

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: 01pm with 11 members being present.

In City Council, February 25, 2013

The Mayor's State of the City address

A brief recess was called.

Back in session.

Councillor MacMillan absent.

### HEARINGS

Councillor Monahan motioned to take items 1-8 collectively and was properly seconded. The motion carried by a hand vote.

Petition of Verizon New England, Inc. and NGRID proposing to relocate pole 854/5-4 feet southerly on Pleasant Place. In order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to relocate pole 220/1-12 feet northerly on Elmwood Ave. In order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to relocate pole 4/15-7 feet easterly on Spring St. In order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to relocate pole 88/32-10 feet southerly on Belmont Ave., in order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to place a new pole 400/1 on Augusta Ave. In order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to place a new pole 373 ½ on North Ash Street approximately 20' South from Pleasant Street. In order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to place a new pole 347 ½ on Lenox Street in order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Petition of Verizon New England, Inc. and NGRID proposing to place a new pole #306 ½ on Ellis Street in order to accommodate the reconstruction of Pleasant Street as laid out in the MA DOT project #600365.

Barry from Verizon appeared in favor. No one appeared in opposition. Hearing held.

Petition of Verizon New England, Inc. and NGRID proposing to place 2 new poles on Pleasant Street; pole 54/41S- at Pleasant and Ash Streets and Pole 54/24S- opposite Nye Street on Pleasant Street. This project also relocates 31 Poles at various locations on Pleasant Street.

Councillor Monahan motioned to postpone the hearing and was properly seconded. The motion carried by a hand vote.

**17**  
**REPORTS**

**70** Of the Public Safety Committee for its meeting of February 19, 2013

Accepted and placed on file.

**71** Of the Finance Committee for its meeting of February 19, 2013

Accepted and placed on file.

**COMMUNICATIONS**

**72** From the Mayor submitting a letter of resignation from Mary Mucci from the Brockton Council on Aging.

Accepted and placed on file.

**73** From the Mayor submitting a letter of resignation from Anthony Donegan, Jr. from the Brockton Planning Board.

Accepted and placed on file.

**74** From the Mayor relative to the reappointment of James C. Doucette as a Constable.

Accepted and placed on file.

**75** From the Superintendent of Buildings requesting a transfer of the sum of \$7,000 from Planning (Buildings and Grounds Maintenance) to Planning Overtime. (In order to fund the upkeep of the Parks on White Avenue, Crescent Street and GAR Park).

Accepted and placed on file.

**76** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$7,000 from Planning Department-Ordinary Maintenance (Buildings and Grounds Maintenance) to Personal Services Overtime to cover upkeep of the Parks on White Avenue, Crescent Street and GAR Park).

Accepted and placed on file.

**77** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$7,000 from Planning Department-Ordinary Maintenance to Personal Services Overtime.

Accepted and placed on file.

**78** From the Supervisor of Animal Control requesting a transfer of \$8,000 from Animal Control Full-Time Services to Personal Services Overtime to cover overtime expenditures through the remainder of the Fiscal year.

Accepted and placed on file.

**79** From the Mayor in accordance with M.G.L., Ch. 44, recommending a transfer of \$8,000 from Animal Control Full-Time Services to Personal Services Overtime due to two control officers being out of work.

Accepted and placed on file.

**80** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of \$8,000 from Animal Control Full-Time Services to Personal Services Overtime.

## COMMUNICATIONS

Accepted and placed on file.

- 81** From the Mayor in accordance with M.G.L., Ch. 44, recommending approval by the City Council of the Net Metering Power Purchase Agreement between West Bridgewater Solar, LLC and the City of Brockton. (for purchase of solar power from a solar plant, which will save the City in electricity costs.

Accepted and placed on file.

- 82** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed approval of the Net Metering Power Purchase Agreement between West Bridgewater Solar, LLC and the City of Brockton.

Accepted and placed on file.

## UNFINISHED BUSINESS

Petition of ecoATM, Inc. for a Second Hand Article license located at 200 Westgate Dr., #65. (FAVORABLE)

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

Petition Herard Belizaire of Pentecostal Church of God of the Elects to suspend a sign at 291 Main St., Brockton. (FAVORABLE)

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

Petition of Antonio Sequeira for a Hawker and Peddler’s License located at 91 West Chestnut Street. (FAVORABLE)

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

- 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. (FAVORABLE)

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

(FAVORABLE)

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

- 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) (FAVORABLE)

**UNFINISHED BUSINESS (cont'd)**

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

- 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). (FAVORABLE)

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

- 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.)  
 (FAVORABLE)

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

- 23** Ordered: That the Mayor and Department of Public Works Commissioner be authorized to execute the Intermunicipal Agreement Between Town of Kingston and City of Brockton for Footbridge Construction and Maintenance.  
 (FAVORABLE)

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

- 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. (FAVORABLE)

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

**ORDERS**

- 83** Ordinance: An Ordinance by which the City of Brockton accepts M.G.L. Ch. 59, Section 5N, in order to authorize establishment of a program to allow veterans, as defined in clause M.G.L. Ch. 4, Section 7, Clause 43, to volunteer to provide services in exchange for a reduction in the real estate property tax obligations of that veteran on the veteran’s tax bills, which reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled.

Referred to Ordinance

- 84** Ordered: That the City Council authorize the approval of the Net Metering Power Purchase Agreement between West Bridgewater Solar, LLC and the City of Brockton. (for the purchase of solar power from a solar plant, which will save the City in electricity costs).

Referred to Finance

**20**  
**ORDERS (cont'd)**

- 85** Ordered: That the Mayor and/or Treasurer/Collector is hereby authorized to execute any and all documents necessary to convey the property located and known as Plot 84 Spring Street Parcel ID:093-032 to Dukene Beaubrun of 35 North Warren Avenue, Brockton, MA 02301 for the purchase price of One Thousand Five Hundred Dollars (\$1,500.00).

Referred to Real Estate

- 86** Transfer of \$7,000  
From: Planning Department-Ordinary Maintenance (Buildings and Grounds Maintenance)  
To: Personal Services Overtime (to cover upkeep of the Parks on White Avenue, Crescent Street and GAR Park).

Referred to Finance

- 87** Transfer of \$8,000  
From: Animal Control Full-Time Services  
To: Personal Services Overtime  
(to cover overtime expenditures through the remainder of the Fiscal year).

Referred to Finance

- 88** Resolved: That the City Council expresses its support for fair and uniform medical treatment at all Veteran Medical Centers.

Referred to Finance

- 89** Resolve: That the City of Brockton request the Mayor be invited to appear before a committee of this Council to provide a report on compliance with the terms of all existing TIF Agreements.

Referred to Finance

Councillor Brophy motioned to take items 40-47 collectively and was properly seconded. The motion carried by a hand vote.

Granting of Verizon New England, Inc. and NGRID proposing to relocate pole 854/5-4 feet southerly on Pleasant Place.

Granted by a hand vote.

Granting of Verizon New England, Inc. and NGRID proposing to relocate pole 220/1-12 feet northerly on Elmwood Ave.

Granting of Verizon New England, Inc. and NGRID proposing to relocate pole 4/15-7 feet easterly on Spring St.

Granting of Verizon New England, Inc. and NGRID proposing to relocate pole 88/32-10 feet southerly on Belmont Ave.

Granting of Verizon New England, Inc. and NGRID proposing to place a new pole 400/1 on Augusta Ave.

Granting of Verizon New England, Inc. and NGRID proposing to place a new pole 373 ½ on North Ash Street approximately 20' South from Pleasant Street.

Granting of Verizon New England, Inc. and NGRID proposing to place a new pole 347 ½ on Lenox Street.

Granting of Verizon New England, Inc. and NGRID proposing to place a new pole #306 ½ on Ellis Street.

**21**  
**ORDERS (cont'd)**

Councillor MacMillan stepped in.

Granted by a hand vote.

Councillor Brophy motioned to postpone item #48 until the next council meeting and was properly seconded. The motion carried by a hand vote.

Granting of Verizon New England, Inc. and NGRID proposing to place 2 new poles on Pleasant Street; pole 54/41S- at Pleasant and Ash Streets and Pole 54/24S- opposite Nye Street on Pleasant Street.

**LATE FILE**

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

- 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 Ordinance.

Councillor Eaniri takes a moment of personal privilege to remind everyone that Wednesday is Councillor Petti's 53<sup>rd</sup>. birthday.

Councillor DuBois takes a moment of personal privilege to state that on Wednesday February 27, 2013 at 6:30 there will be a joint ward meeting with Councillor MacMillan at North Middle School in the cafeteria. The topic will be low income housing.

Councillor Monahan takes a moment of personal privilege to wish Councillor Petti a Happy Birthday and state that the next Ordinance Committee Meeting will be on March 4, 2013 at 6pm.

Councillor Brophy takes a moment of personal privilege to remind everyone that the 9<sup>th</sup>. Annual Keep Brockton Beautiful Day will be held on Saturday April 20, 2013 and an organizational meeting will be held on April 9, 2013.

Councillor Studenski takes a moment of personal privilege to state that on March 13, 2013 there will be a Ward 4 Meeting at the Davis School at 7pm and all are invited.

Councillor Petti takes a moment of personal privilege to have a moment of silence for Richard (Muzzy) Mullaro, a life long resident of Brockton who passed away.

The next Finance Committee Meeting will be held on March 18, 2013.

Adjourned at 9:00pm