

Justin Paré, President
John Simmons, Vice President
Daniel Donovan
Mark Gould, Jr.
Darius Gregory



Kathleen Prescott
Patrick Reynolds
Andrew Shanahan
Andrea Slobogan

Town of North Attleborough

TOWN COUNCIL

43 South Washington Street, North Attleborough, MA 02760

Phone: (508) 699-0100

1/18/2023 - Minutes

I. Roll Call

President Paré called the meeting to order at 7:00 P.M. and lead the Council and the audience in the pledge of allegiance.

Members Present:

Justin Paré
John Simmons
Patrick Reynolds
Darius Gregory
Mark Gould
Kathleen Prescott
Andy Shanahan
Daniel Donovan

Members Absent:

Andrea Slobogan

Staff Present:

Town Manager Mike Borg
Assistant Town Manager Antonio Morabito III
Town Accountant Linda Catanzariti
NAFD Chief Coleman
AnneMarie Fleming Director & Nurse of Health Department

Invited Guests:

Firefighter Kyle Goulet
Probationary Firefighter Andres Nunez
Jason Gittle
Daniel McMahan

Residents Present:

Marie Clarner Chair of the Planning Board

Documents Reviewed:

- Minutes from the December 12, 2022 Meeting
- Minutes from the January 9, 2023 Joint Meeting with the School Committee
- Town Manager's Report January 18, 2023
- Measure 2023-028- Confirmation of Appointment of Jason Gittle to the Planning Board
- Measure 2023-031- Confirmation of Appointment of Dan McMahon to the Board of Health
- Measure 2023-029- Acceptance of the Charitable Bequest from the Phillip R. Jones Trust to the Town of North Attleborough in the amount of \$127,092.05 and Authorization of the Town Manager to execute the Receipt & Release Agreement associated with this request
- Measure 2023-032- Approval of Transfer of Funds from FY23 Free Cash for a Big Red School Bus
- Measure 2023-033- To see if the Town will vote to amend the Town of North Attleborough Zoning By-Laws, Section VIII - Administration and Enforcement to allow for a Planning Board Associate Member

II. Pledge Of Allegiance

III. Approval Of Minutes

- a. Approval of Town Council Minutes of December 12, 2022

Vice President Simmons moved to approve the Town Council Meeting Minutes of December 12, 2022.

Councilor Prescott seconded the motion.

Motion carried 7-0-1.

- b. Approval of Town Council Minutes of January 9, 20223

Vice-President Simmons made a motion to approve the Town Council Meeting Minutes of January 9, 2023.

Councilor Prescott seconded the motion.

Motion carried 6-0-2.

IV. Town Councilor Community Announcements

- President Pare' reported that over \$50,000.00 was raised at the JoAnne Cathcart Fundraiser. Thank you to everyone who donated and contributed to this event.
- School Municipal Building Committee Kickoff Meeting was held today.
- Senator Paul Feeney will be at the February 27, 2023 Town Council Meeting.

V. Town Manager Report

- a. Town Manager Michael Borg gave an overview of the Town Manager Report. Items he reviewed included:

- Emergency Management -Updates
- Communications-Updates

- Operations-Updates
- Budget-Updates
- Personnel-Updates

b. NAFD Chief Coleman was in attendance to introduce two new firefighters to the Fire Department. Firefighter Kyle Goulet just graduated from the Fire Academy and received the Outstanding Student Award. He is currently working for the NAFD at this time. Probationary Firefighter Andres Nunez joined the department and was a firefighter in Central Falls. He has six years of firefighting experience, is an advanced EMT in MA, and will be certified in Paramedic School very soon. His start date is January 30, 2023. Both Kyle and Andres were in attendance.

The Council had questions about a few of the items from the Town Manager's Report.

- Councilor Gould stated that he would like to know more about this position after it is addressed and asked if it would need to be addressed by legislation. He is interested in hearing more about this after discussed.
- President Pare' inquired about the Host Agreement for the proposed billboard that is to be installed on interstate 95.
 - o Town Manager Borg explained that the variance had already been granted by the Zoning Board of Appeals. They are currently entering into a Host Agreement with the Town.
- President Pare' stated that the Town may need to be cautious of any Host Agreements brought forward to us in the future. The Host Agreement with marijuana retailers

VI. Resident And Community Comment

None at this time

VII. Confirmations

- a. Measure 2023-028- Confirmation of Appointment of Jason Gittle to the Planning Board

Town Manager Borg explained that an interview with Jason Gittle of 653 Allen Avenue, North Attleborough was completed with him to serve on the Planning Board. After a favorable interview and given his 20 years of experience on the Attleboro Planning Board, I recommend him for appointment to the Board.

Therefore, I respectfully request the Town Council confirm the appointment of Jason Gittle as a member of the Planning Board. His Term will expire on June 30, 2025.

Mr. Gittle expressed his thanks to the Town Manager and the Council for allowing him to serve his community and is excited for the opportunity.

Vice-President Simmons made a motion to approve Measure 2023-028-Confirmation of Appointment of Jason Gittle to the Planning Board, term to expire on June 30, 2025.

Councilor Prescott seconded the motion.

Motion carried 8-0.

- b. Measure 2023-031- Confirmation of Appointment of Dan McMahon to the Board of Health

Town Manager Borg reported that an interview with Daniel McMahon of 107 Cliff Drive , North Attleborough was completed with him to serve on the Board of Health. After a favorable interview, and given his background in Healthcare, multiple positions in medical educational marketing, nonprofit work, and a Master's Degree in Public Health, I highly recommend him for appointment to the Committee.

Therefore, I respectfully request the Town Council confirm the appointment of Daniel McMahon as a member of the Board of Health. His Term will expire on June 30, 2025.

Mr. McMahon addressed the Council and thanked them and the Town Manager for the opportunity to serve the Town.

Vice-President Simmons made a motion to approve Measure 2023-031 -Confirmation of Appointment of Daniel McMahon to the Board of Health Term to expire on 6/30/2025.

Councilor Prescott seconded the motion.

Motion carried 8-0.

VIII. Sub-Committee Reports

a. Finance

Nothing to report at this time.

b. Economic Growth & Sustainability

Nothing to report at this time. Councilor Gregory reported that he is hoping to schedule two meetings, January 30, 2023 at 6:00PM and February 6, 2023.

c. By-Law

Nothing to report at this time.

d. Rules

Nothing to report at this time.

e. Communication, Public Participation, & Engagement

Nothing to report at this time.

f. Local Emergency Planning

Nothing to report at this time.

g. School Committee Representative

President Pare '

IX. Old Business

None at this time

X. New Business

- a. Measure 2023-029- Acceptance of the Charitable Bequest from the Phillip R. Jones Trust to the Town of North Attleborough in the amount of \$127,092.05 and Authorization of the Town Manager to execute the Receipt & Release Agreement associated with this request

Purpose and Justification:

First: The Trust is making a charitable donation to the North Attleboro Board of Selectmen to be used for beautification and landscaping of public buildings, commons and parks. As the successor to the Board of Selectmen, the bequest should be accepted by a vote of the Town Council as follows:

VOTE: "That the Town Council accept the charitable bequest from the Phillip R. Jones Trust to the Town of North Attleboro in the amount of \$127,092.05 to be used for "beautification by permanent planting and landscaping of any public buildings, public commons or parks" in accordance with the Amendment in Entirety To The Phillip R. Jones Trust - 1993, as amended on September 14, 2010."

Second: The Trust asks the Town to execute a release to receive this bequest. In my opinion, the release may be signed by the Town Manager, as the Town's chief executive officer. However, the release is essentially a settlement of potential litigation, and under Article I, Section 1.B of the Town's General Bylaws, the Town Manager's authority to settle litigation is capped at \$2,500. Therefore, I recommend that the Town Council vote to authorize the Town Manager to execute the release on behalf of the Town as follows: VOTE: "Further, that the Town Council authorize the Town Manager to execute the Receipt and Release Agreement associated with the Town's acceptance of the bequest from The Muriel R. Jones Trust - 1993, as amended on September 10, 2010."

Vice-President Simmons made a motion to:

VOTE: "That the Town Council accept the charitable bequest from the Phillip R. Jones Trust to the Town of North Attleboro in the amount of \$127,092.05 to be used for "beautification by permanent planting and landscaping of any public buildings, public commons or parks" in accordance with the Amendment in Entirety To The Phillip R. Jones Trust - 1993, as amended on September 14, 2010."

Councilor Prescott seconded the motion.

Motion carried 8-0.

Vice-President Simmons made a motion to:

VOTE: "Further, that the Town Council authorize the Town Manager to execute the Receipt and Release Agreement associated with the Town's acceptance of the bequest from The Muriel R. Jones Trust - 1993, as amended on September 10, 2010."

Councilor Prescott seconded the motion.

Motion carried 8-0.

- b. Measure 2023-032- Approval of Transfer of Funds from FY23 Free Cash for a Big Red School Bus

Purpose and Justification:

Request for a Transfer from FY23 Free Cash for the purchase of a Big Red Bus for the Town of North Attleboro

Town of North Attleboro received a grant in the amount of \$50,000.00 from the Massachusetts Department of Transportation from State Representative Adam Scanlon's Office. \$50,000 was appropriated to help purchase a bus for the community. The cost of a 2022 twenty-two passenger bus with wheelchair capability is \$155,000.00 delivered to North Attleboro (this includes approximately \$10,000 to wrap it). The grant funds need to be sent by June of this year. This bus will be shared by Park and Recreation, the Senior Center, and Veterans Services.

Amount for Bus: \$155,000.00
To Wrap the Bus: \$10,000.00
Bus Total: \$165,00.00
Grant from Mass DOT \$50,000.00
Balance to be funded from FY23 Free Cash \$115,000.00

Town Manager Borg requested that Measure 2023-032 Request for a Transfer from FY23 Free Cash in the amount of 115,000.00 for the purchase of a Big Red Bus for the Town of North Attleboro be referred to the Finance Sub-Committee for further consideration and review.

Vice-President Simmons made a motion to refer Measure 2023-032 -Request for a Transfer from FY23 Free Cash in the amount of \$115,000.00 for the purchase of a Big Red Bus for the Town of North Attleboro to the Finance Sub-Committee for further consideration and review.

Councilor Prescott seconded the motion.

Motion carried 8-0.

- c. Measure 2023-033- To see if the Town will vote to amend the Town of North Attleborough Zoning By-Laws, Section VIII - Administration and Enforcement to allow for a Planning Board Associate Member

Purpose and Justification:

VERSION 2 - ZONING BYLAW

Amendment to Section VIII - Administration and Enforcement

To see if the Town will vote to amend the Town of North Attleborough Zoning By-Laws, Section VIII - Administration and Enforcement, as follows:

(a) Add a new Subsection - Planning Board Associate Member to read as follows:

There shall be one associate member of the Planning Board appointed by the Town Manager under the authority of G. L. c. 40A, § 9. The associate member shall sit on the Planning Board for the purposes of acting on special permit application hearings in case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board.

or to take any other action relative thereto.

Town Manager explained that he is requesting that the Town Council consider amending

the By-Laws to allow for an alternate additional member on the Planning Board. He requested that this be forwarded to the By-Law Subcommittee and also the Planning Board. The Planning Board will need to hold a Public Hearing on this, refer back to the Town Council with their recommendations, By-Law Sub-Committee will also need to meet on this, and a Public Hearing will then be held at a Town Council Meeting once both have met to further discuss.

XI. Executive Session

- a. M.G.L. c.30A, Sec.21(a), Sec.6- To consider the purchase, exchange, lease, or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

EXECUTIVE SESSION MINUTES (PDF)

Minutes approved 01.30.2023 and released to the public on 06.21.2023

XII. Adjournment

President Pare´ announced that the Council would be entering into Executive Session at 8:01PM and would not be returning back into Open Session. They would be adjourning right from Executive Session.

Vice-President Simmons made a motion to go into Executive Session.

Councilor Prescott seconded the motion.

Roll Call Vote:

Councilor Reynolds - YES

Councilor Shanahan - YES

Councilor Gregory - YES

Vice-President Simmons - YES

President Pars'- YES

Councilor Prescott - YES

Councilor Gould - YES

Councilor Donovan - YES

Motion carried 8-0.