

APPOINTMENTS:

1. Of William F. Bassett to the rank of Fire Lieutenant in the Brockton Fire Department.
2. Reappointment of David Montrond as a Special Police Officer of the City of Brockton for a one year term ending January 2015

HEARINGS:

3. Petition of Edsel Limited Partnership for an Underground Storage License located at 306 Crescent St.

REPORTS:

4. Of the Finance Committee for its meeting of February 3, 2014
5. Of the Ordinance Committee for its meeting of February 4, 2014

COMMUNICATIONS:

6. From the Assistant City Solicitor submitting a Side Letter of Agreement By and Between City of Brockton and Brockton Police Supervisor's Union and Emanuel Gomes.
7. From the Superintendents of Buildings requesting a transfer in the sum of \$7,000 from Planning (Buildings and Ground Maintenance) to Planning Overtime (in order to fund the upkeep of the parks on White Avenue, Crescent Street, as well as GAR Park).
8. From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$7,000 from Planning Department-Ordinary Maintenance (Buildings and Ground Maintenance) to Personal Services Overtime (to cover the upkeep of parks on White Avenue, Crescent Street, and the GAR Park).
9. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990 certifying the proposed transfer of \$7,000 from Planning Department Ordinary Maintenance to Personal Services Overtime.
10. From the Superintendent of Buildings requesting a transfer of \$15,000 from Building Department-Full Time into Personal Services Overtime (for unexpected expenses for emergency calls during the evenings and weekends due to aging City Buildings along with severe winter weather and emergency calls from Fire, Police and for after hours inspectional services).
11. From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$15,000 from Building Department-Full Time to Personal Services Overtime (for unexpected expenses for emergency calls during the evenings and weekends due to aging City Buildings along with severe winter weather and emergency calls from Fire, Police and for after hours inspectional services).
12. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990 certifying the proposed transfer of \$15,000 from Building Department-Full Time to Personal Services Overtime.
13. From the Superintendent of Buildings stating that the sum of \$10,000 is available for transfer from Planning Department-Personal Services other than Overtime, due to the existence of the vacant positions for the planners in the existing budget.

14. From the Executive Health Officer requesting an appropriation of \$12,000 to fund unanticipated expenditures. The funds will pay for the services of two nurses to perform the Board of Health duties of our Public Health Nurse, who is out due to a work related injury.
15. From the Mayor in accordance with M.G.L., Ch. 44, recommending the City Council authorize the transfer of \$10,000 from Planning Department-Personal Services other than Overtime to Board of Health Purchase of Services (to fund unanticipated expenditures. The transfer will pay for the services of two nurses).
16. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$10,000 from Planning Department-Personal Services Other than Overtime to Board of Health- Purchase of Services.
17. From the Mayor in accordance with M.G.L., requesting that the City Council concur in the use of the FY2014 Police Budget for Police Personal Services other than Overtime, as currently appropriated, to pay the FY2014 costs of the agreement between the City of Brockton, the Brockton Police Supervisors Union, and former Chief Emanuel (Manny) Gomes.
18. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying to support the use of \$37,916.10 from the FY2014 Budget, Police-Personal Services Other than Overtime, to pay for the FY2014 costs of the agreement between the City, Emanuel Gomes, and the Brockton Police Supervisors Union.
19. From the Planning Department submitting the proposed creation of the Vicente's Tropical EOA as well as the proposed Vicente's Liquors and Tropical Grocery, Inc., and Vicente's Property LLC.
20. From the Mayor recommending that the City Council authorize and approve a Tax Increment Financing Plan between the City of Brockton and Vicente's Tropical EOA, as well as Vicente's Liquors, Tropical Grocery, Inc., Vicente's Property, LLC located at 160 Pleasant Street which is within the proposed Economic Opportunity Area and authorize an application to the Massachusetts Economic Assistance Council for its approval and endorsement.
21. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed authorization and approval of the Tax Increment Financing Plan and Agreement between the City of Brockton and Vicente's Tropical EOA as well as Vicente's Liquors, Tropical Grocery, Inc., Vicente's Property LLC located at 160 Pleasant St.
22. From the DPW Commissioner requesting to expend additional funds up to an amount of \$1,000,000.00 for the purpose of FY2014 snow removal in accordance with Chapter 44, section 31D of the Massachusetts General Laws.
23. From the Mayor in accordance with M.G.L., Ch. 44, section 31D, recommending that the City Council authorize the expenditure of funds up to \$1,000,000 in excess of amounts already appropriated, for DPW-Highway-Snow Removal, for the purpose of FY2014 snow removal. The present snow removal budget of almost \$2,358,000 has been nearly depleted, with about two months of winter storm months remaining.
24. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990 stating that he **cannot certify** the proposed expenditure of \$1,000,000 from the DPW-Highway-Snow Removal budget for the purpose of FY2014 snow removal. If that large deficit is incurred during FY14, it will have to be paid from FY15 funds, and doing so would impact the financing available to sustain services into FY15. Nonetheless, recommending that the City Council approve this order, as failing to do so would impact the safety of the city's highway during the balances of the winter season.

25. From the Mayor dated January 31, 2014 to the City Clerk regarding appointment of Interim Police Chief.
26. From the Council President to the Mayor referencing contract with Robert Hayden, Temporary Chief of Police to provide City Council with any contract entered into by the Mayor and Mr. Hayden
27. From the Council President to the Mayor relative to the Collective Bargaining Agreement with Brockton Police Supervisor's Union filed in City Clerk's Office January 24, 2014. Reference M.G.L., ch 150E, sec. 7(b)

UNFINISHED BUSINESS:

28. Appointment of Michael Asack as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
29. Appointment of Julie Mystrall as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
30. Appointment of Brett Baker as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
31. Appointment of John O'Donnell, 30 Rock Meadow Drive, Brockton, MA to the position of Member, Board of Assessors, City of Brockton, for a term of three years expiring January 2017 (FAVORABLE)
32. Reappointment of Daniel Vaughn as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
33. Reappointment of Kevin A. Smith as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
34. Reappointment of Thomas A. DeChellis as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
35. Reappointment of Janet Frizzell-Hancock as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
36. Reappointment of Theodore Hancock as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
37. Reappointment of Jason Mosley as a Special Police Officer of the City of Brockton for a one year term ending January 2015. (FAVORABLE)
38. Transfer of \$20,295
From: Personnel Department-Personnel Employee Benefits (Unemployment Insurance)
To: Law Department-Personal Services other than Overtime.
(This transfer is to provide funding for an additional position of part time assistant city solicitor). (UNFAVORABLE)
39. Transfer: of \$35,295
From: Personnel Department, Personnel Employee Benefits (Unemployment Insurance)
To: Law Department-Personal Services other than Overtime
(in order to provide funding for an additional position of Full Time City Solicitor). (FAVORABLE)
40. Appropriation of: \$450,000
From: Executive Office of Public Safety & Security (EOPSS) FY2014 Shannon Community Safety Initiative Grant
To: City of Brockton Police Department. (FAVORABLE)

41. Appropriation of: \$12,000
From: Massachusetts Executive Office of Public Safety & Security (EOPSS)/Highway Safety Division FY2014 Traffic Enforcement Grant
To: City of Brockton Police Department-EOPSS FY14 Traffic Enforcement Grant Fund (FAVORABLE)
42. Appropriation of: \$51,400
From: Massachusetts Executive Office of Public Safety & Security (EOPSS)/Highway Safety Division FY2014 Sustained Enforcement (STEP) Grant
To: City of Brockton Police Department-EOPSS FY14 Traffic Enforcement Grant Fund (FAVORABLE)
43. `Transfer totaling \$54,200
From: Finance-Personal Services other than Overtime-\$30,000
And
From: Personnel Employee Benefits (Unemployment Insurance)-\$24,200
To: Office of the Mayor-Personal Services other than Overtime
(In order to provide funding for the transitional cost in compensation to the staff of two Mayors; separation costs for the outgoing administration staff, and added salary costs for the new Mayor's staff). (UNFAVORABLE)
44. Resolved: That the new ownership of the Brockton Rox be invited to appear before a committee of this Council to discuss the plans to revitalize the ballpark and the baseball team. (FAVORABLE)
45. Resolved: that Mayor Carpenter, Captain Gomes, a representative of the Police Supervisors Union be invited to the next Finance Committee meeting (2/3/2014) to discuss the plan for transition in the position and in the department. Further, please submit the letter of agreement that was brokered between the Mayor, Police Supervisors Union, and Mr. Gomes to the City Clerks office. (FAVORABLE)
46. Resolved: that the City Council of the City of Brockton go on record urging Fannie Mae and Freddie Mac to cease all no-fault evictions and foreclosures until new FHFA director Mel Watt has time to review all policies of Fannie Mae and Freddie Mac (FAVORABLE)

ORDERS:

47. Order: That the DPW is authorized to issue one-single family home sewer connection once all necessary City permits are approved to the property owned by Lars and Margaret Johnson and located at the corner of North Cary Street and Thayer Ave. (parcel ID 161-116; plot #107 Cary; Book/Page 05392-00422).
48. Appropriation of funds up to \$1,000,000 in excess of amounts already appropriated, for DPW-Highway-Snow Removal (for the purpose of FY2014 snow removal in accordance with Chapter 44, section 31D of the Massachusetts General Laws).
49. Appropriation of: \$7,000
From: Planning Department-Ordinary Maintenance (Buildings and Ground Maintenance)
To: Personal Services Overtime
(to cover the upkeep of parks on White Avenue, Crescent Street, and the GAR Park).
50. Transfer: Of \$15,000
From: Building Department-Full Time
To: Personal Services Overtime
(for unexpected expenses for emergency calls during the evenings and weekends due to aging City Buildings along with severe winter weather and emergency calls from Fire, Police and for after hours inspectional services).

51. Transfer of: \$10,000
From: Planning Department-Personal Services other than Overtime
To: Board of Health Purchase of Services
(to fund unanticipated expenditures. The transfer will pay for the services of two nurses).
52. Ordered: That the City Council approves the boundaries of the proposed Vicente's Tropical Economic Opportunity Area as displayed on the attached map, Exhibit A more particularly described as Assessor's Map 52, Route 040, Plot 9 at 160 Pleasant Street and approved the application for approval of the Vicente's Tropical EOA to the EACC.
53. Order: That the City hereby accepts the provisions of M.G.L. ch. 40U, enacted as Chapter 26 of the Acts of 2010, An Act Relative to Unpaid Municipal Fines
54. Appropriation:
Of: \$37,916.10
Consulting stipend \$17,314.50
Sale of sick days earned \$20,601.60
From: The FY2014 Budget, Police-Personal Services Other than Overtime, as currently appropriated (to pay the FY2014 costs of the agreement between the City of Brockton, the Brockton Police Supervisors Union, and former Chief Emanuel (Manny) Gomes).
55. Resolve: That Mayor William Carpenter, CFO John Condon, City Solicitor Phillip Nessralla, and Mr. Mark Linde-Executive Director of Brockton Community Access (BCA) come before the Finance Committee to discuss the cable agreement, and all terms, rights, and obligations defined therein, between the City of Brockton and BCA and to further produce and discuss any and all amendments, including but not limited to a certain Memorandum of Agreement and/or Memorandum of Understanding between the City and BCA.