

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:01pm with nine members present. Councillors Barnes and Monahan absent.

A moment of silence was called for former Chief of Police, Robert Hayden, Jr., who passed away.

In City Council, February 27, 2017

Councillor Cruise motioned to have Mark Gildea step in as Clerk Pro Tempe and was properly seconded. The motion carried by a hand vote.

- 62** Acceptance of the minutes of the February 13, 2017 City Council meeting.

Accepted and placed on file.

REPORTS

- 63** Of the Finance Committee for its meeting of February 21, 2017

Accepted and placed on file.

COMMUNICATIONS

- 64** From the Chief of the Fire Department requesting the acceptance and expenditure of a grant totaling \$150,000 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security. (The intended use of these grant funds are for overtime necessary to maintain staffing levels.) No match required.

Accepted and placed on file.

- 65** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the acceptance and expenditure of the total grant in the amount of \$150,000 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2017 Massachusetts Municipal Public Safety Staffing Grant to City of Brockton Fire Department SFY 2017 Massachusetts Municipal Public Safety Staffing Grant Fund. Grant funds are for overtime necessary to maintain staffing levels. No match required.

Accepted and placed on file.

- 66** From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying the proposed grant of \$150,000 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2017 Massachusetts Municipal Public Safety Staffing Grant to City of Brockton Fire Department SFY 2017 Massachusetts Municipal Public Safety Staffing Grant Fund.

Accepted and placed on file.

- 67** From the Chief of the Brockton Fire Department requesting the acceptance and expenditure of grants totaling \$14,039 from the Commonwealth of Massachusetts Executive Office of Public Safety. (The intended uses of these funds are for Fire Safety Education Programs) No Match Required.

Accepted and placed on file.

- 68** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$14,039 from The Commonwealth of Massachusetts Executive Office of Public Safety-FY17 Student Awareness of Fire Education(S.A.F.E.) Grant (\$10,643) and the Commonwealth of Massachusetts Executive Office of Public

COMMUNICATIONS (cont'd)

Safety-FY2017 Senior Safe Grant (\$3,396) to City of Brockton Fire Department FY2017 Student Awareness of Fire Safety Education (S.A.F.E.) and Senior Grant

Fund. These grant funds will be used for Fire Safety Education Program. No Match Required.

Accepted and placed on file.

- 69** From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying the proposed grant of \$14,039 from The Commonwealth of Massachusetts Executive Office of Public Safety-FY17 Student Awareness of Fire Education(S.A.F.E.) Grant (\$10,643) and the Commonwealth of Massachusetts Executive Office of Public Safety-FY2017 Senior Safe Grant (\$3,396) to City of Brockton Fire Department FY2017 Student Awareness of Fire Safety Education (S.A.F.E.) and Senior Grant Fund.

Accepted and placed on file.

- 70** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the Mayor to execute the Administrative Consent Order (“ACO”) issued by the Massachusetts Department of Environmental Protection (MASSDEP”) relating to Monponsett Pond.

Accepted and placed on file.

- 71** From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying that the financial resources and revenues of the City of Brockton FY18 only are adequate to support the proposed acceptance of the Administrative Consent Order(“ACO”) issued by the Massachusetts Department of Environmental Protection (MASSDEP”) relating to Monponsett Pond. The order will require a modest annual level of additional expenditure which will require a continuing commitment to adopting cost recovery water rates.

Accepted and placed on file.

- 72** From the Chief of Brockton Police requesting to expend grant monies related to the FY2016 US Department of Justice/Bulletproof Vest Program Grant funds in the amount \$12,784.

Accepted and placed on file.

- 73** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the acceptance and appropriation of the total grant in the amount of \$12,784 from US Department of Justice FY16 Bulletproof vest program grant, to City Of Brockton Police Department FY16 Bulletproof Vest Program Grant Fund. These funds will be provided for the 50% reimbursement of bulletproof vests.

Accepted and placed on file.

- 74** From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the proposed appropriation of the award of \$12,784 from US Department of Justice FY16 Bulletproof Vest Program Grant to City of Brockton Police Department FY16 Bulletproof Grant Fund.

Accepted and placed on file.

UNFINISHED BUSINESS

- 42** Appointment of Kelly R. Mallory of 12 Marsha Drive, Brockton, MA to the Brockton Parking Authority for a five year term ending January 31, 2022. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

- 43** Appointment of Conrod Boone of 60 Margery Road, Brockton, MA to the Brockton Parking Authority for a five year term ending January 31, 2022. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

- 44** Appointment of Donald Williams of 1342 Belmont Street, Brockton, MA to the Brockton Cable Advisory Board for a three year term ending January 31, 2020.(FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

- 56** Ordered: That the City Council authorize the acceptance and expenditure of the total grant in the amount of \$100,000 from Executive Office of Public Safety and Security Massachusetts Municipal Public Safety Staffing Grant Program to City of Brockton Police Department Massachusetts Municipal Public Safety Staffing Grant Fund. These funds are being provided in the form of overtime funds for the Brockton Police to use for patrol shift replacement; detective investigations; etc. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

- 60** Ordered: The Mayor is hereby authorized to grant an easement to Manuel T. Buginga, Jr., as owner of Plot 30, 30-1, and 31 Leach Avenue, his successors and assigns, for purposes of maintaining a watermain/water line, over land of the City known as Plot 11 Warren Ave. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 57** Resolved: The Chairman of the Zoning Board of Appeals and such other persons as he may deem appropriate, be invited to appear before a committee of the City Council to discuss the caseload of the board, the zoning ordinances, and any recommendations which will contribute to the protection of neighborhoods and business districts, as well as enhance economic development opportunities for the city. (FAVORABLE)

Councillor Farwell motioned to send to Ordinance Committee and was properly seconded. The motion carried by a hand vote.

- 61** Ordered: That pursuant to the provisions of M.G.L. ch. 44, sec. 53A, the City Council authorizes the acceptance, appropriation, and expenditure of grant funds totaling \$400,000 from EEA for the purposes set forth herein, subject to the limitation that there will be no adult sized soccer field at Walker Playground, affirming the Mayor’s authorization of the BRA’s allocation of \$120,000 in CDBG funds, and authorizing the Mayor to file and accept grants from the

UNFINISHED BUSINESS (cont'd)

- 62** Executive Office of Energy and Environmental Affairs.(IN CITY COUNCIL, FEBRUARY 13, 2017, COUNCILLOR ASACK MOTIONED TO MOVE UNDER SUSPENSION OF THE RULES AND WAS PROPERLY SECONDED. THE MOTION DID NOT CARRY BY A HAND VOTE WITH COUNCILLOR RODRIGUES VOTING IN THE NEGATIVE. UNDER THE CITY ORDINANCE, THE ORDER WAS POSTPONED TO THE NEXT FULL CITY COUNCIL MEETING).

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

ORDERS

Councillor Cruise stepped down.

- 75** An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Article V. Departments, Division 7. Department of Personnel. is hereby amended by adding certain requirements relative to hiring and promotions.

Referred to Ordinance

Councillor Cruise stepped back in.

Councillor Sullivan stepped down.

- 76** An Ordinance approving the extension of existing cemetery land to be dedicated to cemetery uses located at East Street and Thatcher Street pursuant to M.G.L. 114 § 34 Be it ordained by the City Council of Brockton as follows: The land between East Street and Thatcher Street including the existing cemetery of the Poor Sisters of Jesus Crucified and The Sorrowful Mother.

Referred to Ordinance

Councillor Cruise stepped back in.

- 77** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Delmar Road, from Dagmar Drive to Dodge Road, a distance of 984.17 feet, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.

Referred to Finance and Planning.

- 78** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Fortin Drive, extending from Dixon Road northerly, a distance of about 650 feet, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.

Referred to Finance and Planning.

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ORDERS (cont'd)

79 Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Maplewood Circle, from North Cary Street, easterly, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton.

Referred to Finance and Planning.

80 Ordered: That the Mayor is authorized to grant an Easement to the Town of Kingston in, across, over, under, along and upon a portion of City owned land situated on the westerly side of Lake Street in Kingston for purposes related to a culvert and for stormwater management.

Referred to Finance.

81 Ordered: That the City Council authorize the acceptance and expenditure of the total grant in the amount of \$150,000
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2017 Massachusetts Municipal Public Safety Staffing Grant
To: City of Brockton Fire Department SFY 2017 Massachusetts Municipal Public Safety Staffing Grant Fund.
These funds will be used for overtime necessary to maintain staffing levels.
No Match required.

Referred to Finance.

82 Ordered: That the City Council authorize the acceptance and expenditure of the total grant in the amount of \$14,039
From: The Commonwealth of Massachusetts Executive Office of Public Safety-FY17 Student Awareness of Fire Education (S.A.F.E.) Grant (\$10,643) and the Commonwealth of Massachusetts Executive Office of Public Safety-FY2017 Senior Safe Grant (\$3,396).
To: City of Brockton Fire Department FY2017 Student Awareness of Fire Safety Education (S.A.F.E.) and Senior Grant Fund.
These grant funds will be used for Fire Safety Education Program. No Match Required.

Referred to Finance.

83 Ordered: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Brockton to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that **legislation** be adopted precisely as follows, except for clerical or editorial changes of form only: An Act Relative to the Appointment of Special Police Officers in the City of Brockton.

Councillor Eaniri motioned move under suspension of the rules and act on item # **83** and was properly seconded. The motion carried by a hand vote.

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Barnes and Monahan absent.

Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

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ORDERS (cont'd)

- 84** Ordered: That the City Council authorize the Mayor to execute the Administrative Consent Order (“ACO”) issued by the Massachusetts Department of Environmental Protection (MASSDEP”) relating to Monponsett Pond

Referred to Finance.

- 85** Ordered: that the City Council authorize the acceptance and appropriation of the total grant in the amount of \$12,784
From: US Department of Justice FY16 Bulletproof vest program grant,
To: City of Brockton Police Department FY16 Bulletproof Vest Program Grant Fund.

Referred to Finance.

- 86** Resolve: To invite Mr. Paul Engle, the new executive director of the Brockton Public Library to introduce him and present ideas on the future of the library system to the city council.

Referred to Finance.

- 87** Resolved: That the Mayor, Chief of Police, and the Chairman of the Traffic Commission be invited to appear before the Public Safety Committee of this Council to discuss increased traffic enforcement or, as an alternative, reduced speed limits, in the City to increase pedestrian safety.

Referred to Public Safety.

The Council President stated that Councillor Monahan couldn't make it, due to work commitment.

Councillor Beauregard asks for a moment of personal privilege to state that the 2nd Urban Agricultural meeting will be held on Wed. March 1, 2017 at the Shaw Center at 6pm. The topics will be farm animals, bees, community gardens, etc. She also stated that at the Parking Authority meeting last Wednesday, the parking study was finalized and will be available to the public.

Councillor Sullivan stated that to follow up on the resolve he filed regarding the Baroncelli Field, the ball is in motion and he is meeting with the Mayor, Rob May, Tim Carpenter, and the Ward 1 Councillor. He will report back on this.

Adjourned 8:17pm