

108.

A regularly scheduled meeting of the City Council was held on Monday August 26, 2019 in the City Council Chambers, 2nd floor of City Hall, 45 School St., Brockton, MA. Councillor Sullivan presiding. The meeting was called to order at 7:02pm with eleven members present.

In City Council, August 26, 2019

- 350** Acceptance of the minutes of the July 22, 2019 City Council meeting.

Accepted and placed on file

- 351** Acceptance of the minutes of the August 5, 2019 Special Joint Meeting of School Committee and City Council.

Accepted and placed on file

APPOINTMENTS

- 352** Reappointment of Joe Miranda of 19 Wallace St., Brockton, MA to the Brockton Community Cable Television Board for a three year term.

Referred to Finance

- 353** Reappointment of Kenneth Galligan of 25 Messina Drive, Brockton, MA to the Brockton Zoning Board of Appeals for a three year term.

Councillor Monahan stepped in at 7:07pm.

Referred to Finance

Councillor Cruise motioned to accept a late file and act on this tonight and was properly seconded. The motion carried by a hand vote.

- 392** Promotion of Firefighter Benjamin D. Denny to the rank of Fire Lieutenant in the Brockton Fire Department.

Mr. Denny was recognized and President Sullivan asked him approach the podium. Mr. Denny thanked the council for the opportunity of being promoted.

The Council President thanked him for his service to the city.

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

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

A two minute recess was called.

Back in session.

HEARINGS

Petition of Jewmanian 3 Nominee Trust, DBA Sunny’s Car Wash, 40 Chilton Rd., Brockton, MA for a Transfer of Garage License located at 1007-1015 Main St., Brockton, MA 02301(previous owner R & R Trust)

The petitioner appeared in favor along w Attorney Jay Creedon. The petitioner owns 2 other car washes. This is on So. Main St. and in the past, there was trouble at that location. He has 6 bays of self service. During day, detail express. He has cameras and manager lives next door to security. He is always in Brockton. Parking lot is in good shape. He would like the hours to be 7am-7pm, 7days a week. The coin operated car

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HEARINGS (cont'd)

wash is open 24 hours. Councillor Eaniri stated that he does business with him. He has concerns with what transpires late at night. Some kind of direction, don't want to put a business out. Great concern. Best of luck. Attorney Creedon stated that the petitioner has made this a 2 mil investment. Make sure .

Councillor Nicastro states that she is a Representative for Ward 4 which is across the street. She has had complaints noise and partying. She wanted reassurance that he will address this for the neighborhood.

Attorney Creedon states that most trouble happens Saturday night after 2am. It may be from Lucindo's.

Councillor Nicastro states that sometimes at 9pm after leaving Cape Cod Café, she has seen revelers there on the carwash property and she asks that he please address it. It isn't just late at night.

Councillor Asack stated, as Attorney Creedon has stated, Sunny is not new to this. She has not received any complaints from her constituents for the petitioner's business that is in her ward. She is supporting this.

Councillor Eaniri stated when the petitioner is talking to police regarding a problem, let him know if there is a problem and he will talk to the chief and captain.

No one was in opposition.

Hearing held.

Granted by a hand vote.

Petition of Velasquez Management LLC, Edgar Velasquez President and Manager of 23 Joseph Lane, East Walpole, MA for a Transfer of Garage License located at 743 Warren Ave., Brockton, MA 02301 (previous owners France & Celadanie Joseph).

Attorney Creedon appeared along with the petitioner, Ed Velasquez along with the previous owner, Franz Joseph and they were all in favor of the petition. Attorney Creedon stated that they want to get the Garage License through. The other licenses that they are applying for, they have been dealing with Deputy Chief Ed Williams and some things needed to be updated. It is an old very tired building built in 1946. When Franz owned it, the building and lot were very outdated. Ed and his family own two other businesses in Roslindale. At his businesses, he has never had police incidents. He owns a restaurant in Roxbury. There are violations that need to be addressed. He has remedied most of the violations and the situations addressed.

Councillor Eaniri stated that he had met with the petitioner and agreed on stipulations of hours, and stated that he had spoken with Attorney Creedon. He is concerned with the building, cleanup and parking on the street and you couldn't turn at the corner. Also a few neighbors concerns. This has to be just for vehicle repair maintenance at this point. There is confusion on who owns the property in the back.

Attorney Creedon stated that spraying means the whole car. Most places allow painting without a spray booth something, such as a fender. He stated that without spray booth you can spray. He also stated that they will not open on Sundays.

Councillor Eaniri stated that he would like hours of operation be put on the Garage License as stipulated. The hours he proposed are Mon.-Fri.7:30am-6pm, Sat. 7:30am-5pm. No Sundays or holidays.

President Sullivan stated that you can't put stipulations on garage.

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HEARINGS (cont'd)

The Clerk to the Council stated that the question on a Garage License is the number of cars stored overnight in the garage.

Councillor Eaniri stated that he would like to adhere to the hours. Also, no more than 6 cars overnight. The motion was properly seconded, relative to the hours and number of cars stored overnight.

Procedurally, President Sullivan stated the stipulations can be placed on the Garage License now, and when they come back for further licensing, the stipulations will be reiterated. The stipulations carry by a hand vote.

Councillor Nicastro states that Ward 4 is across the street and doesn't want cars parked all along the road. She also echoes everything that Councillor Eaniri said.

Councillor McGarry stated that this corner has been a historic problem since the 1990's. He questioned the number of cars on the lot. The license is being granted and people are not abiding by the license. He drives up and down Menlo St.

Attorney Creedon stated that there is approximately 14 spaces. License being granted welcome and hopes it cleans up the problem. Atty makes sure applicants have energy and money to do what it takes.

Councillor Sullivan stated that the Garage License is relative to the number of cars stored overnight in garage.

That part of the hearing was closed.

The Council President asks anyone in opposition to come to the podium and give their name and address.

Ana Silveira of 21 Myrtle St. was in opposition. She has lived there for 20 yrs. In 1999 she purchased the property, before Franz Joseph purchased the land, he came in and said that was his property. She stated that little by little he has been encroaching on her property. She believes that he has been dumping trash and junk for 20 yrs. in the back and right side of the property and she has contacted the Police and Fire Department. There are pieces of cars, tires etc., being dumped there for 2 yrs. She doesn't want anymore trash dumped on property. She believes that he has been encroaching on her property. She has concerns about activities at 3 o'clock in morning. She called Police and Fire Department. Velazquez construction came and removed a tree that weakened her foundation on her house and the toilet is leaking, because of it. She is asking for help, because she is suffering.

The Council President stated that they are here to get a Garage License, which she can oppose, but it is just the number of cars they can keep in the garage overnight. In a few weeks, she can come back and address the issues. We appreciate her situation and feel bad about that. He stated that Councillor Eaniri will be able to address her concerns. The subject is strictly the Garage License.

Ms. Silveira is opposed, for health issues.

The Council President stated that they will be back for the other types of license.

Father John Keane, Franciscan Friars of the Atonement, Chapel of our Savior across from Westgate Mall, appeared in opposition. He has known Ana for 3 yrs. He spoke regarding Ana's integrity. Her son is in the U.S. Marines, another son is studying for the clergy, she is honest and sincere. She bought this property 20 years ago and raised her family all by herself. The property is in jeopardy, so she came to him. Outside her home looks dump. She called Got Junk, and Got Junk said it is too much junk. She has hopes

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HEARINGS (cont'd)

in the future , she would like to give to the church. Her fear is encroachment. Encroachment should never happen.

Councillor Derenoncourt asked Ms. Silveira if she has had a chance to talk to Mr. Velasquez, the new owner? Did they both sit down and speak regarding to space next to your house. He stated that the point is she is very unhappy. This is a new person to will take responsibility and clean the property.

Ana Silveira stated that she can't answer this.

Councillor Farwell asked Attorney Creedon, is it correct that the problems raised are related to Mr. Joseph and not to Mr. Velasquez.

Attorney Creedon stated that there were three cases brought to court and there were hours of testimony from Ms. Silveira and the cases were thrown out, because they were in land court, which is the best place for this to be. Also, Police put cameras up and it showed that what was being said against the property owner and the petitioner was not accurate.

Councillor Sullivan stated that the Council was getting off track. The matter is a simple garage transfer. Other matters will be brought up at upcoming hearings for Motor Vehicle Repair License and Motor Vehicle Body License. They should entertain the license now.

Granted with the following stipulations, by a roll call vote taken by "yeas" and "nays"; eleven members present with nine voting in the affirmative. Councillors Beauregard and Farwell voting in the negative.

Stipulations:

Hours of operation: Mon.-Fri.7:30am-6pm, Sat. 7:30am-5pm. No Sundays or holidays. Maximum number of cars to be stored overnight in garage is 6.

Councillor Eaniri stepped down.

REPORTS

354 Of the Ordinance Committee for its meeting of July 24, 2019

Accepted and placed on file

355 Of the Finance Committee meeting of August 19, 2019.

Accepted and placed on file

Councillor Nicastro stepped down.

COMMUNICATIONS

356 From the Plymouth County Commissioners submitting a warrant in the amount of \$151,676.43 unto the County Treasurer, for payment of the Plymouth County Tax for Fiscal Year 2020.

Accepted and placed on file

Councillor Nicastro stepped down

357 From the DPW Commissioner requesting authorization to accept monies awarded and under the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP) as part of the Gap II Grant Funding Program in the amount of \$200,000, which requires no match. (to be used for the replacement of an existing non-efficient

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COMMUNICATIONS (cont'd)

positive displacement blower with an energy efficient turbo blower at the City's Advanced Water Reclamation Facility (AWRF), which is projected to save the city an estimated \$41,000/year and 293,000 kwh annually.

Accepted and placed on file

- 358** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of grant funds in the amount of \$200,000 from Commonwealth of Massachusetts-Department of Environmental Protection (MassDEP)-Gap II Grant Funding Program to City of Brockton Department of Public Works- Gap II Grant Funding Program Grant Fund. This grant will be used for the replacement of an existing non-efficient positive displacement blower with an energy efficient turbo blower at the City's Advanced Water Reclamation Facility (AWRF), which is projected to save the city an estimated \$41,000/year and 293,000 kwh annually.

Accepted and placed on file

- 359** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation in the amount of \$200,000 from Commonwealth of Massachusetts-Department of Environmental Protection (MassDEP)- Gap II Grant Funding Program to City of Brockton Department of Public Works- Gap II Grant Funding Program Grant Fund.

Accepted and placed on file

- 360** From the Superintendent of Parks requesting a transfer of grant funds in the amount of \$16,261.60 from Parks & Recreation-GAR Park Renovations to City of Brockton Parks & Recreation-Bent Playground Renovations. This transfer is from unexpended funds from the renovation of GAR Park, completed in 2009, to assist in closing the gap between the amount appropriated by the Commonwealth and the cost of the project renovations to Harold Bent Playground. Improvements include removal of existing tennis courts, repaving and installation of three volleyball courts and one futsal court.

Accepted and placed on file

- 361** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the transfer of grant funds in the amount of \$16,261.60 from Parks & Recreation-GAR Park Renovations to City of Brockton Parks & Recreation-Bent Playground Renovations. This transfer is from unexpended funds from the renovation of GAR Park, completed in 2009, to assist in closing the gap between the amount appropriated by the Commonwealth and the cost of the project renovations to Harold Bent Playground. Improvements include removal of existing tennis courts, repaving and installation of three volleyball courts and one futsal court.

Accepted and placed on file

- 362** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the transfer of grant funds in the amount of \$16,261.60 from Parks & Recreation-GAR Park Renovations to City of Brockton Parks & Recreation-Bent Playground Renovations.

- 363** From the Chief of the Fire Department requesting authorization to accept and expend \$4,000.00 from the Commonwealth of Massachusetts Department of Public Health. (The Fire Department intends to use these funds to man the upkeep of the Mass Decontamination Units). No match required.

Accepted and placed on file

- 364** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of total grant funds in the amount of \$4,000.00 from the Commonwealth of Massachusetts Department of Public Health-FY2020 Mass

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COMMUNICATIONS (cont'd)

Decontamination Unit Grant Fund to Brockton Fire Department-FY2020 Mass Decontamination Unit Grant Fund. These funds will be used to man the upkeep of the Mass Decontamination Units and purchase supplies for the Mass Decontamination Units. No match required.

Accepted and placed on file

- 365** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$4,000.00 from the Commonwealth of Massachusetts Department of Public Health-FY2020 Mass Decontamination Unit Grant Fund to Brockton Fire Department-FY2020 Mass Decontamination Unit Grant Fund.

Accepted and placed on file

- 366** From the Chief of the Police Department requesting authorization to accept and expend grant monies related to the Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant award in the amount of \$430,000.00. There is no match required, but there is an in-kind services match provided.

Accepted and placed on file

- 367** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of total grant funds in the amount of \$430,000 from Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant to Brockton Police Department-FY2020 FY20 Safe and Successful Youth Initiative Grant Fund. These funds will be used for street outreach, case management, behavioral health, tiered employment and education services for a targeted group of individuals aged 17-24 between July 1, 2019 and June 30, 2020. There is no match required, but there is an in-kind services match provided.

Accepted and placed on file

- 368** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$430,000 from Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant to Brockton Police Department-FY2020 FY20 Safe and Successful Youth Initiative Grant Fund

Accepted and placed on file

- 369** From the Chief of the Police Department requesting authorization to accept and expend grant monies related to the FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant in the amount of \$365,586.00.

Accepted and placed on file

- 370** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of total grant funds in the amount of \$365,586.00 from Executive Office of Public Safety and Security/State 911 Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants to Brockton Police Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Fund. These funds will be used to backfill ETD and police dispatcher wages and overtime incurred from 8/6/2019-6/30/2020. There is no match required.

Accepted and placed on file

- 371** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$365,586.00 from Executive Office of Public Safety and Security/State

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COMMUNICATIONS (cont'd)

911 Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants to Brockton Police Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Fund.

Accepted and placed on file

- 372** From the Grant Coordinator of the Police Department requesting that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$275,110.27 from Executive Office of Public Safety and Security/State 911 Department-FY20 State 911 Training Grant. These funds will be used to reimburse overtime for ETDs, police officers and fire department Emergency Medical Dispatch personnel to attend sixteen hours of mandatory E911 continuing education training for annual certification and to pay State 911 Department approved certified training vendors to conduct classes at the Brockton Police Department. There is no match required.

Accepted and placed on file

- 373** 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 funds in the amount of \$275,110.27 from Executive Office of Public Safety and Security/State 911 Department-FY20 State 911 Training Grant to Brockton Police Department-FY20 State 911 Training Grant Fund. These funds will be used to reimburse overtime for ETDs, police officers and fire department Emergency Medical Dispatch personnel to attend sixteen hours of mandatory E911 continuing education training for annual certification and to pay State 911 Department approved certified training vendors to conduct classes at the Brockton Police Department. There is no match required.

Accepted and placed on file

- 374** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$275,110.27 from Executive Office of Public Safety and Security/State 911 Department-FY20 State 911 Training Grant to Brockton Police Department-FY20 State 911 Training Grant Fund.

Accepted and placed on file

UNFINISHED BUSINESS

- 127** Ordered: An order amending Licensing and Business Regulations for Marijuana Businesses Section 1.009 (b) (2) of the licensing and business regulations is hereby amended. (FAVORABLE)

Passed to a third reading by a hand vote.

Councillor Derenoncourt stepped down.

- 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. (FAVORABLE)

Passed to a third reading by a hand vote. Councillor Cruise was in opposition.

- 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) (UNFAVORABLE)

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UNFINISHED BUSINESS (cont'd)

Councillors Nicastro and Eaniri stepped back in.

Councillor Farwell stated that this is somewhat of a moot issue. Ch. 60 of the Charter of the City of Brockton reads, upon the adoption of Plan B all heads of depts., and members of municipal boards, except the School committee, officials appointed by their governor, and Assessors if elected by the people as their terms of office expire, shall be appointed by the Mayor subject to confirmation by the City Council, but the City Solicitor shall be appointed and may be removed by the Mayor without confirmation by the City Council. This section shall apply to the City Solicitor in Office when Plan B becomes operative. The Charter was not only adopted by State Legislature, but was also adopted by the voters of this city. So, in his opinion, and he can ask Legislative Counsel to give her formal opinion. Whatever we do tonight, the Police Chief is the head of the department, is appointed by the Mayor and confirmed by the City Council.

Attorney Resnick stated that at the Ordinance Committee meeting, she stated that unless the State Legislature says different, the department heads are subject to appointment by the Mayor and confirmation by the City Council. Whether it has been adopted by practice in the City of Brockton is another issue. In her opinion, there is nothing in the State Law that prevented the ordinance to passing. It got an unfavorable vote in Ordinance Committee.

Failed passage to a third reading by a roll call vote taken by “yeas” and “nays”; eleven members present with two voting in the affirmative. Councillors Asack, Cruise, Derenoncourt, Eaniri, Lally, Monahan, McGarry, Nicastro and Sullivan voting in the negative.

- 336** Ordered: Acceptance and expenditure of total grant funds in the amount of \$312,615.40
From: Executive Office of Energy and Environmental Affairs-Municipal Vulnerability Preparedness Program (MVP) Action Grant
To: Mayor’s Office-Municipal Vulnerability Preparedness Program (MVP) Action Grant Fund. (FAVORABLE)

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

- 330** Ordered: Acceptance and expenditure of the total grant funds in the amount of up to \$20,000
From: Plymouth County District Attorney’s Office- FFY2017 Violent Gang and Gun Crime Reduction Program Grant (Project Safe Neighborhoods)
To: Brockton Police Department-FFY17 Violent FY2017 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods) Grant Fund.
(FAVORABLE)

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

- 331** Ordered: Acceptance and expenditure of the total grant in the amount of \$46,971
From: Executive Office of Health and Human Services/Department of Mental Health FY2020 Massachusetts Jail/Arrest Diversion Program
To: City of Brockton Police Department-.of Mental Health FY2020 Massachusetts Jail/Arrest Diversion Program Fund. (FAVORABLE)

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

- 339** Resolved: That Mayor Moises M. Rodrigues be invited to the Finance Committee meeting of August 19, 2019 to provide an overview of the goals and objectives

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UNFINISHED BUSINESS (cont'd)

of the administration and to review his first month in office. (FAVORABLE)

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

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

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

ORDERS

- 375** Ordinance: An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton: Be it ordained by the City Council of the City of Brockton Sec. 2-28. Compensation, is hereby amended.

Referred to Ordinance

- 376** Order: That sections twenty-six B to twenty-six E, inclusive of chapter one hundred and eleven of the Massachusetts General Laws (M.G.L. c. 111 §§26B-26E) be and hereby is accepted by the City of Brockton in accordance with section twenty-six A of chapter one hundred and eleven of the Massachusetts General Laws (M.G.L. c. 111 §26A).

Referred to Ordinance

- 377** Ordered: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Brockton to be filed with an attested copy of this order be, and hereby is, approved under Clause (I) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only: An Act Relative to the Appointment of an Executive Director of Health and Human Services in the City of Brockton.

Referred to Ordinance

- 378** Ordinance: Be ordained by the City Council of the City of Brockton as follows: Part II, Revised Ordinances, is hereby amended by adding the following: Chapter 25 Department of Health & Human Services

Referred to Ordinance

- 379** 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 1.4121 acres, located at and known as Plot 3, 0 Bridge Street, more particularly described as Parcel Identification Number : 128-337.

Referred to Real Estate and Finance

- 380** Ordered: that the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Farnham Street, extending from the end of the 1965 layout, northerly, a distance of about 438 feet, more or less, and for the purpose it is necessary to take an easement for Highway Purposes and lay out as a public street or way.

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ORDERS (cont'd)

Referred to Planning and Finance

- 381** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Belding Circle, extending from Farnham Street westerly to Belding Circle Extension, a distance of 590 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.

Referred to Planning and Finance

- 382** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Belding Circle Extension, extending from Belding Circle northwesterly 253.79 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.

Referred to Planning and Finance

- 383** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Haskell Street, extending from Hovenden Avenue, northerly to Belding Circle, a distance of about 663 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.

Referred to Planning and Finance

- 384** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Leahy Road, extending from North Quincy Street, easterly, to Roslyn Road, a distance of about 1,335 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.

Referred to Planning and Finance

- 385** Ordered: Acceptance and expenditure of grant funds in the amount of \$200,000
From: Commonwealth of Massachusetts-Department of Environmental Protection (MassDEP)- Gap II Grant Funding Program
To: City of Brockton Department of Public Works- Gap II Grant Funding Program Grant Fund.

Referred to Finance

- 386** Ordered: Acceptance and expenditure of total grant funds in the amount of \$4,000.00
From: the Commonwealth of Massachusetts Department of Public Health-FY2020 Mass Decontamination Unit Grant Fund
To: Brockton Fire Department-FY2020 Mass Decontamination Unit Grant Fund.

Councillor Farwell motioned to move under suspension of the rules on item **386** 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.

- 387** Ordered: Acceptance and expenditure of total grant funds in the amount of \$365,586.00
From: Executive Office of Public Safety and Security/State 911 Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants
To: Brockton Police Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Fund.

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ORDERS (cont'd)

Referred to Finance

Councillor Lally stepped down.

- 388** Ordered: Acceptance and expenditure of the total grant funds in the amount of \$275,110.27
From: Executive Office of Public Safety and Security/State 911 Department-FY20 State 911 Training Grant
To: Brockton Police Department-FY20 State 911 Training Grant Fund.

Referred to Finance

- 389** Ordered: Acceptance and expenditure of total grant funds in the amount of \$430,000
From: Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant
To: Brockton Police Department-FY2020 FY20 Safe and Successful Youth Initiative Grant Fund.

Referred to Finance

- 390** Ordered: Appropriated as the same was submitted by the Mayor as follows: transfer of grant funds in the amount of \$16,261.60
From: Parks & Recreation-GAR Park Renovations
To: City of Brockton Parks & Recreation-Bent Playground Renovations.

Councillor Farwell motioned to take item **#390** under suspension of the rules and act on this tonight 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 Cruise motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 391** Resolved: that Mayor _____ is hereby authorized, on behalf of the City of Brockton, to enter into a Tax Increment Financing Agreement with NEW WESTGATE MALL LLC encompassing the property described as above, whereby, provided NEW WESTGATE MALL LLC satisfies certain condition more fully described in the Tax Financing Agreement, And Be It Further Resolved that, upon execution of the Tax Increment Financing Agreement, Mayor _____ is hereby authorized, on behalf of the City of Brockton, to petition the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement of the Tax Increment Financing Agreement.

Referred to Finance

LATE FILES

Councillor Cruise motioned to accept a late file and act on it tonight and was properly seconded. The motion carried by a hand vote.

- 392** Promotion of Firefighter Benjamin D. Denny to the rank of Fire Lieutenant in the Brockton Fire Department.

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

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LATE FILES(Cont'd)

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

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

- 393** From the City Planner requesting authorization to accept and expend total grant funds in the amount of \$300,000 from Environmental Protection Agency-Brownfield Assessment Grant to City of Brockton Planning and Economic Development- Brownfield Assessment Grant Fund. These funds will be used for the continued implementation of the 2016 Downtown Action Strategy and the 2017 Urban Revitalization Plan to create a live able, mixed-use, mixed-income, transit-oriented neighborhood and commercial center). There is no match required.
- 394** 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 funds in the amount of \$300,000 from Environmental Protection Agency-Brownfield Assessment Grant to City of Brockton Planning and Economic Development- Brownfield Assessment Grant Fund. These funds will be used for the continued implementation of the 2016 Downtown Action Strategy and the 2017 Urban Revitalization Plan to create a live able, mixed-use, mixed-income, transit-oriented neighborhood and commercial center). There is no match required.
- 395** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the Appropriation of \$300,000 from Environmental Protection Agency-Brownfield Assessment Grant to City of Brockton Planning and Economic Development- Brownfield Assessment Grant Fund.
- 396** Ordered: Acceptance and expenditure of the total grant funds in the amount of \$300,000
From: Environmental Protection Agency-Brownfield Assessment Grant
To: City of Brockton Planning and Economic Development- Brownfield Assessment Grant Fund.

Reminder next Monday is a holiday, so Finance Committee will meet on Tuesday September 3rd 2019 at 7 o'clock.

Councillor Eaniri regarding item #52 on the agenda, he was very dismayed saw how the late Mayor Bill Carpenter's name was scratched out and placed with the word deceased. He is not putting any blame or pointing a finger, but he thinks some compassion should be had when we are dealing with some things that Mayor Carpenter's name is attained or attested to and even as we move forward, especially some of the thing that he was working on bringing developers into the city. To other department heads, let's be a little more careful and take in hand that the person has only been deceased not even for 2 months and he served the city of 5 and a half years. It is only right that we pay a little more attention, as he thought that it was in a little bit of very bad taste and so did other people. It reminded of him of when a street got named after him and it shouldn't have. Someone had to say something.

Councillor Beauregard stated that today was Women's Equality Day. 100 years ago today, women got the right to vote. She also would like to commend some people. She appreciates our new administration's attitude towards volunteers. She recognizes Lynn Smith for another good time at Frederick Douglass Park yesterday doing Tai Chi and learning how to keep negative energy away. Prior to that, some of the councilors went to Family Day. Ollie Spears was there with his camera. Arnie Danielson, for the tenth year, 2 nights in a row held the Arts and Music Festival at 33 Dover St. The place was packed. There are many individuals who do a lot for the city and don't make a dime.

120.

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 8:11pm