

83.

A regular meeting of the City Council was held on Monday June 24, 2019 in the City Council Chambers, 2nd floor of City Hall, 45 School St., Brockton, MA. Councillor Rodrigues presiding. The meeting was called to order at 7:06pm with nine members present. Councillor Lally and Sullivan absent.

In City Council, June 24, 2019

273 Acceptance of the minutes of the May 28, 2019 City Council meeting.

Accepted and placed on file.

292 Acceptance of the minutes of the June 24, 2019 Special City Council meeting

Accepted and placed on file.

APPOINTMENTS

274 Of Michael Livingston to the rank of Sergeant in the Brockton Police Department.

Referred to Finance

275 Of David Farrell to rank of Lieutenant in the Brockton Police Department.

Referred to Finance

Councillor Farwell motioned to take items **276-281** collectively and under suspension of the rules and act on it tonight and was properly seconded. The motion carried by a hand vote.

276 Of Peter Skelly as a Special Police Officer of the City of Brockton for a one year term ending January 2020

277 Of Brian Leary as a Special Police Officer of the City of Brockton for a one year term ending January 2020

278 Of Scott D. Uhlman as a Special Police Officer of the City of Brockton for a one year term ending January 2020

279 Of John J. Lonergan as a Special Police Officer of the City of Brockton for a one year term ending January 2020

280 Of Robert Smith as a Special Police Officer of the City of Brockton for a one year term ending January 2020

281 Of Robert F. Sergio as a Special Police Officer of the City of Brockton for a one year term ending January 2020

Councillor Farwell stated that we are privileged to have officers to become Special Police Officers. It was possible due to a Home Rule Petition filed by Councillor Eaniri. It will really help the city.

Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors Lally and Sullivan absent. 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 Clerk to the Council swore in special police officers. The oath was administered and they signed the oath book.

The families were recognized by the Council President.

84.

APPOINTMENTS (cont'd)

A two minute recess was called.

Back in session.

HEARINGS

Of Liberty Acquisition Corp. DBA Copeland Volkswagen, 970 West Chestnut St., Brockton, Ma, for a Transfer of Garage License located at 122 Liberty St., Brockton, MA. The Current owner is Paul Clark, Inc.

Laura Cicciu appeared in favor. No one was in opposition.

Hearing held

Councillor Eaniri welcomed Copeland Volkswagen. He stated that he appreciates that they are keeping the business in Brockton. Councillor Eaniri motioned to approve and was properly seconded. Granted by a hand vote.

Of Liberty Acquisition Corp. DBA Copeland Volkswagen, 970 West Chestnut St., Brockton, Ma, for a Transfer of Motor Vehicle Repair Mechanical License located at 122 Liberty St., Brockton, MA. The Current owner is Paul Clark, Inc.

Laura Cicciu appeared in favor. No one was in opposition.

Hearing held

Councillor Eaniri motioned to approve and was properly seconded. Granted by a hand vote.

Of Compass Holdings Inc., 514 N. Main St. Brockton, Ma, for a Transfer of Above Ground Storage License located at 1126 North Montello St., Brockton, MA. The Current owner is Alfred Colarusso.

Yaniv Sostiel, appeared in favor. Also Vincent Colarusso appeared in favor. No one was in opposition.

Concillor Asack stated that they are in the process of renovating the station. She is in support of this petition.

Hearing held

Councillor Asack motioned to grant the license and was properly seconded. Granted by a hand vote.

PETITIONS

Of Brian's Taxi, 20 Putnam St. Brockton MA., for increase of five additional vehicles to Taxi License, for a total of twelve Taxis.

Brian Parker appeared in favor. He stated that he needs medallions so he can get his cars inspected. Donald Carp, a driver for Brian's Taxi also appeared in favor. He stated that Brian's is the only one in Brockton and importantly the only one that takes cash, unlike Uber or Lyft. He stated that the council should support local business and job creation and they pay taxes to the city. The taxi is also, on occasion, a back up to 911. No one was in opposition.

Councillor Derenoncourt stated that he is in favor. He wants it to be supported by fellow councilors.

Councillor Nicastro is also in support, as it is the last taxi in Brockton.

85.
PETITIONS (cont'd)

Hearing held.

Granted by a hand vote.

REPORTS

282 Of the Finance Committee for its meeting of June 17, 2019

Accepted and place on file

COMMUNICATIONS

283 From the Police Chief requesting that City Council authorize the total appropriation of \$180,000 from Police Dept-Personal Services Non Overtime to Police Dept-Capital. The additional funds will be used for the department to replace the roof at the police department.

Accepted and placed on file.

284 From the Mayor in Accordance with the M.G.L., Ch. 44, recommending that the City Council authorize the total appropriation of \$180,000 from Police Dept-Personal Services Non Overtime to Police Dept-Capital. This request is an addition to the \$200,000 that was appropriated and approved by the Council on October 22, 2018. The additional transfer is necessary to replace the roof at the Police Station.

Accepted and placed on file.

285 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total proposed appropriation of \$180,000 from Police Dept-Personal Services Non Overtime to Police Dept-Capital.

Accepted and placed on file.

286 From Brockton Library Director requesting that City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$50,000 from Commonwealth of Massachusetts-Department of Massachusetts Marketing Partnerships (MMP) Grant to Brockton Public Library-Massachusetts Marketing Partnerships Grant Fund. These grant funds will be used for an illuminated sign on the corner of White Ave., and Main Street. The sign will officially name the Main branch of the Brockton Library "Thomas P. Kennedy Main Branch, Brockton Public Library" in honor of the late Senator Thomas P. Kennedy.

Accepted and placed on file.

287 From the Mayor in Accordance with the M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$50,000 from Commonwealth of Massachusetts-Department of Massachusetts Marketing Partnerships (MMP) Grant to Brockton Public Library-Massachusetts Marketing Partnerships Grant Fund. These grant funds will be used for an illuminated sign on the corner of White Ave., and Main Street. The sign will officially name the Main branch of the Brockton Library "Thomas P. Kennedy Main Branch, Brockton Public Library" in honor of the late Senator Thomas P. Kennedy. No match required

Accepted and placed on file.

86.

COMMUNICATIONS (cont'd)

- 288** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$50,000 from Commonwealth of Massachusetts-Department of Massachusetts Marketing Partnerships (MMP) Grant to Brockton Public Library-Massachusetts Marketing Partnerships Grant Fund.

Accepted and placed on file.

- 289** From Plymouth County Treasurer's office requesting that the City Council authorize the approval of M.G.L, Ch.32B, Section 20 as amended by Ch. 218, Section 15 of the acts of 2016 and further authorize the participation in the Plymouth County OPEEB Trust Program (PCOT)

Accepted and placed on file.

- 290** From the Mayor in Accordance with the M.G.L., Ch. 44, recommending that the City Council authorize the approval of M.G.L, Ch.32B, Section 20 as amended by Ch. 218, Section 15 of the acts of 2016 and further authorize the participation in the Plymouth County OPEEB Trust Program (PCOT)

Accepted and placed on file.

- 291** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed approval of M.G.L, Ch.32B, Section 20 as amended by Ch. 218, Section 15 of the acts of 2016 and further authorize the participation in the Plymouth County OPEEB Trust Program (PCOT)

Accepted and placed on file.

UNFINISHED BUSINESS

- 253** Of Katherine M. Asiaf, 5 Tarkin Hill Lane, Bridgewater, MA as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 129** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Cottage Grove Avenue, extending from the end of the 1967 layout at Woodard Avenue, southerly, a distance of about 322.27 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative.. Councillors Lally and Sullivan absent.

- 156** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Alexandra's Way, extending from West Chestnut Street, southerly, a distance of 765.71 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton. (FAVORABLE)

Adopted by roll call vote nine members present and all voting in the affirmative. Councillor Lally and Sullivan absent

87.
UNFINISHED BUSINESS (cont'd)

- 157** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Rachael's Way, extending from Alexandra's Way, southwesterly and southeasterly, a distance of 647.28 feet, more or less, to Alexandra's Way, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 182** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Cypress Drive, extending from Rockland Street, easterly and northerly, a distance of about 1,402 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 183** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Rock Meadow Drive, extending from Rockland Street easterly, a distance of about 1,200 feet, more or less, and from Rock Meadow Drive northerly, a distance of about 310 feet, more or less, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way of said City of Brockton. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 263** Ordered: Acceptance and expenditure of the total grant funds in the amount of \$77,603
From: U.S. Department of Justice-Office of Justice Programs-2018 Edward Byrne Memorial Justice Assistance Grant (JAG)
To: Brockton Police Department-2018 Edward Byrne Memorial Justice Assistant Grant (JAG) Fund. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 264** Ordered: Acceptance and expenditure of the total grant funds in the amount of \$80,433.00
From: U.S. Department of Justice-Office of Justice Programs-2017 Edward Byrne Memorial Justice Assistance Grant (JAG)
To: Brockton Police Department-2017 Edward Byrne Memorial Justice Assistant Grant (JAG). (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

- 268** Transfer of \$125,000
From Treasurers Debt-Interest Short Term Notes
To Treasurers-Medicare Tax. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

88.
ORDERS

- 294** Ordinance: An Ordinance Amending Revised Ordinance of the City of Brockton, Chapter 6, Article 1, Section 6-2 Composition That Chapter 6, Article 1, Section 6-2 of the Revised Ordinances of the City of Brockton be amended to increase the number of Fire Department Captains by one (1), from seventeen (17) to eighteen (18), for a limited period of time, subject to a sunset clause.

Referred to Ordinance

- 295** An Ordinance Amending Chapter XXVII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council as follows: Chapter 27 of the Revised Ordinances of the City of Brockton is hereby amended by amending the Zoning District Map in the vicinity of the northerly side of Belmont Street, westerly side of Pearl Street and the north easterly side of Stonehill Street. Said proposed change to be from R-1 Zone, single- family residential zone to C-5 Zone, office zones.

Referred to Ordinance and Planning

- 296** An Ordinance Amending Chapter I of the Revised Ordinances Chapter 15, Article II, Section 15-222 of the Revised Ordinances is hereby amended. (Relative to Superintendent of Parks)

Referred to Ordinance

- 297** An Ordinance Amending Chapter I of the Revised Ordinances Chapter 2, Article IV, Section 2-296 of the Revised Ordinances is hereby amended. (Relative to Chief Financial Officer)

Referred to Ordinance

Councillor Eaniri stepped down.

- 298** An Ordinance Amending Chapter I of the Revised Ordinances Chapter 2, Article I, Section 2-9 of the Revised Ordinances is hereby amended. (Relative to Executive Director of Election Commission)

Referred to Ordinance

- 299** An Ordinance Amending Chapter I of the Revised Ordinances Chapter 19, Article II, Section 19-21 of the Revised Ordinances is hereby amended. (Relative to Police Chief)

Referred to Ordinance

Councillor Derenoncourt stepped down.

- 300** Ordered: That the zoning request change from industrial to commercial for the properties map of East Ashland Street. Previously votes on by the Planning Board and forwarded to City Clerk and City Council. The proposed amendment; that the following parcels be included in the proposed change 161-094,161-096, 161-097, 161-097R, 161-098, and 161-113. The addition of these properties will protect the existing residential zones from the possibility of any future expanded industrial uses.

Referred to Ordinance

- 302** Ordered: Accordance with the M.G.L., Ch. 44, that the City Council authorize the approval of M.G.L, Ch.32B, Section 20 as amended by Ch.218, Section 15 of the acts of 2016 and further authorize the participation in the Plymouth County OPEEB Trust Program (PCOT)

89.
ORDERS (cont'd)

Referred to Finance

- 303** Total appropriation of \$180,000
From: Police Dept-Personal Services Non Overtime
To: Police Dept-Capital

Councillor Farwell motioned to move under suspension of the rules and act on it tonight and was properly seconded. The motion carried by a hand vote.

Councillor Eaniri stepped back in.

Councillor Farwell stated that back in December, we appropriated money to fix the Police Department roof. They need additional money to get it done before fall.

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

Councillor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 304** Total Grant Funds in the amount of \$50,000
From: Commonwealth of Massachusetts-Department of Massachusetts Marketing Partnerships (MMP) Grant
To: Brockton Public Library-Massachusetts Marketing Partnerships Grant Fund

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

Councillor Derenoncourt stepped back in.

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present all voting in the affirmative. Councillors Lally and Sullivan absent.

Councillor Cruise motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 305** Resolve: to invite a representative from National Grid to address the concerns of the community regarding the recent manhole cover explosions.

Referred to Finance

Executive Session- to discuss legal matters if the Council determines that an open session discussion would have a detrimental effect on the City.

All other related matters

Councillor Farwell stated that the City Solicitor is out of state on vacation. He moved to postpone the Executive Session to the July Finance Committee Meeting, as he wanted the Solicitor to be present, and was properly seconded by Councillor Cruise. The motion carried by a hand vote.

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

90.
LATE FILES

- 293** Amendment to zoning Map Parcel ID 092-029,936 Pleasant Street C-2 (current) to I-1 Zone

Referred to Ordinance and Planning

Councillor Beauregard stated that the celebration of summer solstice was held on Friday June 21, 2019. It poured at 4pm., but all volunteers showed up and she wanted to give them credit. Also, she was asked by Lynn Smith, who will be recognized by PBS, and they will be taping part of the Frederick Douglass annual reading, which will be held on Sunday, June 30 at 4pm at Frederick Douglass park. On another note, the Library Board of Trustees and License Commission have openings. Though the council does not select the members, but they do approve them. Anyone interested can send a letter or resume to Mayor'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.

Adjourned 7:52 pm