

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

In City Council, March 10, 2014

The Council President acknowledges Jasmine Bennett from the Ashfield School, who is involved in the People to People Student Ambassador Program, which is going to Alaska in June. She is the granddaughter of Mablene Bennett. Councillor Barnes has known Jasmine since she was a baby and commends the family and congratulates them.

APPOINTMENTS

158 Of Maria Harris of 22 Michelle Lane, Brockton to the Brockton Diversity Commission for a three year term ending March 2017.

Referred to Finance

159 Of Marline Amedee of 47 Herrod Avenue, Brockton to the Brockton Council on Aging for a three year term ending March 2017.

Referred to Finance

160 Of Paul Merian of 20 Bassett Road, Brockton as an alternate to the Brockton License Commission for a three year term ending March 2017.

Referred to Finance

161 Of David Zaff of 11 Huntington Place, Apt. 11, Brockton to the Brockton Conservation Commission for a three year term ending March 2017.

Referred to Finance

162 Of Marybeth O'Brien of 95 Magoun Avenue, Brockton to the Brockton Historic District Commission for a three year term ending March 2017.

Referred to Finance

163 Of Christopher J. Kostka of 12 Montello Street, Brockton to the Brockton Historical Commission for a three year term ending March 2017.

Referred to Finance

164 Reappointment of Lorraine Lalli of 52 Country Club Lane, Brockton to the Brockton Council on Aging for a three year term ending March 2017.

Referred to Finance

165 Reappointment of Irene Clague of 179 Bellevue Avenue, Brockton to the Brockton Council on Aging for a three year term ending March 2017.

Referred to Finance

PETITIONS

Of Brian Parker DBA Brian's Taxi, Inc. for renewal of 17 taxi licenses located at 20 Putnam St., Brockton

Referred to Public Safety

Councillor Stewart stepped in at 8:10pm

Petition of Juary Goncalves for a license to solicit and canvass

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HEARINGS (cont'd)

Juary Goncalves of 7 Kilmer Rd., Taunton, appeared in favor. No one was in opposition. Councilor Cruise questioned the petitioner. The Clerk stated that the petitioner has been approved through the Police Department. Hearing held. Granted by a hand vote.

REPORTS

- 166** Of the Finance Committee for its meeting of March 3, 2014.

Accepted and placed on file

COMMUNICATIONS

- 167** From the Mayor appointing Karen A. Fisher to the position of Assistant City Solicitor-Full Time for a three year term, effective March 10, 2014. Attorney Fisher currently holds this position in a part-time capacity.

Accepted and placed on file

- 168** From the Mayor recommending that the City Council amend the Revised Ordinances of the City of Brockton. Article II-Nuisances.

Accepted and placed on file

- 169** From the Executive Health Officer requesting acceptance and expenditure of a grant award in the amount of \$3,500 from the National Association of County and City Health Officials for the purpose of building the level of volunteers and equipment for our Medical Reserve Corp.

Accepted and placed on file

- 170** From the Mayor recommending that the City Council authorize acceptance and expenditure of the grant award in the amount of \$3,500 from the National Association of County and City Health Officials(NACCHO) Department of Health and Human Services Grant Fund to City of Brockton Board of Health Medical Reserve Corps Grant Fund. (for the purpose of building the level of volunteers and equipment for local Medical Reserve Corps).

Accepted and placed on file

- 171** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$3,500 from the National Association of County and City Health Officials(NACCHO) Department of Health and Human Services Grant Fund to City of Brockton Board of Health Medical Reserve Corps Grant Fund.

Accepted and placed on file

- 172** From the DPW Commissioner requesting to expend additional funds up to an amount of \$750,000.00 for the purpose of FY2014 snow removal in accordance with Ch. 44, section 31D of the M.G.L.

Accepted and placed on file

- 173** From the Mayor in accordance with M.G.L., Chapter 44, Section 31D, recommending that the City Council authorize the expenditure of \$750,000 for DPW-Highway Snow Removal in addition to any amounts already appropriated and in addition to the amount of \$1,000,000 previously authorized under MGL Chapter 44, 31D, by City Council for deficit spending in February 2014.

Accepted and placed on file

COMMUNICATIONS (cont'd)

- 174** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, stating that he **cannot certify** the proposed authorization of expenditures of up to \$750,000 in addition to amount already appropriated and authorized for deficit spending for snow removal. This level of deficit spending authorized, \$1.75 Million in total, is large enough to have an impact on the FY15 budget. Nonetheless, recommending approval because the clearance of snow from highway is a necessity for public safety.

Accepted and placed on file

- 175** From the Traffic Commissioner requesting a transfer in the amount of \$8,850.00 from Traffic Commission FY2014 Ordinary Maintenance-Public Safety to Traffic Commission FY2014 Personal Services-Overtime (in order to correct, and continue making payments, previously paid out of the incorrect Ordinary Maintenance line item of Public Safety, to Public Property employees, doing work for the Traffic Commission).

Accepted and placed on file

- 176** From the Mayor in accordance with M.G.L., Chapter 44, recommending that the City Council authorize the transfer in the amount of \$8,850.00 from Traffic Commission-Ordinary Maintenance-Public Safety to Traffic Commission-Personal Services Overtime (in order to correct, and continue making payments, previously paid out of the incorrect Ordinary Maintenance line item of Public Safety, to Public Property employees, doing work for the Traffic Commission).

Accepted and placed on file

- 177** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed transfer of \$8,850.00 from Traffic Commission-Ordinary Maintenance-Public Safety to Traffic Commission-Personal Services Overtime

Accepted and placed on file

UNFINISHED BUSINESS

Councillor Cruise motioned to take item #s**133-139** collectively excluding #**136** and was properly seconded. The motion carried by a hand vote.

- 133** Appointment of Joseph C. Goncalves of 292 Field Street, Brockton to the Brockton Redevelopment Authority for a five year term ending February 2019. (FAVORABLE)
- 137** Appointment of Henry Tartaglia of 33 Brook Street, Brockton to the License Commission for a three year term ending February 2017. (FAVORABLE)
- 135** Appointment of David Wheeler of 140 Bishop Street, Brockton to the Planning Board for a five year term ending February 2019. (FAVORABLE)
- 139** Appointment of Adelin Jeffrey Charnel of 30 Foster Street, Brockton to the Brockton Zoning Board of Appeals for a three year term ending February 2017. (FAVORABLE)
- 134** Appointment of Richard Wernick of 8 Madrid Square Unit 5, Brockton to the Board of Park Commissioners for a five year term ending February 2019. (FAVORABLE)

Councillor Studenski stepped down.

- 136** Appointment of Charles F. Studenski of 56 Manners Avenue, Brockton to the Board of Park Commissioners for a five year term ending February 2019. (FAVORABLE)

UNFINISHED BUSINESS (cont'd)

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

Councillor Studenski stepped back in.

- 138** Appointment of Richard E. Bath, of 38 Frost Street, Brockton as a Trustee of the War Memorial Building for a three year term ending February 2017. (FAVORABLE)

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

Councillor Monahan stepped down.

- 140** Appointment of Laurie Monahan of 174 Manomet Street, Brockton as a Trustee of the War Memorial Building in the City of Brockton for a three year term ending February 2017. (FAVORABLE)

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

Councillor Monahan stepped

- 141** Reappointment of Mark Linde of 83 Rangley Avenue, Brockton to the Board of Trustees for the Brockton Public Library for a three year term ending February 2017. (FAVORABLE)

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

- 142** Reappointment of Miles Jackson of 25 Stearns Avenue, Brockton as a Trustee of the War Memorial Building for a three year term ending February 2017. (FAVORABLE)

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

- 154** Transfer of: \$3,000
From: Parking Meter Reserve Fees
To: Parking Authority Purchase of Services.
(to fund the lease of parking lot on Petronelli Way in order to accommodate demand for parking). (FAVORABLE)

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

- 153** Transfer of: \$11,864
From: Finance Department-Personal Services other than Overtime
To: Mayor’s Department Personal Services other than Overtime
(in order to restore the funding paid as separation costs to staff members of Mayor Linda Balzotti). (FAVORABLE)

Failed adoption by a roll call vote taken by “yeas” and “nays”; eleven members present with seven voting in the affirmative. Councillors Barnes, Eaniri, Studenski and Sullivan voting in the negative.

- 157** Transfer of: \$23,004
From: Finance Department-Personal Services other than Overtime
To: Mayor’s Department Personal Services other than Overtime

UNFINISHED BUSINESS (cont'd)

(In order to provide additional financing for the present members of the Mayor's Staff for Fiscal 2014). One staff member will be transferred to the payroll to fill an existing vacancy in the Safe and Successful Youth Initiatives Grant for a portion of the balance of the Fiscal Year. This will reduce the previously required amount of funding. (FAVORABLE)

Failed adoption by a roll call vote taken by "yeas" and "nays"; eleven members present with six voting in the affirmative. Councillors Barnes, DuBois, Eaniri, Studenski and Sullivan voting in the negative.

- 132** Resolve: That Mayor William Carpenter, CFO John Condon, City Solicitor Phillip Nessralla, and Mr. Mark Linde-Executive Director of Brockton Community Access (BCA) come before the Finance Committee to discuss the cable agreement, and all terms, rights, and obligations defined therein, between the City of Brockton and BCA and to further produce and discuss any and all amendments, including but not limited to a certain Memorandum of Agreement and/or Memorandum of Understanding between the City and BCA. (FAVORABLE)

Councillor DuBois motioned to table item **132** and was properly seconded. The motion carried by a hand vote.

ORDERS

- 178** Ordinance: An Ordinance Amending Chapter XX of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Chapter 20, Streets and Sidewalks

Referred to Ordinance

- 179** Ordinance: An Ordinance Amending Article II of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Article II-Nuisances

Referred to Ordinance

- 180** Appropriation: of \$3,500
From: the National Association of County and City Health Officials (NACCHO) Department of Health and Human Services Grant Fund
To: City of Brockton Board of Health Medical Reserve Corps Grant Fund.
(for the purpose of building the level of volunteers and equipment for local Medical Reserve Corps).

Referred to Finance

- 181** Appropriation of funds up to \$750,000 in excess of amounts already appropriated, and in addition to the amount of \$1,000,000 previously authorized under MGL Chapter 44, 31D, by City Council for deficit spending in February 2014 for DPW-Highway-Snow Removal (for the purpose of FY2014 snow removal in accordance with Chapter 44, section 31D of the Massachusetts General Laws).

Referred to Finance

- 182** Transfer of: \$8,850.00
From: Traffic Commission-Ordinary Maintenance-Public Safety
To: Traffic Commission-Personal Services Overtime (in order to correct, and continue making payments, previously paid out of the incorrect Ordinary Maintenance line item of Public Safety, to Public Property employees, doing work for the Traffic Commission).

Referred to Finance

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ORDERS (cont'd)

- 183** Resolve: That the City Council hereby requests that a representative and/or representatives of Aquaria appear before the Finance Committee to address questions pertaining to the Desalinization water contract.

Council President Sullivan filed this resolve and at that time, the parties involved were not prepared.

Referred to first Finance Committee meeting in April.

LATE FILE

Councillor DuBois motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

- 184** Ordered: That the City Council hereby releases the restriction that Plot 57-1 Ames Street (Map 164, Route 250) is a non-buildable lot, which restriction was established by City Council Order adopted February 23, 2004, and which restriction was referenced in a certain Deed from the City of Brockton to Ann Lawrence recorded at Plymouth County Registry of Deeds Book 27809, Page 301, conditioned upon the granting to the City of a deed restriction for said Plot 57-1 (Parcel ID # 164-250) and for Plot 57 Ames Street (Parcel ID # 164-250) that said parcels can only be further developed for single family homes and that the combined parcels cannot be subdivided more than three times.

Referred to Real Estate

Councillor Monahan takes a moment of personal privilege to state that on Wed., March 12, 2014, there will be a ward meeting at George's Café. Also, there will be a St. Patrick's Day service at St. Patrick's Church and then after, Tommy Doyle's.

Councillor DuBois takes a moment of personal privilege to acknowledge the 73rd. anniversary of the Strand Theatre fire, where 13 Brockton Firefighters were killed.

Councillor Studenski stepped down.

Councillor Eaniri takes a moment to state that there will be a ward meeting tomorrow from 7-9pm and on March 18, 2014, there will be an Ordinance Meeting at 6pm

Councillor Asack takes a moment of personal privilege to state that there will be a Ward 7 meeting from 7-9pm on Wed. March 26, 2014 at the Mary Baker School

Councillor Studenski stepped back in

Councillor Sullivan stated that this year Chief Burroughs was absent from the Anniversary of the Strand Theatre. Archie Gormley suggested that they have a seat with the chief's helmet on it in his honor.

The Council President stated that the Arnone and Brookfield School is part of the Read Across America program. He also stated that even though St. Patrick's Day is on the 17th, there will be a Finance Committee Meeting on that night.

Councillor Eaniri motioned for the Council to go into Executive Session and was properly seconded by Councillor Studenski. The motion carried by a hand vote.

Adjourned at 8:27pm

Executive session 8:27pm-8:41pm

