

1. Acceptance of the minutes of the October 24, 2016 City Council meeting.

APPOINTMENTS:

2. Appointment of Mary Milligan as a Parking Clerk for the City of Brockton.
3. Reappointment of Daniel Campbell as a Constable in the City of Brockton for a term of three years.
4. Reappointment of Marylynn Peters Chu to the position of City Auditor for the City of Brockton for a three (3) year term ending December 2019.

HEARINGS:

5. Petition of Gary Thompson DBA ETA Automotive Repairs, for a Motor Vehicle Repair Mechanical License located at 287 North Montello St., Unit, Brockton, MA
6. Petition of Wain John, DBA M-Style Motorsports, for a Motor Vehicle Repair Mechanical License located at 287 North Montello St., Units 5 & 6, Brockton, MA
7. Petition of MAG RETAIL HOLDINGS-HND, LLC, Matthew McGovern, for a Motor Vehicle Repair Mechanical License located at 300 Manley St., Brockton, MA
8. Petition of MAG RETAIL HOLDINGS-HYN, LLC, Matthew McGovern, for a Motor Vehicle Repair Mechanical License located at 300 Manley St., Brockton, MA
9. Petition of Phong Tat and Derek Tat for a Garage License located at 772 North Main St. Brockton MA.
10. Petition of Phong Tat and Derek Tat, Champion Auto Glass for a Motor Vehicle Repair Mechanical License located at 772 North Main St., Brockton MA.

REPORTS:

11. Of the Public Safety Committee for its meeting of November 2, 2016.
12. Of the Finance Committee for its meeting of November 7, 2016.

COMMUNICATIONS:

13. From the Mayor relative to the appointment of Mary Milligan as Parking Clerk for the City of Brockton.
14. From the Mayor in accordance with the Revised Ordinances of the City of Brockton Ch. 2, Section 2-186 relative to the appointment of Megan Bridges to the position of Assistant City Solicitor- Part Time for a three year term, effective November 21, 2016.
15. From the City Solicitor requesting an additional appropriation of \$25,000 to fund the estimated costs of consultant to the Worker's Compensation Agent.
16. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the appropriation of \$25,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Law Department-

Ordinary Maintenance-Services. (to fund the estimated costs of consultant to the Worker's Compensation Agent).

17. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$25,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Law Department-Ordinary Maintenance-Services.
18. From the Chief of the Police Department requesting an appropriation of \$350,000 for a supplemental appropriation to the Police Department Overtime Account.
19. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the appropriation of \$350,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Police Personal Services Overtime. (To provide funding to restore the reduction of \$100,000 in Police Chief's overtime request made in the mayor's budget submission and to restore the reduction of \$250,000 from the mayor's recommendation made by the City Council for a total additional funding of \$350,000.)
20. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$350,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Police Personal Services Overtime.
21. From the Superintendent of Schools requesting a supplemental appropriation of \$367,000 to the School Department's FY2017 Non-Net School spending budget to meet the current needs of the system.
22. From the Mayor in accordance with M.G.L. , Ch. 44, recommending that the City Council authorize the appropriation of \$367,000 from Non Net School Spending, in order to provide Additional funding for the transportation of School children for the fiscal year.
23. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$367,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Non Net School Spending.
24. From the Chairman of the Board of Assessors requesting an appropriation of \$50,000 to fund the costs of commercial appraisal services for 540 Westgate Drive and 235 North Pearl Street (Steward Good Samaritan Hospital). These studies are recommended by the DOR.
25. From the Mayor in accordance with M.G.L. , Ch. 44, recommending that the City Council authorize the appropriation of \$50,000 from Un-appropriated Estimated Receipts FY2017 of the General Fund to Assessor's Department Ordinary Maintenance-Services (in order to fund the costs of commercial appraisal services for 540 Westgate Drive and 235 North Pearl Street (Steward Good Samaritan Hospital). These studies are recommended by the DOR.
26. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$50,000 from Un-appropriated Estimated Receipts FY2017 of the General Fund to Assessor's Department Ordinary Maintenance-Services.
27. From the Executive Health Officer requesting acceptance and expenditure of a grant award in the amount of \$7,781.52 from Massachusetts Department of Public Health, Region #5-Massachusetts Association of Health Boards (MAHB) Grant to City of Brockton Board of Health-Massachusetts

Association of Health Boards (MAHB) Grant Fund. (To build the level of volunteers and other activities for our area Medical Reserve Corp).

28. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of a grant award in the amount of \$7,781.52 from Massachusetts Department of Public Health, Region #5-Massachusetts Association of Health Boards (MAHB) Grant to City of Brockton Board of Health-Massachusetts Association of Health Boards (MAHB) Grant Fund. (to build the level of volunteers and other activities for our area Medical Reserve Corp).
29. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of a grant award in the amount of \$7,781.52 from Massachusetts Department of Public Health, Region #5-Massachusetts Association of Health Boards (MAHB) Grant to City of Brockton Board of Health-Massachusetts Association of Health Boards (MAHB) Grant Fund.
30. From the Chief Financial Officer requesting additional funding of \$20,000 that was not budgeted in the FY2017 budget, to hire a Financial Analyst and to fill the position of Budget Director and also authorization to hire the Budget Director at step II.
31. From the Mayor in accordance with M.G.L. , Ch. 44, recommending that the City Council authorize the appropriation of \$20,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Finance Department- Personal Services other than overtime, in order to provide funding for the additional position of Financial Analyst and to provide funding to hire for Budget Director at step II.
32. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$20,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to Finance Department- Personal Services Other Than Overtime.
33. From the City Auditor requesting an appropriation for fund deficits to raise prior to setting the tax rate in the total amount of \$73,037.87, as follows;

FY2016 Court Judgements	\$62,904.30
Roof Repair Fund 4309	\$632.46
FY2015 911 Grant Fund 3306	\$3,381.43
FY2013 911 Grant Fund 3278	\$6,119.68
34. From the Mayor in accordance with M.G.L. Chapter 44 recommending that the City Council authorize the appropriation of \$73,037.87, as follows;

From: Un-appropriated Estimated Receipts of the General Fund for FY2017	\$73,037.87
To: FY2016 Court Judgements	\$62,904.30
Roof Repair Fund 4309	\$632.46
FY2015 911 Grant Fund 3306	\$3,381.43
FY2013 911 Grant Fund 3278	\$6,119.68

(in order to eliminate various fund deficits).
35. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$73,037.87, from Un-appropriated Estimated Receipts of the General Fund for FY2017 to various fund deficits.
36. From the Department of Public Works requesting \$2 million dollars to fund inspection of 7 miles transmission mains from Silver Lake Water Treatment Plant to Browns Crossing Pump Station and to rehabilitate the seven existing crossover locations.

37. From the Mayor in accordance with M.G.L. Chapter 44 recommending that the City Council authorize the appropriation of \$2,000,000 in order to provide funding through borrowing said amount to pay costs of inspecting and rehabilitating 7 miles of the parallel 24 inch transmission mains from Silver Lake Water Treatment Plant to the Browns Crossing Pump Station.
38. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990 certifying the proposed appropriation and loan order of \$2,000,000 for purposes of performing inspections and rehabilitation of the twin transmission mains from the Silver Lake Water Treatment Plant provided that the City Council adopt and the Mayor approve water rate increases in addition to those already scheduled by ordinance within the next six months. This is a conditional certification which must be placed on the front of the order if it is approved. Additionally, rate increases needed are two; one of 10% on July 1, 2017, which is essential, and one of 5% on July 1, 2019 which is recommended. These are in addition to three increases already scheduled for 10% on January 1, 2017, 10% on January 1, 2018 and 2.5% on January 1, 2019. The present water rates are inadequate to provide revenue sufficient to pay for the water system's operating and fixed costs at current service levels while also providing for capital project financing and reimbursing the General Fund for expenses it has borne on behalf of the water fund. These unpaid costs amount to nearly \$2,000,000.
39. From the Mayor in accordance with M.G.L. , Ch. 44, recommending that the City Council authorize the appropriation of \$102,000 from Un-Appropriated Estimated Receipts of the General Fund for FY2017 to Stabilization Fund. In order to make final appropriations prior to the setting of the FY2017 tax rate.
40. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$102,000 from Un-Appropriated Estimated Receipts of the General Fund FY2017 to Stabilization Fund..
41. From the Mayor in accordance with M.G.L., Ch. 44, in addition to his request dated November 8 for an appropriation of \$102,000 to the Stabilization Fund, he recommends that the City Council authorize the further additional appropriation of \$635,000 from Un-Appropriated Estimated Receipts of the General Fund for FY2017 to Stabilization Fund to more fully appropriate the annual allowable 2.5 % growth in the tax levy for this fiscal year as permitted under Proposition 2 ½ ..
42. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$635,000, in addition to the \$102,000 separately requested on November 8, from Un-Appropriated Estimated Receipts of the General Fund FY2017 to Stabilization Fund.
43. From the Building Department requesting an appropriation of \$50,000 for the rehabilitation of the elevator at City Hall.
44. From the Mayor in accordance with M.G.L. Ch.44 authorizing the appropriation of \$50,000 from Un-appropriated Estimated Receipts of the General Fund for FY 2017 to the Public Property Capital-Elevator Repair in order to provide funding in addition to the \$115,000 appropriated in the FY 2017 budget, as this added funding is necessary to perform the project as estimated.
45. From the CFO in accordance with Sec. 5 of Ch.324 of the Acts of 1990 certifying the proposed appropriation of \$50,000 from Un-appropriated Estimated Receipts of the General Fund for FY 2017 to the Public Property Capital-Elevator Repair.

46. From the Director of Planning and Economic Development submitting the proposed HDIP Tax Increment Exemption Agreement for the market rate housing development proposed for 47 Pleasant Street.
47. From the Mayor in accordance with M.G.L. Ch.44, recommending that the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 47 Pleasant St., between the City and 47 Pleasant St. Realty Trust.
48. From the CFO in accordance with Sec. 5 of Ch.324 of the Acts of 1990 certifying the proposed approval of the HDIP Tax Increment Exemption Agreement between the City and 47 Pleasant St. Realty Trust.
49. From the Fire Department requesting the re-establishment of a revolving account for Reimbursable Overtime. The estimated total reimbursable overtime in a given fiscal year would be \$70,000 and a revolving account funded at that level should be sufficient.
50. From the Mayor in accordance with M.G.L. recommending the appropriation of \$70,000 from Un-appropriated Estimated Receipts of the General Fund for FY2017 to the Fire Department Personal Services-Overtime, in order to provide added funding for overtime such as Hazardous Material Team Response and Training, 911 Emergency Dispatch Training, and training for the Plymouth County Technical Response Team.
51. From the CFO in accordance with Sec. 5 of Ch.324 of the Acts of 1990 certifying the proposed appropriation of \$70,000 for Fire Department Overtime.
52. From the Director of Planning and Economic Development submitting the proposed HDIP Tax Increment Exemption Agreement for the market rate housing development proposed for 93 Centre Street. The local exemption is one of two incentives for the development of market rate housing in Gateway Cities. The second incentive is State Tax Credits awarded by DHCD.
53. From the Mayor in accordance with M.G.L. Ch.44, recommending that the City Council Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE) for the market rate housing development of 93 Centre Street, between the City and Youmar Realty Trust.
54. From the CFO in accordance with Sec. 5 of Ch.324 of the Acts of 1990 certifying the proposed approval of the HDIP Tax Increment Exemption Agreement between the City and Youmar Realty Trust for 93 Centre St.

UNFINISHED BUSINESS:

55. Petition of Yeuheni Mychko DBA Solid Auto Care Corp. for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit A-B, Brockton, MA (FAVORABLE AS STIPULATED)
56. Petition of Bernard Joseph DBA J & B Auto Repair & Frame Works for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit C & D, Brockton, MA. (FAVORABLE AS STIPULATED)
57. Petition of Ronald Homere DBA Bernado and Ron Auto Repair for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit E, Brockton, MA. (FAVORABLE AS STIPULATED)
58. Petition of Rowland Okafor DBA Rowland Automotive for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit F, Brockton, MA. (FAVORABLE AS STIPULATED)

59. Petition of Afro Rosa DBA A&J Auto Repair and Diagnostic for a Motor Vehicle Repair Mechanical License located at 955 Montello St., Unit 1, Brockton, MA.
(FAVORABLE AS STIPULATED)
60. Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Mechanical License located at 189 Clinton St., Brockton, MA.
(FAVORABLE AS STIPULATED)
61. Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Body License located at 189 Clinton St., Brockton, MA.
(FAVORABLE AS STIPULATED)
62. Petition of Pires Brothers Auto Repair, Inc., 15 Poole Ave., Brockton, MA 02301, for a Motor Vehicle Repair Mechanical License located at 50 Meadowbrook Rd., Unit 2, Brockton, MA.
(FAVORABLE AS STIPULATED)
63. Petition of George Ayoub DBA Abington Gas & Auto Sales, Inc. for a Motor Vehicle Repair Mechanical License located at 1100 North Montello St., Brockton, MA. (FAVORABLE AS STIPULATED)
64. Petition of Rene Ramos DBA Quick & Clean AutoCare for a Motor Vehicle Repair Mechanical License located at 287 North Montello St., Unit 2, Brockton, MA. (FAVORABLE AS STIPULATED)
65. Petition of Guerreiro & Bota, Inc., Hobacio Bota, for a Garage License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA.
(FAVORABLE AS STIPULATED)
66. Petition of Jorge Joao Fortes, Jr. DBA Classic Auto Repair for a Motor Vehicle Repair Mechanical License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA. (FAVORABLE AS STIPULATED)
67. Petition of A & Fren Inc., Sunny Aroustamian, for a Motor Vehicle Repair Body License located at 640-644 Belmont St., Brockton, MA (FAVORABLE)
68. Renewal Petition of Gamestop, Inc. for a Second Hand Articles License at 715 Crescent Street. (FAVORABLE)
69. Renewal Petition of Gamestop, Inc. for a Second Hand Articles License at 200 Westgate Drive. (FAVORABLE)
70. Petition of Romm Jewelers for a renewal of Second Hand Precious Metals and Gems License located at 1280 Belmont Street. (UNFAVORABLE)
71. Petition of Celia Insurance Agency to suspend an awning at 84 West Elm St. (FAVORABLE)
72. Ordered: Acceptance and expenditure of a grant in the amount of \$40,500. From the Massachusetts Department of Environmental Protection- Recycling Dividend & Small-Scale Initiative Grant (RDP)
To the City of Brockton Public Works Refuse Division-Recycling Dividend and Small-Scale Initiative Grant Fund. (FAVORABLE)
73. Ordered: Acceptance and expenditure of a grant in the amount of \$88,500 From Massachusetts Department of Environmental Protection-Massachusetts Electric Vehicle Incentive Program (MASS EVIP) Phase III Program
To the City of Brockton Department of Public Works- Massachusetts Electric Vehicle Incentive (MASS EVIP) Phase III Program Grant Fund. (FAVORABLE)

74. Resolve: to invite Mr. George Durante, the Transformative Development Initiative (TDI) Fellow from Mass Development to discuss the first six months of his accomplishments in the three year project . (FAVORABLE)
75. Resolved, that the Director of the Brockton Council on Aging and Member Richard Bath be invited to appear before a committee of this Council to discuss the possible expansion of the Council on Aging facilities. (FAVORABLE)
76. Resolve: The Mayor or his designee, the Police Chief and Fire Chief or their designees, the Chairman of the License Commission or his designee, the Executive Director of the Board of Health, and the Superintendent of Buildings be invited to appear before a committee of the City Council to discuss ongoing code enforcement activities, available staffing, as well as specific objectives for the next fiscal year. (FAVORABLE)

ORDERS:

77. Ordinance: An ordinance amending Chapter 19, Section 19-1, composition of the Brockton Police Department superior officers with respect to Sec.19-1(c) "Sergeants," from twenty (20) sergeants to twenty-four (24) sergeants.
78. Ordinance: An Ordinance amending Chapter 2 of the Revised Ordinances, Section 11-211 is hereby amended by adding a limit on the number of licenses.
79. Ordered: That the sum of \$2,000,000 is appropriated to pay costs of inspecting and rehabilitating 7 miles of the parallel 24 inch transmission mains from the Silver Lake Water Treatment Plant to the Browns Crossing Pump Station, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under the pursuant to Ch. 44 and/or Ch.29C of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Sec. 1 of Ch. 29C; that the Treasurer with approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the("Trust")) established pursuant to Ch.29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; to expend all funds available for the project and to take any other action necessary to carry out the project. Further Ordered: Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Ch. 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. 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.
80. Appropriation of \$25,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Law Department-Ordinary Maintenance-Services.

81. Appropriation of \$350,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Police Personal Services Overtime.
82. Appropriation of \$367,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Non Net School Spending.
83. Appropriation of \$50,000
From: Un-appropriated Estimated Receipts FY2017 of the General Fund
To: Assessor's Department Ordinary Maintenance-Services
84. Appropriation of \$20,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Finance Department-Personal Services Other Than Overtime.
85. Appropriation of a grant award in the amount of \$7,781.52
From: Massachusetts Department of Public Health, Region #5-Massachusetts Association of Health Boards (MAHB) Grant
To: City of Brockton Board of Health-Massachusetts Association of Health Boards (MAHB) Grant Fund.
86. Appropriation of \$102,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Stabilization Fund
87. Appropriation of \$50,000
From: Un-appropriated Estimated Receipts of the General Fund for FY 2017
To: Public Property Capital-Elevator Repair
88. Appropriation of \$73,037.87
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
\$73,037.87
To: FY2016 Court Judgments \$62,904.30
Roof Repair Fund 4309 \$632.46
FY2015 911 Grant Fund 3306 \$3,381.43
FY2013 911 Grant Fund 3278 \$6,119.68
89. Appropriation of \$635,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Stabilization Fund
90. Appropriation of \$70,000
From: Un-appropriated Estimated Receipts of the General Fund for FY2017
To: Fire Department Personal Services-Overtime,
In order to provide added funding for overtime such as Hazardous Material Team Response and Training, 911 Emergency Dispatch Training, and training for the Plymouth County Technical Response Team.
91. Resolve: That the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 93 Centre St., between the City and Youmar Realty Trust.
92. Resolve: The City Council of the City of Brockton requests the city's legislative delegation to file and support legislation which would allow communities with an enrollment of ten thousand (10,000) students to file a preliminary enrollment report on October 1st of each calendar year so as to assure the proper level of state aid for the support of the school district.

93. Resolve: That the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 47 Pleasant St., between the City and 47 Pleasant St. Realty Trust.
94. Resolve: To invite Sgt. Brenda Perez and the recently hired Crime Analyst, to present their findings and progress on the study that began in April 2016 for the city of Brockton.
95. Resolve: To invite Fire Chief to appear before a Committee of this Council to review expenditure for granite from the Fire Department Budget and to bring with him any and all documents related to such expenditure, including any supporting contract.
96. Resolve: That the City Auditor appear before a Committee of the City Council to review required auditing procedures and, that the City Auditor is authorized and directed to implement policies and procedures to account for proper recording of data, processing of payments, and expenditure of funds; further, that all departments, boards, and commissions are to adhere to the policies and procedures.
97. Resolve: That the Mayor be invited to appear before a Committee of this Council to review the expenditure for payment tuition and other fees for the Mayor at Massasoit Community College from the City Budget and to bring with him any and all documents related to such expenditure, including any supporting authorization for such expenditure.