

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

In City Council, May 29, 2012

**APPOINTMENTS**

- 248** Reappointment of James L. Bates, Jr., of 21 Ash Street, Brockton, MA as a constable in the City of Brockton for a term of three (3) years.

Referred to Finance

**REPORTS**

- 249** Of the Ordinance Committee for its meeting of May 21, 2012.

Accepted and placed on file

- 250** Of the Real Estate Committee for its meeting of May 21, 2012.

Accepted and placed on file

- 251** Of the Finance Committee for its meeting of May 21, 2012.

Accepted and placed on file

**COMMUNICATIONS**

- 252** From the Mayor submitting a letter of resignation of Noelle Foye from the Brockton Commission on Women's Issues.

Accepted and placed on file

Councilor DeNapoli stepped down.

Council President Brophy stated the Clerk was going to take items **253-291** collectively.

- 253** From the Temporary Superintendent of Cemeteries requesting the re-establishment of the revolving fund for the Cemetery Department, consistent with the provisions of M.G.L., Ch. 44, Section 53E ½ in order to receive deposits for Grave liners. This account should have an allowable expenditure of up to \$38,000 for the purchasing of Grave liners.

Councilor DeNapoli stepped back in.

- 254** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending the re-authorization of the grave liners revolving fund for FY2013, for the sole purpose of funding of the acquisition and installation of grave liners exclusive of the cost of labor.

- 255** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of the grave liners revolving fund for fiscal year 2013, limited to annual expenditures of not more than \$38,000, for the acquisition and installation of grave liners exclusive of the cost of labor.

- 256** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L. recommending the re-authorization of a revolving fund for FY2013 for the sole purpose of funding of the acceptance and expenditure by the Women's Commission of receipts and donations from various events, limited to annual expenditures of not more than \$2,500.

## COMMUNICATIONS (cont'd)

- 257** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of a revolving fund from receipts and donations from events held by the Women's Commission of a revolving fund for FY2013, limited annual expenditures of not more than \$2,500.
- 258** From the Superintendent of Buildings requesting the reauthorization of the revolving account for demolition FY2013.
- 259** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending the reauthorization of the Demolition revolving fund for FY2013 for the sole purpose of helping to fund the cost in connection with the demolition of buildings in the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the mayor, provided that not more than \$110,000 may be so expended during FY13.
- 260** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-establishment of a revolving fund for the demolition charges and fees for FY2013, limited to annual expenditures of not more than \$110,000 for demolition costs of buildings of the City of Brockton can be accomplished.
- 261** From the DPW Commissioner requesting the re-establishment of the revolving fund for the Department of Public Works Administration Section consistent with the provisions of M.G.L. Ch. 44, Section 53E1/2, in order to receive deposits for the Keep Brockton Beautiful Program. This account should have allowable expenditures by the Commissioner of the Department of Public Works up to an amount of \$5,000.
- 262** From the Mayor in accordance with M.G.L. Ch. 44, Section 53E ½ recommending the re-authorization of a revolving fund for FY2013 for the sole purpose of funding the Keep Brockton Beautiful Program. Expenditures from the Keep Brockton Beautiful program revolving fund shall be made by the Commissioner of the DPW provided that not more than an amount of \$5,000 may be so expended during the FY2013.
- 263** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed reauthorization of the revolving fund for the Keep Brockton Beautiful Program for FY13.
- 264** From the Chief of Police requesting the City Council re-establish a revolving fund for the Animal Control Department for FY2013, for spaying or neutering of animals consistent with the provisions of M.G.L., Ch. 44, Section 53E ½. This account shall have allowable expenditures of up to \$5,000 per year.
- 265** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of M.G.L., Ch. 44 recommending the reauthorization of a revolving fund for FY2013, for spaying or neutering of animals consistent with provisions of M.G.L., Ch. 140, Section 139A., Animal Control Revolving Program.
- 266** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed reestablishment of a revolving fund for FY2013, for spaying or neutering of animals consistent with Ch.140, Section 139A, for the Animal Control Department, limited to annual expenditures of not more than \$5,000.

## COMMUNICATIONS (cont'd)

- 267** From the DPW Commissioner requesting the re-establishment of the revolving fund for the Department of Public Works Refuse Section consistent with the provisions of M.G.L., Ch. 44, Section 53E1/2 in order to receive deposits for the Composting Bin Distribution Program up to \$2,000.00
- 268** From the Mayor in accordance with the provisions and stipulations of Section 53E 1/2 of Ch. 44 of the M.G.L., recommending the reauthorization of a revolving fund for FY2013 for the sole purpose of funding the Composting Bin Distribution Program from the Municipal Recycling Grant- Executive Office of Environmental Affairs and Department of Environmental Protection.
- 269** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed reestablishment of a revolving fund for the Composting Bin Distribution Program for FY2013.
- 270** From the Mayor in accordance with the provisions and stipulations of Section 53E 1/2 of Ch. 44 of the M.G.L. recommending the re-authorization of the Manning Pool Revolving Fund for FY2013, under the control of the Mayor, from all FY2013 receipts received from admission to the pool, but further provided that the expenditures of such revolving fund revenues shall not exceed \$35,000 and shall be limited to spending purposes for ordinary maintenance expenses to operate the pool.
- 271** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the re-authorization of the Manning Pool Revolving Fund for FY2013, under the control of the Mayor from all FY2013 receipts received from admission to the pool, but further provided that the expenditures of such revolving fund revenues shall not exceed \$35,000 and shall be limited to spending purposes for Ordinary Maintenance expenses to operate the pool during FY13.
- 272** From the Mayor in accordance with the provisions and stipulations of Section 53E1/2 of Ch. 44 of the M.G.L. recommending the re-authorization of the Comcast Revolving Fund for FY2013 for cash receipts during the FY from Comcast for franchise fees, in excess of \$550,000, pursuant to the new cable license contract, and that further, that the expenditures from this fund shall not exceed \$250,000, said expenditures to be limited to the cable related activities, including disbursement of funding to the Brockton Community Cable Corporation, and that further, that the Mayor shall comply with reporting requirements for revolving funds of M.G.L., Ch. 44, Sec. 53 1/2 and with the reporting requirements of the contract with Comcast.
- 273** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-establishment for a FY2013 of a revolving fund, under the control of the Mayor, from all FY13 revenues in excess of \$550,000 from franchise fees from Comcast pursuant to the new cable contract, but further provided that expenditures of such revolving fund revenues shall no exceed \$250,000 and shall be limited to spending purposes for cable related activities, including funding provided to Brockton Community Cable Corporation.
- 274** From the Police Department requesting the re-establishment of a revolving fund for the K9 Unit of the Brockton Police Department for FY13. This fund will be used as a depository for monies received by the K9 Unit and expenditures will be in concurrence with those allowed under Ch. 44, Section 53 1/2.

## COMMUNICATIONS (cont'd)

- 275** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L. recommending the re-authorization of a revolving fund for fiscal year 2013 for the sole purpose of helping to fund the cost in connection with the K9 Unit of the Brockton Police Department. The K9 Unit Revolving Fund shall receive the receipts of the sale of canines born to the existing K9 Unit. Expenditures from the K9 Unit Revolving Fund shall be made at the direction of the Chief of Police, provided that not more than \$5,000 may be so expended from the K9 Unit revolving Fund during FY 2013.
- 276** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed re-establishment of a revolving fund for the K9 Unit of the Brockton Police Department for fiscal year 2013, up to \$5,000, limited to annual expenditures of not more than \$5,000 for the operation and cost of the K9 unit.
- 277** From the City Auditor requesting to re-establish a revolving fund for not more than \$10,000 during FY2013, for Auditor-Public Records Revolving Fund. The Auditor-Public Records Revolving Fund shall receive receipts and fees for the costs of complying with request for public records. This revolving fund shall reimburse various departments for the costs of these requests.
- 278** From the Mayor in accordance with provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending re-authorization of the Auditor-Public Record Request Revolving fund for FY2013, for the sole purpose of reimbursing departments for the cost of complying with requests for public records. The Auditor Public Records Request shall receive the receipts and fees up to \$10,000 during FY2013. Expenditures from the Auditor-Public Records Request Revolving Fund shall be made at the direction of the Auditor provided that not more than \$10,000 may be so expended from the fund during FY2013.
- 279** From CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed authorization of the Auditor-Public Records Request Revolving Fund, for FY2013, for revenues from receipts and fees in excess of \$10,000.
- 280** From the Executive Director of the Brockton Parking Authority requesting re-establishment of a revolving fund for revenues from parking violation fines in order to pay expenses of the Authority's parking enforcement program, including salaries and other support costs of the enforcement personnel and capital projects of the Authority as approved by the Parking Authority Board of Directors.
- 281** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Chapter 44 of the M.G.L., recommending the re-authorization of the Parking Authority Revolving Fund to receive revenues from Parking Violations Fines up to and including the amount of \$250,000, said funds to be expended by the Parking Authority to pay expenses of parking regulation enforcement and repair and maintenance of lots, facilities and equipment. Amounts in excess of \$250,000 shall be credited to the General Fund.
- 282** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of the Parking Authority Revolving Fund for revenues from Parking Fines up to and including the amount of \$250,000.
- 283** From the Superintendent of Buildings requesting the re-authorization of the revolving account for the War Memorial FY2013.

## COMMUNICATIONS (cont'd)

- 284** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending the re-authorization of a revolving fund FY2013 for the sole purpose of helping to fund the cost in connection with the operation of the War Memorial building. The War Memorial Revolving Fund shall receive the receipts of War Memorial charges and fees up to \$15,000 during FY13.
- 285** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying to support the proposed re-establishment of a revolving fund for the War Memorial charges and fees for FY2013, up to \$15,000.
- 286** From the Superintendent of Buildings requesting the re-authorization of the revolving funds FY2013 for vacant and abandoned Buildings.
- 287** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending the re-authorization of a revolving fund of FY2013 for the sole purpose of funding the creation and maintenance of the Abandoned Building Registry as well as the closing and boarding up of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Buildings Revolving Fund shall be made on the authority and direction of the Brockton Building Commissioner, provided that no more than \$75,000 may be so expended for the fund during FY2013.
- 288** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed re-authorization of the Vacant and Abandoned Buildings Revolving Fund for FY2013.
- 289** From the Chief of Police requesting the re establishment of the Closed Cases Revolving Fund for FY2013. This fund will be a depository for monies that were held as evidence in cases that are now closed, and will be used solely for Police Department purchases.
- 290** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending the re authorization of the Police Department-Closed Cases Revolving Fund for FY2013. The Police Department Closed Cases Revolving Fund shall receive monies in police possession from closed cases. Expenditures from the Police Department Closed Cases Revolving Fund shall be made at the direction of the Police Chief provided that not more than \$35,000 may be so expended from the fund during FY 2013.
- 291** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed reauthorization of the Police Department-Closed Cases Revolving Fund for FY2013 from closed cases in excess of \$35,000 during FY 2013.

Councillor DuBois stepped in at 8:05pm

Accepted and placed on file

- 292** From the Fire Chief requesting the acceptance and expenditure of FY2012 Rolf Jensen Memorial Grant in the amount of \$5,000 from the National Fire Protection Association. This is a non-matching grant with no cost to the city. These funds will be used for the implementation of High Rise Apartment Safety and Emergency Preparedness Program in the seven high-rise buildings operated by the Brockton Housing Authority. It will also address the subject of hoarding in the home.

Accepted and placed on file

**COMMUNICATIONS (cont'd)**

- 293** From the Mayor recommending that the City Council authorize the acceptance and expenditure of the award in the amount of \$5,000 from National Fire Protection Association's (NFPA) Rolf H. Jensen Memorial Public Education Grant to Fire Department- Rolf Jensen Memorial Education Grant. These monies are to be used to develop a high-rise and apartment safety program. No match is required.

Accepted and placed on file

- 294** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the award in the amount of \$5,000 from National Fire Protection Association's (NFPA) Rolf H. Jensen Memorial Public Education Grant to Fire Department- Rolf Jensen Memorial Education Grant.

Accepted and placed on file

- 295** From the Library Director requesting a transfer of \$4,500 from Library Department Personal Services Other than Overtime to Personal Services- Overtime. This transfer is necessary, due to the fact that one custodian is out on worker's compensation leave, so custodians from City Hall have been working extra hours to assist the library at the rate of 10 hours per week.

Accepted and placed on file

- 296** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$4,500 from Library- Personal Services Other than Overtime to Library- Overtime. In order to cover overtime for the remainder of the fiscal year.

Accepted and placed on file

- 297** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$4,500 from Library Department Personal Services Other than Overtime to Personal Services- Overtime.

Accepted and placed on file

**UNFINISHED BUSINESS**

- 75** Ordinance: An Ordinance amending Chapter VII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 7. Fire Prevention Code. Sec. 7-775. Fee Schedule. (FAVORABLE)

Passed to a third reading by a hand vote.

- 164** Ordinance: An Ordinance amending Chapter II of the Revised Ordinances of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Section 2-127 Pay Plan, is hereby amended by inserting a new compensation grade: PT/S Supervisor, Summer Youth Program with the following salary rate: \$14.00 hourly (FAVORABLE)

Passed to a third reading by a hand vote.

- 208** Ordered: That the City Council declare 59 Sawtell Avenue (Map 172, Route 209, Plot 54 Sawtell Avenue) known as the Franklin School available for disposition and sale. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays": nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

## UNFINISHED BUSINESS (cont'd)

- 210** Reappointment of David Martel as a Constable in the City of Brockton for a term of 3 years. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

- 237** Ordered: That the City Council accepts and expends the grant award in the amount of \$4,000  
 From: The Commonwealth of Massachusetts Department of Public Health-Decontamination Units Grant  
 To: Fire Department-Decontamination Units Grant. (These monies are for the upkeep of the Mass Decontamination Units and purchase supplies for)  
 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

- 240** Transfer of: \$1,000,000.00  
 From: DPW-Highway-Snow Removal  
 To: Stabilization Fund  
 (in order that the monies would be available for use immediately).  
 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

- 242** Transfer totaling \$14,000  
 From: Parking Authority-Personal Services  
 Other than Overtime- \$6,000 and  
 Parking Authority- Snow Removal- \$8,000  
 To: Parking Authority Meter Reserve Fund  
 (To help fund removal of tanks under the Montello Street Parking lot planned for Fiscal 2013). (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

- 246** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a revolving fund of FY2012 for the sole purpose of spending by the police chief for Ordinary Maintenance expenses of the police department. The Police Department Closed cases revolving fund shall receive monies in Police possession from closed cases. Expenditures from the Police Department-Closed Cases Revolving Fund shall be made at the direction of the Police Chief provided that not more than \$35,000 may be so expended from the fund during FY2012.  
 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent. Councillor Studenski motioned for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 248** Ordered: That the City Council authorize the approval of the Net Metering Power Purchase Agreement between NuGen Capital Management, LLC and the City of Brockton. This agreement is for the purchase of solar power from a solar plant, which will save the city in electricity costs. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and eight voting in the affirmative. Councillor DuBois voting in the negative. Councillors MacMillan and Monahan absent.

**UNFINISHED BUSINESS (cont'd)**

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

- 243** Resolve: to look into the clothing bins around the City. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and eight voting in the affirmative. Councillor DuBois voting in the negative. Councillors MacMillan and Monahan absent.

Council President Brophy calls a brief recess.

**ORDERS**

Back in session

- 298** Ordinance: An Ordinance amending Chapter XXVII of the Revised Ordinances of the City of Brockton as follows: Chapter 27 Zoning, Flood Plains.

Referred to Ordinance and Planning

- 300** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E ½, the City Council authorizes the authorization of a revolving fund for fiscal year 2013, for the sole purpose of funding of the acquisition and installation of grave liners exclusive of the cost of labor. The Grave Liners Revolving Fund shall receive the receipt of payment of all liner fees for the City of Brockton.

Councillor Eaniri motioned to take items **300-313** collectively and was properly seconded. The motion carried by a hand vote.

- 301** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for the sole purpose of funding the acceptance and expenditure by the Women’s Commission of receipts and donations from various events. Expenditures from the revolving fund shall be made on the authority and direction of the Mayor, provided that not more than \$2,500 may be so expended from the Woman’s Commission Revolving Fund during fiscal year 2013

- 302** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for the sole purpose of funding the cost in connection with the demolition of buildings in the City of Brockton. The Demolition Revolving Fund shall receive the receipt of payment of all demolition of buildings in the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition Revolving Fund during FY2013. The Building Superintendent shall comply with the reporting requirement of M.G.L., Ch. 44, Section 53E ½.

- 303** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY2013 revolving fund for the sole purpose of funding the Keep Brockton Beautiful Program. All revenues received as donations to this fund is to be used for purchasing tee shirts, rakes, shovels, barrels, and other miscellaneous items to be used for the program. Expenditures from the Keep Brockton Beautiful Program Revolving Fund shall be made by the Commissioner of the Department of Public Works, provided that not more than an amount of \$5,000 may be son expended during the fiscal year.

68  
**ORDERS (cont'd)**

- 304** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, consistent with the provisions of M.G.L. Chapter 140, Section 139A. The Animal Control Revolving Fund shall receive the deposits for the spaying or neutering of animals. Expenditures would be restricted to not more than \$5,000.00 annually for the purposes permitted by Chapter 140, Section 139A.
- 305** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, for the sole purpose of funding the Composting Bin Distribution Program from the Municipal Recycling Grant-Executive Office of Environmental Affairs and Department of Environmental Protection. All revenue received from home composting bin sales or donations to the bin program shall be deposited in such account. The revolving fund is to be used solely for the purchase of additional home composting bins, advertising, administrative expenses or other such expenses related to the home composting bin distribution program per the terms of the grant. Expenditures from the Composting Bin Distributions Program Revolving Fund shall be made by the Commissioner of the Department of Public Works, provided that not more than an amount of \$2,000.00 may be so expended during the fiscal year 2013.
- 306** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a FY 2013 revolving fund for Manning Pool Revolving Account under the control of the mayor, from all FY2013 receipts received from admission to the pool, but further provided that the expenditures of such revolving fund revenues shall not exceed \$35,000 and shall be limited to spending purposes for ordinary maintenance expenses to operate the pool.
- 307** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council re-authorizes the establishment of a revolving fund for fiscal year 2013, from the cash receipts from Comcast franchise fees, in excess of \$550,000, pursuant to the new cable license contract, and that further, that the expenditures from this fund shall not exceed \$250,000 during fiscal year 2013.
- 308** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, for the sole purpose of helping to fund the cost in connection with the K9 Unit of the Brockton Police Department. The K9 Unit Revolving Fund shall receive the receipts of the sale of canines born to the existing K9 Unit. Expenditures from the K9 Unit Revolving Fund shall be made at the direction of the Chief of Police, provided that not more than \$5,000 may be so expended from the K9 Unit revolving fund during FY 2013.
- 309** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the Auditor-Public Record Request Revolving fund for FY2013, for the sole purpose of reimbursing departments for the cost of complying with requests for public records. The Auditor Public Records Request shall receive the receipts and fees up to \$10,000 during FY2013. Expenditures from the Auditor-Public Records Request Revolving Fund shall be made at the direction of the Auditor provided that not more than \$10,000 may be so expended from the fund during FY2013.

## ORDERS (cont'd)

- 310** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the establishment of a revolving fund for fiscal year 2013, for the Parking Authority Revolving Fund to receive revenues from Parking Violations Fines up to and including the amount of \$250,000, said funds to be expended by the Parking Authority to pay expenses of parking regulation enforcement and repair and maintenance of lots, facilities and equipment. Amounts in excess of \$250,000 shall be credited to the General Fund.
- 311** Ordered: That pursuant to M.G.L. Ch. 44 Sec. 53E ½, the City Council authorizes a revolving fund for FY2013 for the sole purpose of helping to fund the cost in connection with the operation of the War Memorial building. The War Memorial Revolving Fund shall receive the receipts of War Memorial charges and fees up to \$15,000 during FY13. Expenditures from the War Memorial Revolving Fund shall be made at the direction of the Mayor, provided that not more than \$15,000 may be so expended from the War Memorial Revolving Fund during FY2013.
- 312** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes a revolving fund for Fiscal Year 2013, for the sole purposes of funding the creation and maintenance of the Abandoned Building Registry as well as the closing and boarding up of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Building Revolving Fund shall be made on the authority and direction of the Brockton Building Commissioner, provided that no more than \$75,000 may be so expended from the Vacant and Abandoned Buildings Revolving Fund during fiscal year 2013.
- 313** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the Police Department-Closed Cases Revolving Fund for fiscal year 2013 for the sole purpose of spending by the Police Chief for ordinary maintenance expenses of the police department. The Police Department Closed cases Revolving Fund shall receive monies in police possession from closed cases.

Referred to Finance

- 314** Ordered: That the City Council accepts and expends the grant award in the amount of \$5,000  
 From: National Fire Protection Association's (NFPA) Rolf H. Jensen Memorial Public Education Grant  
 To: Fire Department- Rolf Jensen Memorial Education Grant.  
 These monies are to be used to develop a high-rise and apartment safety program. No match is required.

Referred to Finance

The clerk reads an order that inadvertently was missed on the agenda.

- 321** Transfer of: \$4,500  
 From Library- Personal Services Other than Overtime  
 To: Library- Overtime.  
 In order to cover overtime for the remainder of the fiscal year.

**70**  
**ORDERS (cont'd)**

Councillor DeNapoli motioned to move under suspension of the rules on item **321** and was properly seconded. The motion carried by a hand vote. Adopted by a roll call vote taken by “yeas” and “nays”: nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent. Councillor DeNapoli motioned for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

**315** Ordered: Budget for FY2013

Referred to Finance

**LATE FILES**

Councillor Cruise motioned to accept four late files and move under suspension of the rules and was properly seconded. The motion carried by a hand vote.

**317** Communication: From the Fire Chief requesting a transfer of \$20,000 from Personal Services Holiday Pay to Vehicle Repair and Maintenance. Due to emergency repair of Engine Company 5.

Accepted and placed on file

**318** Communication: From the Mayor in Accordance with M.G.L., Ch. 44, recommending a transfer of \$20,000 From Fire Department- Personal Services (Holiday Pay) to Fire Department-Ordinary Maintenance (Vehicle Repair and Maintenance).

Accepted and placed on file

**326** Communication: From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the transfer of \$20,000 from Fire Department-Personal Services to Fire Department-Ordinary Maintenance. . Due to emergency repair of Engine Company 5.

Accepted and placed on file

**324** Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:  
Transfer of: \$20,000  
From Fire Department-Personal Services  
To: Fire Department- Ordinary Maintenance. (Due to emergency repair of Engine Company 5)

Councillor Cruise states that the Fire Chief and the CFO were there to answer any questions that the Councillors had. The Chief explained the reason for the transfer.

Councillor Petti stepped down.

Councillor Cruise asked the Chief if they had backup trucks. The Chief stated that they did and noone would be in jeopardy of losing services. Councillor Stewart questioned who would install the engine. The Chief replied that they would purchase the engine and install it themselves. He also stated that the engine was thirteen years old and the NFPA guidelines is fifteen years.

Councillor Petti stepped back in.

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councillors MacMillan and Monahan absent.

**71**  
**LATE FILES (cont'd)**

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

Councillor Monahan stepped in at 8:25pm.

Councillor Stewart motioned to accept two late files and was properly seconded. The motion carried by a hand vote.

- 299** Ordinance: 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: Sec. 2-89. Yeas and Nays.

Referred to Ordinance

- 320** Resolved: That a Committee be established consisting of the Personnel Director, the Chief Financial Officer, or his designee, and one member of the City Council appointed by the City Council President, to review the duties and responsibilities of heads of City departments and to make recommendations as to the establishment of minimum qualifications for such positions.

Referred to Finance

Councillor Studenski motioned to accept four late files and move under suspension of the rules and was properly seconded. The motion carried by a hand vote.

- 322** Communication: From the Chief of Police requesting the following transfer for the Police Department FY12 budget totaling \$202,200:

From: OT Safety	\$60,950
OT License	\$50,000
Overtime	\$19,000
Shift Diff	\$50,000
Weekend Diff	\$22,250

To: Police Department-Capital-Cruisers. In order to purchase 6 Police Department vehicles.

Accepted and placed on file

- 323** Communication: From the Mayor in accordance with M.G.L., Ch. 44 recommending the following transfers totaling \$202,200:

From: OT Safety	\$60,950
OT License	\$50,000
Overtime	\$19,000
Shift Diff	\$50,000
Weekend Diff	\$22,250

To: Police Department-Capital-Cruisers. In order to purchase 6 Police Department vehicles.

Accepted and placed on file

- 325** Communication: From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the following proposed transfers totaling \$202,200:

From: OT Safety	\$60,950
OT License	\$50,000
Overtime	\$19,000
Shift Diff	\$50,000
Weekend Diff	\$22,250

To: Police Department-Capital-Cruisers

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**LATE FILES (cont'd)**

Accepted and placed on file

- 319** Transfer: totaling \$202,200:  
From: OT License                 \$50,000  
      Overtime                    \$19,000  
      P.S. Other than  
      Overtime                    \$72,250  
To: Police Department-Capital-Cruisers. (In order to purchase 6 Police  
Department vehicles).

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor MacMillan absent. Councillor Studenski motioned for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

The Council President stated that the budget meetings will be held on June 11, 12, and 13. The next regularly scheduled Finance Committee Meeting will be held on June 18, 2012.

Councillor Petti takes a moment of personal privilege to state that if there is any area in the city that needs to be cleaned, to contact him at 508-897-6891. He is working on contacting Brockton High School to work with students to use hours towards community service.

Councillor Monahan takes a moment of personal privilege to state that this Thursday at 7pm there will be a meeting at George’s Café regarding a grant for Edgar Park.

Councillor Sullivan takes a moment of personal privilege to give kudos to everyone involved in the Memorial Day Parade, and to the JROTC and the High School Band.

Adjourned at 8:31pm