

A regular meeting of the City Council was held in the Council Chambers with Councillor Eaniri presiding. The meeting was called to order at 8:02 pm with eleven members being present.

In City Council, February 23, 2015

APPOINTMENTS

Councillor Studenski motioned to take items **39-47** collectively and under suspension of the rules and was properly seconded. The motion carried by a hand vote.

- 39** Reappointment of Michael Asack as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 40** Reappointment of Julie Mystrall as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 41** Reappointment of Brett Baker as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 42** Reappointment of Daniel Vaughn as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 43** Reappointment of Janet Frizzell-Hancock as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 44** Reappointment of Theodore Hancock as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 45** Reappointment of Kevin A. Smith as a Special Police Officer of the City of Brockton for a one year term ending February 2016
- 46** Reappointment of Jason Mosley as a Special Police Officer of the City of Brockton for a one year term ending February 2016.
- 47** Reappointment of David Montrond as a Special Police Officer of the City of Brockton for a one year term ending February 2016.

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor Stewart absent.

HEARINGS

Petition of NGRID proposing to install a new conduit on Montello Street from Centre Street to Petronelli Way for the purpose of replacing damaged conduit in that same area.

Councillor DeNapoli motioned to postpone until the end of the meeting and was properly seconded. The motion carried by a hand vote.

REPORTS

- 48** Of the Finance Committee for its meeting of February 17, 2015
Accepted and placed on file
- 49** Of the Real Estate Committee for its meeting of February 17, 2015
Accepted and placed on file

COMMUNICATIONS

- 50 From the Mayor submitting the Mass Gaming and Entertainment LLC Host Community Agreement.

Accepted and placed on file

- 51 From the Mayor declaring that as of 12:00PM on February 14, 2015 a State of Emergency exists in the City of Brockton. This declaration of emergency shall remain in effect until notice is given pursuant to my judgment that the State of Emergency no longer exists.

Councillor Stewart enters at 8:07pm

Accepted and placed on file

Councillor Sullivan motioned to file for reconsideration on items **39-47** with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 52 From the Mayor requesting that the City Council authorize the appropriation of and borrowing authority in the amount of \$3,861,778 for the purpose of repairs and improvements to the Brookfield Elementary School in the form by the City's bond counsel, Locke Lord LLP.

Accepted and placed on file

- 53 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed order for an appropriation of and borrowing authority of \$3,861,778 for the purposes of making repairs to the Brookfield Elementary School, **providing that the Mayor is willing to propose, and the City Council is willing to appropriate sufficient funding from the present unused levy capacity under the levy limit of Proposition 2 ½ to pay for the annual debt service of the project.**

Accepted and placed on file

- 54 From the Mayor requesting that the City Council authorize the appropriation of and borrowing authority in the amount of \$2,075,919 for the purpose of repairs and improvements to the Barrett Russell Kindergarten in the form by the City's bond counsel, Locke Lord LLP.

Accepted and placed on file

- 55 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed order for an appropriation of and borrowing authority of \$2,075,919 for the purposes of making repairs to the Barrett Russell Kindergarten, **providing that the Mayor is willing to propose, and the City Council is willing to appropriate sufficient funding from the present unused levy capacity under the levy limit of Proposition 2 ½ to pay for the annual debt service of the project.**

Accepted and placed on file

- 56 From the Mayor requesting that the City Council authorize the appropriation of and borrowing authority in the amount of \$2,843,301 for the purpose of repairs and improvements to the Gilmore Early Childhood Center in the form by the City's bond counsel, Locke Lord LLP.

Accepted and placed on file

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COMMUNICATIONS (cont'd)

- 57 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed order for an appropriation of and borrowing authority of \$2,843,301 for the purposes of making repairs to the Gilmore Early Childhood Center, **providing that the Mayor is willing to propose, and the City Council is willing to appropriate sufficient funding from the present unused levy capacity under the levy limit of Proposition 2 ½ to pay for the annual debt service of the project.**

Accepted and placed on file

- 58 From the Mayor requesting that the City Council authorize the appropriation of and borrowing authority in the amount of \$3,590,486 for the purpose of repairs and improvements to the Ashfield Middle School in the form by the City's bond counsel, Locke Lord LLP.

Accepted and placed on file

- 59 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed order for an appropriation of and borrowing authority of \$3,590,486 for the purposes of making repairs to the Ashfield Middle School, **providing that the Mayor is willing to propose, and the City Council is willing to appropriate sufficient funding from the present unused levy capacity under the levy limit of Proposition 2 ½ to pay for the annual debt service of the project.**

Accepted and placed on file

- 60 From the Animal Control requesting a transfer of \$10,000 from Stabilization Fund to Animal Control-Overtime to cover overtime expenditures through the remainder of the fiscal year.

Accepted and placed on file

- 61 From the Mayor authorizing a transfer of \$10,000 from Finance Department-Personal Services other than overtime to Animal Control Personal Services-Overtime in order to provide funding for the additional overtime costs necessary to maintain staffing during periods of unavoidable and unexpected personal absences.

Accepted and placed on file

- 62 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$10,000 from Finance-Personal Services other than overtime to Animal Control-Personal Services: Overtime.

Accepted and placed on file

- 63 From the Mayor requesting that the City Council accept the First Responder Naloxone grant award in the amount of \$43,200 from the Department of Public Health. The award will be split in the amount of \$22,320 to the Police Department and \$20,880 to the Fire Department to buy the life saving opioid overdose nasal reversal kits. There is no match by the City.

Accepted and placed on file

- 64 From the Mayor in accordance with the M.G.L., Ch. 44 hereby recommending that the City Council authorize the acceptance and expenditure of the grant award From Massachusetts Department of Public Health-First Responder Naloxone Grant- \$43,200 to Brockton Police Department-First Responder Naloxone Grant Fund- \$22,230 and To Brockton Fire Department-First Responder Naloxone Grant Fund- \$20,880. These grant funds will be used to buy the lifesaving opioid overdose nasal reversal kits. There is no grant match requirement.

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COMMUNICATIONS (cont'd)

Accepted and placed on file

- 65** From the CFO in accordance with M.G.L., Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$43,200 from Massachusetts Department of Public Health- First Responder Naloxone Grant to Brockton Police Department-First Responder Naloxone Grant fund in the amount of \$22,230 and the Brockton Fire Department-First Responder Naloxone Grant Fund in the amount of \$20,880

Accepted and placed on file

- 66** From the Interim Chief of Police requesting authorizing to expend grant monies related to the FY2015 Municipal Police Services Staffing Grant from the Executive Office of Public Safety and Security in the amount of \$395,164

Accepted and placed on file

- 67** From the Mayor in accordance with M.G.L., Ch. 44 hereby recommending that the City Council authorize the appropriation of the grant award in the amount of \$395,164 from Executive Office of Public Safety and Security-FY2015 Municipal Police Services Staffing Grant to Brockton Police Department: FY2015 Municipal Police Services Staffing Grant Fund. These grant funds provide overtime funds for the Brockton Police to use for community policing beats, community policing activities, patrol shift replacement; detective investigations; ride-a-longs, Quality of life/Impact Shifts, Etc. There is no required match for these funds.

Accepted and placed on file

- 68** From the CFO in accordance with M.G.L., Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$395,164 from Executive Office of Public Safety and Security-FY2015 Municipal Police Services Staffing Grant to Brockton Police Department: FY2015 Municipal Police Services Staffing Grant Fund.

Accepted and placed on file

- 69** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the appropriation of the dividend award in the amount of \$339,000 from Mass Department of Housing and Community Development-40R Smart Growth Dividend to Brockton Planning Department: 40R Smart Growth Dividend Fund. These funds will be used to address the revitalization and improvement plans for the Downtown and Campello districts, as well as the historic inventory needs of the Lincoln School, and assist in the implementation of the HOME management program.

Accepted and placed on file

- 70** From the CFO in accordance with M.G.L., Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$339,000 from Mass Department of Housing and Community Development-40R Smart Growth Dividend to Brockton Planning Department: 40R Smart Growth Dividend Fund.

Accepted and placed on file

UNFINISHED BUSINESS

- 9** Appointment of Richard J. Linehan to the rank of Temporary Police Lieutenant in the Brockton Police Department. (IN CITY COUNCIL, FEBRUARY 9, 2015, READ)

UNFINISHED BUSINESS (cont'd)

Councillor Rodrigues stepped down.

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor Rodrigues absent.

Councillor Rodrigues stepped back in.

- 10** Appointment of Robert J. Morrissey to the rank of Temporary Police Sergeant in the Brockton Police Department. (IN CITY COUNCIL, FEBRUARY 9, 2015, READ)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 562** Ordered: That the City Council authorize the approval of the Solar Power and Services Agreement between SunEdison Origination1,LLC and the City of Brockton. (FAVORABLE)(IN CITY COUNCIL, FEBRUARY 9, 2015 POSTPONED)

Councillor Sullivan stated that there was discussion two weeks ago regarding the agreement and nothing has yet been received. Councillor Sullivan motioned to postpone until the next City Council meeting and was properly seconded. The motion carried by a hand vote.

- 2** Order: That the DPW is authorized to issue one-single family home sewer connection to the Barros Realty Group, LLC (1035 Leyden Street, Brockton) for the property located at: Parcel ID 180-023- Plot 14. (FAVORABLE) (IN CITY COUNCIL, FEBRUARY 9, 2015 POSTPONED)

Councillor DuBois stated that there are a lot of issues regarding the sewer hookups in this ward. Councillor DuBois motioned to refer back to Finance Committee and was properly seconded. The motion carried by a hand vote.

- 31** Appropriation of \$22,500.00
From: Massachusetts Department of Environmental Protection (MassDEP) Mass Electric Vehicle Incentive Program Grant
To: DPW Refuse Division-Departmental Equipment Lease: Mass Electric Vehicle Incentive Program Grant Fund (for the purpose of acquiring one Battery Electric Vehicle and a Level 2 dual head charging station). (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 27** Ordered: That the City Council hereby declare #70 Highland Street- The Lincoln School (Map 053, Route 050, Plot 10) available for disposition and sale to the most advantageous proposer after soliciting requests for proposals. And further, that the Mayor be and hereby is authorized to execute any and all documents necessary to dispose of said property. (FAVORABLE)

Councillor DuBois would like to know in the documents of the Solicitor who the councillor is and she would like it to be her.

Councillor Sullivan motioned to refer item **27** back to Real Estate and was properly seconded. The motion carried by a hand vote.

- 28** Ordered: That the City Council hereby declare The Corcoran Building consisting of three parcels; #308 Montello Street Map 135, Route 074, Plot 305 and its associated Montello Street Parking Lots located at Map 111, Route 058, Plot 71 and Map 135, Route 073, Plot 304-1 as shown on the attached plan available for disposition and sale to the most advantageous proposed after soliciting requests for proposals. And further, that the Mayor be and hereby is authorized to execute any and all documents necessary to dispose of said property. (FAVORABLE)

UNFINISHED BUSINESS (cont'd)

Councillor DeNapoli motioned to send to Real Estate and was properly seconded. The motion carried by a hand vote.

- 500** Resolve: That Fire Chief Francis, Chief Financial Officer John Condon and Mayor Bill Carpenter be invited to appear before a committee of this council to purchase 2 new tower trucks for the Brockton Fire Department. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 497** Ordered: That the Mayor and/or Real Estate Custodian be authorized to place various parcels of city-owned property on the list for sale at auction and to execute any and all documents necessary to effectuate the sale of these properties (FAVORABLE AS AMENDED)

The amendment was not voted on. Councillor DuBois motioned to refer to Real Estate and was properly seconded. The motion carried by a hand vote.

ORDERS

- 71** Ordinance: An Ordinance Amending Chapter 27 of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Chapter 27. Zoning, Sec. 27-4. Designation of zones is hereby amended by adding the following new zoning district C-8. Highway Commercial Zone.

Referred to Ordinance and Planning

- 72** Ordered: In compliance with the provisions of the Elections Laws, notice is hereby given that the Special Election will be held on Tuesday, May 12, 2015.

Referred to Finance

- 73** Transfer of \$10,000
From: Finance Department-Personal Services other than overtime
To: Animal Control Personal Services-Overtime
(In order to provide funding for the additional overtime costs necessary to maintain staffing during periods of unavoidable and unexpected personal absences.) Be advised that there is \$10,000 is also available in the Finance Department budget due to a vacant budgeted position.

Referred to Finance

- 74** Appropriation totaling \$43,200
From: Massachusetts Department of Public Health-First Responder Naloxone Grant
To: Brockton Police Department-First Responder Naloxone Grant Fund \$22,230
and
To: Brockton Fire Department-First Responder Naloxone Grant Fund \$20,880
(These grant funds will be used to buy the lifesaving opioid overdose nasal reversal kits. There is no grant match requirement)

Referred to Finance

- 75** Appropriation of: \$395,164
From: Executive Office of Public Safety and Security-FY2015 Municipal Police Services Staffing Grant
To: Brockton Police Department: FY2015 Municipal Police Services Staffing Grant Fund. (These grant funds provide overtime funds for the Brockton Police to use for community policing beats, community policing activities, patrol shift

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ORDERS (cont'd)

replacement; detective investigations; ride-a-longs, Quality of life/Impact Shifts, Etc. There is no required match for these Funds)

Referred to Finance

- 76** Ordered: The City of Brockton shall accept a \$339,000 40R Smart Growth incentive dividend from the Commonwealth and reinvest it in planning activities.

Referred to Finance

- 77** Ordered: That the City appropriate the amount of \$3,861,778 for the purpose of paying costs of roof repairs and resurfacing, including the payment of all costs incidental or related thereto at the Brookfield Elementary School.

Referred to Finance

- 78** Ordered: That the City appropriate the amount of \$2,075,919 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Barrett Russell Kindergarten

Referred to Finance

- 79** Ordered: That the City appropriate the amount of \$3,590,486 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Ashfield Middle School.

Referred to Finance

- 80** Ordered: That the City appropriate the amount of \$2,843,301 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Gilmore Early Childhood Center.

Referred to Finance

Granting of NGRID proposing to install a new conduit on Montello Street from Centre Street to Petronelli Way.

Councillor DeNapoli motioned to postpone to the next City Council meeting and was properly seconded. The motion carried by a hand vote.

Council President Eaniri stated that the next Finance Committee Meeting will be on March 2, 2015. He also stated that the Water Commission will have a meeting on Wednesday at 6pm in the GAR Room. The water rate hearing will be discussed. All of the councillors are invited.

Councillor Asack takes a moment of personal privilege to wish Councillor Monahan a happy birthday.

Councillor DuBois takes a moment of personal privilege to state that on item **72**, the special election on May 12, 2015, will be discussed in Finance Committee.

Councillor Sullivan takes a moment of personal privilege to state that himself and Councillor Rodrigues will be signing a resolve regarding their unhappiness with Aquaria and hopes that other councillors will sign onto it.

Adjourned 8:26pm