

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:02pm with eleven members being present.

In City Council, March 24, 2014

Councillor Sullivan asks for a moment of silence for Harold Cribbens, a firefighter from Brockton that passed away.

Councillor Sullivan introduces the Brockton Basketball Club with Mr. Marshall and Coach Tagger. The coach thanked the councillors for their support and thanked the families for supporting the kids. Mr. Tagger acknowledges one of the players, Tysean, who has represented Brockton well and has been a good example to the other players.

A two minute recess was called.

Back in session.

Councilor DuBois takes a moment of personal privilege to acknowledge and present a citation to Ariana Jones for winning first place in the school, city and district competitions in National History Day's Senior Individual Exhibit for her report on WWII: Rights and Responsibilities of Women at War and on the Home front.

#### APPOINTMENTS

Councillor Cruise motioned to take items **185-196** excluding item **188** and was properly seconded. The motion carried by a hand vote.

- 185** Of Gary Keith of 94 Provost Street, Brockton to the Brockton Planning Board for a five year term ending March 2019
- 186** Of Ollie Spears of 69 Budd Avenue, Brockton to the Brockton Planning Board for a five year term ending March 2019
- 187** Of Ross Messina, II of 10 Messina Drive, Brockton to the Brockton Planning Board for a five year term ending March 2019.

Councillor Asack stepped down.

- 188** Of Ghaleb A. Younes of 191 Prospect Street, Brockton to the Brockton Conservation Commission for a three year term ending March 2017

Referred to Finance

Councillor Asack stepped back in.

- 189** Of Craig Pina of 21 Bassett Road, Brockton to the Brockton Conservation Commission for a three year term ending March 2017
- 190** Of Bernie Hassan of 26 Reese Circle, Brockton to the Brockton Water Commission for a three year term ending March 2017
- 191** Of Stephen Hooke of 31 Hammond Street, Brockton as the Emergency Management Director for the City of Brockton
- 192** Of Lisa Shea of 344 Ash Street, Brockton to the Brockton Cable Advisory Board for a three year term ending March 2017.
- 193** Of Manuel Centeio of 29 Kenneth Avenue, Brockton to the Brockton Community Cable Television Board for a three year term ending March 2017

**APPOINTMENTS (cont'd)**

- 194** Of Morton Schleffer of 60 Irma Road, Brockton to the Brockton Traffic Commission for a three year term ending March 2017.
- 195** Of Iolanda Dagraca Monteiro, of 50 Highland Street, Brockton as a Constable in the City of Brockton for a term of three years
- 196** Of Gaetjens Polynice of 39 Bates Rd., Brockton as a Constable in the City of Brockton for a term of three years.
- Referred to Finance
- 197** Reappointment of Kenneth Galligan of 25 Messina Dr., Brockton to the Brockton Traffic Commission for a three year term ending March 2017.
- Referred to Finance
- 198** Reappointment of William R. Thomas, Jr., of 19 Albert Avenue, Brockton as a Constable in the City of Brockton for a term of three years
- Referred to Finance
- Councillor DuBois stepped down.
- 199** Reappointment of David Lynch of 30 Quincy Street, Brockton as a Constable in the City of Brockton for a term of three years
- Referred to Finance
- 200** Reappointment of Ossie Jordan of 31 Hollis St., Brockton to the Brockton Water Commission for a three year term ending March 2017.
- Referred to Finance
- 201** Reappointment of Robert J. Harrington of 67 Ardsley St., Brockton as a member of the Board of Assessors for the City of Brockton for a three year term ending March 2017.
- Referred to Finance
- 202** Reappointment of Kenneth G. LeGrice of 16 Churchill Ave., Ext., Brockton as a Constable in the City of Brockton for a term of three years.
- Referred to Finance

**PETITIONS**

Councilor Studenski motioned to remove from table the following petition and was properly seconded. The motion carried by a hand vote.

Petition Of NGRID and Verizon New England, Inc. proposing to install 45 class 2 Joint owned pole (4-1) approx 20' +/- from existing pole on Oak Hill Way.

Councillor Studenski stated that there was an error on the petition. It should read one pole, not 45.

Jose Vazquez appeared on behalf of the petitioner.

Councillor Studenski questioned the petitioner on where the energy from the pole was coming from.

Mr. Vazquez stated that it was from a solar farm.

**41**  
**PETITIONS (cont'd)**

No one was in opposition. Hearing held.

Of Community Carriage, Inc. DBA Cowen's Taxi for renewal of 8 Taxi Licenses located at 383 Warren Ave., Brockton.

Referred to Public Safety

Councillor DuBois stepped back in.

**HEARINGS**

Petition of Lubras Auto Body & Repair, for a Motor Vehicle Repair Mechanical located at 64 Elliot St., Brockton.

Councillor DuBois motioned for the petition of Lubras Auto Body & Repair be heard at the end of the meeting and was properly seconded. The motion carried by a hand vote.

Luis and Emanuel Vicente appeared in favor. Councillor DuBois spoke regarding the past tenants at the location. No one was in opposition. Hearing held. Councillor DuBois motioned to put the following stipulations on the license and was properly seconded.

1. Hours of Operation Mon-Fri 8AM-5PM, Sat 10Am-2PM, No work on Sundays 2. The spray booth is not to be used prior to 9:30AM or after 4:00PM 3. No cars outside of the building, including those that are connected to clients of the business or employees

The motion carried by a hand vote.

Councillor Stewart questioned the petitioner on if they can abide by the stipulations.

Councillor Rodrigues also questioned the petitioners to make sure they understood.

Councilor Barnes questioned the location of the business.

Granted, as stipulated, by a hand vote.

Petition of Manley Street Holdings, LLC for a Garage License located at 97 Manley St., Brockton

Councillor Eaniri motioned to continue the petition to the next City Council meeting in April and was properly seconded. The motion carried by a hand vote.

**REPORTS**

**203** Of the Finance Committee for its meeting of March 17, 2014

Accepted and placed on file

**204** Of the Ordinance Committee for its meeting of March 18, 2014

Accepted and placed on file

**COMMUNICATIONS**

**205** From the Director of Personnel verifying that based on the current Personnel Employee Benefits; Unemployment Compensation appropriation has a surplus of \$12,000

**COMMUNICATIONS (cont'd)**

Accepted and placed on file

- 206** From the Mayor in accordance with M.G.L. Chapter 44, recommending a transfer of \$11,864 from Personnel Department-Employee Benefits (Unemployment) to Mayor's Department-Personal Services (in order to pay for separation costs paid to Mayor Balzotti's staff).

Accepted and placed on file

- 207** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed transfer of 11,864 from Personnel Department-Employee Benefits (Unemployment) to Mayor's Department-Personal Services

Accepted and placed on file

- 208** From the Mayor submitting a resignation letter from Fred Fontaine from the License Commission effective March 17, 2014.

Accepted and placed on file

- 209** From the Mayor submitting a resignation letter from Paul B. Merian from the Zoning Board of Appeals.

Accepted and placed on file

- 210** From the Mayor submitting a resignation letter from Nathania Onyeagoro from Brockton Cultural Council.

Accepted and placed on file

- 211** From the Mayor submitting a resignation letter from Kelly Aylward Ford from the Conservation Commission effective March 31, 2014.

Accepted and placed on file

- 212** From the Mayor submitting a resignation letter from Scott D. Ford from the Planning Board effective March 31, 2014.

Accepted and placed on file

**UNFINISHED BUSINESS**

- 85** Ordinance: An Ordinance Amending Article XIX of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: I. Chapter 19. Police Department. (FAVORABLE AS AMENDED)

Councillor Monahan motioned to refer item **85** to the first Finance Committee in April and was properly seconded. The motion carried by a hand vote, nine voting in the affirmative. Councillors DeNapoli and Studenski voting in the negative.

Councillor DuBois stepped down.

- 159** Appointment of Marline Amedee of 47 Herrod Avenue, Brockton to the Brockton Council on Aging for a three year term ending March 2017. (FAVORABLE)

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

- 163** Appointment of Christopher J. Kostka of 12 Montello Street, Brockton to the Brockton Historical Commission for a three year term ending March 2017. (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 DuBois absent.

- 162** Appointment of Marybeth O’Brien of 95 Magoun Avenue, Brockton to the Brockton Historic District Commission for a three year term ending March 2017. (FAVORABLE)

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

- 161** Appointment of David Zaff, of 11 Huntington Place, Apt. 11, Brockton to the Brockton Conservation Commission for a three year term ending March 2017. (FAVORABLE)

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

- 158** Appointment of Maria Harris of 22 Michelle Lane, Brockton to the Brockton Diversity Commission for a three year term ending March 2017. (FAVORABLE)

Confirmed 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 in.

- 160** Appointment of Paul Merian of 20 Bassett Road, Brockton as an alternate to the Brockton License Commission for a three year term ending March 2017. (FAVORABLE)

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

- 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. (FAVORABLE)

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

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

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

- 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). (FAVORABLE)

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

- 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

**UNFINISHED BUSINESS (cont'd)**

Maintenance line item of Public Safety, to Public Property employees, doing work for the Traffic Commission). (FAVORABLE)

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

- 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). (FAVORABLE)

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

**ORDERS**

- 213** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of Eastfield Drive.

Referred to Finance

- 214** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of Fairbanks Road.

Referred to Finance

- 215** Transfer of: \$11,864  
From: Personnel Department-Employee Benefits (Unemployment)  
To: Mayor’s Department-Personal Services  
(in order to pay for separation costs paid to Mayor Balzotti’s staff).

Referred to Finance

- 216** Resolved: that the Real Estate Custodian, Attorney Benjamin Albanese, 16 Patriots Way, Mansfield, MA, be invited to appear before a Committee of this Council to discuss the position of Real Estate Custodian and his plan for how he will undertake to fulfill the duties and responsibilities of this position.

Referred to Finance

- 217** Resolved: that the Mayor, the Treasurer-Collector, and the Acting City Auditor be invited to appear before a Committee of this Council to discuss the position of Real Estate Custodian and to provide financial, administrative, and historical information about the position of Real Estate Custodian.

Referred to Finance

Petition Of NGRID and Verizon New England, Inc. proposing to install 45 class 2 Joint owned pole (4-1) approx 20’ +/- from existing pole on Oak Hill Way.

Granted by a hand vote.

A two minute recess was called

Back in session.

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**LATE FILES**

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

- 218** Resolve: that the City's Chief Financial Officer, Solicitor, and Treasurer/Collector come before the Finance Committee to discuss Payment in Lieu of Taxes (PILOT) programs and how they may be implemented between the City and certain Non-tax paying entities located within Brockton

Referred to Finance

- 219** Resolve: the DPW Commissioner Mr. Mike Thoreson, Water Superintendent Mr. Larry Rowley and Mr. Jason Glaneuski, a resident of the City, come before the Finance Committee to discuss the current status of water pressure and water issues throughout the City of Brockton

Referred to Finance

Councillor DuBois takes a moment of personal privilege to state that the next Real Estate Committee meeting will be held in the Council Committee room on Wed., April 2, 2014 at 7pm. She also stated that there will be a joint ward meeting with Councillor Eaniri on Wed., March 26, 2014, at the Mary Baker School.

Councillor Sullivan takes a moment of personal privilege to state that at the Main Library, he attended the celebration of the 85<sup>th</sup> year of the Brockton Garden Club and that Robert Buckley and Councillor Stewart also was in attendance.

Adjourned at 8:42pm