

A regular meeting of the City Council was held in the Council Chambers with Councilor Cruise presiding. The meeting was called to order at 8:00 pm with 11 members being present.

In City Council, April 11, 2016

Councillor Asack takes a moment of personal privilege to ask for a moment of silence to remember Charlie Logan, a former Ward 7 Councillor who passed away.

**229** Approval of the City Council minutes of March 28, 2016 meeting

Granted by a hand vote.

#### **APPOINTMENTS**

**194** Of Mark Speizer, 103 Claremount Ave., Brockton as a member of the Conservation Commission for a three year term ending in January, 2019. Mr. Speizer is replacing Craig Pina who resigned from the Conservation Commission.

Referred to Finance.

**195** Of Brenda Perez, 44 Boyle Rd., as a member of the Diversity Commission for a three year term ending in April 2019.

Referred to Finance.

#### **HEARINGS**

Petition of Ian Denelle for a license to Solicit and Canvass on behalf of Solar City, a clean energy provider.

Ian Danelle appeared in favor.

Council Sullivan questioned the size property. The petitioner stated that it was based on the size of kilowatt and the maximum is 10. Councillor Sullivan questioned the petitioner regarding the case of a fire. The petitioner stated that they abide by all fire laws.

Councillor Studenski questioned the petitioner if there were a group working or just individually? The petitioner stated that they all file and pay individually. His brother was planning on soliciting also.

Councillor Barnes questioned the petitioner if he was an independent contractor? The petitioner stated that he has a state license. He also stated that he doesn't do any cold calling. He only calls people that have been referred. Also, for nonprofits trying to raise money. He is more of a sale person. The office is in Fall River.

No one was in opposition.

Hearing held.

Granted by a hand vote.

#### **PETITIONS**

Of Golden Dreams Jewelry for a renewal of Second Hand Precious Metals and Gems License located at 365 Westgate Drive.

Referred to Public Safety

#### **REPORTS**

**196** Of the Public Safety Committee for its meeting of April 4, 2016

**41**  
**REPORTS (cont'd)**

Accepted placed on file

Council Barnes stepped down

- 197** Of the Finance Committee for its meeting of April 4, 2016

Accepted place on file

- 198** Of the Real Estate Committee for its meeting of April 4, 2016

Accepted place on file

**COMMUNICATIONS**

- 199** From the President of Massasoit Community College regarding the renovation of the Ganley Building.

Accepted place on file

- 200** From the Chief of the Fire Department requesting to accept and expend grant a grant award in the amount of \$4,000 from Commonwealth of Massachusetts Department of Public Health-FY2016 Mass Decontamination Unit Grant (the intended use of these funds is to man the upkeep of the Mass Decontamination Units and purchase supplies for the Mass Decontamination Units).

Accepted place on file

- 201** From the Mayor in accordance with M.G.L., Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$4,000 from Commonwealth of Massachusetts Department of Public Health-FY2016 Mass Decontamination Unit Grant to Brockton Fire Department: FY2016 Mass Decontamination Unit Grant Fund (the intended use of these funds is to man the upkeep of the Mass Decontamination Units and purchase supplies for the Mass Decontamination Units). This is a non-matching grant with no cost to the City.

Accepted place on file

Council Barnes stepped back in.

- 202** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed grant of \$4,000 from Commonwealth of Massachusetts Department of Public Health-FY2016 Mass Decontamination Unit Grant to Brockton Fire Department: FY2016 Mass Decontamination Unit Grant Fund

Accepted place on file

- 203** From the City Solicitor requesting a transfer within the law department FY2016 Ordinary Maintenance budget from Line Item Legal- Outside Counsel To Line Item Workers Compensation Medicals in the amount of 200,000.00. ( to supplement the original appropriation to the Worker's Compensation Medicals line item due to unanticipated claims in several worker's compensation and injured-on-duty cases requiring surgeries and related costs).

Accepted place on file

- 204** From Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$200,000 from Law Department- Ordinary Maintenance to Law Department-Worker's Compensation. ( to supplement the original appropriation to the Worker's Compensation to unanticipated

## COMMUNICATIONS (cont'd)

claims in several worker's compensation and injured-on-duty cases requiring surgeries and related costs).

Accepted place on file

- 205** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$200,000 from Law Department- Ordinary Maintenance to Law Department-Worker's Compensation.

Accepted place on file

- 206** From the CFO advising that \$4,500 is available in the Finance Department Personal Services Non Overtime budget based on the late hiring date of a position recently filled in his office.

Accepted place on file

- 207** From the Traffic Commissioner requesting an additional transfer of \$4,500 from Finance Department-Personal Services Full Time Salaries to Traffic Commission-Public Safety (OM Services). (to fund an engineering study for the intersection of Forest Avenue and Bouve Avenue).

Accepted place on file

- 208** From Mayor in accordance with M.G.L., Chapter 44, recommending that the City Council authorize the transfer of \$4,500 from Finance Department-Personal Services Full Time Salaries to Traffic Commission-Public Safety (OM Services). (to fund an engineering study for the intersection of Forest Avenue and Bouve Avenue).

Accepted place on file

- 209** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$4,500 from Finance Department-Personal Services Full Time Salaries to Traffic Commission-Public Safety (OM Services).

Accepted place on file

- 210** From the Chief of Police requesting authorization to expend grant monies related to the Executive Office of Public Safety & Security/Highway Safety Division's FY2016 Sustained Enforcement (STEP) Grant Program in the amount of \$75,000.

Accepted place on file

- 211** From the Mayor in accordance with M.G.L., Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award of \$75,000 from the Executive Office of Public Safety & Security(EOPSS)/Highway Safety Division FY16 Sustained Enforcement (STEP) Grant to Brockton Police Department: FY16 Sustained Enforcement (STEP) Grant Fund. \$65,000 of this funding will be used to pay for police overtime to conduct high visibility traffic enforcement at intersections with a high volume of accidents and injuries during peak hours, and \$10,000 is available for overtime for data entry purposes

Accepted place on file

- 212** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed grant of \$75,000 from the Executive Office of Public Safety & Security (EOPSS)/Highway Safety Division FY16 Sustained Enforcement (STEP) Grant to Brockton Police Department: FY16 Sustained Enforcement (STEP) Grant Fund.

**COMMUNICATIONS (cont'd)**

Accepted place on file

- 213** From the Operations Commander requesting for authorization to expand grant monies related to the executive Office of Public Safety & Security's FY16 Senator Charles E. Shannon CSI Local Action Research Partner Grant in the amount of \$46,600.00

Accepted place on file

- 214** From Mayor in accordance with M.G.L, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$46,600 from FY16 SENATOR CHARLES E. SHANNON CSI LOCAL ACTION RESEARCH PARTNER GRANT to BROCKTON POLICE DEPARTMENT: FY16 SENATOR CHARLES E. SHANNON CSI LOCAL ACTION RESEARCH PARTNER GRANT FUND. (These funds will be used to pay for evaluation efforts of the work being done under Shannon Grant. There is no match requirement.)

Accepted place on file

- 215** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed grant of \$46,600 from FY16 SENATOR CHARLES E. SHANNON CSI LOCAL ACTION RESEARCH PARTNER GRANT to BROCKTON POLICE DEPARTMENT: FY16 SENATOR CHARLES E. SHANNON CSI LOCAL ACTION RESEARCH PARTNER GRANT FUND

Accepted place on file

- 216** From Mayor in accordance with M.G.L., Chapter 44, recommending that the City Council authorize the appropriation of the grant award in the amount of \$20,000, authorized under Chapter 46 of the Acts of 2015, Section 2, Item 1599-0026 from Department of Revenue for Local Services on behalf of the Executive Office for Administration and Finance (EOAF) 'Development of Formal Financial Policies' Grant to Brockton Finance Department (EOAF) 'Development of Formal Financial Policies' Grant Fund.

Accepted place on file

- 217** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of \$20,000 from Department of Revenue for Local Services on behalf of the Executive Office for Administration and Finance (EOAF)'Development of Formal Financial Policies' Grant to Brockton Finance Department (EOAF) 'Development of Formal Financial Policies' Grant Fund.

Accepted place on file

**UNFINISHED BUSINESS**

Petition of Pierre Mac-Clen for a license to Solicit and Canvass on behalf of Solar City, a clean energy provider. (IN CITY COUNCIL MARCH 28, 2016, HEARING POSTPONED)

Councillor Studenski motioned to Table and was properly seconded. The motion carried by hand vote.

Petition of Steven P. Tortora for an awning permit located at Court House Café, 74 West Elm St., Brockton. (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)

- 132** Appointment of Wayne A. Lake, of 56 Short Street, Brockton, as a constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

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

- 173** Ordered: The authority for the Mayor to lease certain land “to the Brockton 21<sup>st</sup> Century Corporation for economic development purposes, including, but not limited to construction of a baseball stadium, conference center facility, upon such terms of conditions as the Mayor shall determine to be in the best interest of the City”, as authorized by Order of the City Council dated November 13, 2001, be, and is hereby, rescinded, excepting that the existing Lease Agreement between the City and the Brockton 21<sup>st</sup> Century Corporation shall remain effective for any remaining term.(FAVORABLE)

Council Barnes stepped down.

Adopted by a roll call vote taken by “yeas” and “nays”; 10 members present and all voting in the affirmative. Councillor Barnes Absent

- 191** Transfer of \$455,753.33  
From: Vacant and Abandoned Building’s Registry Account  
To: Demolition Revolving Account (FAVORABLE)

Council Barnes stepped back in.

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

- 178** Transfer of \$15,100.00  
From: Animal Control Full Time Salaries  
To: Animal Control-Overtime \$10,000  
Animal Control- Dept. Equipment \$5,100 (FAVORABLE)

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

- 179** Transfer of \$10,000.00:  
From: Treasurer Purchase of Services-Security/Fire Control \$3,000.00  
Treasurer Goods & Supplies- Registry of Deeds \$7,000.00  
To: Treasurer’s Personnel Services Overtime. (FAVORABLE)

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

- 180** Ordered: That pursuant to M.G.L., Ch. 60, Section 15B, the City Council accepts M.G.L., Ch. 60, Section 15B, and also that the City Council authorizes the Tax Title Collection Revolving Fund for Fiscal Year 2017 to be capped at \$100,000 and the balance at the end of each Fiscal Year to be transferred to the General Fund. (FAVORABLE)

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

- 181** Appropriation: of \$45,000  
From: Stabilization Fund  
To: Information Technology Dept (ITC)- Capital

**UNFINISHED BUSINESS (cont'd)**

(to provide funding for expanded services to the City Hall phone system) The cost of this upgrade would include a customer service audio recording system, labor, and miscellaneous wiring (note CFO certification) (FAVORABLE)

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

- 182** Appropriation: of \$425,692.00  
 From: Executive Office of Public Safety & Security’s FY16 Senator Charles E. Shannon Community Safety Initiative Grant  
 To: Brockton Police Department: FY16 Senator Charles E. Shannon Community Safety Initiative Grant Fund. (FAVORABLE)

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

- 183** Appropriation: of \$118,246  
 From: US Department of Justice/FY15 Justice Assistance Grant  
 To: Brockton Police Department: US Department of Justice/FY15 Justice Assistance Grant Fund (FAVORABLE)

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

- 184** Appropriation: of \$142,947.00:  
 From: Executive Office of Elder Affairs Grant \$142,947.00  
 To: Brockton Council on Aging Executive Office of Elder Affairs Grant Fund. (FAVORABLE)

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

- 185** Appropriation: of \$45,000  
 From: FY2016 Massachusetts Department of Public Health Naloxone Grant  
 To: Brockton Police Department: FY2016 Massachusetts Department of Public Health Naloxone Grant Fund. (FAVORABLE)

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

- 192** Appropriation: of \$2,200.00  
 From: Commonwealth of Massachusetts Emergency Management Agency FY15-16 HMEP Grant  
 To: BEMA-HMEP Grant Fund (FAVORABLE)

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

- 186** Resolve: To have members of One Smile Brockton coalition, come before a Committee of the Brockton City Council to discuss the efforts and accomplishments of the coalition with regards to the introduction of a water fluoridation program in the City of Brockton. (FAVORABLE)

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

- 189** Resolve: That the Commissioner of the City’s Department of Public Works and the Executive Director of the Old Colony Planning Council or his designee, be invited to appear before a committee of the City Council to discuss options and recommendations

**UNFINISHED BUSINESS (cont'd)**

to be forwarded in a report to the Massachusetts Department of Transportation for improvements designed to enhance the safety of the public and the orderly flow of vehicle in this area of the city. (FAVORABLE)

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

- 193** Resolve: That Eval Silvera or his designee, be invited to appear before a committee of the City Council to update Council members on the KodeConnect program, whose mission is to expose and teach kids age 8-13 years old computer programming (or coding for short) in the community. (FAVORABLE)

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

- 128** Ordered: The Mayor is authorized to grant on behalf of the City of Brockton grant a right-of-way over land hereinafter set forth, to the following land owners, their successors and assigns as appurtenant to the parcels shown on assessors plans number 74 and 76 (FAVORABLE)

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

Councillor Eaniri filed for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

**ORDERS**

- 216** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the State Primary will be held on Thursday, September 8, 2016

Referred to Finance

- 217** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the State Election will be held on Tuesday, November 8, 2016

Referred to Finance

- 218** Appropriation of \$4,000  
From Commonwealth of Massachusetts Department of Public Health-  
FY2016 Mass Decontamination Unit Grant  
To: Brockton Fire Department: FY2016 Mass Decontamination Unit Grant Fund

Referred to Finance

- 219** Appropriation: of \$20,000, authorized under Chapter 46 of the Acts of 2015, Section 2, Item 1599-0026  
From: Department of Revenue for Local Services on behalf of the Executive Office for Administration and Finance (EOAF) 'Development of Formal Financial Policies' Grant  
To: Brockton Finance Department (EOAF) 'Development of Formal Financial Policies' Grant Fund.

Referred to Finance

- 220** Appropriation of \$46,600  
From: FY16 Senator Charles E. Shannon CSI Local Action Research Partner Grant  
To: Brockton Police Department: FY16 Senator Charles E. Shannon CSI Local Action Research Partner Grant Fund.

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**ORDERS (cont'd)**

Referred to Finance

- 221** Appropriation of \$75,000  
From: Executive Office of Public Safety and Security (EOPSS)/Highway Safety Division FY16 Sustained Enforcement (STEP) Grant  
To: Brockton Police Department: FY16 Sustained Enforcement (STEP) Grant Fund.

Referred to Finance

- 222** Transfer of \$200,000  
From: Law Department- Ordinary Maintenance  
To: Law Department-Worker's Compensation.

Referred to Finance

- 223** Transfer of \$4,500  
From: Finance Department-Personal Services Full Time Salaries  
To: Traffic Commission-Public Safety (OM Services). (to fund an engineering study for the intersection of Forest Avenue and Bouve Avenue).

Referred to Finance

- 225** Resolve: That Mr. Steve Bernard, Brockton resident and Brockton-NAACP official, appear before the City Council's Finance Committee to inform and update the Members relative to ongoing efforts within our community pertaining to Prostate Cancer awareness, education, and associated testing practices and procedures.

Referred to Finance

- 226** Resolve: to have Gary Leonard, B21, Mike Gallerani and Robert Jenkins Brockton Redevelopment Authority to explain the role of Main Street Manager. Resolve to call the above named to update us on the proposed projects and future projects on Main Street and to describe the responsibilities of the Main Street Manager and to whom does he report, results or recent job performance and under what financing does the position provide his salary.

Referred to Finance

- 227** Resolve: That Mrs. Janice Fitzgerald, Executive Director of the Brockton Council on Aging, appear before the Finance Committee to provide a status update on the C.O.A. and to discuss all efforts to prepare for the aging process.

Referred to Finance

- 228** Resolve: That Michele M. Pecoraro, Executive Director of Plymouth 400 and Sheila Fey, Project Coordinator of Plymouth 400 be invited to appear before a committee of the City Council members on Plymouth 400 Massachusetts 1620-2020, An American Story A National Legacy

Referred to Finance

- 224** Resolve: that the City Council of the City of Brockton hereby requests that the FY17 Chapter 70 budget funding for low income students be revised so that the communities whose districts educate the vast majority of low income or economically disadvantaged students are adequately assisted in accomplishing this objective.

Referred to Finance

Councillor Eaniri takes a moment of personal privilege to state that the Accounts Committee meeting moved to Monday May 2, 2016 at 6:15pm

Councillor Asack takes a moment of personal privilege to remind everyone that this Saturday April 16, 2016 is Keep Brockton Beautiful at Heights Crossing, 27 Christy's place. Registration is from 8am-9am.

Councillor Sullivan takes a moment of personal privilege to state that there will be a Councillor-At-Large meeting on May 19, 2016 at 6:15-8:15pm at South Middle School. Also, he wished his mother a Happy Birthday.

Council President Cruise takes a moment of personal privilege to remind everyone that the Finance meeting will be on Tuesday April 19, 2016

Meeting Adjourned: 8:34pm