

A regular meeting of the City Council was held in the Council Chambers with Councillor Eaniri presiding. The meeting was called to order at 8:00pm with ten members being present. Councillor DuBois absent.

In City Council, October 26, 2015

The Council President asks for a moment of silence for Janice Byer, who passed away over the weekend. She was a teacher at the Kennedy School and was on the School Committee for ten years.

### HEARINGS

Councillor Sullivan motioned to take the following 14 petitions collectively and was properly seconded. The motion carried by a hand vote.

Petition of Verizon New England and NGRID proposing to remove one pole, 482/1 from its existing location at a point on the westerly side of **Carleton St** which point is approximately 25' northerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one new pole 555 ½ on the easterly side of **Doris Ave** at a point approximately 42' southerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one new pole 789 ½ on the easterly side of **Montgomery Street** at a point approximately 35' northerly from West Elm Street. The new pole is necessary for the purpose of accommodating the reconstruction of West Elm Street.

Petition of Verizon New England and NGRID proposing to relocate one pole 50/10 to a point on the westerly side of **Brett Street** approximately 22' southerly from its existing location said point being approximately 30' southerly from West Elm Street. The new pole is necessary for the purpose of accommodating the reconstruction of West Elm Street.

Petition of Verizon New England and NGRID proposing to relocate one pole 58/11 to a point on the easterly side of **Byron Ave** approximately 13' southerly from its existing location said point being approximately 26' southerly from West Elm St. Place one new pole 58/11S on the westerly side of Byron Avenue at a point approximately 25' southerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one new pole 58/11 ½ on the westerly side of **North Byron Ave** at a point approximately 27' northerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one new pole 346/ ½ on the westerly side of **Revere Street** at a point approximately 26' southerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to relocate one pole 224-16 to a point on the easterly side of **Winnifred Road** approximately 4' southerly from its existing location. Place one new pole 224/17 on the westerly side of Winnifred Road at a point approximately 29' southerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one new pole P 417/15 on the westerly side of **Belcher Ave** at a point approximately 36'

**129**  
**HEARINGS (cont'd)**

southerly from West Elm St. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to relocate one pole 14/8 to a point on the easterly side of **Newbury Street** approximately 45' southerly from its existing location and place one new pole, 14S/8S on the westerly side of Newbury Street at a point approximately 74' southerly from West Elm St. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place one pole 32/28S on the easterly side of **Moraine Street** at a point approximately 104' southerly from West Elm Street. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place 3 new poles on **Belmont Ave**: one new pole 88/10 ½ to be installed on the easterly side of Belmont Ave at a point approximately 33' southerly from West Elm Street; one new pole, 88S/10 1/2S to be installed on the westerly side of Belmont Ave at a point approximately 33' southerly from West Elm Street; and one new pole 8/10 ¾, to be installed on the westerly side of Belmont Ave at a point approximately 28' northerly from West Elm St. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to place 5 new poles, relocate 42 poles and remove 1 pole and have 1 pole remain on **West Elm Street**. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Petition of Verizon New England and NGRID proposing to relocate one pole 997/1 to a point on the westerly side of **West Elm Terrace** approximately 18' northerly from its existing location. The pole removal is necessary for the purpose of accommodating reconstruction of West Elm St.

Kelly Curran representing Verizon appeared in favor. She explained the reason for the construction. Councillor Cruise questioned if any driveways were being affected? Kelly stated that they would not be affected. Beverly post of 552 West Elm St. appeared with concerns. She questioned if the street would be a highway or if the sidewalk would be wider? Councillor Cruise stated that they are rebuilding the road, but the sidewalks would be the same. Jeanne Holmes questioned the reason for the change if everything would be the same? Councillor Cruise stated that as of now, the sidewalks are not wheelchair accessible. They will be ADA approved after the construction is finished. Hearing held.

**REPORTS**

**545** Of the Finance Committee for its meeting of October 19, 2015

Accepted and placed on file

**COMMUNICATIONS**

**546** From the Mayor in accordance with M.G.L. and the requirements of Massachusetts Department of Revenue Bulletin 2015-07B, requesting the City Council authorize the amortization of the FY2015 snow and ice removal deficit of \$2,459,730.62 in not more than three equal installments beginning in FY2016.

Accepted and placed on file

**COMMUNICATIONS (cont'd)**

- 547** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the adoption of an order to permit the amortization of the snow and ice deficit over three fiscal years; however it is the CFO's recommendation that instead, the City's present excess levy capacity which is adequate to eliminate that deficit entirely, be utilized to do so.

Councillor Cruise stepped down.

Accepted and placed on file

- 548** From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the appropriation of \$2,800,000 for the purpose of funding through the City's legal bond counsel, in order to provide funding through either borrowing or lease/purchase financing, for an Energy Services Agreement between the City and Ameresco, Inc. This agreement will result in the purchase and installation of energy savings equipment in City buildings. The total of annual savings from the contract, guaranteed by Ameresco, exceeds \$4.5 million.

Accepted and placed on file

- 549** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$2.8 million for an Energy Service Agreement with Ameresco, Inc and the associated authorization to borrow or lease/purchase the associated equipment. The cost of financing this contract is exceeded by the guaranteed energy savings.

Accepted and placed on file

**UNFINISHED BUSINESS**

Councillor Cruise stepped back in.

- 446** Appointment of Officer David Santos of the Brockton Police Department as a Weigher of Trucks in the City of Brockton. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays": ten members present with eight voting in the affirmative. Councillors Asack and Rodrigues voting in the negative. Councillor DuBois absent.

- 523** Ordered: That the City Council authorizes the acceptance of a donation of 2 retired DIAL-A-BAT minibuses  
From: Brockton Area Transit Authority  
To: City of Brockton Police Department  
The only stipulation is that the Brockton Police Department pays the cost of the leased tires; a total of \$800.00 for both vehicles. The department will do this from its FY16 budget. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays": ten members present and all voting in the affirmative. Councillor DuBois absent.

- 524** Appropriation: of \$500.00  
From: Spectra Energy Foundation  
To: City of Brockton Fire Department Spectra Energy Foundation Grant Fund.  
(the intended use for these funds is towards the purchase of one laptop computer to be used in the field for hazardous materials responses, code enforcement, and fire prevention activities). This is a non-matching grant with no cost to the city. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays": ten members present and all voting in the affirmative. Councillor DuBois absent.

**UNFINISHED BUSINESS (cont'd)**

- 525** Appropriation: of \$300.00  
 From: HarborOne Bank  
 To: City of Brockton Fire Department  
 (the intended use is in the area of youth, education and prevention).  
 This is a donation with no cost to the City. (FAVORABLE)
- Adopted by a roll call vote taken by “yeas” and “nays”: ten members present and all voting in the affirmative. Councillor DuBois absent.
- 542** Appropriation of \$571,152  
 From: McKinney-Vento Education of Homeless Children and Youth Assistance Act of FY2016  
 To: Non-Net School Spending Budget.  
 (This act provides funds to reimburse some costs of the mandated transportation associated with homeless students and provide additional buses to serve all eligible students)(FAVORABLE)
- Adopted by a roll call vote taken by “yeas” and “nays”: ten members present and all voting in the affirmative. Councillor DuBois absent.
- 543** Appropriation: of \$15,000  
 From: Massachusetts Board of Library Commissioners State Plan for Library Services and Technology Act (LSTA) Direct Grant Program entitled “Serving Tweens and Teens”  
 To: Brockton Library Department: Library Services Technology Act Direct Grant Program Fund. (These funds will be disbursed by the MBL in the amount of \$7,500 for the fiscal year 2016 and an additional \$7,500 for fiscal year 2017. These funds are for the STEM program, which works to support and improve science and technology education. There is no match requirement)  
 (FAVORABLE)
- Adopted by a roll call vote taken by “yeas” and “nays”: ten members present and all voting in the affirmative. Councillor DuBois absent.

**ORDERS**

- 550** Ordered: That according to the requirements of Massachusetts Department of Revenue Bulletin 2015-07B, requesting the City Council authorize the amortization of the FY2015 snow and ice removal deficit of \$2,459,730.62 in not more than three equal installments beginning in FY2016.
- Referred to Finance
- 551** Ordered: That sum of \$2,800,000 is appropriated to pay costs of various energy conservation improvements to City buildings, including the payment of all costs incidental and related thereto, such improvements to be made in accordance with an Energy Services Agreement between the City and Ameresco, Inc.
- Referred to Finance
- 552** Ordered: That the DPW Commissioner is authorized to issue one industrial sewer connection at 353 Howard Street (parcel ID 182-043, plot 40-1) for the property owned by John Lyons (Air Distribution Company).
- Referred to Finance

Councillor Sullivan motioned to take the granting of petitions collectively and to just read the street locations and was properly seconded. The motion carried by a hand vote.

**132**  
**ORDERS (cont'd)**

Granting of Verizon New England and NGRID proposing to remove one pole, 482/1 from its existing location at a point on the westerly side of **Carleton St** which point is approximately 25' northerly from West Elm Street.

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Granting of Verizon New England and NGRID proposing to relocate one pole 997/1 to a point on the westerly side of West Elm Terrace approximately 18' northerly from its existing location.

Granted by a hand vote.

The Council President stated that the next Finance Committee Meeting will be held on November 16, 2015 and the next Council meeting will be held on November 9, 2015. Prior to the meeting, he invited everyone to the Paul V. Studenski Building dedication. Also, there will be a Ward 3 meeting on Tuesday, October 27 at the Kennedy School at 7pm. Councillor Eaniri stated that there will be a committee formed regarding the material from Aquaria with Councillor Sullivan as the Chair and Councillors Cruise, DuBois and Rodrigues serving also. They will report back to the council on their findings regarding the Aquaria binders.

Councillor Sullivan stated that on November 3<sup>rd</sup>., the polls open at 7am and close at 8pm. Please vote.

Councillor Studenski reminded everyone on Wednesday, October 28, 2015, there will be a meeting on the power plant at the Davis School for anyone that is interested.

Adjourned at 8:30pm