

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: 13 pm with eleven members being present.

In City Council, March 25, 2013

HEARINGS

Petition of Lonnie's Auto Repair for a Motor Vehicle Repair Mechanical license located at 754 Warren Ave.

Lonnie Young and Michael Brigandi appeared in favor. No one appeared in opposition. Councillor Stewart questioned the petitioner on the stipulations. Hearing held. Councillor Studenski motioned to grant the license with the following stipulations and was properly seconded:

Hours of operation: Monday through Friday 9a.m.-3p.m.; No Sundays or Holidays.

No pay phones or vending machines.

No outside storage of parts.

Area should be kept clean and free of debris.

Limit of 3 customer cars to be left on the premises overnight.

The license was granted by a hand vote.

Petition of Gearheads Garage for a Motor Vehicle Repair Mechanical License located at 210 N. Cary St.

Anthony Rogers, David Lynch and Mr. Clark appeared in favor. No one was in opposition. Hearing held. Councillor DeNapoli motioned to grant the license with the following stipulations:

Hours of operation: Monday through Friday 8a.m.-6p.m.; No Sundays or Holidays.

No pay phones. No storage of parts or by products.

Limit of 3 customer cars to be left overnight.

Councillor Stewart questioned the petitioner on the stipulations. The motion was properly seconded. Granted by a hand vote.

PETITIONS

Of Richard Fagone dba Golden Dream Jewelry for a renewal Second Hand Precious Metals & Gems located at 365 Westgate Drive.

Referred to Public Safety.

REPORTS

128 Of the Ordinance Committee for its meeting of March 18, 2013.

Accepted and placed on file.

129 Of the Finance Committee for its meeting of March 18, 2013.

Accepted and placed on file.

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REPORTS (cont'd)

- 130** Of the Real Estate Committee for its meeting of March 18, 2013.

Accepted and placed on file.

Councillor Studenski stepped down.

COMMUNICATIONS

- 131** From the City Auditor certifying that the balance of the Stabilization Fund as of March 11, 2013 is \$6,767,490.18

Accepted and placed on file.

- 132** From the Executive Director of the Elections Commission requesting a total appropriation of \$130,000; \$105,000 to Election Commission-Personal Services and \$25,000 for Election Commission-Purchase of Services. (in order to provide funding for the special elections for US Senate this year on April 30, 2013 and June 25, 2013).

Accepted and placed on file.

- 133** From the Mayor in accordance with M.G.L., Ch. 44, recommending an appropriation from Stabilization Fund-\$130,000 to Election Commission-Personal Services-\$105,000 and \$25,000 for Election Commission-Purchase of Services. (in order to provide funding for the special elections for US Senate this year on April 30, 2013 and June 25, 2013).

Accepted and placed on file.

- 134** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990 certifying the proposed appropriation of \$130,000 from the Stabilization Fund.

Accepted and placed on file.

Councillor Brophy stepped down.

- 136** From the Director of Personnel submitting a letter of verification, that based on the favorable vote on November 1, 2012 by the City Council accepting Massachusetts General Laws Ch. 32B, Section 19 and the agreement reached between the City and the Public Employee Committee (PEC) signed November 2012, the Personnel Department, Personnel Employee Benefits, Health Insurance appropriation has a surplus of \$1.2 Million in Fiscal Year 2013.

Accepted and placed on file.

- 137** From the Mayor in accordance with M.G.L. recommending an appropriation of \$33,900 from Personnel Employee Benefits to Public Property-Personal Service other than Overtime-\$32,900, and Public Property -Overtime-\$1,000 This contract covers three fiscal years, FY2011, FY2012, and FY2013.

Councillor DuBois stepped down.

Accepted and placed on file.

COMMUNICATIONS (cont'd)

- 138** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation to various departments in order to provide funding for the collective bargaining with The Brockton Building and Construction Trades, Laborers' International Union of No. America for the three fiscal years at FY2011, FY2012, and 2013. **Provided that the city in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit, if needed to preserve services.**

Accepted and placed on file.

- 139** From the Mayor in accordance with M.G.L. recommending an appropriation of \$202,500 from Personnel Employee Benefits to Police Department- Personal Services other than Overtime-\$195,500 and to Police Department- Overtime-\$7,000 in order to provide funding for the collective bargaining with the Police Supervisors Union, Local 1162, L.I.U.A. This contract covers three fiscal years, FY2011, FY2012, and FY2013.

Accepted and placed on file.

- 140** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$202,500 to various departments in order to provide funding for the collective bargaining with the Police Supervisors Union, Local 1162, L.I.U.A. This contract covers three fiscal years, FY2011, FY2012, and FY2013. **Provided that the city in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit, if needed to preserve services.**

Accepted and placed on file.

- 141** From the Mayor in accordance with M.G.L., recommending an appropriation of \$60, 700 from Personnel Employee Benefits to Library- Personal Services other than Overtime-\$60,500, and Overtime-\$200 (in order to provide funding for the collective bargaining with the SEIU Local 888, Brockton Library Department. This contract covers three fiscal years, FY2011, FY2012, and FY2013.

Accepted and placed on file.

- 142** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$60, 700 from Personnel Employee Benefits to Library- Personal Services other than Overtime-\$60,500, and Library - Overtime-\$200 (in order to provide funding for the collective bargaining with the SEIU Local 888, Brockton Library Department for the three fiscal years, FY2011, FY2012, and FY2013. **Provided that the city in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit, if needed to preserve services.**

Accepted and placed on file.

COMMUNICATIONS (cont'd)

- 143** From the Mayor in accordance with M.G.L., recommending an appropriation totaling \$173,700 from Personnel Employee Benefits to DPW-Water Enterprise-\$105,500 and DPW-Water Enterprise-Overtime-\$18,000 and to DPW Sewer Enterprise-Personal Services other than Overtime-\$45,400 and to DPW Sewer Enterprise- Overtime-\$4,800. This contract covers three fiscal years, FY2011, FY2012, and FY2013. (in order to provide funding for the collective bargaining with the Public Employees Local Union 1162, Water and Sewer.

Accepted and placed on file.

- 144** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$173,700 (in order to provide funding for the collective bargaining with the Public Employees Local Union 1162, Water and Sewer. This contract covers three fiscal years, FY2011, FY2012, and FY2013. **Provided that the city in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit, if needed to preserve services.**

Accepted and placed on file.

- 145** From the Mayor in accordance with M.G.L., recommending an appropriation of \$151,300 from Personnel Employee Benefits to:

Department	Personal Services other than OT	Overtime
Animal Control	\$15,800	\$900
Assessors	\$4,300	\$0
Auditors	\$11,900	\$200
DPW-Sewer	\$4,900	\$600
DPW-Comm	\$3,700	\$200
DPW-Refuse	\$3,500	\$600
Elections	\$4,000	\$100
Info Tech	\$32,500	\$2,000
Law	\$7,100	\$100
License Comm	\$3,700	\$600
Police	\$44,100	\$1,900
Veterans	\$1,100	\$100
Weights & Measures	\$7,200	\$200

In order to fund the collective bargaining agreement with the Brockton City Employees Union of the Laborers' International Union of North America. This contract covers three fiscal years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.

Accepted and placed on file.

- 146** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$151,300 to various departments in order to provide funding for the collective bargaining agreement with the Brockton City Employees Union of Laborers' International Union of North America for the three fiscal years at FY2011, 2012 and 2013. Provided, that the City in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit.

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COMMUNICATIONS (cont'd)

Accepted and placed on file.

- 147** From the Mayor in accordance with M.G.L., recommending an appropriation of \$57,900 from Personnel Employee Benefits to:

Department	Personal Services other than OT	Overtime
DPW-Engineering	\$5,900	\$100
DPW-Water Enterprise	\$14,100	\$100
Board of Health	\$20,700	\$500
Public Property	\$16,000	\$500

In order to fund the collective bargaining agreement with the Brockton Association of Engineers, Technicians and Inspectors. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.

Accepted and placed on file.

- 148** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$57,900 from Personnel Employee Benefits to various departments in order to provide funding for the collective bargaining agreement with The Brockton Association of Engineers, Technicians and Inspectors for the three fiscal years at FY2011, 2012 and 2013. Provided, that the City in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit.

Accepted and placed on file.

- 149** From the Mayor in accordance with M.G.L., recommending an appropriation of \$208,700 from Personnel Employee Benefits to:

Department	Personal Services other than OT	Overtime
Cemetery	\$11,700	\$1,400
DPW-Highway	\$92,700	\$6,100
DPW-Maintenance	\$3,900	\$200
DPW-Refuse Enterprise	\$14,600	\$2,700
Library	\$7,400	\$100
Public Property	\$26,100	\$1,000
Parks/Recreation-Enterprise	\$26,600	\$5,000
Parking Authority	\$9,100	\$100

In order to fund the collective bargaining agreement with the Public Employees Local Union 1162 of the Laborers' International Union of North America. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.

Accepted and placed on file.

COMMUNICATIONS (cont'd)

- 150** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$208,700 to various departments in order to provide funding for the collective bargaining agreement with the Public Employees Local Union 1162 of the Laborers' International Union of North America for the three fiscal years at FY2011, 2012 and 2013. Provided, that the City in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit.

Accepted and placed on file.

- 151** From the Mayor in accordance with M.G.L., recommending an appropriation of \$44,800 from Personnel Employee Benefits to:

Department	Personal Services other than OT	Overtime
Council on Aging	\$3,400	\$100
DPW-Highway	\$3,400	\$300
DPW-Engineering	\$6,800	\$100
DPW-Water Enterprise	\$8,100	\$1,300
Health	\$4,300	\$200
Library	\$3,400	\$100
Parking Authority	\$3,400	\$100
Procurement	\$3,400	\$0
Parks/Recreation-Enterprise	\$2,500	\$400
Veterans	\$3,400	\$100

In order to fund the collective bargaining agreement with the SEIU LOCAL 888, Brockton Department Heads Unit. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.

Accepted and placed on file.

- 152** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$44,800 to various departments in order to provide funding for the collective bargaining agreement with SEIU LOCAL 888, Brockton Department Heads Unit for the three fiscal years at FY2011, 2012 and 2013. **Provided, that the City in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit.**

Accepted and placed on file.

- 153** From the Mayor in accordance with M.G.L., recommending an appropriation of \$181,400 from Personnel Employee Benefits to:

Department	Personal Services other than OT	Overtime
Assessors	\$11,800	\$ 0
Auditors	\$12,400	\$200
City Clerk	\$9,100	\$200

COMMUNICATIONS (cont'd)

City Council	\$8,800	\$200
City Planner	\$3,200	\$100
Council on Aging	\$2,000	\$100
DPW-Highway	\$5,500	\$400
DPW-Sewer Enterprise	\$2,800	\$200
DPW-Commissioner	\$3,100	\$100
DPW-Refuse Enterprise	\$2,900	\$600
DPW-Water Enterprise	\$17,200	\$4,600
Elections	\$8,800	\$100
Finance	\$2,900	\$100
Fire	\$5,700	\$100
Health	\$4,900	\$200
Law	\$2,900	\$100
Park Authority	\$3,100	\$100
Police	\$14,800	\$700
Procurement	\$2,800	\$ 0
Public Property	\$11,500	\$500
Park/Recreation- Enterprise	\$3,000	\$500
DPW-Highway	\$5,500	\$400
Tax Collector	\$17,400	\$100
Treasurer	\$11,600	\$100
Veterans Cemetery	\$2,600 \$1,000	\$100 \$200

In order to fund the collective bargaining agreement with the Brockton City Hall Administrative Service Association Union. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013.

Accepted and placed on file.

- 154** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of \$181,400 from various departments in order to fund the collective bargaining agreement with the Brockton City Hall Administrative Service Association Union for the three fiscal years at FY2011, 2012 and 2013. **Provided, that the City in the future will fully appropriate the annual amount of property tax new growth plus the annual increase of 2.5%, which represents the annual tax levy allowed under the Proposition 2 ½ levy limit.**

Accepted and placed on file.

Councillor Studenski stepped back in.

UNFINISHED BUSINESS

- 233** Ordinance: An Ordinance Amending Chapter XVII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 17. Planning and Development. This Ordinance shall become effective as of July 1, 2013. (IN CITY COUNCIL MARCH 11, 2013, PASSED TO A THIRD READING, AS AMENDED)

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UNFINISHED BUSINESS (cont'd)

Councillors Brophy and DuBois stepped back in.

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

Councillor Brophy motioned to file for reconsideration with the wish that it not prevail and was properly seconded. The motion carried by a hand vote.

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

- 166** Resolved: That the City Council expresses its support for the proposed legislation to strengthen the laws relative to illegal apartments and directs that a copy of this Resolve be forwarded to each Member of the City’s Legislative Delegation.

Referred to Finance.

- 116** 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: Ch. 2-127. Pay Plan. (FAVORABLE)

Referred back to Ordinance.

- 117** Ordinance: An Ordinance Amending Revised Ordinances of the City of Brockton, Ch. 2, Article V, Division 7, Section 2-380. (FAVORABLE)

Referred back to Ordinance.

- 118** Ordinance: An Ordinance Amending Revised Ordinances of the City of Brockton, Chapter 2, Article 111, Division 2, Section 2-127 Chapter 2, Article III, Division 2, Section 2-127 (Annual Salary Schedule) Compensation Grade L4, Classification Title Asst. City Solicitor (f.t.) and Chapter 2, Article 111, Division 5, Section 2-186, to provide as follows: Section 2-186. Assistant City Solicitor. (FAVORABLE)

Councillor DuBois motioned to refer to Finance and was properly seconded. The motion carried by a hand vote.

- 119** Ordinance: An Ordinance Amending Chapter XIX of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 19. Police Department. (FAVORABLE)

Referred to Finance.

Passed to a third reading.

Councillor DeNapoli motioned to take items **90-96** collectively and was properly seconded. The motion carried by a hand vote.

- 90** Reappointment of Janet Frizzell-Hancock of 300 Elm Street, Halifax as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)

- 91** Reappointment of Theodore Hancock of 300 Elm Street, Halifax as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)

UNFINISHED BUSINESS (cont'd)

- 92** Reappointment of Daniel J. Vaughn of 28 Wellington Street, Brockton as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)
- 93** Reappointment of David Montrond of 143 Longwood Avenue, Brockton as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)
- 94** Reappointment of William Vellios of 120 Holmes Avenue, Brockton as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)
- 95** Reappointment of Jason Mosley of 581 Plain Street, Brockton as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)
- 96** Reappointment of Kevin Smith of 130 Prospect Street, West Bridgewater as a Special Police Officer of the City of Brockton for a one year term ending February 2014. (FAVORABLE)

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

- 97** Reappointment of Nuno Montrond, 18 Sumner St. West, Brockton as a Constable in the City of Brockton for a term of three years. (FAVORABLE)

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

- 121** Appropriation of: \$11,325.00
From: Commonwealth of Massachusetts Executive Office of Public Safety, Program Division
To: Fire Department-Student Awareness of Fire Education (SAFE) Grant Fund (to conduct Fire Education Program). (FAVORABLE)

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

- 122** Appropriation of funds up to \$300,000.00, in excess of amounts already appropriated from DPW-Highway-Snow Removal, for the purpose of FY2013 snow removal. (FAVORABLE)

Councillor DuBois stepped down.

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

Councillor DuBois stepped back in.

UNFINISHED BUSINESS (cont'd)

- 123** Appropriation of: \$222,000
 From: Stabilization Fund
 To: Department of Public Works Operations Division Highway-Street Lighting Account. (The purpose of this appropriation is to fund the balance needed for the FY2013 DPW Highway Section Street Lighting Account's remaining FY13 maintenance fees and electricity costs) (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays": eleven members present and all voting in the affirmative.
- Councillor MacMillan stepped down.
- 124** Appropriation of: \$120,173
 From: Executive Office of Public Safety and Security
 To: Brockton Police Department; FY2013 Municipal Police Services Staffing Grant. (In accordance with the terms of the grant, these funds are for police overtime, to use for community policing beats, community policing activities, call taker placement, detective investigations and Quality of Life/Impact Shifts. There is no required match for these funds) (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays": ten members present and all voting in the affirmative. Councillor MacMillan absent.
- Councillor MacMillan stepped back in.
- 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). (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays": eleven members present and all voting in the affirmative.
- 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). (FAVORABLE)
- Adopted by a roll call vote taken by "yeas" and "nays": eleven members present and all voting in the affirmative.
- 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). (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)

- 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)

The amendment passed by a hand vote. Adopted as amended, by a roll call vote taken by “yeas” and “nays”: eleven members present and all voting in the affirmative. Councillor Brophy motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 120** Order: to establish a moratorium for the growing of, use, sale, and distribution of medical marijuana in the City of Brockton according to M.G.L., up to and including September 30, 2013. (FAVORABLE AS AMENDED)

The amendment passed by a hand vote.

Councillor Brophy motioned to refer back to Ordinance and was properly seconded. The motion carried by a hand vote.

- 126** Ordered: That the City enter into an agreement, attached hereto, with the Massachusetts Executive Office of Housing and Economic Development and accept therefrom a grant in the amount of Four Million Dollars (\$4,000,000.00) (“EOHED Grant”) as part of the Commonwealth’s Growth Districts Initiative (“GDI Program”) established pursuant to Section 11 of Chapter 238 of the Acts of 2012 for the purpose of funding an economic development project within the block of land in downtown Brockton (FAVORABLE)

Adopted by a roll call vote taken by a roll call vote taken by “yeas” and “nays”: eleven members present with eight voting in the affirmative. Councillors Brophy, Eaniri and MacMillan voting in the negative.

- 127** Ordered: That the City Council authorizes the Mayor and/or Treasurer/Tax Collector to execute any and all documents necessary to dispose of the properties located at and known as 00000 Montello Street (Map 109, Route 009, Plot 81) and 00044 Centre Street (Map 109, Route 066, Plot 4-1) to Trinity Brockton Limited Partnership (FAVORABLE)

Councillor Brophy stated that he had concerns about the purchase price and motioned to refer back to finance and was properly seconded. The motion carried by a hand vote with Councillor Petti voting in the negative.

Councillor Cruise stepped down as President and Councillor Eaniri stepped in as President.

- 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). (FAVORABLE)

UNFINISHED BUSINESS (cont'd)

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

Councillors Brophy, Cruise and DuBois stepped down.

ORDERS

- 155** Ordinance: An Ordinance amending Chapter II, Division 2, Employee Classification and Compensation Plan, Benefits, Etc., Relative to Non-Union Employees of the City.

Referred to Ordinance.

Councillor Cruise stepped back in.

Councillor Studenski stepped down.

- 135** Appropriation: Totaling: \$130,000
 From: Stabilization Fund
 To: Election Commission-Personal Services \$105,000
 Election Commission-Purchase of Services \$25,000
 (In order to provide funding for the special elections for US Senate this year on April 30, 2013 and June 25, 2013).

Referred to Finance.

- 156** Appropriation: of \$33,900
 From: Personnel Employee Benefits
 To: Public Property-Personal Service other than Overtime-\$32,900 and
 To: Public Property -Overtime-\$1,000 (in order to provide funding for the collective bargaining with The Brockton Building and Construction Trades, Laborers’ International Union of No. America for the three fiscal Years at FY2011,FY2012, and FY2013.)

Referred to Finance.

- 157** Appropriation: totaling \$202,500
 From: Personnel Employee Benefits
 To: Police Department- Personal Services other than Overtime-\$195,500 and
 To: Police Department- Overtime-\$7,000 (in order to provide funding for the collective bargaining with the Police Supervisors Union, Local 1162, L.I.U.A.)
 This contract covers three fiscal years, FY2011, FY2012, FY 2013

Referred to Finance.

- 158** Appropriation: Totaling \$60,700
 From: Personnel Employee Benefits
 To: Library- Personal Services other than Overtime-\$60,500, and
 To: Library-Overtime-\$200 (in order to provide funding for the collective bargaining with the SEIU Local 888, Brockton Library Department).
 This contract covers three fiscal years, FY2011, FY2012, and FY2013, in exchange for signing bonuses paid in FY2013.

Referred to Finance.

40
ORDERS (cont'd)

Councillor MacMillan stepped down.

- 159** Resolve: That the City Council hereby respectfully requests that the Commonwealth of Massachusetts, by and through the State Highway Department, reconsider its prior determination and find that the Rocky Marciano statue located within Champions Park, on the grounds of Brockton High School, is an attraction that is worthy of signage designation on Route 24.

Councillor Sullivan spoke on the Resolve and asked the Councillor to support the resolve.

Councillors Brophy, DuBois and Studenski stepped back in.

- 160** Appropriation totaling \$173,700
From: Personnel Employee Benefits
To: DPW-Water Enterprise- \$105,500 and DPW-Water Enterprise-Overtime- \$18,000 and
To: DPW Sewer Enterprise-Personal Services other than Overtime-\$45,400 and DPW Sewer Enterprise- Overtime-\$4,800.
This contract covers three fiscal years, FY2011, FY2012, and FY2013.

Councillors Brophy, DuBois, MacMillan and Petti stepped down.

Referred to Finance.

- 161** Appropriation totaling: \$151,300
From: Personnel Employee Benefits
To:
- | | | |
|--------------------|----------|---------|
| Animal Control | \$15,800 | \$900 |
| Assessors | \$4,300 | \$0 |
| Auditors | \$11,900 | \$200 |
| DPW-Sewer | \$4,900 | \$600 |
| DPW-Comm | \$3,700 | \$200 |
| DPW-Refuse | \$3,500 | \$600 |
| Elections | \$4,000 | \$100 |
| Info Tech | \$32,500 | \$2,000 |
| Law | \$7,100 | \$100 |
| License Comm | \$3,700 | \$600 |
| Police | \$44,100 | \$1,900 |
| Veterans | \$1,100 | \$100 |
| Weights & Measures | \$7,200 | \$200 |

In order to fund the collective bargaining agreement with the Brockton City Employees Union of the Laborers' International Union of North America. This contract covers three fiscal years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.

Referred to Finance.

41
ORDERS (cont'd)

162 Appropriation totaling: \$57,900
From: Personnel Employee Benefits

To:

DPW-Engineering	\$5,900	\$100
DPW-Water Enterprise	\$14,100	\$100
Board of Health	\$20,700	\$500
Public Property	\$16,000	\$500

(In order to fund the collective bargaining agreement with the Brockton Association of Engineers, Technicians and Inspectors. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.)

Referred to Finance.

163 Appropriation totaling: \$208,700
From: Personnel Employee Benefits

To:

Cemetery	\$11,700	\$1,400
DPW-Highway	\$92,700	\$6,100
DPW-Maintenance	\$3,900	\$200
DPW-Refuse Enterprise	\$14,600	\$2,700
Library	\$7,400	\$100
Public Property	\$26,100	\$1,000
Parks/Recreation-Enterprise	\$26,600	\$5,000
Parking Authority	\$9,100	\$100

(In order to fund the collective bargaining agreement with the Public Employees Local Union 1162 of the Laborers' International Union of North America. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.)

Referred to Finance.

164 Appropriation totaling: \$44,800
From: Personnel Employee Benefits

To:

Council on Aging	\$3,400	\$100
DPW-Highway	\$3,400	\$300
DPW-Engineering	\$6,800	\$100
DPW-Water Enterprise	\$8,100	\$1,300
Health	\$4,300	\$200
Library	\$3,400	\$100
Parking Authority	\$3,400	\$100
Procurement	\$3,400	\$0
Parks/Recreation-Enterprise	\$2,500	\$400
Veterans	\$3,400	\$100

(In order to fund the collective bargaining agreement with the SEIU LOCAL 888, Brockton Department Heads Unit. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013. In addition, wages are increased during FY2013 as shown in the agreement.)

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ORDERS (cont'd)

Referred to Finance.

165 Appropriation totaling: \$181,400
From: Personnel Employee Benefits
To:

Assessors	\$11,800	\$ 0
Auditors	\$12,400	\$200
City Clerk	\$9,100	\$200
City Council	\$8,800	\$200
City Planner	\$3,200	\$100
Council on Aging	\$2,000	\$100
DPW-Highway	\$5,500	\$400
DPW-Sewer Ent.	\$2,800	\$200
DPW-Comm.	\$3,100	\$100
DPW-Refuse Ent.	\$2,900	\$600
DPW-Water Ent.	\$17,200	\$4,600
Elections	\$8,800	\$100
Finance	\$2,900	\$100
Fire	\$5,700	\$100
Health	\$4,900	\$200
Law	\$2,900	\$100
Park Authority	\$3,100	\$100
Police	\$14,800	\$700
Procurement	\$2,800	\$ 0
Public Property	\$11,500	\$500
Park/Recreation- Enterprise	\$3,000	\$500
DPW-Highway	\$5,500	\$400
Tax Collector	\$17,400	\$100
Treasurer	\$11,600	\$100
Veterans	\$2,600	\$100
Cemetery	\$1,000	\$200

(In order to fund the collective bargaining agreement with the Brockton City Hall Administrative Service Association Union. This contract covers three years, FY2011, 2012 and 2013. The members have agreed to accept zero increases to their wages for FY2011 and FY2012 in exchange for signing bonuses paid in FY2013)

Referred to Finance.

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

- 167** Ordinance: An Ordinance amending Revised Ordinances of the City of Brockton, Chapter 6, Article 1, Section 6-2-Composition

Referred to Ordinance

Councillor Studenski stepped back in.

Councillor Sullivan takes a moment of personal privilege to speak about the Library Foundation Book Sale and the Irish Heritage Day and thanked everyone involved in making it happen.

Adjourned at 9:07p.m.