

A regular meeting of the City Council was held in the Council Chambers with Councilor Cruise presiding. The meeting was called to order at 8:03 pm with eleven members being present.

In City Council, October 11, 2016

The Council President asked for a moment of silence for the people in the Caribbean and Haiti who have been affected by the storm.

Councillor Monahan asked for a moment of personal privilege to recognize Joe Cruise, Rookie of the week at Bridgewater State.

**502** Acceptance of the minutes of the September 26, 2016 City Council meeting

Accepted and placed on file

### HEARINGS

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.

George Ayoub appeared in favor. Councillor Asack was also in favor. No one was in opposition. Hearing held. Councillor Cruise stated that the petitions would be referred to Public Safety. Referred to Public Safety.

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.

Rene Ramos appeared in favor. Councillor Lally also was in favor. Councillor Barnes questioned the expansion. Rene explained it is an expansion of services. Hearing held. Referred to Public Safety.

Petition of Guerreiro & Bota, Inc., Hobacio Bota, for a Garage License located at 50 Meadowbrook Rd., Unit 3, Brockton, MA.

Attorney Creeden appeared on behalf of the petitioners. Gary Leonard also appeared in favor. Hearing held. Referred to Public Safety.

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.

Councillor Farwell questioned the 2 licenses at 1 location. Councillor Cruise stated that the owners of the property were applying for a garage license and Jorge Fortes was applying for a motor vehicle repair license. Councillor Studenski questioned the petitioner on his address. Hearing held. Referred to Public Safety.

Petition of A & Fren Inc., Sunny Aroustamian, for a Motor Vehicle Repair Body License located at 640-644 Belmont St., Brockton, MA

Attorney Creeden appeared on behalf of the petitioners. Councillor Eaniri stated that he will be visiting the business. Councillor Sullivan stated that when they appear at the Public Safety Committee meeting, they should bring tax statement, worker's comp. insurance, and insurance to make sure everything is current. Hearing held. Referred to Public Safety.

**114**  
**REPORTS**

- 503** Of the Finance Committee for its meeting of October 3, 2016

Accepted and placed on file.

**UNFINISHED BUSINESS**

Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Mechanical License located at 189 Clinton St., Brockton, MA. (IN CITY COUNCIL, SEPTEMBER 26, 2016, POSTPONED)

Petition of Joao DePina DBA Unique Collision for a Motor Vehicle Repair Body License located at 189 Clinton St., Brockton, MA. (IN CITY COUNCIL, SEPTEMBER 26, 2016, POSTPONED)

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Ordained by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Ordained by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Barnes motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 242** An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton by Amending Division II, the Employee Classification Plan. (FAVORABLE) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Ordained by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative. Councillor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 434** An Ordinance Amending Chapter 20 Streets and Sidewalks of the Revised Ordinances of the City of Brockton enacting a Complete Streets Ordinance. (FAVORABLE) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Councillor Farwell motioned to send to finance and was properly seconded. Motion carried by a hand vote. Referred to Finance

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

## UNFINISHED BUSINESS (cont'd)

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

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

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

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

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

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Councillor Farwell motioned to send to finance and was properly seconded. Motion carried by a hand vote. Referred to Finance.

- 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) (IN CITY COUNCIL, SEPTEMBER 26, 2016, PASSED TO A THIRD READING)

Councillor Sullivan motioned to send to finance and invite the Major, Attorney Nessralla and Jay Condon to attend and was properly seconded. Motion carried by a hand vote. Referred to Finance.

Councillor Lally motioned to take items **307**, **338** and **339** collectively and was properly seconded. Motion carried by a hand vote.

- 307** Order: The laying out and acceptance of Coe Road from Upton Street to east of Alphonse Road including the taking of an easement for highway purposes over lands of identified property owners.(FAVORABLE)

- 338** Order: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Geralynn Drive from Plain Street to west of Juneau Road, a distance of 1,368.87 feet, and for that purpose it is necessary to take an easement for Highway Purposes and lay it out as a public way. (FAVORABLE)

- 339** Order: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Norwich Road from Baldwin Road northerly to Coe Road, and for that purpose it is necessary to take an easement for Highway Purposes and lay it out as a public way. (FAVORABLE)

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

Councillor Sullivan stepped down.

UNFINISHED BUSINESS (cont'd)

- 451** Ordered: That a portion of Hammond Street, laid out by the Board of Mayor and Alderman on October 17, 1888, and accepted by the Common Council on October 17, 1888, extending from East Street easterly to a point one hundred fifty five and two hundredths feet (155.02') west of Thatcher Street, be and the same is hereby discontinued or abandoned. (FAVORABLE)

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

Councillor Sullivan stepped back in.

- 459** Appointment of Tremeda M. Martin of 32 Merton St., Brockton, MA 02302 to the Brockton Cultural Council. (FAVORABLE)

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

- 460** Appointment of Lasheka Hamilton of 52 Appleton St., Brockton, MA 02301 to the Brockton Cultural Council. (FAVORABLE)

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

Councillor Studenski stepped down.

- 497** Appointment of Noubé Rateau of 359 Hillberg Ave., Brockton, MA 02301 to the Brockton Cultural Council. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Studenski absent.

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

Confirmed by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Studenski absent.

Councillor Studenski stepped back in.

- 462** Appointment 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. (FAVORABLE)

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

- 446** Reappointment of William Scharnick, as a Constable in the City of Brockton for a term of three years (FAVORABLE)

**117**  
**UNFINISHED BUSINESS (cont'd)**

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

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

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

- 489** 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. (FAVORABLE)

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

- 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. (FAVORABLE)

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

- 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. (FAVORABLE)

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

- 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. (FAVORABLE)

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

- 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.  
(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)

- 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.  
 (FAVORABLE)

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

- 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. (FAVORABLE)

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

- 320** Order: That the Personnel Director research the salary levels for comparable positions in the school department and municipal government, and prepare a report for review by the City Council; further, that this report be provided within ninety (90) days of the date of this Order unless the Personnel Director requests additional time. (FAVORABLE)

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

- 453** Order: An Order adopting a Fuel Efficient Vehicle Policy as part of the Massachusetts Green Communities Initiative: Fuel Efficient Vehicle Policy.  
 (FAVORABLE)

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

- 454** Ordered: That the Public Safety Committee of the City Council shall perform an audit of current licenses issued by the Council, review the restrictions (if any) on those licenses, and evaluate related ordinances which affect Code Enforcement.  
 (REFERRED TO PUBLIC SAFETY)

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

- 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.  
 (FAVORABLE)

Adopted by a hand vote

- 455** Resolve: Invited guests from Father Bill's & MainSpring to present their next project at 682 N. Main St. and discuss the state of homelessness overall in the city of Brockton.  
 (FAVORABLE)

Adopted by a hand vote

- 327** Resolve: To have members of the staff of Brockton 21<sup>st</sup> Century Corp along with Mayor Carpenter inform the City Council on current projects taking place to promote further economic development, new business, maintaining business and other outstanding issues being faced by this organization.  
 (FAVORABLE)

Adopted by a hand vote

**UNFINISHED BUSINESS (cont'd)**

- 328** Resolve: To have Matthew Zahler of Trinity Financial Corp and any other individual from this company to update the City Council as to the development of a parking garage at the Enterprise Block and any information regarding a restaurant inside this establishment.  
(FAVORABLE)

Adopted by a hand vote

**ORDERS**

- 504** Resolved: That Mr. Matt O'Brien, Mr. Bill Keene and Mr. Joe Berolini, representatives of the West Cal Ripken Baseball League (f/k/a West Little League) be invited to appear before the Finance Committee to discuss the history of the Albert Baroncelli baseball field and the need and desire to have a new baseball field constructed to meet the needs of the youth within our City.

Referred to finance

Councillor Barnes invites people to come watch the debate at 7:30 pm

Councillor Eaniri announces that the next Finance Committee will be on Monday, October 17<sup>th</sup> at 7:00pm.

Meeting adjourned at 8:52 pm