

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:00pm with nine members being present. Councillor DuBois and Stewart absent.

In City Council, November 24, 2014

Council President Sullivan wished a friend of the City of Brockton, Mary Mucci, a happy birthday. It was on Wednesday and she turned 92.

Councillor Barnes takes a moment of personal privilege to acknowledge Lynne Smith, a Representative of the Holiday Parade Committee and asked her to say a few words regarding the upcoming events. Miss Smith, a volunteer of John Merian's, spoke about James Edgar's role in creating the 1<sup>st</sup> store Santa. The festivities start on Friday November 28, 2014 with the Santa Hat Challenge and tree lighting. There will also be a craft of garland making and songs will be sung. On Saturday November 29<sup>th</sup> at 9am, a treasure hunt will start at the library by picking up a map. The residents can learn about Brockton's history. At 10am, at the City Hall, the Video for Vets will be shown. Also, there will be a food court on Main St. Saturday is also small business Saturday. At 1pm, the parade will proceed and that night at Massasoit, A Christmas Carol will have its opening night. She thanked all the businesses and people involved in making the holiday parade and festivities come together.

#### **APPOINTMENTS:**

- 554** Of Joao De Andrade of 327 Boylston St., Brockton to the Brockton License Commission for a three year term ending November 2017.

Referred to Finance

#### **HEARINGS**

Petition of Dinesh Patel for an Underground Storage License located at 500 Pleasant St (IN CITY COUNCIL, NOVEMBER 10, 2014, POSTPONED)

Councillor Cruise motioned to postpone and was properly seconded. The motion carried by a hand vote.

Petition of Jose A. Correia DBA Ram Collision Auto Repair for a Motor Vehicle Repair Mechanical/Body License located at

Jose Correia appeared in favor. Councillor Studenski questioned the objections of the Body License. A neighbor appeared and had concerns regarding the hours of operation. Councillor Studenski motioned to grant the license with the following stipulations and was properly seconded.

1. Hours of Operation Monday thru Friday from 8am-8pm; Saturdays from 8am-6pm; No Sundays. Not to be open on Federal Holidays.
2. The maximum number of vehicles associated with this business to be on the premises during the day will be 15, including employee and customer vehicles as well as vehicles in need of repair and any vehicle related to accessory businesses associates with the license.
3. The maximum number of vehicles to be stored outside overnight is 10. This includes all vehicles associated with any business operated by the license holder on this property including any business such as used car sales.
4. No outside storage of automotive parts and/or products such as oil, grease, gasoline, etc.
5. No outside coin operated machines including but not limited to pay phones and vending machines.

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**HEARINGS (cont'd)**

6. The property shall be kept clean and neat and free of debris at all times.
7. No painting, priming, or bonding until such time as the proper equipment has been installed and approved by the Brockton Fire Department.
8. The license shall not be issued by the City Clerk until the Building Inspector shall provide written confirmation that the following conditions have been satisfied:

A gas trap, as requires by the Building Department, shall be installed.

A dumpster and concrete pad with screening fence shall be installed.

Councillor Barnes questioned the petitioner if he was familiar with the stipulations and if he was ok with them? The petitioner stated that he understood the stipulations and that he is ok with them. Councillor Studenski stated that he had spoken to Mr. Correia and that he had a business for 11 years in a different location. Councillor Studenski motioned to come back to item 3 and continue at the end of the meeting and was properly seconded. The motion carried by a hand vote.

Councillor Studenski motioned to amend the stipulations he had made to change the hours of operation to Monday thru Friday, 7am-6pm and was properly seconded. Granted as amended, by a hand vote.

**REPORTS**

- 555** Of the Finance Committee for its meeting of November 17, 2014

Accepted and placed on file.

**COMMUNICATIONS**

- 556** From the Mayor submitting a letter of resignation of Jane Moynihan as an alternate from the Brockton Council on Aging.

Accepted and placed on file.

Councillor Rodrigues stepped down.

- 557** From the Interim Chief of Police requesting an additional appropriation of \$310,000.00 for overtime funds (for the restoration of foot patrols, provide traffic and pedestrian safety patrols, and continue providing adequate coverage during periods where there is a high volume of calls for service).

Accepted and placed on file.

- 558** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize an appropriation of \$310,000 from Unappropriated Estimated Receipts of FY2015 to Police Department: Personal Services-Overtime (to provide Police foot patrols and other recurring coverage). The funding for this appropriation is available due to a higher than originally budgeted for Tax Levy from new growth. In order for this funding source to be used, it must be appropriated before we set the FY15 tax rate.

Councillor Studenski stepped down.

Accepted and placed on file.

## COMMUNICATIONS (cont'd)

- 559** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$310,000 from Unappropriated Estimated Receipts from FY2015 Tax Levy to Police Department: Personal Services-Overtime

Accepted and placed on file.

- 560** From the Mayor in accordance with M.G.L., recommending that the City Council approve the Solar Power and Services Agreement between SunEdison Origination1, LLC and the City of Brockton

Accepted and placed on file.

- 561** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed approval of the Solar Power and Services Agreement between the city and SunEdison Origination1, LLC

Accepted and placed on file.

Councillor Studenski stepped back in.

## UNFINISHED BUSINESS

- 537** Appointment of Donald Wayne Dobbins, 21 Hemlock St., Brockton as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councillors DuBois, Rodrigues and Stewart absent.

- 551** Appropriation of: \$560,000  
From: Unappropriated Estimated Receipts of FY2015  
To: Fire Department: Personal Services-Overtime \$250,000.00  
(for the purpose of reopening Tower Company 1/Engine 10 for the remainder of FY2015).

AND

To: Police Department: Personal Services-Overtime \$310,000.00  
during periods where there is a high volume of calls for service, and any other recovering coverage). (FAVORABLE AS AMENDED)

The amendment passed by a hand vote. Adopted, as amended, by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councillors DuBois, Rodrigues and Stewart absent. Councillor DeNapoli motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 544** Communication: From the Director of Planning and Economic Development stating that the City of Brockton has been designated as a Gateway Community by the Commonwealth and that the Commonwealth has implemented the Housing Development Incentive Program (“HDIP”) to encourage the development of market rate housing in Gateway Communities through state tax credits to qualified development projects. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councillors DuBois, Rodrigues and Stewart absent.

- 562** Ordered: That the City Council authorize the approval of the Solar Power and Services Agreement between SunEdison Origination1, LLC and the City of Brockton.

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**ORDERS (cont'd)**

Referred to Finance

- 563** Appropriation: Of: \$310,000  
From: Unappropriated Estimated Receipts of FY2015  
To: Police Department: Personal Services-Overtime  
(to provide Police foot patrols and other recurring coverage).

Referred to Finance

Councillor Studenski motioned to take the following two petitions off of table and was properly seconded. The motion carried by a hand vote.

Petition of MA Electric Company and Verizon New England, Inc. requesting a 35 ft class 4 pole, down guy, and anchor with a 8 ft. lead. Pole and anchor will be located on town property on the north side of Merton St. Pole will be labeled 10-84 (IN CITY COUNCIL, OCTOBER 27, 2014, CONTINUED TO NEXT COUNCIL MEETING)

William Matthews, Jr. appeared on behalf of National Grid. Lillian Canfield, of 96 Merton St., also appeared in favor. Councillor Cruise questioned if they were able to move the location of the pole from in front of Lillian's picture window. Mr. Matthews said they were able to move the pole. No one was in opposition. Hearing held.

Petition of MA Electric Company and Verizon New England, Inc. requesting a 35 ft class 4 pole, down guy, and anchor with a 6 ft. lead. Pole and anchor will be located on town property on the west side of Blossom Street. New pole will be labeled Pole 69-84. (IN CITY COUNCIL, OCTOBER 27, 2014, CONTINUED TO NEXT COUNCIL MEETING)

William Matthews, Jr. appeared on behalf of National Grid. Councillor DeNapoli questioned the location of the pole. Mr. Matthews stated that the pole location is on Court St. No one was in opposition. Hearing held.

Councillor Rodrigues stepped back in.

The two petitions were granted by a hand vote.

Councillor Rodrigues takes a moment of personal privilege to let everyone know that there was a volcano eruption in Fogo, Cape Verde that caused millions in damage and approximately 12,000 people lost everything. The Cape Verdean Association wants to help them and during the next week, they will be taking monetary donations and canned goods. If making out a check, make it out to the Cape Verdean Association and in the memo, put for volcano victims.

Councillor Sullivan stated that today was a good day for the city of Brockton with the college collaborative in the downtown. He thanked the current Mayor Bill Carpenter and also, Mayor Yunits, Mayor Harrington, and former Mayor Balzotti as well. They all worked tirelessly toward this effort. He also congratulated Brockton High Students. In the history of Brockton High, there have never been so many Abigail and John Adams scholarship winners. There were 314 winners this year.

Finance Committee will meet on Monday night and on Wed., December 3, 2014 the Joint Meeting with the Mayor and School Committee will meet at 6:30pm at the South Middle School.

Adjourned at 8:30pm