

In City Council, June 25, 2012

APPOINTMENTS:

1. Of Ryan P. Moffett to the rank of Firefighter in the Brockton Fire Department.
2. Of Cory J. Lacey to the rank of Firefighter in the Brockton Fire Department.
3. Of Matthew L. Flaherty to the rank of Firefighter in the Brockton Fire Department.
4. Of Brandon William Marble, 127 Thatcher St., Brockton as a Constable in the City of Brockton for a term of three (3) years.

PETITIONS:

5. Of Joseph Romano to suspend a sign and electric clock at 1106 Main St.

REPORTS:

6. Of the Ordinance Committee for its meeting of June 4, 2012.
7. Of the Ordinance Committee for its meeting of June 18, 2012.
8. Of the Finance Committee for its meetings of June 11-13, 2012.
9. Of the Finance Committee for its meetings of June 18, 2012.

COMMUNICATIONS:

10. From the DPW Commissioner requesting approval for the Land Taking of 144 Temporary Easements and 22 Permanent Easements in relation to the Pleasant Street Reconstruction Project. In order to finance these takings and easements, the City will expend from appropriated funds from Ch. 90 funds in the amount of \$147,200.
11. From the Mayor in accordance with M.G.L., Ch. 44, requesting the Land Taking of 144 Temporary Easements and 22 Permanent Easements in relation to the Pleasant Street Reconstruction Project. Financing of \$147,200 for this project will be from Ch. 90 Funds.
12. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed temporary and permanent easements in relation to the Pleasant Street Reconstruction Project.
13. From the Fire Chief requesting that the City Council accepts and expends the grant award in the amount of \$438,455 (80%) from the Federal Emergency Management Agency and the Department of Homeland Security. The grant is to be used to purchase radios and thermal imaging cameras.
14. From the Mayor requesting that the City Council accepts and expends the grant award in the amount of \$438,455 (80%) from Federal Emergency Management Agency and the Department of Homeland Security-Fy2011 Assistance to Firefighters Grant to Fire Department-FY2011 Assistance Grant. This grant is to be used to purchase radios and thermal imaging equipment. There is a 20% grant match of \$109,613, which was specifically budgeted in the FY13 Fire Department budget for this grant.

15. From the CFO in accordance with Section 5 of Ch. 324 of the acts of 1990, certifying the proposed acceptance and expenditure of \$438,455 from the Federal Emergency Agency and the Department of Homeland Security-FY2011 Assistance to Firefighters Grant to Fire Department-FY2011 Assistance Grant. The federal share is 80% and the match from the City is \$109,613, which is budgeted for this purpose in the FY13 budget.

UNFINISHED BUSINESS:

16. Ordinance: An Ordinance amending Chapter VII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 7. Fire Prevention Code. Sec. 7-775. Fee Schedule. (IN CITY COUNCIL, MAY 29, 2012, PASSED TO A THIRD READING)
17. 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 as follows: Section 2-127 Pay Plan, is hereby amended by inserting a new compensation grade: PT/S Supervisor, Summer Youth Program with the following salary rate: \$14.00 hourly. (IN CITY COUNCIL, MAY 29, 2012, PASSED TO A THIRD READING)
18. Ordinance: An Ordinance amending Chapter XXVII of the Revised Ordinances of the City of Brockton as follows: Chapter 27 Zoning, Flood Plains. (FAVORABLE)
19. Ordinance: An Ordinance amending Ch. II of the Revised Ordinances of the City of Brockton as follows: Sec. 2-89. Yeas and Nays. (UNFAVORABLE)
20. Ordinance: An Ordinance Amending Ch. XVII of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Sec. 27-54. Same-Requirements (Table 4). (UNFAVORABLE)
21. Reappointment of James L. Bates, Jr., of 21 Ash Street, Brockton, MA as a constable in the City of Brockton for a term of three (3) years. (FAVORABLE)
22. Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for the sole purpose of funding the acceptance and expenditure by the Women's Commission of receipts and donations from various events. Expenditures from the revolving fund shall be made on the authority and direction of the Mayor, provided that not more than \$2,500 may be so expended from the Woman's Commission Revolving Fund during fiscal year 2013. (FAVORABLE)
23. Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for the sole purpose of funding the cost in connection with the demolition of buildings in the City of Brockton. The Demolition Revolving Fund shall receive the receipt of payment of all demolition of buildings in the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition Revolving Fund during FY2013. The Building Superintendent shall comply with the reporting requirement of M.G.L., Ch. 44, Section 53E ½. (FAVORABLE)

24. Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY2013 revolving fund for the sole purpose of funding the Keep Brockton Beautiful Program. All revenues received as donations to this fund is to be used for purchasing tee shirts, rakes, shovels, barrels, and other miscellaneous items to be used for the program. Expenditures from the Keep Brockton Beautiful Program Revolving Fund shall be made by the Commissioner of the Department of Public Works, provided that not more than an amount of \$5,000 may be son expended during the fiscal year. (FAVORABLE)
25. 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 2013, consistent with the provisions of M.G.L. Chapter 140, Section 139A. The Animal Control Revolving Fund shall receive the deposits for the spaying or neutering of animals. Expenditures would be restricted to not more than \$5,000.00 annually for the purposes permitted by Chapter 140, Section 139A. (FAVORABLE)
26. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, for the sole purpose of funding the Composting Bin Distribution Program from the Municipal Recycling Grant-Executive Office of Environmental Affairs and Department of Environmental Protection. All revenue received from home composting bin sales or donations to the bin program shall be deposited in such account. The revolving fund is to be used solely for the purchase of additional home composting bins, advertising, administrative expenses or other such expenses related to the home composting bin distribution program per the terms of the grant. Expenditures from the Composting Bin Distributions Program Revolving Fund shall be made by the Commissioner of the Department of Public Works, provided that not more than an amount of \$2,000.00 may be so expended during the fiscal year 2013. (FAVORABLE)
27. Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for Manning Pool Revolving Account under the control of the mayor, from all FY2013 receipts received from admission to the pool, but further provided that the expenditures of such revolving fund revenues shall not exceed \$35,000 and shall be limited to spending purposes for ordinary maintenance expenses to operate the pool. (FAVORABLE)
28. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council re-authorizes the establishment of a revolving fund for fiscal year 2013, from the cash receipts from Comcast franchise fees, in excess of \$550,000, pursuant to the new cable license contract, and that further, that the expenditures from this fund shall not exceed \$250,000 during fiscal year 2013. (FAVORABLE)
29. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, for the sole purpose of helping to fund the cost in connection with the K9 Unit of the Brockton Police Department. The K9 Unit Revolving Fund shall receive the receipts of the sale of canines born to the existing K9 Unit. Expenditures from the K9 Unit Revolving Fund shall be made at the direction of the Chief of Police, provided that not more than \$5,000 may be so expended from the K9 Unit revolving fund during FY 2013. (FAVORABLE)

30. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the Auditor-Public Record Request Revolving fund for FY2013, 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 FY2013. 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 FY2013. (FAVORABLE)
31. 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 2013, for the Parking Authority Revolving Fund to receive revenues from Parking Violations Fines up to and including the amount of \$250,000, said funds to be expended by the Parking Authority to pay expenses of parking regulation enforcement and repair and maintenance of lots, facilities and equipment. Amounts in excess of \$250,000 shall be credited to the General Fund. (FAVORABLE)
32. Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a revolving fund for FY2013 for the sole purpose of helping to fund the cost in connection with the operation of the War Memorial building. The War Memorial Revolving Fund shall receive the receipts of War Memorial charges and fees up to \$15,000 during FY13. Expenditures from the War Memorial Revolving Fund shall be made at the direction of the Mayor, provided that not more than \$15,000 may be so expended from the War Memorial Revolving Fund during FY2013. (FAVORABLE)
33. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes a revolving fund for Fiscal Year 2013, for the sole purposes of funding the creation and maintenance of the Abandoned Building Registry as well as the closing and boarding up of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Building Revolving Fund shall be made on the authority and direction of the Brockton Building Commissioner, provided that no more than \$75,000 may be so expended from the Vacant and Abandoned Buildings Revolving Fund during fiscal year 2013. (FAVORABLE)
34. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the Police Department-Closed Cases Revolving Fund for fiscal year 2013 for the sole purpose of spending by the Police Chief for ordinary maintenance expenses of the police department. The Police Department Closed cases Revolving Fund shall receive monies in police possession from closed cases. (FAVORABLE)
35. Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E ½, the City Council authorizes the authorization of a revolving fund for fiscal year 2013, for the sole purpose of funding of the acquisition and installation of grave liners exclusive of the cost of labor. The Grave Liners Revolving Fund shall receive the receipt of payment of all liner fees for the City of Brockton. (FAVORABLE)
36. Ordered: That the City Council accepts and expends the grant award in the amount of \$5,000
From: National Fire Protection Association's (NFPA) Rolf H. Jensen Memorial Public Education Grant
To: Fire Department- Rolf Jensen Memorial Education Grant.
These monies are to be used to develop a high-rise and apartment safety program. No match is required. (FAVORABLE)

37. Ordered: Budget for FY2013. (FAVORABLE AS AMENDED)
38. Resolved: that a Committee be established consisting of the Personnel Director, the Chief Financial Officer, or his designee, and one member of the City Council appointed by the City Council President, to review the duties and responsibilities of heads of City departments and to make recommendations as to the establishment of minimum qualifications for such positions. (UNFAVORABLE)

ORDERS:

39. Order: That the City Council of the City of Brockton hereby accepts for Conservation purposes, the Conservation restriction granted by Wildlands Trust, Inc., to the City of Brockton under the care and custody of its Conservation Commissioner pursuant to M.G.L., Ch. 40, Section 8C.
40. Ordered: That the City Council accepts and expends the grant award in the amount Of \$438,455 (80%)
From: Federal Emergency Management Agency and the Department of Homeland Security-FY2011 Assistance
To: Firefighters Grant to Fire Department-FY2011 Assistance Grant. (This grant is to be used to purchase radios and thermal imaging equipment. There is a 20% grant match of \$109,613, which was specifically budgeted in the FY13 Fire Department budget for this grant)
41. Ordered: Whereas, in the opinion of the Mayor and City Council of the City of Brockton, the public convenience and necessity of the inhabitants of the City requires that the following described parcels of land be taken in fee as Temporary Easements for Highway purposes from certain owners of land abutting Pleasant Street.
42. Ordered: Whereas, in the opinion of the Mayor and City Council of the City of Brockton, the public convenience and necessity of the inhabitants of the City requires that the following described parcels of land be taken in fee as Permanent Easements for Highway purposes from certain owners of land abutting Pleasant Street.
43. Resolve: That the Department of Public Works Commissioner is authorized to issue a sewer connection permit to Tasha Rocky LLC (Carl Godosky) located in Brockton and Abington consistent with the plan attached hereto and enter into or amend with Abington regarding the same.