

201.

A regularly scheduled meeting of the City Council was held on Monday December 23, 2019 in the City Council Chambers, 2nd floor of City Hall, 45 School St., Brockton, MA. Councilor Sullivan presiding. The meeting was called to order at 7:04 pm with eleven members present.

In City Council, December 23, 2019

Councilor Asack asked for a moment of silence in honor of recently deceased George Asack who was appointed the first Lebanese American to serve on the Massachusetts Probate and Family Court. His 95th birthday would have been on Christmas Day.

Council President also presented a citation to Pasquale Ciaramella who has been employed by OCPC for 42 years. He has been progressively promoted by OCPC to positions of greater responsibility. He has served OCPC as a Transportation Planner, Transportation Program Manager and Assistant Executive Director. He was promoted to Executive Director of Old Colony Planning Council in 2001 and has served as Executive Director for 18 years.

605 Acceptance of the minutes of the December 2, 2019 Special City Council meeting hearing to set Tax Rate for FY20.

Accepted and placed on file

604 Acceptance of the minutes of the December 9, 2019 City Council meeting.

Accepted and placed on file

HEARINGS

Councilor Cruise motioned to read the following petition as the last item on the agenda and was properly seconded.

Petition of Verizon New England, Inc. requesting permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways on Kenwood St. This petition proposes to install Plot 178/3S Kenwood Street, approximately 68' (feet) southerly from the centerline of Irvington Street. This work is required to remove a tree guy.

No one appeared in favor. No one appeared in opposition.

Hearing held.

President Sullivan referred this item to Councillor Nicastro since it pertains to her ward. Councilor Nicastro motioned to grant the petition and was properly seconded. Petition granted by a hand vote.

Petition of Juliano Anjos of 15 Bradford St, Rockland, Ma , for a Transfer of Garage License located at 800 Centre St. Brockton.

Jonathan Wyner and Juliano Anjos appeared in favor

Hearing held. Transfer granted by a hand vote.

Petition of Juliano Anjos of 15 Bradford St, Rockland, MA , dba L A Used Cars for a Transfer of Motor Vehicle Repair Mechanical License located at 800 Centre St. Brockton.

Jonathan Wyner and Juliano Anjos appeared in favor

Hearing held. Transfer granted by a hand vote.

202.
REPORTS

606 Of the Finance Committee for its meeting of December 16, 2019

Accepted and placed on file

607 Of the Real Estate Committee for its meeting of December 16, 2019

Accepted and placed on file

COMMUNICATIONS

608 From the Acting Chief of Police requesting authorization to expend initial grant monies in the amount of \$15,000 received through the FFY 2020 Traffic Enforcement (TE) Grant Program funds from the Executive Office of Public Safety and Security (EOPSS)/Office of Grants and Research/Highway Safety Division.

Accepted and placed on file

609 From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$15,000 from Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2020 Traffic Enforcement Grant to Brockton Police Department-FFY2020 Traffic Enforcement Grant Fund. (The grant funds are intended for the Winter Impaired Driving focus campaign, which runs through March 31, 2019 with mandatory shifts funded during the national Drive Sober or Get Pulled Over mobilization of December 11-31, 2019). There is no match required.

Accepted and placed on file

610 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$15,000 from Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2020 Traffic Enforcement Grant to Brockton Police Department-FFY2020 Traffic Enforcement Grant Fund.

Accepted and placed on file

611 From the Emergency Management Director requesting authorization to accept and expend the grant award in the amount of \$25,600 from Massachusetts Emergency Management-FFY2019 EMPG Grant to Brockton Emergency Management Agency-FFY2019 EMPG Grant Fund. (The grant funds will be used to purchase a new equipment trailer, radio equipment, ID printer and lighting trailer). No match required.

Accepted and placed on file

612 From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$25,600 from Massachusetts Emergency Management-FFY2019 EMPG Grant to Brockton Emergency Management Agency-FFY2019 EMPG Grant Fund. (The grant funds will be used to purchase a new equipment trailer, radio equipment, ID printer and lighting trailer). No match required.

Accepted and placed on file

613 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$25,600 from Massachusetts Emergency Management-FFY2019 EMPG Grant to Brockton Emergency Management Agency-FFY2019 EMPG Grant Fund.

COMMUNICATIONS (cont'd)

Accepted and placed on file

- 614** From the Emergency Management Director requesting authorization to accept and expend the grant award in the amount of \$3,388 from Massachusetts Emergency Management-2019-2020 HMEP Grant to Brockton Emergency Management Agency-2019-2020 HMEP Grant Fund. (This funding will be used to purchase office supplies and equipment). No match required.

Accepted and placed on file

- 615** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$3,388 from Massachusetts Emergency Management-2019-2020 HMEP Grant to Brockton Emergency Management Agency-2019-2020 HMEP Grant Fund. (This funding will be used to purchase office supplies and equipment). No match required.

Accepted and placed on file

- 616** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$3,388 from Massachusetts Emergency Management-2019-2020 HMEP Grant to Brockton Emergency Management Agency-2019-2020 HMEP Grant Fund.

Accepted and placed on file

UNFINISHED BUSINESS

- 532** Ordered: that sum of \$5,457,233 is appropriated to pay various capital costs as set forth, including the payment of all costs incidental and related thereto: to Cemetery Department-\$650,000, Fire Department-\$1,260,000, Information Technology Total-\$448,000, Water Department Total-\$1,126,233 and Parks and Recreation Total-\$1,973,000 (FAVORABLE)

President Sullivan called for a two minute recess at 7:16 PM

Passed to a third reading by a hand vote.

- 599** Ordered: That the Mayor be authorized to accept, on behalf of the City of Brockton, a parcel of land consisting of 2,609 square feet, more or less, located at 700 Oak Street, owned by Brockton Oak Street LLC, more particularly described as "Parcel A" as shown on "Plan of Land, Oak Street, Brockton, MA" dated January 11, 2019 and recorded with the Plymouth County Registry of Deeds in Plan Book 63, Page 661 on June 28, 2019. Said conveyance will correct an encroachment of the city sidewalk upon the property owned by Brockton Oak Street LLC. (FAVORABLE)

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

- 601** Ordered: Acceptance and expenditure of the grant award in the amount of \$150,000 from Massachusetts Department of Environmental Protection-Clean Water State Revolving Fund (CWSRF) Grant fund. (FAVORABLE)

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

- 524** Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 2,009 square feet, located and known as Plot 16-3, 0 Centre Street, Parcel ID: 152-022 to Gregory

204.

UNFINISHED BUSINESS (cont'd)

Jameau, 65 Manchester Street, Brockton MA 02301 for the purchase price of One Thousand Dollars (\$1,000.00). 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. (FAVORABLE AS AMENDED)

The amendment passed by a hand vote.

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

- 72** Ordered: That the Brockton City Council remove their order of June 24, 2002 regarding Parcel ID 087-086 David Street that declared lot as “not buildable” so that possible development may take place. (UNFAVORABLE)

Failed adoption by a roll call vote taken by “yeas” and “nays”; eleven members present with zero voting in the affirmative. Councillors Asack, Beauregard, Cruise, Derenoncourt, Eaniri, Farwell, Lally, McGarry, Monahan, Nicastro and Sullivan voting in the negative.

ORDERS

- 617** Ordered: Acceptance and expenditure of the grant award in the amount of \$15,000
From: Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2020 Traffic Enforcement Grant
To: Brockton Police Department-FFY2020 Traffic Enforcement Grant Fund.

Councilor Farwell motioned to move under suspension of the rules 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.

Councilor Farwell motioned for reconsideration with the wish it does not prevail. Reconsideration failed by a hand vote.

Councilor Lally motioned to take items **618-619** collectively and was properly seconded.

- 618** Ordered: Acceptance and expenditure of the grant award in the amount of \$25,600
From: Massachusetts Emergency Management-FFY2019 EMPG Grant
To: Brockton Emergency Management Agency-FFY2019 EMPG Grant Fund.

- 619** Ordered: Acceptance and expenditure of the grant award in the amount of \$3,388
From: Massachusetts Emergency Management-2019-2020 HMEP Grant
To: Brockton Emergency Management Agency-2019-2020 HMEP Grant Fund.

Councilor Lally motioned to move under suspension of the rules 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.

Granting of Verizon New England, Inc. requesting permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways on Kenwood St. This petition proposes to install Plot 178/3S Kenwood Street, approximately 68’ (feet) southerly from the centerline of Irvington Street. This work is required to remove a tree guy.

Granted by a hand vote.

Councillors' Recognition

President Sullivan wished everyone a Happy Hanukkah, Christmas, and New Year's. Councilor Eaniri wishes everyone leaving the best. Councilor Asack thanks everyone that served. Councilor Beauregard thanks everyone and speaks on her experience as a Councilor. Councilor Derenoncourt wishes everyone the best and stated he did everything based on his belief of what was good for the people of Brockton.

Executive Session- for the purpose of discussing all pending legal matters concerning the City Council.

Councillor Farwell motioned to go into Executive Session, as discussing pending litigation may be detrimental to the legal position of the city and was properly seconded. The motion carried by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

The Council President stated that they were going to go into Executive Session and they would not be returning to the Council Chambers.

The Council President stated that the caucus is to determine who will be the Council President for the year 2020 and to choose seat placement.

Caucus to elect Council President for 2020 and seat placement.

CAUCUS...

CAUCUS...

CAUCUS...

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.