

PETITION:

1. Of Best Buy for a Second Hand Articles license located at 200 Westgate Drive.

REPORTS:

2. Of the Finance Committee for its meeting of November 21, 2011.

COMMUNICATIONS:

3. From the Mayor in accordance with M.G.L., Ch. 44, recommending an appropriation of \$1,700,000 from Unappropriated FY12 Estimated Receipts to Stabilization Fund. This request is pursuant to final approval of the FY12 Tax Levy Growth by the Department of Revenue, which was received last week. In order that this additional levy may be appropriated prior to setting the FY12 tax rate, strongly urge that it be adopted at the November 28, 2011 meeting under suspension of the rules.
4. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$1,700,000 from Unappropriated FY12 Estimated Receipts to Stabilization Fund.
5. From the Fire Chief requesting an appropriation of \$300,000 from Stabilization Fund to Fire Department- Overtime to insure that all Companies and Stations remain open at least through April 1, 2012, due to unpredictable weather patterns.
6. From the Mayor in accordance with M.G.L., Ch. 44, recommending an appropriation of \$300,000 from Stabilization Fund to Fire Department- Overtime (to insure that all Companies and Stations remain open at least through April 1, 2012, due to unpredictable weather patterns).
7. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$300,000 from Stabilization Fund to Fire Department- Overtime
8. From the Police Chief requesting an appropriation of \$34,350 from Stabilization Fund to Police Department-Ordinary Maintenance-Services (DP Equip-R/M). These monies are to be used for the maintenance program of the ShotSpotter system, which detects gunshots the instant they occur.
9. From the Mayor in accordance with M.G.L., Ch. 44, recommending an appropriation of \$34,350 from Stabilization Fund to Police Department-Ordinary Maintenance-Services (DP Equip-R/M). These monies are to be used for the maintenance program of the ShotSpotter system.
10. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$34,350 from Stabilization Fund to Police Department-Ordinary Maintenance-Services (DP Equip-R/M).
11. From the Director of the Council on Aging requesting the acceptance and expenditure of the award of \$49,634.50 from the Available Funds-Executive Office of Elder Affairs-FY2012 Formula Grant to Council on Aging-Elder Affairs Grant. The full amount of this grant is \$99,269. The remainder of the grant should be received in mid January. This grant is to be used for salaries and miscellaneous services and supplies. No match is required.

12. From the Mayor recommending that the City Council authorize the acceptance and expenditure by the Brockton Council on Aging of the award of \$49,634.50 from the Available Funds-Executive Office of Elder Affairs-FY2012 Formula Grant to Council on Aging-Elder Affairs Grant. The full amount of this grant is \$99,269. The remainder of the grant should be received in mid January. This grant is to be used for salaries and miscellaneous services and supplies.
13. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$49,634.50 from Executive Office of Elder Affairs-FY2012 Formula Grant to Council on Aging-Elder Affairs Grant.
14. From the DPW Commissioner requesting approval of the award by the City of the contract with Allied Waste Services of Massachusetts, LLC beginning January 1, 2012 until June 30, 2017, for Solid Waste/Refuse Collection, Processing and Disposal Services, for a period of time exceeding three (3) years for the purpose of picking up solid waste, recyclables, yard waste, bulky items and white goods within the City.
15. From the Mayor recommending that the City Council approve the award by the City of the contract with Allied Waste Services of Massachusetts, LLC beginning January 1, 2012 until June 30, 2017, for Solid Waste/Refuse Collection, Processing and Disposal Services, for a period of time exceeding three (3) years for the purpose of picking up solid waste, recyclables, yard waste, bulky items and white goods within the City, in accordance with the letter of intent to award.
16. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the award to Allied Waste Services of Massachusetts, LLC of a contract for Solid Waste/Refuse Collection, Processing and Disposal Service contract, in accordance with the letter of intent to award. The negotiated annual price of \$5,594,000 is less than the annual cost of the present contract, for which an adequate appropriation exists.
17. From the CFO in accordance with the provisions of Chapter 324 of the Acts of 1990, certifying the adoption of the proposed ordinance amending Chapter XXIII of the revised Ordinances of the City of Brockton, as submitted by the City Council on October 24, 2011 and as amended by a substitute Ordinance on November 21, 2011 in Finance Committee **PROVIDED THAT THE ORDINANCE IS AMENDED BY DELETING THE PROVISIONS OF SUB-PARAGRAPH ( c ). If the provisions of sub-paragraph ( c ) remain a part of the ordinance, I am unable to provide certification pursuant to Chapter 324 of the Acts of 1990, and the ordinance as adopted must note on its face the absence of such certification.**

UNFINISHED BUSINESS:

18. Ordinance: An Ordinance relative to cell phones, text messaging and any other electronic devices used in the Council Chambers. (FAVORABLE AS AMENDED)(IN CITY COUNCIL, NOVEMBER 14, 2011, PASSED TO A THIRD READING BY A HAND VOTE)
19. Appropriation of: \$1,280,500  
From: FY12 onetime aid pursuant to Chapter 142 of the Acts of 2011  
To: Stabilization Fund  
(Supplemental funds for the cities and towns of the Commonwealth, and with Bulletin 2011- 15B of the Division of Local Services of the Department of Revenue)(FAVORABLE)
20. Resolved: That the Library Director be invited to appear before a Committee of this Council to present her initial ideas for the City's Library system. (FAVORABLE)

21. Resolved: That the Mayor and DPW Commissioner be invited to appear before a Committee of this Council to provide an update on the implementation of the audit recommendations in the Water and Sewer Departments. (FAVORABLE)
22. Ordinance: An Ordinance amending Chapter XXIII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Ch. 23. Water, Sewer and Sewage Disposal is hereby amended by adding the following new section to Article II. Water: Section 23-31. Actual Meter reading and estimated bills. (FAVORABLE)

ORDERS:

23. Appropriation of: \$1,700,000  
From: Unappropriated FY12 Estimated Receipts  
To: Stabilization Fund  
(pursuant to final approval of the FY12 Tax Levy Growth by the Department of Revenue)
24. Appropriation: of: \$300,000  
From: Stabilization Fund  
To: Fire Department- Overtime  
(to insure that all Companies and Stations remain open at least through April 1, 2012, due to unpredictable weather patterns).
25. Appropriation of: \$34,350  
From: Stabilization Fund  
To: Police Department-Ordinary Maintenance-Services (DP Equip-R/M)  
(These monies are to be used for the maintenance program of the ShotSpotter system).
26. Appropriation:of: \$49,634.50  
From: the Available Funds-Executive Office of Elder Affairs-FY2012  
Formula Grant  
To: Council on Aging-Elder Affairs Grant  
The full amount of this grant is \$99,269. The remainder of the grant should be received in mid January. This grant is to be used for salaries and miscellaneous services and supplies. No match is required.
27. Ordered: That the City Council approve the award by the City of the contract with Allied Waste Services of Massachusetts, LLC beginning January 1, 2012 until June 30, 2017, for Solid Waste/Refuse Collection, Processing and Disposal Services, for a period of time exceeding three (3) years for the purpose of picking up solid waste, recyclables, yard waste, bulky items and white goods within the City, in accordance with the terms of the letter of intent to award dated October 28, 2011.
28. Resolve: That the Mayor be invited to appear before a Committee of this Council, in her respective roles as Mayor and as Chair of the School Committee, to discuss recognizing the public service provided to the City by late, John Murphy, who served the City for many years on the Planning Board, the late, Dr. John Lingos, who served for many years as Chief Medical provider to the Brockton High School Football team and Brendan O'Neil, who provided years of service as a Brockton High School educator and swimming coach.
29. Resolved: That the DPW Commissioner, the City's consulting engineer on the sewer plant, the Chief Financial Officer, and the Metro South Chamber President be invited to appear before a Committee of this Council to discuss the benefits and detriments of allowing surrounding communities the opportunity to tie into the City's Sewer Treatment Plant.