

1. Acceptance of the minutes of the January 28, 2019 City Council meeting.

APPOINTMENTS:

2. Of Jeffrey Charnell of 685 Oak Street, Unit 12, Brockton, MA from Alternate to Member of the Brockton license Commission for a three year term.
3. Promotion of Firefighter David P. Owen to the rank of Fire Lieutenant in the Brockton Fire Department.
4. Promotion of Firefighter James E. Croker to the rank of Fire Lieutenant in the Brockton Fire Department.
5. Promotion of Firefighter Robert J. Reiser to the rank of Fire Lieutenant in the Brockton Fire Department.
6. Promotion of Firefighter Heather Doten to the rank of Fire Lieutenant in the Brockton Fire Department.
7. Promotion of Firefighter Richard S. Gagne to the rank of Fire Lieutenant in the Brockton Fire Department.
8. Promotion of Firefighter Benjamin D. Denny to the rank of Fire Lieutenant in the Brockton Fire Department.
9. Promotion of Fire Lieutenant Michael C. McKenna to the rank of Fire Captain in the Brockton Fire Department.
10. Promotion of Fire Lieutenant Christopher J. Martin to the rank of Fire Captain in the Brockton Fire Department.
11. Promotion of Fire Lieutenant Timothy J. Lacouture to the rank of Fire Captain in the Brockton Fire Department.
12. Promotion of Fire Lieutenant Christopher J. Beyers to the rank of Fire Captain in the Brockton Fire Department.
13. Promotion of Fire Captain Edward R. Williams to the rank of Deputy Fire Chief in the Brockton Fire Department.
14. Promotion of Fire Captain Jeffrey J. Marchetti to the rank of Deputy Fire Chief in the Brockton Fire Department.
15. Promotion of Fire Captain Joseph M. Solomon to the rank of Deputy Fire Chief in the Brockton Fire Department.
16. Re-appointment of Eugene S. Marrow of 128 Healey Terrace, Brockton, MA to the Brockton Redevelopment Authority for a five year term.

REPORT:

17. Of the Finance Committee for its meeting of February 4, 2019.

COMMUNICATIONS:

18. From the DPW Commissioner requesting that the City Council Transfer the total appropriation in the amount of \$215,000. ; \$200,000 from DPW-Purchase of Services and \$15,000 From DPW-Goods & Supplies to DPW-Overtime (in order to cover the projected overtime expenses and emergencies for the remainder of the year).

19. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total appropriation of \$215,000.: \$200,000 from DPW-Purchase of Services and \$15,000 From DPW-Goods & Supplies to DPW-Overtime \$215,000 in order to cover the projected overtime expenses and emergencies for the remainder of the year.
20. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total proposed appropriation of \$215,000.\$200,000 from DPW-Purchase of Services and \$15,000 From DPW-Goods & Supplies to DPW-Overtime \$215,000.
21. From the Brockton Police Chief requesting that the City Council authorize the acceptance and expenditure of the additional grant funds in the amount of \$18,992.10 From Executive Office Public Safety and Security, Office of Grants and Research-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant To City of Brockton Police Department-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant Fund. The grant funds are provided for the Brockton Police to purchase P25 compliant interoperable radios. The BFD will be purchasing nine radio units and five batteries. There is no match required.
22. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the additional grant funds in the amount of \$18,992.10 From Executive Office Public Safety and Security, Office of Grants and Research-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant To City of Brockton Police Department-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant Fund. The grant funds are provided for the Brockton Police to purchase P25 compliant interoperable radios. The BFD will be purchasing nine radio units and five batteries. There is no match required.
23. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of additional funds in the amount of \$18,992.10 From Executive Office Public Safety and Security, Office of Grants and Research-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant To City of Brockton Police Department-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant Fund.
24. From the Assistant City Solicitor with regard to the senior citizen discount agreed to as part of the 2018-2028 Comcast Cable Renewal License, Comcast has informed the City that the discount will be implemented no later than March 1, 2019. To obtain the discount, qualified seniors must call Comcast at 800-266-2278 or 888-633-4266 after March 1, and Comcast will send a form to complete. As indicated in the letter Comcast forwarded along with the Cable Renewal License, Comcast will offer a discount equal to \$2.00 per month off Digital Starter or a discount equal to ten percent (10%) off Limited Basic Cable. The discount will be for those persons age sixty-five (65) or older, who are head of household and receiving SSI or Medicaid. Qualifying seniors may be asked to show documentation proving their qualifications. Acceptable documentation would be the following: Proof of Age: Driver's License, Birth Certificate or Passport; Head of Household: Lease, Deed, Town Tax Bill; Receiving SSI or Medicaid benefits under Social Security.

UNFINISHED BUSINESS:

25. Report of the Planning Board for its meeting of February 5, 2019 (FAVORABLE WITH RECOMMENDATION)
26. An Ordinance Amending Chapter 27 of the Revised Ordinance of the City of Brockton concerning the regulations and taxation of Marijuana be it ordained by the City Council of the City of Brockton. Article III. General Regulations and Permitted Modifications, is hereby amended by adding the following Section 27-24.4 Adult use of marijuana. (FAVORABLE AS AMENDED IN ORDINANCE COMMITTEE).(IN CITY COUNCIL, JANUARY 28, 2019, HEARING HELD. POSTPONED TO FEBRUARY

11, 2019 MEETING) ( FAVORABLE /PLANNING BOARD WITH RECOMMENDATION)

27. Ordered: That the sum of \$7,800,000 is appropriated to pay costs of making improvements to the City's Wastewater Treatment Facilities, including the payment of all planning and engineering costs, and all other costs incidental and related thereto, 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. 44 and/or M.G.L. c. 29C, or pursuant to 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 unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in M.G.L. c. 29C, §1; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the ("Trust") established pursuant to M.G.L. c. 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection ("DEP") with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with DEP, to expend all funds available for the project and to take any other action necessary to carry out the project. FURTHER 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 M.G.L. c. 44, §20 of the General Laws, Thereby reducing the amount authorized to be borrowed to pay such costs by like amount. FURTHER ORDERED: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under M.G.L. c. 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. Each order must be published at least 10 days prior to final passage and requires at least a two-thirds vote of all members of the Council. For each order, a certificate from you as the Chief Financial Officer is required by Section 5 of Chapter 324 of Acts of 1990 and should be filled prior to adoption of the loan order. If you do not give the required certification or if you are unable to make the certification without expressing qualifications or contingencies, the loan order may only be passed by the City Council if the absence of such certification or qualified or contingent nature of such certification is expressly noted in such order. If any funds are to be advanced for these purposes and reimbursed from bond proceeds, please note the requirements of M.G.L. c. 44ss 20A and the guidelines issued by the Director of the Bureau of Accounts. (FAVORABLE)
28. Appropriation of the total grant in the amount of \$7,109.69  
From: the Board of Health-Massachusetts Association of Health Boards Grant  
To: City of Brockton Board of Health-Massachusetts Association of Health Boards Grant Fund. (FAVORABLE)
29. Appropriation of \$80,000  
From: Stabilization Fund  
To: Fire Department / Personal Services Non OT. (FAVORABLE)

ORDERS:

30. Ordered: that the Mayor and/or Real Estate Custodian be authorized to accept on behalf of the City of Brockton a parcel of land containing approximately 0.11 acres, located at and known as Plot 66, 243 Green Street, more particularly described as Parcel Identification Number 051-081.
31. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property located and known as Plot Number 31, 115

Newbury Street, Parcel ID: 053-061 to Melisa Gillings, 10 Ellsworth Street, Brockton, MA 02301 for the purchase price of One Thousand Three Hundred Dollars (\$1,300). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser.

32. Total appropriation in the amount of \$215,000  
\$200,000 From: DPW-Purchase of Services  
\$15,000 From: DPW-Goods & Supplies  
To: DPW-Overtime
33. Appropriation of the total grant funds in the amount of \$18,992.10  
From: Executive Office Public Safety and Security, Office of Grants and Research-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant  
To: City of Brockton Police Department-FY19 Governor's Safer Communities Initiative Local Law Enforcement Equipment and Technology Grant Fund.
34. Resolve: to invite Rob May, Director of Planning, to inform the city council as to what is transpiring with the Ganley Building since we were told over a year ago that we would be seeing a demolition and new structure in place. Businesses located in the same city block have expressed serious concerns.
35. Resolve: to invite Rob May, Director of Planning, to inform the city council as to what is transpiring with the Historic Commission since the Ordinance Committee of 2018 had voted to create such an entity to protect our historic locations throughout the city. I wish to bring this before council since the primary advocate for our city's history Carl Landerholm is no longer with us and I believe we should continue his work.
36. Resolve: to invite Philip Nessralla, City Solicitor to inform the city council as to what is transpiring with the Lopes Case and other discrimination cases brought forth against the city.
37. Resolve: to invite Dan Evans, current chair of the Brockton 21<sup>st</sup> Century Corporation to inform the city council as to what is transpiring with this organization since the departure of the executive director late in 2018.
38. Resolve: to invite the new Chief Financial Officer to come before a committee of this council to enlighten us on any changes that may be made in the operation of the CFO's Office.

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

All council business as listed on the agenda have been emailed to the City Council members in their complete form, with exception of oversized material, such as maps, photos, etc.