

APPOINTMENTS:

1. Reappointment of Jacques A. Borges, P.E. of 38 Ashfield Drive, Brockton, to the position of City Engineer, Department of Public Works, for a term of three years ending April 2014.

PETITIONS:

2. Of Spiegel South Shore Scrap Metal, Inc., for a renewal of Junk Shop Keeper's license located at 175 E. Ashland St.
3. Of Hayat's Closet for a renewal of Second Hand Articles license located at 515 No. Main St.
4. Of John Morrissey DBA Eco Recycling Systems, Inc. for a renewal of Junk Collector's license located at 195 Mulberry St.
5. Of Richard A. Fagone, DBA Golden Dreams Jewelry for a Second Hand Precious Metals and Gems license located at 365 Westgate Dr.
6. Of Sterling Jewelers Inc., DBA Kay Jewelers for a Second Hand Precious Metals and Gems license located at 200 Westgate Dr., Suite 4A.
7. Of Sterling Jewelers Inc., DBA Belden's Jewelers for a Second Hand Precious Metals and Gems license located at 200 Westgate Dr., Suite N119.

REPORTS:

8. Of the Finance Committee for its meeting of May 2, 2011.

COMMUNICATIONS:

9. From the Mayor submitting a letter of resignation of BettyAnn DeGrace from the Board of Trust Fund Commissioners effective immediately.
10. From the Acting Superintendent of Parks requesting a transfer of \$15,000 from Parks and Recreation-Personal Services Other than Overtime to Parks and Recreation-Overtime. This transfer is necessary in order to maintain the fields, parks and especially the golf course, due to the conditions from the harsh winter season and constant rain. There is sufficient money to be utilized in the overtime account.,due to the retirement of one employee and the Park Superintendent.
11. From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$8,000 from Parks and Recreation-Personal Services Other than Overtime to Parks and Recreation-Overtime in order to maintain the fields, parks and especially the golf course, due to the conditions from the harsh winter season and constant rain.
12. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990 certifying the proposed transfer of \$8,000 from Parks and Recreation-Personal Services Other than Overtime to Parks and Recreation-Overtime.
13. From the Superintendent of Schools requesting a capital repair bond in the amount of \$36,001,597 for the purpose of capital repairs to various schools. This request is being made on behalf of the Massachusetts School Building Authority's pending approval of their Green Repair Program Committee, which has approved the City of Brockton for a reimbursement rate of 80% of total project costs. As per MSBA guidelines, the City is required to provide bonding authority for the full project scope even though its share is only 20%.

14. From the Mayor in accordance with M.G.L. Ch. 44, recommending that the City Council authorize an appropriation of and borrowing of \$36,001,597 for the purpose of capital repairs to various schools with the participation of the MSBA, in the form suggested by the city's bond counsel, Edwards Angell Palmer and Dodge, LLP.
15. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990 certifying the proposed order for an appropriation of and borrowing for \$36,001,597 for various school building capital projects (roofs windows, boilers) **provided that the projects are approved for MSBA participation at 80% and further, provided that the voters approve an exclusion from the annual tax levy limit of the amounts necessary to pay the annual debt service under the provisions of Proposition 21/2. This is a conditional certification which must be placed on the face of the order.** These projects are unavoidable in the new term. By authorizing them now, the city will avoid the 80 percent of the costs which will be paid by the state, so he is recommending that the City Council approve this important project and authorize the Proposition 2 ½ debt exclusion.
16. From the Superintendent of Schools requesting a capital repair bond in the amount of \$1,200,000 for needed repairs and replacements at the Marciano Stadium Complex; AstroTurf replacement, track repairs/replacement, fencing repairs, asphalt repairs and field house improvements. The current condition does not lend itself to back to back athletic competition. Constant upkeep is necessary between events to repair damage. The athletic director feels that the track is unsafe for high school track meets.
17. From the Mayor in accordance with M.G.L. Ch. 44, recommending that the City Council authorize an appropriation of and borrowing for the purpose of repairs and improvements to the Rocky Marciano Stadium, in the form suggested by the city's bond counsel, Edwards Angell Palmer and Dodge, LLP.
18. From the CFO in accordance with M.G.L., Chapter 44, certifying the proposed order for an appropriation of and borrowing for \$1,200,000 for capital repairs to the Marciano Stadium Complex, **provided that the voters approve an exclusion from the annual tax levy limit of the amounts necessary to pay the annual debt service under the provisions of Proposition 21/2. This is a conditional certification which must be placed on the face of the order.**
19. From the Superintendent of Buildings requesting a transfer totaling \$5,000 from Public Property-Ordinary Maintenance-Goods (\$2,500 from Building Supplies and \$2,500 from Heating/Air Conditioning Supplies) to Public Property-Overtime. This transfer is necessary due to the unforeseen pipe break in the Tax Office.
20. From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer totaling \$5,000 from Public Property-Ordinary Maintenance-Goods (\$2,500 from Building Supplies and \$2,500 from Heating/Air Conditioning Supplies) to Public Property-Overtime. This transfer is necessary due to the unforeseen pipe break in the Tax Office.
21. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer totaling \$5,000 from Public Property-Ordinary Maintenance-Goods (\$2,500 from Building Supplies and \$2,500 from Heating/Air Conditioning Supplies) to Public Property-Overtime.
22. From the Fire Chief requesting the acceptance and expenditure of a grant in the amount of \$5,000 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. This is a non-matching grant with no cost to the City.

23. From the Mayor in accordance with the M.G.L., Ch. 44., recommending an appropriation of \$5,000 from the Commonwealth of Massachusetts Department of Public Health to Fire Department –FY11 Massachusetts Decontamination Unit Grant. These funds are to be used to man the upkeep of the Mass Decontamination. Units and purchase supplies for the units.
24. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation and expenditure of \$5,000 from the Commonwealth of Massachusetts Department of Public Health to Fire Department –FY11 Massachusetts Decontamination Unit Grant Fund.

UNFINISHED BUSINESS:

25. Reappointment of Robert William Bishop, 333 Foundry St., S. Easton as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)
26. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2011, recommending authorization of the Auditor-Public Record Request Revolving fund for FY2011, for the sole purpose of reimbursing departments for the cost of complying with requests for public records. The Auditor Public Records Request shall receive the receipts and fees up to \$10,000 during FY2011. Expenditures from the Auditor-Public Records Request Revolving Fund shall be made at the direction of the Auditor provided that not more than \$10,000 may be so expended from the fund during FY2011. . (FAVORABLE)
27. Transfer of: \$40,000  
From: Fire Department-Personal Services other than overtime (seperation costs)  
To: Fire Department-Ordinary Maintenance-Service (\$15,000 for Electricity and \$25,000 for Energy) (To cover the costs for the remainder of this fiscal year). . (FAVORABLE)
28. Transfer of: \$20,000  
From: Public Property-Ordinary Maintenance-Goods (In State travel)  
To: Public Property Ordinary Maintenance-Services (\$10,000 for Electricity and \$10,000 for Energy) (To cover the costs for the remainder of the fiscal year). . (FAVORABLE)
29. Transfer of: \$15,000  
From: Brockton Public Library-Personal Services other than overtime (full-time)  
To: Brockton Public Library- Ordinary Maintenance-Services (\$7,500 for Electricity and \$7,500 for Energy) (To cover the costs for the remainder of this fiscal year) . (FAVORABLE)
30. Transfer of: \$3,500  
From: Parking Authority-Personal Services other than overtime (part-time)  
To: Parking Authority-Ordinary Maintenance-Services \$1,640 and Parking Authority-Snow Removal \$1,860. (This transfer is to cover the installation of security camera in the garage and to cover a short fall in the snow removal account). . (FAVORABLE)
31. Transfer of: \$200,000  
From: U.S. Environmental Protection Agency Energy for Brownfield's Site Assessment  
To: Planning Department-EPA Brownfield's Assessment II Grant. (This grant was originally awarded in 2007 but now have been given an extension from EPA to September of 2011) . (FAVORABLE)

32. Ordered That the DPW Commissioner is authorized to issue a Residential sewer connection for the property located at Plot 1 North Cary Street, Brockton. The property is currently owned by Michael Haikal. (FAVORABLE)
33. Ordered: That the DPW Commissioner is authorized to issue a Residential sewer connection for the property located at Plot 2 North Cary Street, Brockton. The property is currently owned by Michael Haikal. (FAVORABLE)
34. Ordered: That the City Council authorize the acceptance and expenditure of a grant award in the amount of: \$43,914.83  
From: Massachusetts Department of Mental Health/Police-Based Jail Diversion for Individuals with Mental Illness or Emotional Disturbance Grant  
To: Brockton Police Department  
(These funds will be used for police training and an on-call clinician).  
(FAVORABLE)

ORDERS:

35. Transfer of: \$8,000  
From: Parks and Recreation-Personal Services Other than Overtime  
To: Parks and Recreation-Overtime  
(in order to maintain the fields, parks and especially the golf course, due to the conditions from the harsh winter season and constant rain).
36. Ordered: That One Million Two Hundred Thousand (\$1,200,000) is appropriated for the purpose of repairs and improvements to the Rocky Marciano Stadium: turf and track replacement, site repairs, fencing, asphalt and field house upgrades, located at 470 Forest Avenue, Brockton, MA. **This is a conditional certification, provided that the voters approve an exclusion from the annual tax levy limit of the amounts necessary to pay the annual debt service under the provisions of Proposition 21/2. This must be placed on the face of the order.**
37. Ordered: That the City of Brockton appropriates the sum of Thirty Six Million, One Thousand Five Hundred Ninety Seven Dollars (\$36,001,597) for capital repairs to various schools. **This is a conditional certification, provided that the projects are approved for MSBA participation at 80% and further, provided that the voters approve an exclusion from the annual tax levy limit of the amounts necessary to pay the annual debt service under the provisions of Proposition 21/2. This must be placed on the face of the order.**
38. Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the City Preliminary will be held on Tuesday, September 20, 2011 and that the City Election will be held on Tuesday, November 8, 2011.
39. Transfer of: \$5,000  
From: Public Property-Ordinary Maintenance-Goods -\$2,500 from Building Supplies and \$2,500 from Heating/Air Conditioning Supplies  
To: Public Property-Overtime. (This transfer is necessary due to the unforeseen pipe break in the Tax Office).
40. Ordered: That the City Council authorize the acceptance and expenditure of a grant award in the amount of: \$5,000  
From: the Commonwealth of Massachusetts Department of Public Health  
To: Fire Department –FY11 Massachusetts Decontamination Unit Grant.  
These funds are to be used to man the upkeep of the Mass Decontamination. Units and purchase supplies for the units.
41. Budget for FY 2012