

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

In City Council, September 26, 2016

Councillor Beauregard takes a moment of personal privilege to acknowledge Bill Hogan and presents him with a citation in recognition of the 50<sup>th</sup>. Anniversary of the Cosgrove Pool. Bill also stated that there will be a Downtown Best Brockton event coming up.

**456** Acceptance of the minutes of the August 22, 2016 City Council meeting

Accepted and placed on file.

Councillor Sullivan motioned to take items **457** and **458** collectively and under suspension of the rules and was properly seconded. The motion carried by a hand vote.

### APPOINTMENTS

**457** Of Christopher O'Reilly to the rank of Fire Lieutenant within the Brockton Fire Department

**458** Of Joseph DePasquale to the rank of Fire Captain within the Brockton Fire Department

Confirmed by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councilor Monahan absent. Councilor Sullivan motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

The Firemen were recognized by the Council.

A two minute recess was called.

Back in session.

**459** Of Tremeda M. Martin of 32 Merton St., Brockton, MA 02302 to the Brockton Cultural Council.

Referred to Finance

**460** Of Lasheka Hamilton of 52 Appleton St., Brockton, MA 02301 to the Brockton Cultural Council.

Referred to Finance

**497** Of Noubé Rateau of 359 Hillberg Ave., Brockton, MA 02301 to the Brockton Cultural Council.

Referred to Finance

**461** Of Jeffrey A. Thompson of 45 Ames Rd., Brockton as an alternate to the Brockton License Commission for a three year term

Referred to Finance

**462** Of MaryLynn Peters Chu of 117 Appleby St., Brockton, MA 02302 to the position of City Auditor for the City of Brockton to fill the unexpired term of Heidi Chuckran.

Referred to Finance

**105**  
**HEARINGS**

Councillor Farwell motioned to refer the petitions to Public Safety and was properly seconded. Councillor Cruise stated that the Public Hearings should be held, due to advertising, and then be referred to Public Safety. The motion carried by a hand vote.

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

Jim Chapman of 952 Montello Street appeared in favor but would like restrictions set for the business and properly enforced. Yeuheni also appeared in favor. No one was in opposition.

Hearing held.

Referred to Public Safety

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

Jamal Okunola appeared in favor. He is Bernard Joseph's partner in the business. Jim Chapman appeared in favor but would like for to request that the City Council set restrictions and have them properly enforced. No one was in opposition.

Hearing held.

Referred to Public Safety

Councillor Farwell asks if CORI checks are done for the applicants. The City Clerks responds that currently they are not. Councillor Cruise states that the City Clerk will check to see if a CORI check needs to be done. Councillor Farwell read a statement in regards to CORI checks.

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

Theresa Tulle appeared in favor. Councillor Sullivan asks for her relationship to Ronald. Theresa is Ronald Homere's mother and business partner. Jim Chapman appeared in favor but would like for to request that the City Council set restrictions and have them properly enforced. No one was in opposition.

Hearing held.

Referred to Public Safety

Petition of Rowland Okafor DBA Rowland Automotive for a Motor Vehicle Repair Mechanical License located at 967 Montello St., Unit F, Brockton

Rowland Okafor appeared in favor. Jim Chapman appeared in favor but would like for to request that the City Council set restrictions and have them properly enforced. No one was in opposition.

Hearing held.

Referred to Public Safety

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

**106**  
**HEARINGS (cont'd)**

Afro Rosa appeared in favor. Jim Chapman appeared in favor but would like for to request that the City Council set restrictions and have them properly enforced. No one was in opposition.

Hearing held.

Referred to Public Safety

Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Mechanical License located at 189 Clinton St., Brockton

Councillor Studenski motioned to postpone until next Council Meeting and was properly seconded. Motion carried by a hand vote.

Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Body License located at 189 Clinton St., Brockton

Councillor Studenski motioned to postpone until next Council Meeting and was properly seconded. Motion carried by a hand vote.

Petition of Sargent's Supply Realty Trust-Donald Shute, Trustee, 345 Washington St., Pembroke, MA 02359, for a Garage License located at 50 Meadowbrook Rd., Unit 2, Brockton, MA 02301

Sargent's Supply appeared in favor. Don Gale, real estate broker and family friend speaks stating that the Pires Auto business moved to Sargent's Way from Watson Street address. They will pay tax liability, over the next few weeks will pay off as part of the purchase. Antonio Pires appeared in favor. Jose Pires appeared in favor. Previous owner at 13 Watson St. Serge Bernard appeared in favor. Joseph Bernado, business associate, also appeared in favor. Councillor Barnes questions the previous owner. The previous owner responded that the 13 Watson St. address had too many customers and not enough parking as the business grew. They believe it was a good idea to relocate to better serve the community. Only working on regular motor vehicles. No one in opposition. Hearing held. Councillor Studenski wants to grant license if Councillor Farwell is not in opposition. Councillor Sullivan asks about stipulations on the garage license. The Motor Vehicle Repair Mechanical License will state the stipulations not the garage.

Hearing held.

License granted by a hand vote.

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 02301

Don Gale, real estate broker appeared in favor along with Antonio Pires, Jose Pires. Councillor Sullivan asks the location for the Real Estate Firm. Don responds Quinn Associates. No one appeared in opposition.  
Hearing held. Referred to Public Safety

**REPORTS**

**463** Of the Ordinance Committee for its meeting of September 12, 2016

Accepted and placed on file.

## COMMUNICATIONS

- 498** That the Mayor has appointed Marylynn Peters Chu as temporary city auditor for a period of 60 days

Accepted and placed on file.

- 464** From the Fire Chief requesting that the Brockton Fire Department be allowed to accept \$14,461.29 from Brewster Ambulance Service, Inc. for the purchase of nine computer tablets needed to complete the Computer Aided Dispatch System within their ambulances.

Accepted and placed on file.

- 465** From the Mayor in accordance with M.G.L. Ch.44, authorizing the total donation in the amount of \$14,461.29 from Brewster Ambulance Service, Inc. to the City of Brockton Fire Department. The Fire Department intends to use these funds to purchase nine Dell tablets.

Accepted and placed on file.

- 466** From the CFO in accordance with Sec.5 Ch.324 of the Acts of 1990 certifying the proposed donation in the amount of \$14,461.29 from Brewster Ambulance Service, Inc. to the City of Brockton Fire Department

Accepted and placed on file.

- 467** From the Brockton Police Department requesting to expend the FY2017 Massachusetts Department of Public Health Naloxone Grant in the amount of \$13,500. Grant funds are to be used by both the Police and Fire Departments to purchase Naloxone (otherwise known as Narcan) and supplies related to the administering of this drug. No match required.

Accepted and placed on file.

- 468** From the Mayor in accordance with M.G.L. Ch.44, authorizing the total grant award in the amount of \$13,500 from the FY2017 Massachusetts Department of Public Health Naloxone Grant to the City of Brockton Police Department FY2017 Massachusetts Department of Public Health Naloxone Grant Fund. These funds are to be used by both the Police and Fire Departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug. No match required.

Accepted and placed on file.

- 469** From the CFO in accordance with Sec.5 Ch.324 of the Acts of 1990 certifying the proposed grant in the amount of \$13,500 from the FY2017 Massachusetts Department of Public Health Naloxone Grant to the City of Brockton Police Department FY2017 Massachusetts Department of Public Health Naloxone Grant Fund.

Accepted and placed on file.

- 470** From the City of Brockton Emergency Management announcing the reacceptance of a grant awarded in the amount of \$4,990.26 from FY2015/16 Hazardous Materials Emergency Preparedness (HMEP). This funding will be used to conduct planning and purchase planning equipment for BEMA. No match required.

Accepted and placed on file.

- 471** From the Mayor in accordance with M.G.L. Ch.44, authorizing the total grant award in the amount of \$4,990.26 from FY2015/16 Hazardous Materials Emergency Preparedness (HMEP) Grant to the City of Brockton Emergency Management Agency FY15/16

## COMMUNICATIONS (cont'd)

Hazardous Materials Emergency Preparedness (HMEP) Grant Fund. These funds will be used to conduct planning and planning equipment for BEMA. No match required.

Accepted and placed on file.

- 472** From the CFO in accordance with Sec.5 Ch.324 of the Acts of 1990 certifying the proposed grant in the amount of \$4,990.26 from FY2015/16 Hazardous Materials Emergency Preparedness (HMEP) Grant to the City of Brockton Emergency Management Agency FY15/16 Hazardous Materials Emergency Preparedness (HMEP) Grant Fund.

Accepted and placed on file.

- 473** From the City of Brockton Emergency Management Director announcing the reacceptance of a grant awarded in the amount of \$4,764.40 from the FY15 State Homeland Security Program (SHSP) Grant. This funding will be used to purchase mobile communications equipment for BEMA. All goods and services must be procured prior to April 30, 2017.

Accepted and placed on file.

- 474** From the Mayor in accordance with M.G.L. Ch.44, authorizing the total grant award in the amount of \$4,764.40 from Brockton Emergency Management- FY15 State Homeland Security Program (SHSP) to BEMA-FY15 State Homeland Security Program (SHSP) Grant Fund. This funding will be used to purchase mobile communications equipment for BEMA. All goods and services for the SHSP grant must be procured prior to April 30, 2017. No match required.

Accepted and placed on file.

- 475** From the CFO in accordance with Sec.5 Ch.324 of the Acts of 1990 certifying the proposed grant in the amount of \$4,764.40 from Brockton Emergency Management- FY15 State Homeland Security Program (SHSP) to BEMA-FY15 State Homeland Security Program (SHSP) Grant Fund.

Accepted and placed on file.

- 476** From the Chief of Police requesting for authorization to expend grant monies related to Executive Office of Health and Human Service's FY17 Safe and Successful Youth Initiative Grant in the amount of \$125,000.00

Accepted and placed on file.

- 477** From the Mayor in accordance with M.G.L Ch.44, authorizing that the total grant award in the amount of \$125,000.00 from the FY17 Safe and Successful Youth Initiative Grant to City of Brockton Police Department FY2017 Safe and Successful Youth Initiative Grant Fund. These Funds will be used to hire street outreach, case management, behavioral health, tiered employment and education services for targeted group of youth ages 17-24 between July 1, 2016 and June 30, 2017. The match for this grant consist of in-kind services only.

Accepted and placed on file.

- 478** From the CFO in accordance with Sec. 5 Ch. 324 of the Acts of 1990 certifying the proposed grant in the amount of \$125,000.00 from the FY17 Safe and Successful Youth Initiative Grant to City of Brockton Police Department FY2017 Safe and Successful Youth Initiative Grant Fund

Accepted and placed on file.

**COMMUNICATIONS (cont'd)**

- 479** From the Fire Chief requesting for authorization to change the use of funds from Council order 211 in FY2015. This is regarding the purchase of the 911 Next Generation System Upgrade for the receiving of 911 calls and information. The amount of the proposed transfer is \$90,000. (intended use of the funds is to purchase a replacement of the aging Zetron Fire Station Alerting system for the dispatching of Fire and EMS responders from the Fire Stations and contracted ambulance sites).

Accepted and placed on file.

- 480** From the Mayor in accordance with M.G.L Ch.44, authorizing the transfer of \$90,000 from Fire Department Capital Projects, Council Order 211 of April 2015 to Fire Department Capital Projects-Zetron Fire Station Alerting System.

Accepted and placed on file.

- 481** From the CFO in accordance with Sec. 5 Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$90,000 from Fire Department Capital Projects, Council Order 211 of April 2015 to Fire Department Capital Projects-Zetron Fire Station Alerting System.

Accepted and placed on file.

- 482** From the Chief of Police requesting the expenditure of grant monies related to the Executive Office of Health and Human Services/Department of Mental Health FY2017 & FY2018 Jail Diversion Grants in the amount of \$90,000.

Accepted and placed on file.

- 483** From the Mayor in accordance to M.G.L. Ch.44, authorizing the total grant award in the amount of \$90,000 from the Commonwealth of Massachusetts Executive Office of Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant to the City of Brockton Police Department Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant Fund. These funds will be used over a two year period of time to continue to train first responders (police, fire, and EMS) as well as other community members in the specialized field of Mental Health First Aid; to host monthly Case Conferences/Citizen X community meetings; conduct follow-ups with mentally ill clients in the community; and process Section 12 and 35's through the District Court.

Accepted and placed on file.

- 484** From the CFO in accordance with Sec. 5 Ch. 324 of the Acts of 1990, certifying the proposed grant of \$90,000 from the Commonwealth of Massachusetts Executive Office of Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant to the City of Brockton Police Department Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant Fund.

Accepted and placed on file.

**UNFINISHED BUSINESS**

- 452** Order: That Chapter 40U of the Massachusetts General Laws be and hereby is accepted by the City of Brockton in accordance with G.L. c. 40U, Section 2. (FAVORABLE)

- 448** An Ordinance Amending Revised Ordinances of the City of Brockton, Ch. 5.5 and accepting M. G. L., Chapter 40U in its entirety (FAVORABLE)

Passed to a third reading.

**UNFINISHED BUSINESS (cont'd)**

- 444** An Ordinance amending Chapter 27 of the Revised Ordinances of the City of Brockton; amended by amending the Zoning District Map of the vicinity on the southerly side of Belmont Street. Said proposed change to be from C-1 Neighborhood Commercial Zone to C-2 General Commercial Zone. (HEARING HELD) (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 449** An Ordinance Amending Ch. II of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Ch. 2, Administration, Art. VI. Boards, Commissions, Etc., Division 9. Brockton Commission on Women's Issues, Sec. 2-530. Membership and Appointment. (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 242** An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton by Amending Division II, the Employee Classification Plan. (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 434** An Ordinance Amending Chapter 20 Streets and Sidewalks of the Revised Ordinances of the City of Brockton enacting a Complete Streets Ordinance. (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 435** An Ordinance Amending Chapter 4, the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City of Brockton as follows: Ch. 4 Buildings, is hereby amended by adding the following new article: Article V-Stretch Energy Code. (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 436** An Ordinance Amending Appendix C- Zoning of the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City Council of the City of Brockton as follows: Chapter 27, Articles XIII, Definitions, Sec. 27-61, Generally, is hereby amended. (HEARING HELD) (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.
- 170** An Ordinance amending Chapter 27 Article 2 Zones and Zoning Map and Article 16 Downtown Brockton Smart Growth Overlay District of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Article 2 Zones and Zoning Map. (HEARING HELD) (FAVORABLE) (2<sup>nd</sup> Reading)
- Passed to a third reading.

**ORDERS**

- 485** 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, Sec. 27-4 Designation of zones, is hereby amended by deleting the section in its entirety and inserting new section Sec. 27-35.1-I-4 Salvage Yard Overlay District.
- Referred to Ordinance and Planning

**111**  
**ORDERS (cont'd)**

**486** Ordinance: An Ordinance Amending Section 2-146 of the Revised Ordinances of the City of Brockton. Section 2-146 Compensation – School Committee members elected by Ward

Referred to Ordinance

**487** Ordinance: An Ordinance Amending Article II of the Revised Ordinances of the City of Brockton Article II of the Revised Ordinances of the City of Brockton is hereby amended by inserting the following new section: Section 2-382 Minimum Qualifications for Director of Personnel

Referred to Ordinance

**488** Ordered: That the new park at the old Ralsco Kitchen site be named Charles H. Tartaglia Park

Referred to Finance

**489** Ordered: Acceptance and expenditure of a donation in the amount of \$14,461.29  
From: Brewster Ambulance Service, Inc.  
To: the City of Brockton Fire Department. The Fire Department intends to use these funds to purchase nine Dell tablets.

Referred to Finance

**490** Appropriation: of \$13,500  
*From the FY2017 Massachusetts Department of Public Health Naloxone Grant*  
To: the City of Brockton Police Department FY2017 Massachusetts Department of Public Health Naloxone Grant Fund. These funds are to be used by both the Police and Fire Departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug. No match required.

Referred to Finance

**491** Appropriation: of \$4,990.26  
From: FY2015/16 Hazardous Materials Emergency Preparedness (HMEP) Grant  
To: the City of Brockton Emergency Management Agency FY15/16 Hazardous Materials Emergency Preparedness (HMEP) Grant Fund. These funds will be used to conduct planning and planning equipment for BEMA. No match required.

Referred to Finance

**492** Appropriation: of \$4,764.40  
From: Brockton Emergency Management- FY15 State Homeland Security Program (SHSP)  
To: BEMA-FY15 State Homeland Security Program (SHSP) Grant Fund. This funding will be used to purchase mobile communications equipment for BEMA.

Referred to Finance

**493** Appropriation: of \$125,000.00  
From: the FY17 Safe and Successful Youth Initiative Grant  
To: City of Brockton Police Department FY2017 Safe and Successful Youth Initiative Grant Fund. These Funds will be used to hire street outreach, case management, behavioral health, tiered employment and education services for targeted group of youth ages 17-24 between July 1, 2016 and June 30, 2017.

Referred to Finance

**112**  
**ORDERS (cont'd)**

- 494** Appropriation: of \$90,000  
From: the Commonwealth of Massachusetts Executive Office of Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant  
To: the City of Brockton Police Department of Health and Human Services/Dept. Of Mental Health FY2017 and FY2018 Police-Based Jail Diversion Grant Fund.

Referred to Finance

- 495** Transfer: of \$90,000  
From: Fire Department Capital Projects, Council Order 211 of April 2015  
To: Fire Department Capital Projects-Zetron Fire Station Alerting System.

Referred to Finance

- 496** Resolve: To invite the Parking Authority Director Robert Malley along with representatives from Nelson/Nygaard to present the findings and conclusions of an extensive parking study done for downtown Brockton.

Referred to Finance

Councillor Studenski motioned to accept a late file and communications and was properly seconded. The motion carried by a hand vote.

**LATE FILES**

Communications:

- 498** From the Executive Director of the Parking Authority requesting that the City Council authorize the acceptance and expenditure of \$50,000 from the State Department of Housing and Economic Development to pay for a portion of the Downtown Parking study, which is currently ongoing.

Accepted and placed on file.

- 499** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the award of \$50,000 from the State Department of Housing and Economic Development to City of Brockton Parking Authority Housing and Economic Development Grant Fund. (These funds will be used to pay for a portion of the Downtown Parking study, which is currently ongoing).

Accepted and placed on file.

- 500** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed award in the amount of \$50,000 from the State Department of Housing and Economic Development to City of Brockton Parking Authority Housing and Economic Development Grant Fund.

Accepted and placed on file.

Order:

- 501** Appropriation of the award of \$50,000  
From: the State Department of Housing and Economic Development  
To: City of Brockton Parking Authority Housing and Economic Development Grant Fund.

Referred to Finance

Meeting Adjourned at 9:05 PM

