

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

In City Council, March 14, 2016

- 127** Approval of the City Council minutes of February 22, 2016 meeting

Adopted by a hand vote.

#### APPOINTMENTS

- 128** Of Elpidio Estrada to the rank of Fire Lieutenant within the Brockton Fire Department

Councillor Farwell motioned to move under suspension of the rules and collectively on items **128**, **116** and **117** and was properly seconded. The motion carried by a hand vote

- 116** Of Francis Bills to the rank of Fire Captain within the Brockton Fire Department

- 117** Of Timothy Lacouture to the rank of Fire Lieutenant within the Brockton Fire Department

Confirmed by a roll call vote taken “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

The Council President recognizes the appointees and also former Chief Galligan and former Chief Francis in the audience.

A two minute recess was called.

Back in session.

- 118** Of Paul E. Nevins as a Constable in the City of Brockton for a term of three (3) years

Referred to Finance

#### HEARINGS

Petition of Bumper to Bumper Accessories, Inc. for a Garage License located at 583B Warren Ave., Brockton

John Dewar and George Polillo appeared in favor. Councillor Barnes asked for clarification on the repair part of the license. John stated that they are spraying truck bedliners. Councillor Barnes questioned if they would be building bays? The Council President stated that this hearing was just for the garage, not the motor vehicle repair portion. No one was in opposition. Hearing held.

Granted by a hand vote.

Petition of Bumper to Bumper Accessories, Inc. for a Motor Vehicle Repair Mechanical/Body License located at 583B Warren Ave., Brockton

John Dewar and George Polillo appeared in favor.

Councillor Barnes questioned if there were chemicals being stored? John Dewar stated that they have a paint booth and there are no fumes.

**HEARINGS (cont'd)**

No one was in opposition. Hearing held.

Granted by a hand vote.

**PETITIONS**

Of Steven P. Tortora for an awning permit located at Court House Café, 74 West Elm St., Brockton

Referred to Public Safety

**REPORTS**

**119** Of the Real Estate Committee for its meeting of February 23, 2016

Accepted and placed on file.

**120** Of the Finance Committee for its meeting of March 7, 2016

Accepted and placed on file.

**COMMUNICATIONS**

**121** From the Mayor submitting a letter requesting withdrawal of the appointments of Maria de Pina Monteiro, Patricia Sanon-Eliassaint, Leona Martin, Nichole Gatling, and Kimberly Zouzoua to the Commission on Women's Issues dated March 4, 2016.

Accepted and placed on file.

**122** From the Chief of the Police Department requesting authorization to expend grant monies related to the FY2016 Municipal Police Services Staffing Grant from the Executive Office of Public Safety and Security in the amount of \$350,000.00

Accepted and placed on file.

**123** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the appropriation of the grant award in the amount of \$350,000 from Executive Office of Public Safety and Security FY2016 Municipal Police Services Staffing Grant to City of Brockton Police Department Municipal Police Services Staffing Grant Fund. These grant funds are being provided in the form of overtime funds for the Brockton Police to use for community policing beats, community policing activities, patrol shift replacement; detective investigations; ride alongs, Quality of life/Impact Shifts, etc. There is no match required.

Accepted and placed on file.

**124** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$350,000 from Executive Office of Public Safety and Security FY2016 Municipal Police Services Staffing Grant to City of Brockton Police Department Municipal Police Services Staffing Grant Fund.

Accepted and placed on file.

## UNFINISHED BUSINESS

- 40** Ordered: That the City Council hereby declares 12 parcels on Sprague St. available for disposition and sale to the most advantageous proposer after soliciting requests for proposals for the purchase of such property and the development of a sports complex. (FAVORABLE AS AMENDED)

The amendment passed by a hand vote.

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

Councillor Rodrigues asked if the amendment could be read.

- 41** Ordered: That the City Council declare the Howard school at 849 North Main Street, available for disposition and sale to the most advantageous proposer after soliciting requests for proposals for the purchase of such property. (FAVORABLE AS AMENDED)

The amendment passed by a hand vote.

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

- 42** Ordered: That the City Council declare four parcels at 39 Hervey Street, available for disposition and sale to the most advantageous proposer after soliciting requests for proposals. (FAVORABLE AS AMENDED)

- 45** Appointment of Raoul Sanon of 288 West Chestnut Street, Brockton, as a Constable in the City of Brockton for a term of three years. (FAVORABLE)

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

Councillor Eaniri motioned to take items **46-49** collectively and was properly seconded. The motion carried by a hand vote.

- 46** Appointment of Elliot “Edward” Miller, 104 Menlo St. #1, as a Member of the Brockton Diversity Commission for a three year term ending in February 2019. (FAVORABLE)

- 47** Appointment of Edward Downie, 42 Cushing Ave., as a Member of the Brockton Diversity Commission for a three year term ending in February 2019. (FAVORABLE)

- 48** Appointment of Jacob Tagger, 122 Intervale Street, as a Member of the Brockton Diversity Commission for a three year term ending in February 2019. (FAVORABLE)

- 49** Appointment of Adriano Cabral, 19 West Park St. #3, as a Member of the Brockton Diversity Commission for a three year term ending in February 2019. (FAVORABLE)

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

Councillor Eaniri motioned to take items **25-27** collectively and was properly seconded. The motion carried by a hand vote.

## UNFINISHED BUSINESS

Councillor Studenski asked if the address was correct on item #27? The Council President stated it had been corrected.

- 25 Appointment of James Cobb of 243 Perkins Avenue, Brockton as a member of the Conservation Commission for a three year term ending in January 2019.  
(FAVORABLE)
- 26 Appointment of Samuel Ward of 350 Rockland Street, Brockton as a member of the Conservation Commission for a three year term ending in January 2019.  
(FAVORABLE)
- 27 Appointment of Ray Henningson of 305 Belmont Street, Brockton as a member of the Conservation Commission for a three year term ending in January 2019.  
(FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with ten voting in the affirmative. Councillor Beauregard voting in the negative.

- 83 Appropriation of \$425,000  
From: the Massachusetts Department of Public Health’s Bureau of Substance Abuse Service Grant  
To: the City of Brockton Mayor’s Office Substance Grant Fund.  
The funding is from February 1, 2016 –September 29, 2020. This funding will go out to bid for a coalition to manage. (The goal of this initiative is to prevent/reduce prescription drug misuse among high school age youth).  
(FAVORABLE)

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

- 84 Appropriation of an additional \$70,000  
From: the Massachusetts Department of Public Health’s Bureau of Substance Abuse Services: Massachusetts Opioid Abuse Prevention Collaborative Grant  
To: Mayor’s Office-Massachusetts Opioid Abuse Prevention Collaborative Grant Fund. (To help support pre-approved strategies of the Massachusetts Opioid Abuse Prevention Collaborative Grant through Highpoint Treatment Center’s Brockton Opioid Abuse Prevention Collaborative Grant that works with communities of Brockton, Whitman-Hanson, East Bridgewater and Rockland). These additional grant funds increase the current FY16 maximum obligation from \$100,000 to \$170,000. (FAVORABLE)

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

- 85 Appropriation of \$15,000  
From: Massachusetts Department of Environmental Protection (MassDEP)Mass Electric Vehicle Incentive Program (MassEVIP) Grant  
To: DPW Refuse Division-Ordinary Maintenance Services-Department Equipment Lease: Mass Electric Vehicle Program Grant Fund. (For the purpose of leasing 2 battery electric vehicles to be used by city inspectors and city personnel and will be visible within the City). (FAVORABLE)

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

- 86 Appropriation of \$22,460  
From: the Commonwealth of Massachusetts Emergency Management Agency FY15 EMPG Grant

## UNFINISHED BUSINESS

To: BEMA-EMPG Grant Fund (this funding will be used to purchase operational equipment for BEMA, as well as the Emergency Operation Center).  
(FAVORABLE)

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

- 87** Appropriation: totaling \$14,452.00  
From: the Commonwealth of Massachusetts Department of Public Safety-FY2016 Student Awareness of Fire Education (S.A.F.E.) Grant -\$10,937.00  
To: Brockton Fire Dept.-FY16 Student Awareness of Fire Education (S.A.F.E.) Grant Fund, and  
From Commonwealth of Massachusetts Department of Public Safety-FY2016 Senior Awareness of Fire Education (S.A.F.E.) Grant -\$3,515.00 to Brockton Fire Dept.-FY16 Senior Awareness of Fire Education (S.A.F.E.) Grant Fund -\$3,515.00 (FAVORABLE)

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

- 88** Appropriation of \$150,000  
From: Fire Department-Personal Services Other than Overtime  
To: Fire Department-Personal Services-Overtime  
(to supplement Overtime spending, due to vacations and vacant positions as well as unpredictable weather events for the remainder of the winter season, to maintain all Companies through the remainder of Fiscal Year 2016).

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

- 89** Appropriation: of \$125,000  
From: Massachusetts Executive Office of Health and Human Services (EOHSS) FY16 Safe & Successful Youth Initiative Grant  
To: Brockton Police Department: FY16 Safe & Successful Youth Initiative Grant Fund. (FAVORABLE)

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

- 110** Appropriation: of \$100,000 as follows:  
From: Commonwealth of Mass Executive Office of Public Safety and Security-FY16 Massachusetts Municipal Public Safety Staffing Grant  
To: Brockton Fire Department-FY16 Massachusetts Municipal Public Safety Staffing Grant Fund (FAVORABLE)

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

- 111** Appropriation of \$315,586.00  
From Massachusetts Executive Office of Public Safety and Security/State 911 FY16 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant  
To: Brockton Police Department: FY16 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Fund. (FAVORABLE)

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

## UNFINISHED BUSINESS

- 112 Transfer of \$387.41  
From: Personnel Department- Personal Services overtime  
To: Assessor's Department- Personal Services Overtime. (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.
- Councillor Studenski stepped down.
- 90 Appropriation: Totaling \$104,000  
From: Stabilization Fund  
To: Public Property-Personal Service Other than Overtime \$98,000,  
and To: Public Property Overtime-\$6,000  
(in order to provide funding for the labor costs to be incurred in FY16 for the two proposed collective bargaining agreements between the city and Brockton Building and Construction Trades for the period of July 1, 2013 through June 30, 2016). (**Conditional certification from CFO**) (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Studenski absent.
- 91 Appropriation: Of \$400,000  
From Stabilization Fund  
To:DPW Water-PS Other than OT \$188,000.00,  
DPW Water-Overtime \$61,000.00  
DPW Sewer-PS Other than OT \$114,000.00  
DPW Sewer –Overtime \$37,000.00  
(in order to provide funding for the labor costs to be incurred in FY16 for the two proposed collective bargaining agreements between the city and the Mass Laborers' District Council on behalf of the Public Employees Local Union 1162 Water and Sewer, for the period of July 1, 2013 through June 30, 2016.  
(**Conditional certification from CFO**) (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Studenski absent.
- 82 Ordered: That the Mayor be authorized to execute a Development Agreement between the City of Brockton and **Eagle Advertising, LLC**, a Massachusetts Limited Liability Company, having a usual place of business at 323 Manley Street, West Bridgewater, MA 02379, for an electronic advertising board with digital copy, to be located at 405 Westgate Drive, Brockton (FAVORABLE)
- Councillor Sullivan stepped down.
- Councillor Studenski stepped back in.
- Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Sullivan absent.
- 92 Resolved: That representatives from the City's Board of Health, Building Department, and School Department be invited to appear before a Committee of this Council to provide information and discuss the current usage and locations of automated external defibrillators (AED) in City and School properties in order to provide a safe and healthy environment for employees, students, and residents. (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Sullivan absent.

## UNFINISHED BUSINESS

- 113** Resolved: That the Commissioner of the Department of Public Works, the Chief Financial Officer, and the City Engineer appear before a committee of the City Council to discuss the issue of unaccepted roadways on which residents live, the limitations (if any) imposed upon the city for the maintenance and repair of these roadways, and the potential costs associated with preparing “private ways” for formal acceptance as public ways. (FAVORABLE AS AMENDED, REFERRED TO PUBLIC SAFETY)

Councillor Sullivan stepped back in.

The amendment passed by a hand vote.

Referred to Public Safety

## ORDERS

- 125** Appropriation of \$350,000  
From: Executive Office of Public Safety and Security FY2016 Municipal Police Services Staffing Grant  
To: City of Brockton Police Department Municipal Police Services Staffing Grant Fund.

Referred to Finance

- 126** Resolve: Members of the 21<sup>st</sup>. Century Corp. come before a committee of this Council to update the Council on the Rox Stadium and the conference center.

Referred to Finance

Councillor Eaniri motioned to move under suspension of the rules and accept a late file and was properly seconded. The motion carried by a hand vote.

- 128** Ordered: The Mayor is hereby authorized to grant on behalf of the City of Brockton grant a right-of-way over land hereinafter set forth, to the following land owners, their successors and assigns as appurtenant to the parcels shown on assessors plans number 74 and 76

Referred to Real Estate

Councillor Eaniri stated that he has been working on the right-of-way for the past year. He hopes that the Real Estate Meeting will be held soon.

Councillor Sullivan motioned to move under suspension of the rules and accept a late file and was properly seconded. The motion carried by a hand vote.

- 127** Resolve: That the City’s Mayor and Solicitor come before the Finance Committee to provide a status update and to discuss re-acquiring the real property located at 226 Main Street (commonly known as “the Ganley Building”) that was conveyed by the City [for nominal consideration] to the Commonwealth for purposes of using the property as a College Collaborative.

Referred to Finance

Councillor Monahan asked for a moment of personal privilege to state that there will be an Ordinance Meeting at 6pm on March 15, 2016 in the Council Chambers.

Adjourned 8:38pm