

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:06pm with eleven members present.

In City Council, July 24, 2017

Presentation by Attorney Wainwright of first City Mayor and first City Government of Brockton portrait and photo.

Attorney Wainwright presented a portrait of the first Brockton government. The portrait was obtained by his father and had been hanging in the Wainwright Law Offices for over 80 years. It is a gift from the Wainwright family to the City of Brockton.

Councillor Sullivan thanked Attorney Wainwright and his family for the gift.

318 Acceptance of the minutes of the June 26, 2017 City Council meeting.

Accepted and placed on file.

APPOINTMENTS

319 Of Lawrence Siskind of 51 Briarcliff Rd., Brockton, as an Alternate to the Brockton License Commission for a three year term.

Referred to Finance.

320 Of Mildred McCowan of 612 East St., Brockton, to the Brockton Council on Aging for a three year term.

Referred to Finance.

Councillor Studenski motioned to take items **321-328** collectively and was properly seconded. The motion carried by a hand vote.

321 Of David Andrews of 124 Clifton Ave., Brockton as an alternate to the Brockton Council on Aging for a three term.

322 Of Carole DeLorey of 19 North Bassett Rd., Brockton, to the Brockton Council on Aging for a three term.

323 Of Clayton Reichenberg, Jr. of 115 Darren Drive, Brockton, as an alternate to the Brockton Council on Aging for a three term.

324 Of Joan Madden of 96A Earle St., Brockton, as an alternate to the Brockton Council on Aging for a three term.

325 Of Barbara A. Fox of 55 Emory St., Brockton, to the Brockton Council on Aging for a three term.

326 Of Jeffrey A. Thompson of 45 Ames Road, Brockton ,to the Brockton Zoning Board of Appeals replacing Adelin Jeffrey Charnel for a three year term.

327 Of Donald Williams of 1342 Belmont St., Brockton, to the Brockton Community Cable Television Board for a three year term.

Councillor Sullivan stated that the address for Donald Williams is his business address and should be changed.

APPOINTMENTS (cont'd)

- 328** Of Adelin Jeffrey Charnel of 30 Foster Street, Brockton, MA as an alternate to the Brockton License Commission for a three year term.

Referred to Finance.

HEARINGS

Petition of Jorge Fortes Jr. DBA Classic Auto Repair, LLC for a Motor Vehicle Repair Body License located 50 Meadowbrook Rd., Unit 3, Brockton MA. The applicant and Jaimie Duarte appeared in favor. Councillor Studenski stated that the property has been kept clean. The clerk stated that the Fire Department has objections pending installation of proper equipment and inspection of the equipment to allow for painting priming and bonding. Jaimie stated that they were waiting to get the license before getting the equipment. No one was in opposition. Hearing held. Councillor Barnes motioned to refer to Public Safety and was properly seconded. The motion carried by a hand vote.

REPORTS

- 329** Of the Finance Committee for its meeting of July 17, 2017.

Accepted and placed on file.

COMMUNICATIONS

Councillor Sullivan stepped down.

- 332** From Director of Planning relative to the estimated real estate taxes that would be generated at Thatcher Street property if it were redeveloped as Single Family.

Accepted and placed on file.

Councillor Sullivan stepped back in.

- 333** From the Mayor submitting the letter of resignation from Donald Williams from the Brockton Cable Advisory Board.

Accepted and placed on file.

- 334** From the Mayor submitting the letter of resignation from Richard Drobiak from the Brockton Council on Aging.

Accepted and placed on file.

- 335** From the Mayor submitting the letter of resignation from Adelin Jeffrey Charnel from the Zoning Board of Appeals.

Accepted and placed on file.

- 336** From Jeffrey A. Thompson submitting the letter of his resignation from the Brockton Licensing Commission.

Accepted and placed on file.

- 337** From the Mayor in reference to Section 2-110, Article III City of Brockton Ordinance Waiver of Residency.

Accepted and placed on file.

COMMUNICATIONS (cont'd)

338 From the Mayor in accordance with M.G.L. recommending the appropriation of \$100,000 from Unappropriated Estimated Receipts of FY2018 to Brockton Public Schools Non Net School Spending in order to provide funding for additional school transportation.
Accepted and placed on file.

339 From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$100,000 from Unappropriated Estimated Receipts of FY2018 to Brockton Public Schools Non Net School Spending. The funding is provided from a cut approved by city council to the FY18 budget submitted by the Mayor which was a balanced budget.

Accepted and placed on file.

340 From the Mayor in accordance with M.G.L. recommending a transfer of \$180,000 from Stabilization Fund to Brockton Public Schools Net School Spending in order to provide funding for the School Committee to restore the FY18 funding for critical programs.

Accepted and placed on file.

341 From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying the proposed transfer of \$180,000 from Stabilization Fund to Brockton Public Schools Net School Spending.

Accepted and placed on file.

342 From the DPW Commissioner requesting the acceptance and expenditure of \$479,000 from the Massachusetts Department of Transportation-Highway Division for the replacement and repair of the West Elm Street Bridge over the Salisbury Brook. This is a part of the Statewide Small Bridge Construction Program involving design and/or reconstruction, repair, and improvements to non-federally aided bridges and approached with span lengths between 10 feet and not more than 20 feet.

Accepted and placed on file.

343 From the Mayor in accordance with M.G.L., Ch. 44, recommending the City Council authorize the acceptance and expenditure of the total appropriation of \$479,000 from Massachusetts Department of Transportation- Highway Division to City of Brockton DPW-Massachusetts Department of Transportation- Highway Division Fund. The City is providing \$25,300 from encumbered Ch.90 funds from FY17 for the remainder of the design services that are not covered under the program.

Accepted and placed on file.

344 From the CFO in accordance with Sec. 5, Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$479,000 from Massachusetts Department of Transportation- Highway Division to City of Brockton DPW-Massachusetts Department of Transportation- Highway Division Fund.

Accepted and placed on file.

345 From the Chief of Police requesting authorization to expend grant monies related to Gang Resistance Education and Training (Great) Foundation Grant in the amount of \$1,000.00.

Accepted and placed on file.

COMMUNICATIONS (cont'd)

- 346** From the Mayor in accordance with M.G.L., recommending that the City Council authorize the acceptance and expenditure of the total grant in the amount of \$1,000.00 from Gang Resistance Education And Training (Great) Foundation

Grant to City Of Brockton Police Department Gang Resistance Education And Training (Great) Foundation Grant Fund. This grant fund will be used to pay for items needed to support the Plymouth County Summer Day Camp.
Accepted and placed on file.

- 347** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$1,000.00 from Gang Resistance Education and Training (Great) Foundation Grant to City Of Brockton Police Department Gang Resistance Education and Training (Great) Foundation Grant Fund.

Accepted and placed on file.

- 348** From Emergency Management Director requesting the acceptance of a grant award in the amount of \$5,000.00 from 2016 SHSP to City of Brockton Emergency Management 2016 SHSP Grant Fund.

Accepted and placed on file.

- 349** From Mayor in accordance with M.G.L., recommending that the City Council authorize the acceptance and expenditure of the total grant in the amount of \$5,000.00 from 2016 SHSP Grant to City Of Brockton Emergency Management 2016 SHSP Grant Fund. All goods and services for the EMPG grant must be procured prior to June 30, 2018. There is no match required.

Accepted and placed on file.

- 350** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$5,000.00 from 2016 SHSP Grant to City of Brockton Emergency Management 2016 SHSP Grant Fund.

Accepted and placed on file.

- 351** From the Library Director requesting authorization of the acceptance of a grant in the amount of \$10,000.00 from Eastern Bank Charitable Foundation to City of Brockton Public Library-Eastern Bank Charitable Foundation Grant Fund.

Accepted and placed on file.

- 352** From the Mayor in accordance with M.G.L., recommending that the City Council authorize the acceptance and expenditure of the total grant in the amount of \$10,000.00 from Eastern Bank Charitable Foundation to City of Brockton Public Library-Eastern Bank Charitable Foundation Grant Fund. This grant will be used to bring together the varied immigrant experiences of Brockton's highly diverse populations through lectures and conversations. There is no match required.

Accepted and placed on file.

- 353** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$10,000.00 from Eastern Bank Charitable Foundation to City of Brockton Public Library-Eastern Bank Charitable Foundation Grant Fund.

Accepted and placed on file.

UNFINISHED BUSINESS

- 567** Ordinance: An Ordinance amending Chapter 2 of the Revised Ordinances, Section 11-211 is hereby amended by adding the following subsection; Sec. (d); There shall be one license issued for each two thousand(2,000) population as recorded in the most recent federal census at the time of application for a license. No additional licenses shall be issued until the number of existing licenses corresponds to this provision. (In City Council, November 14, 2016, Read and referred to standing committee on Ordinance) (In City Council, May 22, 2017, Amendment passed by a hand vote. Passed to a third reading, as amended, by a hand vote). (In City Council, June 26, 2017, Ordained , as amended, by a roll call vote). Question on the Mayor's Veto on the Ordinance.

The question comes before the council "Shall the Ordinance stand the Mayor's veto to the contrary notwithstanding"?

Councillor Farwell spoke regarding the ordinance. He stated that something needed to be done about the number of licenses, but he also wanted to be fair to the businesses. Councillor Farwell motioned to postpone until the City Council meeting in September and was properly seconded. The motion carried by a hand vote.

Councillor Sullivan speaks on the ordinance. He stated that the last time there was a veto by the Mayor was when Councillor Farwell was Mayor. It is up to the Council which way to vote on this matter.

- 284** Reappointment of Tim Sullivan of 9 Payton Ct., Brockton, MA to the Brockton Housing Authority Board of Commissioners for a five year term. (FAVORABLE)

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

- 309** Transfer: of \$25,000
From: FY18 Library- Ordinary Maintenance
To: Library-Personal Services- Overtime
(FAVORABLE)

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

- 306** Appropriation: Of \$400,000
From: Massachusetts Dept. of Environmental Protection Sustainable Materials Recovery Program Municipal Grant
To: DPW Refuse Division Sustainable Materials Recovery Program Municipal Fund. This grant consists of \$200,000 for the purchase of 96 gallon wheeled recycle containers, \$190,000 for the purchase of wheeled 35 gallon trash containers and \$20,000 for inland recycling instruction labels on the recycle containers. (FAVORABLE)

Councillor Barnes stated that the figure of \$20,000 should be \$10,000. The clerk stated he would look into it.

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

- 312** Resolve: To invite Mr. Bernie Hassan a member of the Board of Directors for the Realtor Association of Southeastern Massachusetts to provide the city council with an overview of the strong activity in the real estate market in Brockton and surrounding communities and the expected effects. He will also explain the differences from the previous housing boom to the one we are currently experiencing. (FAVORABLE)

UNFINISHED BUSINESS(cont'd)

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

- 313** Resolve: To invite Mr. Michael Williams the Fire Chief for our city to discuss the cost which he believes will be in the vicinity of \$200,000.00 to \$250,000.00 to keep the Crescent Street Fire Station in full working order with both a ladder truck and an engine truck for the remainder of the summer months for the residents of the eastside. (FAVORABLE)

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

- 254** Ordered: That the sum of \$2,000,000 is appropriated to pay costs of developing a parking garage, and for making street and traffic improvements within the Development District approved by the City and being undertaken in conjunction with Trinity Financial, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 40Q (the District Improvement Financing statute), M.G.L. c. 44 and/or any other enabling authority, and to issue bonds or notes of the City therefor; that such bonds or notes shall be general obligations of the City, although such bonds or notes shall be payable in the first instance from property tax revenue expected to be derived from new development within the Development District. The amount authorized to be borrowed pursuant to this order shall be expended in addition to all amounts received by the City from The Commonwealth of Massachusetts and from Trinity Financial to pay costs of the project.

Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require. (FAVORABLE, AS AMENDED) (IN CITY COUNCIL, JUNE 26, PASSED TO A THIRD READING, AS AMENDED, 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.

- 255** Ordered: Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. (FAVORABLE) (IN CITY COUNCIL, JUNE 26, PASSED TO A THIRD READING, 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.

ORDERS

- 330** Ordinance: An Ordinance Amending Revised Ordinances Of the City of Brockton, Chapter 11. Licenses, Permits and Business Regulations. Be it ordained by the City Council of the City of Brockton as follows: Chapter 11. Licenses, Permits and Business Regulations, is hereby amended by adding the following Article: Article IV. Special Events.

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ORDERS (cont'd)

Referred to Ordinance.

- 331** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Blueberry Circle, extending from Dudley Avenue to Dudley Avenue, a distance of about 650 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes.

Referred to Finance and Planning.

- 354** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Dudley Avenue, extending from Parker Avenue northerly about 775 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes

Referred to Finance and Planning.

- 355** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Brookville Avenue, extending from Boundary Street to North Quincy Street, a distance of about 1,410 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes.

Referred to Finance and Planning.

- 356** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Gary Road, extending from Boundary Avenue to Brookville Avenue, a distance of 1,131.46 feet, and for that purpose it is necessary to take an easement for Highway Purposes.

Referred to Finance and Planning.

- 357** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Randolph Avenue, extending from Boundary Avenue to Brookville Avenue, a distance of 1,117.82 feet, and for that purpose it is necessary to take an easement for Highway Purposes.

Referred to Finance and Planning.

- 358** Ordered: An Act Relative To The Appointment Of Special Police Officers In The City Of Brockton.

Councillor Eaniri motioned to suspend the rules and act on item **358** and was properly seconded. The motion carried by a hand vote. Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 359** Ordered: In reference to Article III Section 2-110, City of Brockton Ordinance Waiver of Residency.

Referred to Finance.

- 360** Appropriation: of \$100,000
From: Unappropriated Estimated Receipts of FY2018
To: Brockton Public Schools Non Net School Spending
In order to provide funding for additional school transportation.

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ORDERS (cont'd)

Councillor Farwell motioned suspend the rules and act on items **360-361** and was properly seconded. The motion carried by a hand vote. Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative

- 361** Transfer: of \$180,000
From: Stabilization Fund
To: Brockton Public Schools Net School Spending.

Adopted by a roll call vote taken by “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 on items **360-361** and was properly seconded. Reconsideration failed by a hand vote.

- 362** Appropriation: Of \$479,000
From: Massachusetts Department of Transportation- Highway Division
To: City of Brockton DPW-Massachusetts Department of Transportation- Highway Division Fund.

Referred to Finance

- 363** Appropriation: Of \$1,000.00
From: Gang Resistance Education And Training (Great) Foundation Grant
To: City of Brockton Police Department Gang Resistance Education And Training (Great) Foundation Grant Fund.

Referred to Finance

- 364** Appropriation: Of \$5,000.00
From: 2016 SHSP Grant
To: City Of Brockton Emergency Management 2016 SHSP Grant Fund.

Referred to Finance

- 365** Appropriation: of \$10,000.00
From: Eastern Bank Charitable Foundation
To: City of Brockton Public Library-Eastern Bank Charitable Foundation Grant Fund.

Referred to Finance

- 366** Resolve: to invite the City Solicitor, Police Chief and Traffic Commission Chair to appear before the Finance Committee to discuss the current process and procedures relative to Block Parties and/or Neighborhood Parties within the City of Brockton.

Referred to Finance

- 367** Resolved: The Director of Planning and Economic Development appear before a committee of the City Council to discuss the original Urban Renewal Plan, required modifications to the plan, changes in fiscal projections, and specific actions taken to date toward implementation of the plan as submitted and approved by the City Council.

Referred to Finance

- 368** Resolve: to invite Ms. Jeanne Martineau, Director of the Brockton Employees Retirement Board to introduce herself and give the city council a brief synopsis of any anticipated changes to those receiving benefits at this time.

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ORDERS (cont'd)

- 369** Resolve: to invite Brockton Police Chief Mr. John Crowley to discuss operations of the department to the city council.

Referred to Finance

- 370** Resolve: to invite Royal Motors of 27 Freight Street Unit C, Brockton, MA to address issues concerning hours of business and business procedures.

Referred to Finance

LATE FILE

Councillor Barnes motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

- 371** Ordered: That the naming of Somerset Place also be known as Rev. Nathaniel E. Williams Place.

Referred to Finance.

Councillor Beauregard motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

- 372** Resolve: to invite the owners of International Auto Workz and Lubra Auto Body of 62-64 Elliot Street, Brockton MA to address issues concerning hours of business and business procedures.

Referred to Finance.

Councillor Sullivan congratulates Councillor Studenski on the renaming of Kame Way as Wayne McAllister Way. Over 150 people were in attendance.

Councillor Sullivan met with the National Resources Solutions regarding economic growth and diversity in the city.

Councillor Cruise takes a moment of personal privilege to state that the Ordinance Committee will meet on July 26, 2017 at 6pm.

Councillor Beauregard takes a moment of personal privilege to state that the Summer Resource Guide is available online and at the Library. There are plenty of fun activities going on around the area. She also mentioned that the Planning Board will meet Thurs. Aug. 3, 2017 from 6:30pm-8:30pm. The subject is the plans for the city. Also the second annual swim team reunion will be at Salisbury Park on Aug. 5, 2017 at 1pm. This event is free. Councillor Beauregard stated that they are not giving away free trees at this moment but to find out more information about free trees, call 617 626-5003.

Adjourned 8:45pm