

In City Council, October 15, 2019

1. Acceptance of the minutes of the September 23, 2019 City Council meeting.

APPOINTMENTS:

2. Of Eric S. Smith as a Special Police Officer of the City of Brockton for a one year term ending January 2020.
3. Re-appointment of William Scharnick, 82 Main Street, P.O. Box 941, Marion, MA as a Constable in the City of Brockton for a term of three (3) years.
4. Reappointment of Carlos Varela, 40 Briarcliff Rd., Brockton to the Brockton Community Cable Television Board for a term of three years, to fulfill the unexpired term ending September 2021.

HEARINGS:

5. Petition of Aristides Centeio, 29 Hermon St., Brockton, MA for a Transfer of Garage License located at 12 Riverside Ave., Brockton, MA 02301
6. Petition of Jaconias De Oliveira, 943 Front St., Weymouth, MA for a Garage License located at 50 Meadowbrook Rd., Unit 5B, Brockton, MA.
7. Petition of Velasquez Management LLC, Edgar Velasquez, President and manager, 23 Joseph Ln., E. Walpole, MA for a Transfer of Motor Vehicle Repair Mechanical License located at 743 Warren Ave., Brockton, MA
8. Petition of Velasquez Management LLC, Edgar Velasquez, President and manager, 23 Joseph Ln., E. Walpole, MA for a Transfer of Motor Vehicle Repair Body License located at 743 Warren Ave., Brockton, MA
9. Petition of Ed's Total Auto Solutions, LLC, Eduardo Goncalves, 81 Pomona Dr., Brockton, MA for a Transfer of Motor Vehicle Repair Mechanical License located at 347 N. Montello St., Brockton, MA
10. Petition of Ed's Total Auto Solutions, LLC, Eduardo Goncalves, 81 Pomona Dr., Brockton, MA for a Transfer of Motor Vehicle Repair Body License located at 347 N. Montello St., Brockton, MA
11. Petition of Jason Correia Lopes and Nelson Rocha Lopes, 360 Ferry St., Fall River, MA for a Transfer of Garage License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA
12. Petition of Jason Lopes and Nelson Lopes dba Classic Auto Body and Repair, 360 Ferry St., Fall River, MA for a Transfer of Motor Vehicle Repair Mechanical License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA
13. Petition of Jason Lopes and Nelson Lopes dba Classic Auto Body and Repair, 360 Ferry St., Fall River, MA for a Transfer of Motor Vehicle Repair Body License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA

REPORTS:

14. Of the Ordinance Committee for its meeting of September 26, 2019
15. Of the Finance Committee for its meeting of October 7, 2019.

COMMUNICATIONS:

16. From the Mayor advising that effective October 4, 2019 at 4:30pm, Captain Steven Williamson has been appointed as Acting Police Chief for the City of Brockton pursuant to M.G.L., Ch. 41, Section 61A.

17. From the Superintendent of Parks stating that at the Park Commission meeting of September 12, 2019, the Park Commission had approved the request of a Right of Easement for National Grid and request that the City Council approve the acceptance and ask that the stipulations as presented by the Park Commission be included in any/all easement documents.
18. From the District Treasurer of the Southeastern Regional School District stating that on September 10, 2019, the Southeastern Regional School Committee voted to revise the FY2020 Budget to reflect the changes made to the Commonwealth's Final Adopted Budget resulting in an increase of \$454 in the Fiscal Year 2020 Budget to \$28,590,008. The committee also voted no changes in community assessments from the prior certified vote sent to the council in March. This will result in Southeastern being below their net school spending requirements for FY20 by \$44,733. The certified amount to be apportioned to the City of Brockton for its share of capital and operating costs of the Southeastern Regional School District for the current fiscal year (FY20) remains at \$4,051,342.
19. From the Director of Planning and Economic Development submitting a report by Alex Bob, Master of City Planning, MA. Institute of Technology, Department of Urban Studies and Planning that provides insight to the relationship between housing development and their impact on municipal and school department finances.
20. From the DPW Commissioner requesting that the City Council consider implementing a new Ordinance to the Revised Ordinances of the City of Brockton: "Illicit Discharge and Connection Stormwater Ordinance". The purpose of this ordinance is to provide for the health, safety and general welfare of the citizens of the City through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirement of the National Pollutant Discharge Elimination System (NPDES) permit process.
21. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total appropriation of \$4,900,000 using the form of order with language recommended by Attorney Richard Manley of Locke Lord, LLP, the City's bond counsel, in order to provide funding through borrowing said amount, is to pay costs of the 2019 phase of the City's sewer system rehabilitation project.
22. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of and borrowing authorization for \$4,900,000 to provide funding to pay costs of the 2019 phase of the City's sewer system rehabilitation project.
23. From the Mayor recommending that the City Council amends the Water Purchase Agreement, which originated on May 22, 2002 and was amended on September 6, 2018, between the City of Brockton and Aquaria, LLC.
24. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed amendment of the Water Purchase Agreement between the City of Brockton and Aquaria, LLC.
25. From the Mayor's Office Grants Coordinator requesting authorization to accept and expend total grant funds in the amount of \$25,000 from Massachusetts Office of the Attorney General-Technology To Enrich Community Housing Grant to Mayor's Office-Technology To Enrich Community Housing Grant Fund. These funds will be used to implement new code enforcement software that will ensure safer neighborhoods and allow the Attorney General's Abandoned Housing Initiative to cooperate more closely with city on receivership projects.
26. 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 \$25,000 from Massachusetts Office of the Attorney General-Technology To Enrich

Community Housing Grant to Mayor's Office- Technology To Enrich Community Housing Grant Fund. These funds will be used to implement new code enforcement software that will ensure safer neighborhoods and allow the Attorney General's Abandoned Housing Initiative to cooperate more closely with city on receivership projects.

27. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$25,000 from Massachusetts Office of the Attorney General-Technology To Enrich Community Housing Grant to Mayor's Office- Technology To Enrich Community Housing Grant Fund.
28. From the BEMA Director requesting that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$4,967.21 from Massachusetts Emergency Management Agency-FFY2018 State Homeland Security Program (SHSP)/CCP Grant to Brockton Emergency Management Agency-FFY2018 State Homeland Grant (SJSP)/CCP Fund. (these funds will be used to purchase a new 10,000 watt generator). No match required.
29. 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 \$4,967.21 from Massachusetts Emergency Management Agency-FFY2018 State Homeland Security Program (SHSP)/CCP Grant to Brockton Emergency Management Agency-FFY2018 State Homeland Grant (SJSP)/CCP Fund. (these funds will be used to purchase a new 10,000 watt generator). No match required.
30. From the CFO in accordance with Section 5 of Ch. 324 of the acts of 1990, certifying the appropriation of \$4,967.21 from Massachusetts Emergency Management Agency-FFY2018 State Homeland Security Program (SHSP)/CCP Grant to Brockton Emergency Management Agency-FFY2018 State Homeland Grant (SJSP)/CCP Fund.
31. From the BEMA Director requesting that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$9,997.05 from Massachusetts Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant to Brockton Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant Fund. (these funds will be used to purchase emergency sheltering equipment). No match required.
32. 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 \$9,997.05 from Massachusetts Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant to Brockton Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant Fund. (these funds will be used to purchase emergency sheltering equipment). No match required.
33. From the CFO in accordance with Section 5 of Ch. 324 of the acts of 1990, certifying the appropriation of \$9,997.05 from Massachusetts Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant to Brockton Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant Fund.
34. 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 \$12,000 from Massachusetts Department of Public Health, Bureau of Substance Abuse Addiction Services (BSAS)-FY2020 First Responders Naloxone Grant to Brockton Police Department-FY2020 First Responders Naloxone Grant Fund. These funds will be distributed between the police and fire departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug. There is no match required.
35. 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 \$12,000 from Massachusetts Department of Public Health, Bureau of Substance Abuse

Addiction Services (BSAS)-FY2020 First Responders Naloxone Grant to Brockton Police Department-FY2020 First Responders Naloxone Grant Fund. These funds will be distributed between the police and fire departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug. There is no match required.

36. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of to \$12,000 from Massachusetts Department of Public Health, Bureau of Substance Abuse Addiction Services (BSAS)-FY2020 First Responders Naloxone Grant to Brockton Police Department-FY2020 First Responders Naloxone Grant Fund.

UNFINISHED BUSINESS:

37. An Ordinance Amending Chapter II, Division 5, Section 2-183 of the Revised Ordinances of the City of Brockton. \_Be it Ordained by the City Council of the City of Brockton: Section 2-183 of Chapter II of the Revised Ordinances is hereby amended by inserting subsection “c” as follows: “Section (c) The City Solicitor shall provide to the City Council copies of all documents which would otherwise be available to the public, and which are related to any Civil or other legal action wherein the City, its officers, agents, or departments, are named as a defendant or respondent, or where the City is a plaintiff. For the purposes of this section, ‘public’ is defined as those documents which are received by the city, or filed by the city, and which are deemed ‘public’ pursuant to applicable Court rules, regulations or law. The Solicitor shall provide such copies within fourteen (14) days of the date of filing of said documents. Annually, not later than April 1<sup>st</sup> and thereafter, the City Solicitor shall provide to the City Council a quarterly report of pending legal actions and the status of that litigation. (IN CITY COUNCIL SEPTEMBER 9, 2019, PASSED TO A THIRD READING AS AMENDED)
38. An Ordinance Repealing Article XIX of the Brockton City Ordinances relative to the establishment of the Thatcher Street Overlay District. (UNFAVORABLE)
39. Re-appointment of William R. May, Jr. of 61 Oak St., Brockton, MA to the position of Director of Planning and Economic Development for the City of Brockton for a five year term ending June 2024. (FAVORABLE)
40. Reappointment of Daniel Campbell, 16 Belcher Ave., Brockton, MA as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)
41. Order: Authorization of the payment of \$43,494.98  
From: FY20 Finance-Purchase of Services  
To: Rehoboth Solar for the billing period of May 28, 2019 through June 25, 2019.  
(FAVORABLE)
42. Ordered: Transfer in the amount of \$433,324  
From: Law Department-Purchase of Services  
To: Law Department-Personal Services Other than Overtime. (FAVORABLE)
43. Ordered: acceptance and expenditure of the total grant funds in the amount of \$240,000  
From: Massachusetts Department of Energy Resources (DOER)-Green Community Competitive Grant  
To: City of Brockton Mayor’s Office-Green Community Competitive Grant Funds.  
(FAVORABLE- with a condition that an answer is given within 1 week in regards to the difference of \$91,590.00; does the city have to make up this difference)
44. Resolve: to put on notice the owners or operators of Lubras Auto Body, located at 64 Elliot Street, Brockton and the owners or operators of D & G Auto, located at 8 Perkins Street, Brockton, to notify them that a Public Hearing will be held concerning revocation of their licenses. (FAVORABLE with authorization for the City Clerk to set up Public Hearings for November 25, 2019 City Council Meeting to revoke the licenses).

ORDERS:

45. Ordered: The Department of Public Works would like to request that the City Council consider implementing a new Ordinance to the Revised Ordinances of the City of Brockton: “Illicit Discharge and Connection Stormwater Ordinance”
46. Ordinance: An Ordinance amending Article II, Section 2-91 of the City Ordinances Be it Ordained by the City Council of the City of Brockton as follows: That Section 2-91 of Chapter II is hereby amended by striking out section “e” in its entirety and replacing it. (Relative to Committee on Real Estate)
47. Ordered: That the Brockton City Council, acting on behalf of the City of Brockton, approve the request of a Right of Easement for National Grid as approved by the Park Commission in its meeting of September 12, 2019, as stipulated.
48. Ordered: that sum of \$4,900,000 is appropriated to pay costs of sewer system rehabilitation work, including, but not limited to, projects designed to address sources of exfiltration, infiltration and inflow, and sections of undersized pipe, and for the payment of all 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, §§7 and 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.
49. Ordered: That the City Council amends the Water Purchase Agreement, which originated on May 22, 2002 and was amended on September 6, 2018, between the City of Brockton and Aquaria, LLC.
50. Ordered: Acceptance and expenditure of the total grant funds in the amount of \$25,000  
From: Massachusetts Office of the Attorney General-Technology To Enrich Community Housing Grant  
To: Mayor’s Office- Technology To Enrich Community Housing Grant Fund.
51. Ordered: Acceptance and expenditure of the total grant funds in the amount of \$4,967.21  
From: Massachusetts Emergency Management Agency-FFY2018 State Homeland Security Program (SHSP)/CCP Grant  
To: Brockton Emergency Management Agency-FFY2018 State Homeland Grant (SJSP)/CCP Fund.
52. Ordered: Acceptance and expenditure of the total grant funds in the amount of \$9,997.05  
From: Massachusetts Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant  
To: Brockton Emergency Management Agency-FFY2018 Emergency Management Performance Competitive Grant Fund.
53. Ordered: Acceptance and expenditure of the total grant funds in the amount of to \$12,000  
From: Massachusetts Department of Public Health, Bureau of Substance Abuse Addiction Services (BSAS)-FY2020 First Responders Naloxone Grant  
To: Brockton Police Department-FY2020 First Responders Naloxone Grant Fund.

## Councillors’ Recognition

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.

