

A regular meeting of the City Council was held in the Council Chambers with Councillor Eaniri presiding. The meeting was called to order at 8:00pm with eleven members being present.

In City Council, March 23, 2015

**APPOINTMENTS**

**103** Of Kevin E. Hughes, 101 Hammond St., Brockton as a Constable in the City of Brockton for a term of three (3) years.

Referred to Finance

**104** Of Jonathan C. Cronshaw, 114 Lewiston St., Brockton as a Constable in the City of Brockton for a term of three (3) years.

Referred to Finance

**105** Of James C. Doucette, 260 Torrey St., Brockton as a Constable in the City of Brockton for a term of three (3) years.

Referred to Finance

**REPORTS**

**106** Of the Ordinance Committee for its meeting of March 10, 2015.

Accepted and Placed on file

**107** Of the Finance Committee for its meeting of March 16, 2015.

Accepted and Placed on file

**COMMUNICATIONS**

**108** From the District Treasurer of the Southeastern Regional School District in accordance with the provisions of Chapter 489, Acts of 1963, as amended and of Section 16B, Ch. 71 of the M.G.L., as amended January 2, 1982, and in consideration of the vote and action of the Southeastern Regional School District Committee as of March 10, 2015, whereby the budget of Fiscal Year 2016 was approved, certifying that the amount to be apportioned to the City of Brockton for its share of capital and operating costs of the Southeastern Regional School District for the fiscal period beginning July 1, 2015, is \$3,133,097. The assessment is to be paid in four equal quarterly installments due September 1, 2015; December 1, 2015; March 1, 2016; and June 1, 2016.

Accepted and Placed on file

**109** From the Mayor appointing John Crowley as permanent Police Chief effective March 6, 2015.

Accepted and Placed on file

**110** From Peter G. Asiaf, Jr., submitting a letter of resignation from the Brockton Housing Authority as of March 1, 2015.

Accepted and Placed on file

## COMMUNICATIONS (cont'd)

- 111** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990 certifying the proposed amendment to the Revised Ordinances of the City of Brockton, Sections 2-186 and 2-188, in order to provide for the position of a full time senior assistant City Solicitor and Section 2-127 to provide a salary structure for the senior assistant City Solicitor title. The proposal has substantive merit. The FY15 budget also has sufficient funds to pay for the added salary due to position vacancies. The added cost in future budgets, about \$20,000 per year, in difference between a full-time assistant City Solicitor and a full time senior assistant City Solicitor is not significant and could be absorbed at current funding depending on how many full time and part time assistants comprise the staff.

Accepted and Placed on file

- 112** From the DPW Commissioner requesting that the City Council authorize Mayor Bill Carpenter to enter into a Sustainable Materials Recovery Program Municipal Grant with the Commonwealth of Massachusetts, Department of Environmental Protection Agency, for the purpose of a Targeted Small Scale Initiative for total grant value of \$2,000.00 and authorize the Mayor, by and through the Commissioner of Public Works to expend the Grant for Recycling Materials in accordance with the terms and conditions of said agreement.

Accepted and Placed on file

- 113** From the Mayor recommending that the City Council authorize the acceptance of the Massachusetts Department of Environmental Protection (MASSDEP) Sustainable Materials Recovery Program Municipal Grant of \$2,000 to Refuse Department-Recycling Containers Grant Fund.

Accepted and Placed on file

- 114** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance of the grant from Massachusetts Department of Environmental Protection (MASSDEP) Sustainable Materials Recovery Program Municipal Grant of \$2,000 to Refuse Department-Recycling Containers Grant Fund.

Accepted and Placed on file

- 115** From the Executive Director of the Parking Authority requesting a transfer of \$165,000 from the Parking Authority Meter Reserve Account to Snow Removal. These expenses were incurred in snow plowing, sanding and snow removal from the city-owned and leased lots and the Adams Parking Garage. (in order to fund the shortfall in snow removal for Fiscal 2015).

Accepted and Placed on file

- 116** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$165,000 from Parking Meter Reserve Fees to Parking Authority Snow Removal (in order to cover the shortfall in Fiscal 2015 plowing, sanding and removal of snow for the Parking Authority).

Accepted and Placed on file

- 117** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$165,000 from Parking Meter Reserve Fees to Parking Authority Snow Removal

Accepted and Placed on file

## COMMUNICATIONS (cont'd)

- 118** From the Executive Director of the Parking Authority requesting a transfer of \$95,000 from the Parking Authority Meter Reserve Account to Consulting. The study is needed to assess the need for additional parking to accommodate planned development, and to arrive at a comprehensive parking management plan to develop the parking required. (in order to fund a comprehensive parking study for the downtown area).

Accepted and Placed on file

- 119** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$95,000 from the Parking Meter Reserve Fees to Parking Authority-Ordinary Maintenance Services in order to fund a comprehensive parking study for the downtown area. The study is needed to assess the need for additional parking to accommodate planned development, and to arrive at a comprehensive parking management plan to develop the parking required.

Accepted and Placed on file

- 120** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$95,000 from the Parking Meter Reserve Fees to Parking Authority-Ordinary Maintenance Services

Accepted and Placed on file

- 121** From the Superintendent of Buildings requesting a transfer of \$15,000 from Building Department-Personal Services Other than Overtime to Building Department-Overtime due to 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 hour inspectional services.

Accepted and Placed on file

- 122** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$15,000 from Building Department-Personal Services Other than Overtime to Building Department-Overtime due to 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 hour inspectional services.

Accepted and Placed on file

- 123** 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-Personal Services Other than Overtime to Building Department-Overtime

Accepted and Placed on file

- 124** From the Chief of Police requesting authorization to expend grant monies related to the Executive Office of Public Safety & Security/Highway Safety Division's FY2015 Sustained Enforcement (STEP) Grant Program in the amount of \$150,000. Grant funds in the amount of \$149,000 will be used to pay for police overtime to conduct high visibility traffic enforcement of intersections with high volume of accidents and injuries during peak hours, and \$1,000 is to be used for overtime for data entry purposes.

Accepted and Placed on file

## COMMUNICATIONS (cont'd)

- 125** From the Mayor recommending that the City Council authorize the appropriation of the award in the amount of \$150,000 from the Massachusetts Executive Office of Public Safety and Security (EOPSS)/Highway Safety Division FY2015 Traffic Enforcement Grant to City of Brockton Police Department-EOPSS FY15 Traffic Enforcement Grant. (Grant funds in the amount of \$149,000 will be used to pay for police overtime to conduct high visibility traffic enforcement of intersections with high volume of accidents and injuries during peak hours, and \$1,000 is to be used for overtime for data entry purposes).

Accepted and Placed on file

- 126** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of the award of \$150,000 from the Massachusetts Executive Office of Public Safety and Security (EOPSS)/Highway Safety Division FY2015 Traffic Enforcement Grant to City of Brockton Police Department- EOPSS FY15 Traffic Enforcement Grant

Accepted and Placed on file

- 127** From the Interim Chief of Police requesting authorization to expend grant monies related to the FY2014 Dept. of Justice/Bureau of Justice Assistance Grant in the amount of \$130,399.00. These funds will be used to hire for research and evaluation services; hire social workers to assist in co-responding to family violence calls with the Brockton Police and clergy; police equipment, travel and training costs; overtime for police and grant fiscal management services. This award is shared with the towns of Plymouth and Wareham. Of the total, \$14,592 will be dedicated to the Town of Plymouth, and \$12,205 will be dedicated to the Town of Wareham. The City will receive \$103,602 for the stated purpose, of which \$13,039 is compensation for grant administration.

Accepted and Placed on file

- 128** From the Mayor recommending that the City Council authorize the appropriation of the award in the amount of \$130,399.00 from US Department of Justice/Assistance Grant to City of Brockton Police Department Justice Assistance Grant Fund. These funds will be used to hire for research and evaluation services; hire social workers to assist in co-responding to family violence calls with the Brockton Police and clergy; police equipment, travel and training costs; overtime for police and grant fiscal management services. This award is shared with the towns of Plymouth and Wareham. Of the total, \$14,592 will be dedicated to the Town of Plymouth, and \$12,205 will be dedicated to the Town of Wareham. The City will receive \$103,602 for the stated purpose, of which \$13,039 is compensation for grant administration.

Accepted and Placed on file

- 129** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of the award of \$130,399.00 from US Department of Justice/Justice Assistance Grant to City of Brockton Police Department Justice Assistance Grant Fund.

Accepted and Placed on file

- 130** From the Interim Chief of Police requesting authorization to expend grant monies related to the FY2015 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant in the amount of \$315,586.00. These funds will be used to backfill both ETD and police dispatcher wages incurred from 2/4/15-6/30/15 for any associated overtime costs to replace that same personnel as well as funds to install a new dispatch console for the Fire Department Dispatchers.

Accepted and Placed on file

## COMMUNICATIONS (cont'd)

- 131** From the Mayor recommending that the City Council authorize the appropriation of the award in the amount of \$315,586.00 from Massachusetts Executive Office of Public Safety and Security/State 911 Department/Answering Point and Regional Emergency Communication Center Support and Incentive Security/911 Department Grant to City of Brockton Police Department-Regional Emergency Communication Center Support and Incentive Grant Fund. These funds will be used to backfill both ETD and police dispatcher wages incurred from 2/4/15-6/30/15 for any associated overtime costs to replace that same personnel as well as funds to install a new dispatch console for the Fire Department Dispatchers.

Accepted and Placed on file

- 132** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of the award of \$315,586.00 from Massachusetts Executive Office of Public Safety and Security/State 911 Department/Answering Point and Regional Emergency Communication Center Support and Incentive Security/911 Department Grant to City of Brockton Police Department-Regional Emergency Communication Center Support and Incentive Grant Fund.

Accepted and Placed on file

- 133** From the Chief of Police requesting authorization to expend grant monies related to the Executive Office of Public Safety & Security's Year Seven of the FY15 Local Action Research grant in the amount of \$41,684.21 (The purpose of this grant is to hire outside contractor assistance to evaluate the work being done with Shannon Grant Funds for reducing youth and gang violence). No grant match is required.

Accepted and Placed on file

- 134** From the Mayor recommending that the City Council authorize the appropriation of the award in the amount of \$41,684.21 from Massachusetts Executive Office of Public Safety and Security (EOPSS) Year Seven of the Local Action Research Grant to City of Brockton Police Department- EOPSS FY15 Local Action Research Grant Fund. (The purpose of this grant is to hire outside contractor assistance to evaluate the work being done with Shannon Grant Funds for reducing youth and gang violence). No grant match is required.

Accepted and Placed on file

- 135** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of the award of \$41,684.21 from Massachusetts Executive Office of Public Safety and Security (EOPSS) Year Seven of the Local Action Research Grant to City of Brockton Police Department- EOPSS FY15 Local Action Research Grant Fund.

Accepted and Placed on file

- 136** From the Interim Chief of Police requesting authorization to expend grant monies related to the FY2015 State 911 Department training and Emergency Medical Dispatch Grant in the amount of \$162,974.62. (These funds will be used to reimburse overtime for ETD, police officers and fire department EMD personnel to attend the mandatory 16 hours of E911 certification trainings as well as the cost to pay certified training vendors approved by the State 911 Department. There is no grant match required.

Accepted and Placed on file.

**31**  
**COMMUNICATIONS (cont'd)**

- 137** From the Mayor recommending that the City Council authorize the appropriation of the award in the amount of the award in the amount of \$162,974.62. from Massachusetts Executive Office of Public Safety and Security/State 911 Department Training Grant and EMD/Regulatory Compliance Grant to City of Brockton Police Department-State 911 Training Grant & EMD/Regulatory Compliance Grant Fund. (These funds will be used to reimburse overtime for ETD, police officers and fire department EMD personnel to attend the mandatory 16 hours of E911 certification trainings as well as the cost to pay certified training vendors approved by the State 911 Department. There is no grant match required.

Accepted and Placed on file

- 138** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of the award of \$162,974.62. from Massachusetts Executive Office of Public Safety and Security/State 911 Department Training Grant and EMD/Regulatory Compliance Grant to City of Brockton Police Department-State 911 Training Grant & EMD/Regulatory Compliance Grant Fund.

Accepted and Placed on file

- 139** From the Treasurer/Collector requesting a transfer of \$5,000 from Treasurer's Department: Purchase of Services-Security/Fire Control to Treasurer's Department-Personal Services-Overtime (in order to cover the expected overtime costs for the remainder of the fiscal year).

Accepted and Placed on file

- 140** From the Mayor recommending a transfer in the amount of \$5,000 from Treasurer's Department: Purchase of Services-Security/Fire Control to Treasurer's Department-Personal Services-Overtime (in order to cover the expected overtime costs for the remainder of the fiscal year).

Accepted and Placed on file

- 141** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$5,000 from Treasurer's Department: Purchase of Services-Security/Fire Control to Treasurer's Department-Personal Services-Overtime

Accepted and Placed on file

- 142** From the Personnel Director verifying that based on review of the current Personnel Department Personnel Employee Benefits; Unemployment Compensation the appropriation has a surplus of \$150,000.

Accepted and Placed on file

- 143** From the Executive Director of the Elections Commission requesting a transfer of \$75,000

From Personnel Dept.- Personnel Employee Benefits	\$75,000
To: Election Commission-Personal Services	\$55,000
Election Commission-Purchased Services	\$20,000

(in order to cover the anticipated costs of the special election on May 12, 2015 regarding casino gambling in the city. These costs in accordance with the Commonwealth of Massachusetts regulations will be reimbursed to the city by the casino developer, whether the referendum is successful or not. The Funding source is unexpended funds in the Personnel Department, which will not be required this year.

Accepted and Placed on file

## COMMUNICATIONS (cont'd)

- 144** From the Mayor in accordance with M.G.L., recommending a transfer of \$75,000  
 From Personnel Dept.- Personnel Employee Benefits \$75,000  
 To: Election Commission-Personal Services \$55,000  
 Election Commission-Purchased Services \$20,000  
 (in order to cover the anticipated costs of the special election on May 12, 2015 regarding casino gambling in the city. These costs in accordance with the Commonwealth of Massachusetts regulations will be reimbursed to the city by the casino developer, whether the referendum is successful or not. The Funding source is unexpended funds in the Personnel Department, which will not be required this year.

Accepted and Placed on file

- 145** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$75,000  
 From Personnel Dept.- Personnel Employee Benefits \$75,000  
 To: Election Commission-Personal Services \$55,000  
 Election Commission-Purchased Services \$20,000

Accepted and Placed on file

- 146** From the Personnel Director verifying that based on review of the current Personnel Department Personnel Employee Benefits; Unemployment Compensation the appropriation has a surplus of \$150,000.

Accepted and Placed on file

- 147** From the City Solicitor requesting \$25,000 in funding for the Law Department, purchases of services FY15 budget for purposes of paying costs to the city in connection with the special election. These costs will be reimbursed to the City by the casino developer.

Accepted and Placed on file

- 148** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$25,000 from Personnel Department-Personnel Services Employee Benefits to Law Department- Purchased Services (for purposes of paying costs to the city in connection with the special election).

Accepted and Placed on file

- 149** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$25,000 from Personnel Department-Personnel Services Employee Benefits to Law Department- Purchased Services

Accepted and Placed on file

- 150** From the Mayor requesting that the City Council rescind order 76 as adopted by the council on March 9, 2015, for the purpose of accepting and expending a \$339,000 40 R Smart Growth Incentive Dividend for various planning purposes. The Department of revenue has ruled that 40 R funds are receipts to the General Fund, in accordance with M.G.L., Ch. 44, Section 53. In that the city has already set its tax rate for FY15, these funds may not be appropriated to a General Fund spending amount. Accordingly, he will separately request that the City Council establish a Revolving Fund for the intended purpose in accordance with M.G.L., Ch. 44 Section 53E ½.

Accepted and Placed on file

Councillor Sullivan reminded Rob May and the CFO that the councillors are waiting to get information on the above communication.

**COMMUNICATIONS (cont'd)**

- 151** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$339,000.00 from Mass Department of Housing and Community Development- Chapter 40R Smart Growth Dividend to Brockton Planning Department-Chapter 40R Smart Growth Dividend Fund.

Accepted and Placed on file

- 152** From the City Auditor certifying that the \$339,000 Chapter 40R Smart Growth Incentive Dividend from the Commonwealth was not used in setting the tax rate.

Accepted and Placed on file

- 153** From the Mayor in accordance with M.G.L., Ch. 44, Section 53E ½, recommending that the City Council establish a 40R Smart Grant Incentive Revolving Fund for said receipts from the Commonwealth of Massachusetts for purposes of engaging professional consulting services to prepare a city wide comprehensive plan, downtown redevelopment plan, downtown district improvement plan, Campello District Redevelopment Plan and to help fund the management by the Brockton Redevelopment Authority of the US Department of Housing and Urban Development Home Program. Expenditure from the revolving fund shall be under the direction of the Department of Planning and Economic Development and shall be limited to \$350,000 in FY15.

Accepted and Placed on file

- 154** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$350,000.00 from Mass Department of Housing and Community Development- Chapter 40R Smart Growth Dividend to Brockton Planning Department-Chapter 40R Smart Growth Dividend Fund.

Accepted and Placed on file

**UNFINISHED BUSINESS**

- 34** Ordinance: An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton. Be it Ordained that Sec.2-28. Compensation is amended by changing the amount of \$10,000 to \$15,000 with an effective date of January 2016. (FAVORABLE AS AMENDED)

The amendments passed by a hand vote; eleven members present with nine voting in the affirmative. Councillors DuBois and Sullivan voting in the negative. Passed to a third reading, as amended, by a hand vote with eleven members present; nine voting in the affirmative. Councillors DuBois and Sullivan voting in the negative.

- 77** Ordered: That the City appropriate the amount of \$3,861,778 for the purpose of paying costs of roof repairs and resurfacing, including the payment of all costs incidental or related thereto at the Brookfield Elementary School. (FAVORABLE) (IN CITY COUNCIL, MARCH 9, 2015 PASSED TO A THIRD READING BY A HAND VOTE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 78** Ordered: That the City appropriate the amount of \$2,075,919 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Barrett Russell Kindergarten (FAVORABLE) (IN CITY COUNCIL, MARCH 9, 2015 PASSED TO A THIRD READING BY A HAND VOTE)

**UNFINISHED BUSINESS (cont'd)**

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 79** Ordered: That the City appropriate the amount of \$3,590,486 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Ashfield Middle School. (FAVORABLE) (IN CITY COUNCIL, MARCH 9, 2015 PASSED TO A THIRD READING BY A HAND VOTE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 80** Ordered: That the City appropriate the amount of \$2,843,301 for the purpose of paying costs of roof repairs and resurfacing boiler replacement at the Gilmore Early Childhood Center. (FAVORABLE) (IN CITY COUNCIL, MARCH 9, 2015 PASSED TO A THIRD READING BY A HAND VOTE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 81** Appointment Of David Teixeira, 31 No. Manchester St., Brockton as a member of the Brockton Housing Authority for a five year term ending March 2020. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 82** Reappointment of Daniel S. Clague, 179 Bellevue Ave., Brockton to the Brockton Council on Aging for a three year term ending March 2018. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 95** Appropriation of \$124,604.01  
From: Executive Office of Elder Affairs- FY2015 Formula Grant  
To: Council on Aging-Elder Affairs Grant Fund.  
(This grant is to be used for salaries, including overtime, energy, department equipment and repair, printing, office supplies and registration, memberships and subscriptions)(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 96** Appropriation of \$600.00  
From: The Massachusetts Association of Council on Aging-FY2015 Keep Moving Walking Program Grant  
To: Council on Aging Grant Fund  
(This grant is to improve the lives of people over the age of 50 by promoting physical activity to help prevent and postpone chronic disease, build healthy bodies and minds and keep individuals socially connected)(FAVORABLE)  
Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 97** Appropriation of funds up \$4,000,000 in excess of amounts already appropriated for DPW-Highway-Snow Removal for the purpose of FY2015 snow removal. As it stands, this winters snow fall amount has been excessively high. The present snow removal budget of almost \$2,358,000 has been depleted. The deficit was already in excess of about \$2,300,000 before the end of February with about one month of winter storm months remaining. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

**UNFINISHED BUSINESS (cont'd)**

- 101** Ordered: That the City hereby names the municipal building located at 60 Crescent Street as the "Paul V. Studenski Municipal Building". (FAVORABLE)  
Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

- 36** Resolved, that the Superintendent of Schools be invited to appear before a Committee of this Council to provide an update relative to the Brockton School System. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

**ORDERS**

- 155** Ordinance: An Ordinance amending Chapter 23 of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 23, Section 30 (f) (6). Water consumption

Referred to Ordinance

- 156** Ordinance: An Ordinance amending Chapter 2 of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 2, Article 111, Division 5, Section 2-186. Assistant City Solicitor.

Referred to Ordinance

- 157** Ordinance: An Ordinance Amending Chapter XIV of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 14 Offenses-Miscellaneous. is hereby amended by adding the following new Article: Article IV. Prohibiting The Sale of Electronic Cigarettes To Minors.

Referred to Ordinance

- 158** Ordinance: An Ordinance Amending Chapter XXVII of the Revised Ordinance of the City of Brockton. Be it ordained by the City Council of Brockton as follows: Chapter 27. Zoning is hereby amended by adding the following new Section 27-32.100 after Section 27-32.95, as follows: Sec. 27-32.100.-C-9 Resort Casino Overlay District.

Referred to Ordinance and Planning

- 159** Ordered: That in accordance with Chapter 23, Section 30 (f) (6) of the Revised Ordinances of the City of Brockton, the Brockton Water Commission is recommending a 30% increase, 15% water rate increase effective July 1, 2015 and another 15% increase effective July 1, 2016. The increase will address the current needs of the Water Division including but not limited to Capital Projects, EPA/DEP Mandates and Aquaria Contract Services as well as personal services.

Referred to Finance

- 160** Ordered: That the City Council rescind order 76 as adopted by the council on March 9, 2015, for the purpose of accepting and expending a \$339,000 40 R Smart Growth Incentive Dividend for various planning purposes. Accordingly, requesting that the City Council establish a Revolving Fund for the intended purpose in accordance with M.G.L., Ch. 44 Section 53E ½.

Referred to Finance

**36**  
**ORDERS (cont'd)**

- 161** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the establishment of a 40R Smart Grant Incentive Revolving Fund for said receipts from the Commonwealth of Massachusetts for purposes of engaging professional consulting services to prepare a city wide comprehensive plan, downtown redevelopment plan, downtown district improvement plan, Campello District Redevelopment Plan and to help fund the management by the Brockton Redevelopment Authority of the US Department of Housing and Urban Development Home Program. Expenditure from the revolving fund shall be under the direction of the Department of Planning and Economic Development and shall be limited to \$350,000 in FY15.

Referred to Finance

- 162** Ordered: In Compliance with the provisions of the Election Laws, notice is hereby given that the City Preliminary will be held on Tuesday September 22, 2015 and that the City Election will be held on Tuesday, November 3, 2015.

Referred to Finance

- 163** Appropriation: of \$150,000  
From: The Massachusetts Executive Office of Public Safety and Security (EOPSS)/Highway Safety Division FY2015 Traffic Enforcement Grant  
To: City of Brockton Police Department-EOPSS FY15 Traffic Enforcement Grant (Grant funds in the amount of \$149,000 will be used to pay for police overtime to conduct high visibility traffic enforcement of intersections with high volume of accidents and injuries during peak hours, and \$1,000 is to be used for overtime for data entry purposes).

Referred to Finance

- 164** Appropriation: of \$41,684.21  
From: Massachusetts Executive Office of Public Safety and Security (EOPSS) Year Seven of the Local Action Research Grant  
To: City of Brockton Police Department-EOPSS FY15 Local Action Research Grant Fund.  
(The purpose of this grant is to hire outside contractor assistance to evaluate the work being done with Shannon Grant Funds for reducing youth and gang violence). No grant match is required.

Referred to Finance

- 165** Appropriation: of \$2,000  
From: The Massachusetts Department of Environmental Protection (MASSDEP) Sustainable Materials Recovery Program Municipal Grant  
To: Refuse Department-Recycling Containers Grant Fund.

Referred to Finance

- 166** Appropriation of \$130,399.00  
From: US Department of Justice/Justice Assistance Grant  
To: City of Brockton Police Department Justice Assistance Grant Fund.  
(These funds will be used to hire for research and evaluation services; hire social workers to assist in co-responding to family violence calls with the Brockton Police and clergy; police equipment, travel and training costs; overtime for police and grant fiscal management services).

Referred to Finance

- 167** Appropriation of \$162,974.62  
From: Massachusetts Executive Office of Public Safety and Security/State 911 Department Training Grant and EMD/Regulatory Compliance Grant  
To: City of Brockton Police Department-State 911 Training Grant & EMD/Regulatory Compliance Grant Fund.

**37**  
**ORDERS (cont'd)**

(These funds will be used to reimburse overtime for ETD, police officers and fire department EMD personnel to attend the mandatory 16 hours of E911 certification trainings as well as the cost to pay certified training vendors approved by the State 911 Department). There is no grant match required.  
Referred to Finance

- 168** Transfer: of \$165,000  
From: Parking Meter Reserve Fees  
To: Parking Authority Snow Removal  
(in order to cover the shortfall in Fiscal 2015 plowing, sanding and removal of snow for the Parking Authority).

Referred to Finance

- 169** Transfer: of \$95,000  
From: The Parking Meter Reserve Fees  
To: Parking Authority-Ordinary Maintenance Services  
(in order to fund a comprehensive parking study for the downtown area).  
The study is needed to access the need for additional parking to accommodate planned development, and to arrive at a comprehensive parking management plan to develop the parking required.

Referred to Finance

- 170** Transfer: of \$15,000  
From: Building Department-Personal Services Other than Overtime  
To: Building Department-Overtime  
due to 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 hour inspectional services.

Referred to Finance

- 171** Transfer of \$5,000  
From Treasurer's Department: Purchase of Services-Security/Fire Control to Treasurer's Department-Personal Services-Overtime  
(in order to cover the expected overtime costs for the remainder of the fiscal year).

Referred to Finance

- 172** Transfer of \$75,000  
From: Personnel Dept.- Personnel Employee Benefits \$75,000  
To: Election Commission-Personal Services \$55,000  
and Election Commission-Purchased Services \$20,000  
(in order to cover the anticipated costs of the special election on May 12, 2015 regarding casino gambling in the city. These costs in accordance with the Commonwealth of Massachusetts regulations will be reimbursed to the city by the casino developer, whether the referendum is successful or not. The funding source is unexpended funds in the Personnel Department, which will not be required this year.

Referred to Finance

- 173** Transfer: of \$25,000  
From: Personnel Department-Personnel Services Employee Benefits  
To: Law Department- Purchased Services  
(for purposes of paying costs to the city in connection with the special election).

Referred to Finance

**38**  
**ORDERS (cont'd)**

- 174** Appropriation of 315,586.00  
From: Massachusetts Executive Office of Public Safety and Security/State 911 Department/Answering Point and Regional Emergency Communication Center Support and Incentive Security/911 Department Grant  
To: City of Brockton Police Department-Regional Emergency Communication Center Support and Incentive Grant Fund. These funds will be used to backfill both ETD and police dispatcher wages incurred from 2/4/15-6/30/15 for any associated overtime costs to replace that same personnel as well as funds to install a new dispatch console for the Fire Department Dispatchers.

Referred to Finance

The Council President stated that the next Finance Committee Meeting will be held on Monday, April 6, 2015.

Councillor DuBois takes a moment of personal privilege to state that on Friday, March 27, 2015, she will be hosting office hours at the City Hall, in the Council Chambers, second floor of City Hall from 1pm to 4pm.

Councilor Eaniri takes a moment of personal privilege to state that there will be a Ward 3 Meeting at the Kennedy School at 7pm.

Adjourned 8:35pm