

1. Acceptance of the minutes of the January 22, 2018 City Council meeting.

APPOINTMENTS:

2. Of Fire Lieutenant Nicholas J. Tropeano to the rank of Fire Captain in the Brockton Fire Department.
3. Of Firefighter Donald W. Gazzero to the rank of Fire Lieutenant in the Brockton Fire Department.
4. Of Firefighter Brian R. Piantoni to the rank of Fire Lieutenant in the Brockton Fire Department.
5. Of Officer Michael Scanlon to the rank of Sergeant in the Brockton Police Department.

HEARINGS:

6. Of The Titanium Group, LLC, of 245 N. Pearl St., Brockton, MA for a transfer of Garage, License located at 899 Belmont St., Brockton, MA.
7. Of The Titanium Group, LLC, of 245 Pearl St., Brockton MA. For a transfer of underground storage license located at 899 Belmont St., Brockton MA.
8. Of Prestige Carwash Inc. of 245 N. Pearl St., Brockton, MA for a transfer of Motor Vehicle Repair Mechanical License located at 899 Belmont St., Brockton, MA.
9. Of Josefina Gomes Pais, of 53 Market St., Brockton, MA for a transfer of Garage, License located at 535 Montello St., Brockton, MA.
10. Of Rui Pais of 17 Acton Ave., Brockton, MA DBA RU's Garage, for a transfer of Motor Vehicle Repair Mechanical License located at 535 Montello St., Brockton, MA.

REPORTS:

11. Of the Finance Committee for its meeting of February 5, 2018.

COMMUNICATIONS:

12. From the Mayor submitting a letter of resignation from Benjamin Albanese from the position of City Real Estate Custodian.
13. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, rendering his opinion of the action which will obligate the city for more than one year. On January 12, 2018, the City and Veolia Water North America entered into a contract for the removal of sludge from the city and its lawful final disposal outside the city. The contract is for 3 years, for the period through December 31, 2020. The CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifies that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the cost of the sludge disposal contract in **FY2018 only**. For FY2019 and FY2020 the cost of the contract is likely to put some modest pressure on other services supported by the sewer enterprise fund.
14. From the Brockton Fire Chief requesting a transfer of \$279,000 from Fire Department-Personal Services-Non Overtime to Fire Department-Services-Overtime. To maintain all companies through the remainder of Fiscal Year 2018.

15. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the appropriation of \$279,000 from Fire Department-Personal Services-Non Overtime to Fire Department-Services-Overtime. In order to help maintain all companies through the remainder of the fiscal year.
16. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$279,000 from Fire Department-Personal Services-Non Overtime to Fire Department-Services-Overtime without a detrimental impact on the continuous provision of the existing level of municipal services.
17. From the Director of Personnel requesting that the City Council authorize the expenditure of Medicare Reimbursements in the amount of \$44,426.41, an obligation of prior years, to be paid from Personnel Employee Benefits Health Insurance for FY18. These funds will be paid to retirees and their spouses who were members of the Brockton Education Association that were due Medicare Reimbursements for previous fiscal years which weren't paid due to a clerical oversight. There are sufficient funds in the FY18 appropriation to pay this obligation.
18. From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the Personnel Department to expend Medicare Reimbursements in the amount of \$44,426.41, an obligation of prior years, to be paid from Personnel Employee Benefits Health Insurance for FY18. These funds will be paid to retirees and their spouses who were members of the Brockton Education Association that were due Medicare Reimbursements for previous fiscal years which weren't paid due to a clerical oversight. There are sufficient funds in the FY18 appropriation to pay this obligation.
19. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the authorization due from previous years the Personnel Department to expend Medicare Reimbursements in the amount of \$44,426.41, to be paid from FY18 Personnel Employee Benefits Health Insurance appropriation.
20. From the DPW Commissioner requesting that the City Council authorizes the total transfer of \$160,000 from Dept. of Public Works-Personnel Services Non Overtime-\$52,000, Dept. of Public Works-Purchase of Services-\$66,000, Dept. of Public Works-Ordinary Maintenance Goods-\$42,000 to: Dept. of Public Works-Water Personnel Services Overtime. (in order to cover the projected overtime expenses and emergencies for the remainder of the fiscal year).
21. From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the total transfer of \$160,000 from Dept. of Public Works-Personnel Services Non Overtime-\$52,000, Dept. of Public Works-Purchase of Services-\$66,000, Dept. of Public Works-Ordinary Maintenance Goods-\$42,000 to: Dept. of Public Works-Water Personnel Services Overtime. (in order to cover the projected overtime expenses and emergencies for the remainder of the fiscal year).
22. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed total transfer of \$160,000 from Dept. of Public Works-Personnel Services Non Overtime-\$52,000, Dept. of Public Works-Purchase of Services-\$66,000, Dept. of Public Works-Ordinary Maintenance Goods-\$42,000 to: Dept. of Public Works-Water Personnel Services Overtime.
23. From the Chief of Police requesting a transfer of \$275,000 from Police Personnel Services other than Overtime to Police Personnel Service Overtime (the source of funding is a surplus due to delayed hiring of police cadets).
24. From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorize the transfer of \$275,000 from Police Personnel Services other

- than Overtime to Police Personnel Service Overtime (the source of funding is a surplus due to delayed hiring of police cadets).
25. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$275,000 from Police Personnel Services other than Overtime to Police Personnel Service Overtime (the source of funding is a surplus due to delayed hiring of police cadets).
 26. From the Superintendent of Buildings requesting that the City Council authorize a transfer totaling \$30,000 from Building Department-Ordinary Maintenance Services- \$10,000 And Building Department-Ordinary Maintenance Goods \$20,000 To Building Department-Overtime \$30,000.
(due to severity of cold weather it was necessary to spend an unanticipated amount on overtime).
 27. From the Mayor in accordance with M.G.L., Ch. 44 recommending that the City Council authorizes the appropriation of \$30,000 from Building Department-Ordinary Maintenance Services- \$10,000 And Building Department-Ordinary Maintenance Goods \$20,000 To Building Department-Overtime
(due to severity of cold weather it was necessary to spend an unanticipated amount on overtime).
 28. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$30,000 from Building Department-Ordinary Maintenance Services- \$10,000 And Building Department-Ordinary Maintenance Goods \$20,000 To Building Department-Overtime
 29. From the DPW Commissioner requesting that the City Council authorizes the transfer of \$60,000 from Dept. of Public Works-Ordinary Maintenance Services to Dept. of Public Works-Sewer Personnel Services Overtime (in order to cover the projected overtime expenses and emergencies for the remainder of the fiscal year).
 30. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the transfer of \$60,000 from Dept. of Public Works-Ordinary Maintenance Services to Dept. of Public Works-Sewer Personnel Services Overtime (in order to cover the projected overtime expenses and emergencies for the remainder of the fiscal year).
 31. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$60,000 from Dept. of Public Works-Ordinary Maintenance Services to Dept. of Public Works-Sewer Personnel Services Overtime.
 32. From the Superintendent of Parks requesting the acceptance and expenditure of the grant funds in the amount of \$135,256 from Office of Energy and Environmental Affairs (EEA) FY18-Dam, Levee and seawall repair and removal grant to City of Parks Department Dam, Levee and Seawall Repair and Removal Grant Fund.
 33. 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 \$135,256 from Office of Energy and Environmental Affairs (EEA) FY18-Dam, Levee and Seawall Repair and removal grant to City of Parks Department Dam, Levee and Seawall Repair and Removal Grant Fund. These grant funds will be used for the design and permitting for repair of Ellis Brett Pond Dam and also include water shed based study to evaluate the spillway capacity of the seven city owned dams. There is a \$33,815 match which will be taken from proceeds of the D.W. Field Trust.
 34. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed grant of \$135,256 from Office of Energy and

Environmental Affairs (EEA) FY18-Dam, Levee and Seawall Repair and Removal Grant to City of Parks Department Dam, Levee and Seawall Repair and Removal Grant Fund.

35. From the Brockton Fire Chief requesting to accept and expend a total \$13,614 from Commonwealth of Massachusetts Executive Office of Public Safety-FY18 Student and Senior Awareness of Fire Education (S.A.F.E) Grant. \$10,407 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund. \$3,207 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund. The fire department intends to use these grant funds for our Fire Safety Education Program
36. 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 \$13,614 from Commonwealth of Massachusetts Executive Office of Public Safety-FY18 Student and Senior Awareness of Fire Education (S.A.F.E) Grant. \$10,407 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund. \$3,207 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund. This funding will be intended for Fire Safety Education Program. There is no match required.
37. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed grant of \$13,614 from Commonwealth of Massachusetts Executive Office of Public Safety-FY18 Student and Senior Awareness of Fire Education (S.A.F.E) Grant. \$10,407 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund. \$3,207 to City of Brockton Fire Department-FY18 Senior Safe Grant Fund.

UNFINISHED BUSINESS:

38. Ordered: That the sum of \$335,000 is appropriated to pay all costs of replacing the City Hall elevator, and that to meet this appropriation, the Treasurer, with approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44 of the General Laws, and to issue bonds or notes of the City therefor; that such bonds or notes shall be general obligations of the City, and that the Mayor is authorized to expend all funds available for the project and to take any other action necessary to carry out the project. Further 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) (IN CITY COUNCIL, JANUARY 22, 2018, PASSED TO A THIRD READING, BY HAND VOTE).
39. Appointment of Gary Keith of 22 Midland Street, Brockton MA 02301 to the Brockton Community Cable Television for a term of three years. (UNFAVORABLE)
40. Appropriation: of \$975,000
From: Stabilization Fund
To: FY17 Police Personal Services Retroactive Payment, Including all Overtime, FY18 Police Personal Services Other than Overtime, and FY18 Police Personal Services, Overtime Including Impact and License Overtime.
The CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifies the proposed appropriation of \$975,000 for purposes of funding the Police Supervisor's union contract, for FY18 only. This is a conditional certification. (UNFAVORABLE)
41. Appropriation of the total grant in the amount of \$154,065
From: Executive Office of Elder Affairs-FY18 Formula Grant
To: City of Brockton Council on Aging-FY18 Formula Grant Fund.
(FAVORABLE)

42. Appropriation of the total grant in the amount of \$7,781.52
From: the Massachusetts Association of Health Boards
To: City of Brockton Board of Health- Massachusetts Association of Health Boards Grant Fund. (FAVORABLE)
43. Appropriation: of \$31,000
From: Stabilization Fund
To: Animal Control-Capital- \$28,000
To: Animal Control-Ordinary Maintenance Services-\$3,000 and a
Transfer from Animal Control-Personal Services Other than Overtime- \$27,000
To: Animal Control-Capital (FAVORABLE)
44. Resolve: to invite Carl Landerholm, Brockton Historical Society president and Planning Department director Rob May to inform the residents and city council of the responsibilities, requirements and involvement of the historic commission for the city of Brockton. (FAVORABLE)
45. Resolve: to invite Captain Hallisey the new commissioner of the Traffic Commission to introduce himself and inform the council and residents of any plans he has to improve parking problems, speeding issues and other concerns. (FAVORABLE)
46. Resolved: The Commissioner of the Department of Public Works be invited to a meeting of the City Council to discuss current operational capabilities and potential improvement of snow removal operations, for the safety of motorists and pedestrians, including children who walk to and from schools.(FAVORABLE)
47. Resolve: To address distressed neighborhood concerns throughout Brockton that have generally arisen due to foreclosures and where the city stands with this issue and those responsible for implementing results.(FAVORABLE)

ORDERS:

48. An Ordinance Amending Article II, Section 25 of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton, that Section 2-25 of the City Ordinances be revised as follows: Sec. 2-25. - Regular meetings. Revised.
49. An Ordinance Amending Article II, Section 23-30 of the Revised Ordinances of the City of Brockton Section 23-30 of the Revised Ordinances is hereby repealed and replaced (relative to establishing a water commission).
50. An Ordinance Amending Chapter II of the Revised Ordinances Chapter Section 11-211 of the Revised Ordinances as most recently amended is further amended.
51. An Ordinance Amending Chapter 17, Article IV, Division 2, Historical District Commission and Division 3, Certificates of Appropriateness Nonapplicability, or Hardship.
52. Ordered: An Act Relative to the Disposition of Properties Taken By Foreclosure of Tax Titles in the City of Brockton
53. Ordered: An Act Creating a Parking and Traffic Commission in the City of Brockton.
54. Ordered: The City Auditor shall cause to be published on the city's website in PDF or other form of attachment, a list of vendor payments and other related payments processed by the Auditor's Department which are public records.
55. Appropriation in the amount of \$30,000
From: Building Department-Ordinary Maintenance Services- \$10,000 And

- From Building Department-Ordinary Maintenance Goods -\$20,000
To Building Department-Overtime -\$30,000
56. Appropriation of \$44,426.41, an obligation of prior years, to be paid from Personnel Employee Benefits Health Insurance for FY18 to retirees and their spouses who were members of the Brockton Education Association that were due Medicare Reimbursements for previous fiscal years.
 57. Appropriation of the total grant in the amount of \$13,614.00
From: Commonwealth of Massachusetts Executive Office of Public Safety-FY18 Student and Senior Awareness of Fire Education (S.A.F.E) Grant.
To: City of Brockton Fire Department FY18 Student Awareness of Fire Education (S.A.F.E) Grant Fund \$10,407
To: City of Brockton Fire Department-FY18 Senior Safe Grant Fund. \$3,207
 58. Appropriation of: \$135,256
From: Office of Energy and Environmental Affairs (EEA) FY18-Dam, Levee and Seawall Repair and Removal Grant.
To: City of Parks Department Dam, Levee and Seawall Repair and Removal Grant Fund. There is a \$33,815 match which will be taken from proceeds of D.W Field Trust.
 59. Appropriation of: \$279,000
From: Fire Department-Personal Services-Non Overtime
To: Fire Department-Services-Overtime.
To maintain all companies through the remainder of Fiscal Year 2018.
 60. Transfer in the amount of \$60,000
From: Department of Public Works-Ordinary Maintenance Services
To: Department of Public Works-Sewer Personnel Services Overtime
 61. Transfer of \$275,000
From: Personnel Services other than Overtime
To: Police Personnel Service Overtime
 62. Total Transfer in the amount of \$160,000
From: Dept. of Public Works-Personnel Services Non Overtime \$52,000,
Dept. of Public Works-Purchase of Services \$66,000,
Dept. of Public Works-Ordinary Maintenance Goods \$42,000
To: Dept. of Public Works-Water Personnel Services Overtime \$160,000
 63. Resolved: The Executive Director of the Board of Health, the Superintendent of Schools, the Legislative Counsel to the City Council, the Executive Director of the Elections Commission, and the City Solicitor be invited to a meeting of the City Council to discuss the regulatory and permitting process, the current state regulations, the potential impact on schools and students, and to determine any costs associated with a special city ballot question.
 64. Resolve: The Director of Planning and Economic Development and the Executive Director of the Brockton Redevelopment Authority 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.
 65. Resolve: to invite Mr. Michael Gallerani, Executive Director of B21 to inform the council and residents of what is happening and what is proposed to happen with reference to economic development for the city of Brockton.
 66. Resolve: to invite Mr. Matthew Dyer, Urban and Community Forestry (or his designee) to introduce himself and inform the council and residents of the Green Cities Program.

67. Resolve: to invite Mr. Ronel Remy, Community Organizer to introduce the Brockton Bank Tenant Association to the city council and residents and discuss their programs available to assist individuals with housing concerns.
68. Resolve: to have an Educational and informational session on the New Curb Side Trash / Recycling program coming to Brockton.
69. Resolve: to have an Informational Update on the improvements being made to Walker Playground using The State Funded Parc Grant.

All items on agenda are available in their entirety for review in the City Clerk's Office for all interested parties.