payment of an invoice to 123 Service for \$35.00 from Park & Forestry. There is no transfer of funds needed to pay these bills, as there is sufficient funding in Fund 2607.

Chair Conti of the Capital Improvements Committee brought forward the following votes:

Voted on Roll Call 10 yeas – 0 (Blais absent) to appropriate \$48,400.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Account 1100630-584010 (Continuing Appropriation Rec – Site Improvements) for an Irrigation Project at Willett Field.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to hold a public hearing on February 15, 2022 regarding the submission of the City's Capital Improvement Program for FY2023 – 2027.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$50,000 from Account 11241000-578380 (City Wide – Reserve Fund for Capital) to Account 11241000-599300 (City Wide – Transfer to Capital Fund) and to further transfer that \$50,000 from 11241000-599300 (City Wide – Transfer to Capital Fund) to Account 3428-499000 (APS Parking Lots – Other Financing Sources) for costs associated with school parking lot repair and resurfacing at Hill Roberts.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$365,000 from Account 1000-359000 (General Fund – Undesignated Fund Balance/General Government) to Fund 3428 (APS Parking Lots) for costs associated school parking lot repair and resurfacing of Attleboro public schools lots.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve waiving the building permit fees for the roof replacement for Fire Department Headquarters and Briggs Corner Station.

Chair Bennett of the Traffic and Transportation Committee brought forward the following votes:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to hold a public hearing on February 15, 2022 to add “no parking” on the southerly side of East St. 510 feet from O’Neil Boulevard.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to hold a public hearing on February 15, 2022 to amend Chapter 10-4.11, Isolated Stop Signs, of the Revised Ordinances as follows:

Delete “Westbound drivers on Bliss Avenue at Bourne Avenue” and replace with “Eastbound and westbound drivers on Bliss Avenue at Bourne Avenue”.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$1,750,000.00 from Account 1000-359000 (Undesignated Fund Balance/Free Cash-General Government) to Fund 3541 (Rte. 123/Thacher/Rathbun) for the purpose of engineering and installing a new traffic signal and associated site work on Thacher Street and Rathbun Willard Drive.

Chair Kobus of the Budget and Appropriations Committee brought forth the following votes:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$2,190.00 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11241000-578020 (City Wide-Bills from Previous Years) in order to reimburse an employee for successfully completing courses enrolled in during FY2021.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to acknowledge the Council’s receipt of information on June 3, 2020 regarding a requested amendment to the Revised Water Rate Calculation the Revised Wastewater Rate Calculation for the Proposed FY21 Budgets for Water and Wastewater Enterprises.

Chair Holmes of the Zoning and Land Use Committee asked for a meeting at the next appropriate time.

Chair DeSimone of the Ordinances, Elections and Legislative Matters Committee brought the following forward:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$9,479.00 from Account 11621000-531020 (Elections – Elections Police) to Account 11621000-542020 (Elections – Supplies Election Equipment) to purchase 10 (ten) voting booths to replace booths that are beyond repair.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$556.00 from Account 11621000-531020 (Elections – Elections Police) to Account 11621000-542020 (Elections – Supplies Election Equipment) to purchase 4 (four) heavy-duty storage shelving units.

Chair Reynolds of the City Property and Claims Committee brought the following forward:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to accept the following donations to the Council on Aging: \$885.00 in food gift cards from Home Instead and \$60.00 of food gift cards from Hope Health VA.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to declare the following Department of Public Works vehicles as surplus and available for disposition:

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #</u>	<u>CONDITION</u>
1988	International (H-18)	1HTLAZRM4JH568780	Poor
1989	International (H-21)	1HTLAZPPXKH670003	Poor
2007	GMC Sierra (H-28)	1GTHK23K87F541388	Poor
2007	GMC Sierra (H-1)	1GTHK24K27E581681	Poor
1997	Bombardier (Bomb-2)	011970312	Poor

Vice Chair Reynolds of the Public Safety Committee brought forth the following:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve expending the \$10,705.30 Shannon CSI Grant received by the Attleboro Police Department and approve any future grant amendments.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the expending of the generous bequest of \$43,873.91 from the Estate of Margaret Santurri to the City of Attleboro Fire Department to be used towards Emergency Medical Services medical equipment or towards the purchase of an ambulance and approve any further amendments.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$110,413.15 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Account 12201000-511000 (Fire – Salaries and Wages) for earned time payment of a recent retiree.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to appropriate \$456,744.75 from Account 1000-359000 (Undesignated Fund Balance/Free Cash – General Government) to Fund 3565 Self Contained Breathing Apparatus.

Chair Angelo of Personnel, Veterans and Human Services Committee brought forth the following votes forward:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve expending of the Massachusetts Councils on Aging Service Incentive Grant awarded to the COA for \$7,719 such funds and any future grant amendments.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the reappointments for the positions and for the terms as indicated:

<u>Name</u>	<u>Appointment</u>	<u>Term</u>	<u>Expires</u>
Andrew Acosta	Municipal Building Commission	3 Year	February 2025
Kurt Wheaton	Council on Aging	4 Year	February 2026
Karen Hammond	Council on Aging	4 Year	February 2026
Sandy Varrier	Zoning Board of Appeals	3 Year	February 2025
Bonnie Moore	Conservation Commission	3 Year	February 2025
Diane Mangiaratti	Board of Library Trustees	3 Year	February 2025
Judith Lusk	Board of Library Trustees	3 Year	February 2025

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the appointment of Bill Gill, 197 Dexter Street, to fill an expired term on the Traffic Study Commission. Term to expire February 2024.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$17,976.18 from Account 11241000-578300 (City Wide – Reserve Fund for Transfer) to Account 11211000-511000 (Mayor – Salary and Wages) to fund the added Grade 3 Community Engagement Manager for the rest of FY22.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$196,297.07 from Account 1124100-578350 (City Wide Reserve for Labor Negotiations) to Account 12201000-511000 (Fire Department - Salary and Wages Full Time) to honor the Memo of Agreement (MOA) with the Fire Department.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$17,109.09 from Account 11241000-578300 (City Wide - Reserve for Transfer) to Account 12201000-514020 (Fire Department - Night Differential) to honor the MOA with the Fire Department.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to transfer \$52,671.23 from Account 11241000-578300 (City Wide - Reserve for Transfer) to Account 12201000-515010 (Fire Department - Holidays) to honor the MOA.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to accept the donations of \$200 in Stop & Shop gift cards from an anonymous donor to the Veterans Office.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the appointment of Albert Richmond, 107 Dean Street, to fill an unexpired term on the Disability Commission. Term to expire February 2023.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the appointment of Stephen Theberge, 46 Pine Street, Apt. 322, to fill an unexpired term on the Disability Commission. Term to expire February 2023.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to approve the appointment of Tiffany Foster, 55 Maple Street, to fill an unexpired term on the Planning Board. Term to expire February 2023.

Voted on Roll Call 9 yeas – 1 nays (Blais absent, Reynolds nay) to approve the request of the Mayor to add a Grade 9 position of Solid Waste Manager to the Exempt Classification Plan. A request to transfer funding for this position will be sent at a later date.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to strike the following:

Chair DeSimone of Ordinances brought forward the following:

FROM THE DOCKET OF FEBRUARY 4, 2020:

New business to adopt MGL Chapter 41, s. 61. (Report giving all receipts and expenditures of the city).

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to strike the following:

FROM THE DOCKET OF NOVEMBER 5, 2019:

New Business to add a sentence to City Ordinance 9-28.1 regarding utility pole placement.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to strike the following:

FROM THE DOCKET OF OCTOBER 16, 2018:

New business to differentiate between the positions of an executive and legislative city solicitor section 2-3 of the Ordinances of the City.

Vice President Kobus brought the following new business forward:

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to refer the following new business to the Personnel Committee:

To re-appoint Deborah Gould of 386 South Washington St., North Attleboro for a two year term as Auditor. Term to expire February 2024.

Voted on Roll Call 10 yeas – 0 nays (Blais absent) to refer the following new business to the Personnel Committee:

To reappoint Virginia Stuart-Becker of 101 South Avenue, Attleboro for a two year term as Council Assistant. Term to expire February 2024.

The council voted 10 yeas – 0 nays (Blais absent) to adjourn at 8:45 pm.

A TRUE COPY

ATTEST: _____
City Clerk/Clerk of the Council

MINUTES APPROVED BY COUNCIL: _____
(DATE)

City Clerk/Clerk of the Council