

A regular meeting of the City Council was held in the Council Chambers with Councillor Cruise presiding. The meeting was called to order at 8:04pm with nine members being present. Councillors DuBois and Sullivan absent.

In City Council, February 11, 2013

The Council president asked for a moment of silence for Christos Tsaganas, who was a member of the Brockton Redevelopment Authority.

The Mayor's State of the City address was postponed until the next council meeting on February 25, 2013.

APPOINTMENTS

- 48** Reappointment of James C. Doucette, 260 Torrey Street, Brockton as a Constable in the City of Brockton for a term of three (3) years.

Councillor MacMillan motioned to table the reappointment and was properly seconded. The motion carried by a hand vote.

HEARINGS

Petition of Sonal Patel, LLC, 9 Sanford Rd., Chelmsford, MA dba Gas Depot for an Underground Storage License located at 1123 Main St.

Jay Patel appeared in favor. No one was in opposition. Hearing held. Granted by a roll call vote taken by "yeas" and "nays": eight members present and all voting in the affirmative. Councillors DuBois, Stewart and Sullivan absent.

REPORTS

- 49** Of the Finance Committee for its meeting of February 4, 2013.

Accepted and placed on file.

COMMUNICATIONS

- 50** From the Director of the BEMA requesting that the City Council approve the acceptance of a grant in the amount of \$27,500 from MEMA, which they put in for equipment for the City of Brockton and the Police Department.

Accepted and placed on file.

- 51** From the Mayor in accordance with the General Laws of Massachusetts, Ch. 44, recommending acceptance of \$27,500 from the Massachusetts Emergency Management Agency (EMPG) Performance Grant Program. The Brockton Emergency Management Agency (BEMA) intends to use these funds for equipment for the Brockton Police Department, as approved in the grant.

Accepted and placed on file.

- 52** From the CFO in accordance of Section 5 of Ch. 324 of the Acts of 1990, certifying the acceptance of \$27,500 from Massachusetts Emergency Management Agency (EMPG) Performance Grant Program.

Accepted and placed on file.

- 53** From the Director of the BEMA requesting that the City Council approve the acceptance of a donation of \$950.00 from MEMA for equipment to be used by the City of Brockton and Emergency Management Agency.

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COMMUNICATIONS (cont'd)

Accepted and placed on file.

- 54** From the Mayor recommending that the City Council authorize the acceptance of a donation of equipment from Massachusetts Emergency Management Agency to City of Brockton Emergency Management Agency. The donation's monetary value is \$950.00.

Accepted and placed on file.

- 55** From the CFO in accordance of Section 5 of Ch. 324 of the Acts of 1990, certifying the acceptance of a donation of equipment from Massachusetts Emergency Management Agency valued at \$950.00.

Accepted and placed on file.

- 56** From the Executive Health Officer requesting that the City Council accept and expend the sum of \$4,000 from the Massachusetts Department of Public Health through its Region #5 host agent, the Massachusetts Association of Health Boards (MAHB) for the purpose of building the level of volunteers for our area Medical Reserve Corps.

Accepted and placed on file.

- 57** From the Mayor recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$4,000 from Massachusetts Associations of Health Boards Plymouth County Region 5 Emergency Coalition Grant Fund to City of Brockton Board of Health Massachusetts (MAHB) Medical Reserve Corp Grant Fund. These grant monies are for the purpose of building the level of volunteers for local Medical Reserve Corps.

Accepted and placed on file.

- 58** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the award of \$4,000 from Massachusetts Associations of Health Boards (MAHB) Plymouth County Region 5 Emergency Coalition Grant to City of Brockton Board of Health

Accepted and placed on file.

- 66** From the Fire Chief requesting a transfer in the amount of \$300,000.00 from Fire Department Personal Services-Education Incentive to Fire Department- Personal Services-Overtime (to maintain all Companies through the remainder of Fiscal Year 2013 due to vacations and vacant positions as well as unpredictable weather events for the remainder of the winter season).

Accepted and placed on file.

- 67** From the Mayor recommending an appropriation in the amount of \$300,000 from Fire Department Personal Services-Education Incentive to Fire Department- Personal Services-Overtime (to maintain all nine Companies in service from January 1, 2013 through June 30, 2013).

Accepted and placed on file.

- 68** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of \$300,000.00 from Fire Department Personal Services-Education Incentive to Fire Department- Personal Services-Overtime.

Accepted and placed on file.

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UNFINISHED BUSINESS

Councillor Stewart stepped in at 8:10pm.

- 43** Appropriation of: \$2,000.00
From: Massachusetts Department of Environmental Protection Sustainable Materials Recovery Program Grant for Small Scale Initiatives
To: Department of Public Works- Sustainable Materials Recovery Program Grant for Small Scale Initiatives. (This grant is to fund the city's recycling program, which provides the collection of mercury, paint, and automotive waste collection equipment.)(FAVORABLE)

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

- 44** Appropriation of \$80,000
From: Sale of Lots and Graves
To: Cemetery Capital Projects (for purchasing a Backhoe Loader)
(FAVORABLE)

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

- 45** Appropriation of: \$151,419.69
From: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant
To: Brockton Police Department: FY2013 State 911 Department Training and Emergency Medical Dispatch Grant. (These grant funds will be used to pay for a contracted vendor to deliver state certified classes on site at the Brockton Police Department for all Police and Electronic Telecommunication Dispatchers. (There is no required match for these funds) (FAVORABLE)

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

- 534** Ordered: The City Council of the City of Brockton petitions the Great and General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act as follows:
AN ACT RELATIVE TO ESTABLISHMENTS IN THE CITY OF BROCKTON
LICENSED TO SELL ALCOHOL PURSUANT TO G.L. CH 138
(FAVORABLE AS AMENDED)

Referred back to Finance.

- 46** Resolved: That Captain Leo Lloyd of the Salvation Army be invited to appear before a committee of the Council to provide information concerning the Salvation Army's new curbside pick-up plan. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays": nine members present with eight voting in the affirmative. Councillor DeNapoli voting in the negative. Councillors DuBois and Sullivan absent.

- 47** Resolved:That a representative of the Massachusetts Department of Revenue be invited to appear before a committee of this council to discuss their recommendations from the recently concluded report on the City of Brockton government. (FAVORABLE)

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

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ORDERS

- 59** Ordered: that the City of Brockton Board of Health, Building Dept. & DPW is hereby directed to investigate the proper procedures to follow to remove all outdoor clothing collection bins within the City of Brockton.

Referred to Finance.

- 60** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the City Preliminary will be held on Tuesday, September 17, 2013 and that the City Election will be held on Tuesday, November 5, 2013

Referred to Finance.

- 61** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the Special State Primary will be held on Tuesday, April 30, 2013 and that the Special State Election will be held on June 25, 2013

Councillor Brophy motioned to move under suspension of the rules and act on item **61** 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 DuBois and Sullivan absent.

- 62** Ordered: That the City Council accepts the donation of equipment valued at \$950.00
From: the Massachusetts Emergency Management Agency
To: City of Brockton Emergency Management Agency. (the equipment is to be used by the City of Brockton and Emergency Management Agency.)

Referred to Finance.

- 63** Ordered: That the City Council accepts and expends the grant award in the amount of \$4,000
From: Massachusetts Associations of Health Boards (MAHB) Plymouth County Region 5 Emergency Coalition Grant Fund
To: City of Brockton Board of Health Massachusetts (MAHB) Medical Reserve Corp Grant Fund. (These grant monies are for the purpose of building the level of volunteers for local Medical Reserve Corps)

Referred to Finance.

- 64** Appropriation: of \$27,500
From: the Massachusetts Emergency Management Agency (EMPG) Performance Grant Program.
To: The Brockton Emergency Management Agency (BEMA)
(The Brockton Emergency Management Agency (BEMA) intends to use these funds for equipment for the Brockton Police Department, as approved in the grant).

Referred to Finance.

- 69** Appropriation of: \$300,000
From: Fire Department Personal Services-Education Incentive
To: Fire Department- Personal Services-Overtime (to maintain all nine Companies in service from January 1, 2013 through June 30, 2013.)

Referred to Finance.

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ORDERS(cont'd)

- 65** Resolve: that the Mayor, Interim School Superintendent, Police Chief, Fire Chief, Library Director, Council on Aging Director, and a representative from the Brockton Housing Authority and Massasoit Community College come before the Finance Committee to discuss current public safety protocols, plans, and initiatives in the event of criminal activities and/or life-threatening occurrences within certain municipal, residential, and educational properties located in Brockton.

Referred to Finance.

Councillor Monahan takes a moment of personal privilege to state that there will be a Ward Meeting at George's Café at 7pm tomorrow night.

Council President Cruise takes a moment of personal privilege to state that Councillor DuBois is under the weather and hopes she gets well soon.

Councillor Brophy takes a moment of personal privilege to thank the City and everyone that helped with the cleanup of the snow.

Councillor Petti stated that there will be a Public Safety Meeting on Tuesday, February 19, 2013 at 6pm.

Council President Cruise stated that the next Finance Committee will be held on Tuesday February 19, 2013 at 7pm.

Adjourned at 8:19pm