In City Council, July 25, 2016

1. Approval of the City Council minutes of June 27, 2016.

REPORTS:

2. Report of the Ordinance Committee from its meeting of July 12, 2016.

3. Report of the Public Safety Committee from its meeting of July 12, 2016.

4. Report of the Finance Committee from its meeting of July 18, 2016.

COMMUNICATIONS:

5. From the Mayor advising that effective 3 PM, June 30, 2016, Michelle Yaffe has been appointed as Interim Parking Clerk for the City of Brockton pursuant to M.G.L. Ch. 41, Sec.61A.

6. From the Mayor submitting the resignation letter of Andrea Burton from the Planning Board and the Parking Authority effective June 30, 2016.

7. From the Mayor recommending an appropriation of $9,000.00. From: Un-appropriated Estimated Receipts- Ordinary Revenue FY2017
To: Council on Aging Personal Services Other Than Overtime.
(to allow the hiring of a full time staff assistant for the final three quarters of the Fiscal Year.)

8. From the CFO pursuant to Chapter 324 of the Acts of 1990 certifying the proposed appropriation of $9,000 From: Un-appropriated Estimated Receipts-Ordinary Revenue FY2017 To: Council on Aging Personal Services Other Than Overtime.

9. From the DPW Commissioner requesting the acceptance of donations of used furniture from CDM Smith made to the Department of Public Works. Please note that said donations are items that were going to be discarded.

10. From the Mayor in accordance with M.G.L. Ch.44, authorizing the acceptance of the donation from CDM Smith made to the Department of Public Works. The list of donated items is going to be discarded by CDM Smith.

11. From the CFO pursuant to Chapter 324 of the Acts of 1990 certifying the proposed donation from CDM Smith made to the Department of Public Works without a detrimental impact on the continuous provision of the existing level of municipal services.

12. From the Director of Planning requesting the acceptance of a grant in the sum of $25,000 from the Executive Office of Housing and Economic Development-Commonwealth Community Compact Grant Program to be used towards a neighborhood master plan for the Campello area.

13. From the Mayor in accordance with M.G.L. Ch.44, authorizing the acceptance of the total grant in the amount of $25,000 From: The Executive Office of Housing and Economic Development-Commonwealth Community Compact Grant Program. To: City of Brockton Planning and Economic Development-Commonwealth Community Compact Grant Fund intended to use these funds toward a master plan for the Campello area.

14. From the CFO pursuant to Chapter 324 of the Acts of 1990, Sec. 5, certifying the proposed grant of $25,000 From: The Executive Office of Housing and Economic Development-Commonwealth Community Compact Grant Program. To: City of Brockton Planning and Economic Development-Commonwealth Community Compact Grant Fund.

15. From the Director of Planning and Economic Development stating that the City of Brockton has received a check in the amount of $8,668.98 from Brophy and Phillips to replace the existing swing set and slide/climbing equipment at the Ashfield School.

16. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the donation in the amount of 8,668.98 from Brophy and Phillips to City of Brockton-Planning and Economic Development Department. The Planning and Economic Development intends to use these funds to replace the swing set and slide/climbing equipment at the Ashfield School.

17. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of a donation of $8,668.98 from Brophy and Phillips to City of Brockton-Planning and Economic Development Department without a detrimental impact on the continuous provision of the existing level of municipal services.

UNFINISHED BUSINESS:

18. Ordinance: An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton by Amending Division II, the Employee Classification Plan. (FAVORABLE (to send back to ordinance))(2nd Reading)

19. Petition of Matt Brackin, 295 Washington Ave, Chelsea, MA for approval of a Registration Certificate to Solicit and Canvass. (FAVORABLE)

20. Order: That the City Council approves the First Addendum to the November 10, 2014 Intermunicipal Agreement with the Town of Abington and authorizes the Mayor to execute any and all documents to effectuate the same. (FAVORABLE)

21. Order: That the City Council approves a request for an exemption from Article III, Sec. 2-110 of the Revised Ordinance. (FAVORABLE)

22. Appropriation of $142,000.00 FROM: Un-appropriated Estimated Receipts – Ordinary Revenue FY2017 TO: Police Department – Overtime, to provide additional funding in the police overtime budget to ensure continuity of services in the months of August and September. (UNFAVORABLE)

23. Appropriation of $60,000.00 from Un-appropriated Estimated Receipts – Ordinary Revenue FY2017 to Board of Health- Personal Services- Other Than Overtime, to provide funding for a vacant position of a sanitary inspector currently unfunded in the FY2017 budget. (FAVORABLE)

24. Appropriation of $183,000 from Un-appropriated Estimated Receipts – Ordinary Revenue FY2017 to Police Department – Personal Services- Other Than Overtime to provide funding for two additional Emergency Telephone Dispatchers. (FAVORABLE, as amended by reducing the amount by $53,000. to $130,000.)

25. Appropriation of $50,000 FROM: Un-appropriated Estimated Receipts – Ordinary Revenue FY2017 $50,000 TO: DPW Engineering- Personal Services- Other Than Overtime - $37,000 and DPW Maintenance – Personal Services- Other Than Overtime - $13,000, to provide additional funding for the newly hired city engineer, and to correct a calculation error on the salary chart for the

Maintenance Division. (FAVORABLE, as amended, reducing the amount to $25,000)

26. Appropriation of $12,000 from Un-appropriated Estimated Receipts – Ordinary Revenue FY2017 to Traffic Commission– Ordinary Maintenance Services to provide funding for the consulting engineering studies of several intersections. This was requested by the commission in its budget request, but not funded in the Mayor's Budget. (FAVORABLE)

27. Appropriation of $75,000 from -appropriated Estimated Receipts – Ordinary Revenue FY2017 to DPW Water Commission – Water Enterprise Fund – Desalination Charges to provide additional funding for up to 15 days of purchase of desalinated water during the summer at the full contractual amount. The funds will allow the city to exercise a sustained, full test of the system. (FAVORABLE)

28. Order: The City Council authorizes the acceptance and expenditure of the total grant award in the amount of $1,276,000 from The Commonwealth of Massachusetts Massworks Program to City of Brockton Planning Department Massworks Program Grant Fund. (to fund roadway reconstruction and streetscape improvements along Centre Street) There is no required match. (FAVORABLE)

29. Order: The City Council authorizes the acceptance and expenditure of the total grant award in the amount of $30,000 from The Commonwealth of Massachusetts Community Compact Program to City of Brockton Planning Department Community Compact Program Fund, in order to plan the first step in securing funding from the Massachusetts School Building Authority for critical building and rehabilitation project. (FAVORABLE)

30. Order: The City Council authorizes the acceptance and expenditure of the total grant award in the amount of $40,000 from The Massachusetts Department of Environmental Protection-Division of Municipal Services Grant to City of Brockton Department of Public Works- Division of Municipal Services Grant Fund. (for inventorying horizontal infrastructure through the purchase of GIS hardware and support of field work.) There is an in-kind match of $4,012 for this grant. (FAVORABLE)

31. Transfer: From: Ambulance Receipts $10,000
To: Fire Department- OM Services-Telephone $10,000
These funds will be used to pay for the monthly payment of air cards for use in laptops and tablets for all apparatus and ambulances for the period of July 1, 2016 to June 30, 2017. These air cards allow for a constant flow of information between Fire Alarm and the responding apparatus and ambulances during dispatch and while on scene at accidents. (FAVORABLE)

32. Loan Order $900,000.00 is appropriated to pay costs of developing a municipal and schools facilities master plan, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City, with the approval of the Mayor, is authorized to borrow said amount under the pursuant to M.G.L. c. 44, &7(21) and &7(22) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require. (THE CFO'S CERTIFICATION IS A CONDITIONAL CERTIFICATION -PROVIDED THAT THE CITY WILL APPROPRIATE ITS PRESENT UNUSED TAX LEVY CAPACITY WHICH CURRENTLY EXCEEDS $3 MILLION, TO PAY THE ANNUAL DEBT SERVICE COSTS WHEN IT COMES DUE.) (FAVORABLE)

33. Loan Order $6,600,000.00 is appropriated to pay costs designing and constructing sewer mains and related appurtenances, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City, with the approval of the Mayor, is authorized to borrow said amount under the pursuant to M.G.L. c. 44, &7(1) and/or &8(15), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any borrowing pursuant to this order may be undertaken through the facilities of the Massachusetts Clean Water Trust (the "Trust"), and to that end, any appropriate official off the City is authorized to enter into one or more loan and security agreements with the Trust and one or more project regulatory agreements with the Massachusetts Department of Environmental Protection, as may be required in connection with any financing though the Trust. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require. (THE CFO's CERTIFICATION IS A CONDITIONAL CERTIFICATION provided that the City Council be willing to periodically increase rates so that the sewer enterprise fund remains fully self-sufficient.) (FAVORABLE)

34. Loan Order $1,100,000.00 is appropriated to pay costs designing and making sewer flow metering improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City, with the approval of the Mayor, is authorized to borrow said amount under the pursuant to M.G.L. c. 44, &7(1) and/or &8(15), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any borrowing pursuant to this order may be undertaken through the facilities of the Massachusetts Clean Water Trust (the "Trust"), and to that end, any appropriate official off the City is authorized to enter into one or more loan and security agreements with the Trust and one or more project regulatory agreements with the Massachusetts Department of Environmental Protection, as may be required in connection with any financing though the Trust. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require. (THE CFO's CERTIFICATION IS A CONDITIONAL CERTIFICATION, provided that the city council is willing to periodically increase rates so that the sewer enterprise fund remains fully self-sufficient.) (FAVORABLE)

35. Loan Order $4,000,000 is appropriated to pay costs of making energy efficiency improvements to the City's street lighting system, including associated design and engineering services, the conversion of standard lighting devices to LED devices, fixture upgrades and the payment of all other costs incidental and related thereto, and that to meet this appropriation, the City, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, &7(3B), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require.
(FAVORABLE)

36. Resolve: That the Plymouth Registrar of Deeds be requested to appear before a Committee of this Council to provide information on the current status of foreclosures within the City. (FAVORABLE)

37. Resolve: That the Mayor or his designee, the Collector-Treasurer, and the City Solicitor or his designee, be invited to appear before a committee of the City Council to update Council members on the status of the Whitman dispute and efforts to obtain payment. (FAVORABLE)

ORDERS:

38. Order: That the City Council affirms its approval of the Downtown Urban Renewal District and the Downtown Urban Revitalization Plan.

39. Ordinance: An Ordinance Amending Chapter 20 Streets and Sidewalks of the Revised Ordinances of the City of Brockton enacting a Complete Streets Ordinance.

40. Ordinance: An Ordinance Amending Chapter 4, the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City of Brockton as follows: Ch. 4 Buildings, is hereby amended by adding the following new article: Article V-Stretch Energy Code.

41. Ordinance: An Ordinance Amending Appendix C- Zoning of the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City Council of the City of Brockton as follows: Chapter 27, Articles XIII, Definitions, Sec. 27-61, Generally, is hereby amended.

42. Ordered: That pursuant to the provisions of M.G.L. ch. 44, sec. 53A, the City Council hereby authorizes the acceptance and expenditure of the donation from CDM Smith made to the Department of Public Works. The list of donated items is going to be discarded by CDM Smith.

43. Ordered: That pursuant to the provisions of M.G.L. Ch. 44, sec. 53A, the City Council hereby authorizes the acceptance and expenditure of the donation of $8,668.98 from Brophy and Phillips to: City of Brockton-Planning and Economic Development Department to replace the existing swing set and slide/climbing equipment at the Ashfield School.

44. Appropriation of $9,000.00.
From: Un-appropriated Estimated Receipts- Ordinary Revenue FY2017
To: Council on Aging Personal Services Other Than Overtime.
(To allow the hiring of a full time staff assistant for the final three quarters of the Fiscal Year.)

45. Appropriation of $25,000.
From: The Executive Office of Housing and Economic Development Commonwealth Community Compact Grant Program.
To: City of Brockton Planning and Economic Development-Commonwealth Community Compact Grant Fund.

46. Resolve: That the Brockton City Council opposes lifting the cap on Commonwealth Charter Schools.

47. Resolve: That the Mayor, Police Chief, Fire Chief, City Solicitor, Board of Health Director, and other relative City employees, appear before the Finance Committee to discuss the recent actions taken by the City to vacate "Tent City" on privately-owned property.

48. Resolve: That the City's CFO and Treasurer appear before the Finance Committee to discuss the practice and procedure of credit-card authorization and usage by certain City employees.

In City Council, July _____ , 2016

AN ORDINANCE AMENDING CHAPTER XXVII OF THE

REVISED ORDINANCES OF THE CITY OF BROCKTON

Be it ordained by the City Council as follows:

Chapter 27 of the Revised Ordinances of the City of Brockton is hereby amended by amending the Zoning District Map of the vicinity on the southerly side of Belmont Street, being more particularly defined as follows: Map 19 Route 16 Plot 76-3, Map 19 Route 17 Plot 1, Map 19 Route 15 Plot 76, Map 19 Route 14 Plot 74-1, Map 19 Route 13 Plot 74, Map 20 Route 40 Plot 71-16, Map 20 Route 39 Plot 71-19, Map 20 Route 38 Plot 71-13, Map 20 Route 37 Plot 71, Map 20 Route 36 Plot 71-8, Map 20 Route 35 Plot 71-3, Map 20 Route 8 Plot 71-2, Map 20 Route 7 Plot 71-7. Said proposed change to be from C-1 Neighborhood Commercial Zone to C-2 General Commercial Zone. Said proposed change is shown on "EXHIBIT A" attached hereto.

Councilor Dennis Eaniri

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CITY CLERK'S OFFICE
BROCKTON MA

MAP	ROUTE	PLOT	ADDRESS
19	16	76-3	854 BELMONT ST.
19	17	1	854 BELMONT ST.
19	15	76	846 BELMONT ST.
19	14	74-1	838 BELMONT ST.
19	13	74	826 BELMONT ST.
20	40	71-16	810 BELMONT ST.
20	39	71-19	806 BELMONT ST.
20	38	71-13	794 BELMONT ST.
20	37	71	784 BELMONT ST.
20	36	71-8	776 BELMONT ST.
20	35	71-3	776 BELMONT ST.
20	8	71-2	758 BELMONT ST.
20	7	71-7	756 BELMONT ST.

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City of Brockton - Zoning Map - Section 3

Brockton

Zone Designation

- R-1-A (Single-Family Residential)
- R-1-B (Single-Family Residential)
- R-1-C (Single-Family Residential)
- R-2 (Multi-Family Residential)
- R-3 (Multi-Family Residential)
- C-1 (Neighborhood Commercial)
- C-2 (General Commercial)
- C-3 (Central Business)
- C-5 (Office Commercial)
- C-7 (Sports & Convention)
- C-8 (Highway Commercial)
- I-1 (Industrial Park)
- I-2 (General Industrial)
- I-3 (Heavy Industrial)

Accurate as of 2014

Please Contact Brockton Building Department for Zone Boundary Confirmation

In City Council, July 25, 2016

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Dennis Eaniri
Councillor

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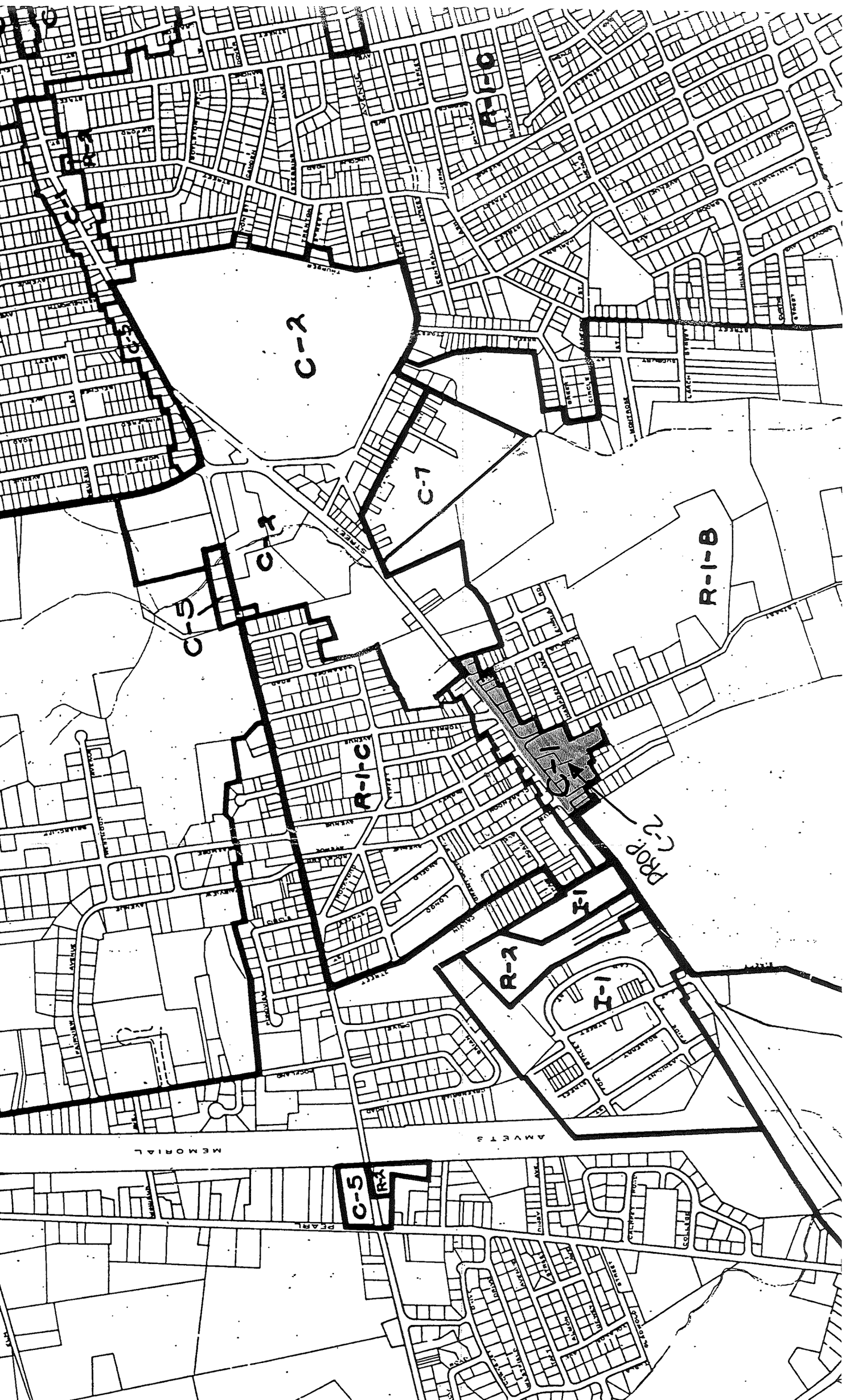
C-2
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MEMORIAL
AMVETS
PEARL