

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:01pm with ten members being present. Councillor DuBois absent.

In City Council, August 25, 2014

Councillor Asack takes a moment of personal privilege to thank the Stonehill students for cleaning up the Raymond School.

Councillor Cruise motioned to take items **483 –484** out of order and under suspension of the rules and collectively and was properly seconded. The motion carried by a hand vote.

### APPOINTMENTS

Councillor Eaniri stepped in

- 469** Of Fred Fontaine, 39 Clarence St., Brockton to the position of Deputy Director of Brockton Emergency Management Agency for the City of Brockton.

Referred to Finance

- 470** Of Cindy Kostka, 12 Montello St., Ext Brockton to the Cemeteries Board of Trustees for a five year term ending August 2019.

Referred to Finance

- 471** Of Daniel DePina, 181 Moraine St., Brockton to the Cemeteries Board of Trustees for a five year term ending August 2019.

Referred to Finance

- 472** Of William G. Keane, 283 Torrey St., Brockton to the Board of Park Commissioners for a five year term ending August 2019.

Referred to Finance

- 473** Of Barbara King, 56 Howland St., Brockton to the Brockton Cable Advisory Board for a three year term ending August 2017.

Referred to Finance

### REPORTS

- 474** Of the Finance Committee for its meeting of August 18, 2014

Accepted and placed on file

### COMMUNICATIONS

- 475** From the Mayor submitting the appointment of Lawrence Rowley as Interim Commissioner of Public Works effective as of August 6, 2014 @ 4:30pm.

Accepted and placed on file

- 476** From the Mayor recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$500 from Spectra Energy Foundation to City of Brockton Fire Department Spectra Energy Foundation Grant fund. These grant monies are for the purpose of purchasing a Dell Tablet to be used in the field for hazardous materials response, code enforcement, and fire prevention activities.

Accepted and placed on file

**104**  
**COMMUNICATIONS (cont'd)**

- 477** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying to accept and expend the award of \$500 from Spectra Energy Foundation to City of Brockton Fire Department Spectra Energy Foundation Grant Fund.

Accepted and placed on file

- 478** From the Fire Chief requesting the City Council authorize a revolving fund for reimbursable overtime for FY2015 with limited expenditures of not more than \$50,000 to be paid from reimbursements to the City from third parties for authorized overtime.

Accepted and placed on file

- 479** From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Ch. 44 of the M.G.L., recommending authorization of a revolving fund for FY2015 for the purpose of funding overtime expenditures in the Fire Department, limited to annual expenditures of not more than \$50,000 during FY2015, to be paid from reimbursements to the City from third parties for authorized overtime.

Accepted and placed on file

- 480** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed authorization of the Fire Department Reimbursement Overtime Revolving Fund for FY2015, limited to annual expenditures of not more than \$50,000 during FY2015.

Accepted and placed on file

**UNFINISHED BUSINESS**

- 427** Appointment of James L. Bragg, 59 Grant Ave., Brockton as a Member of the Water Commission for a three-year term ending in July 2017. (FAVORABLE)

Councillor Studenski motioned to send item **427** back to Finance Committee and was properly seconded. The motion carried by a hand vote.

- 428** Reappointment of Philip M. Decas, 172 Augusta Ave., Ext 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”; ten members present and all voting in the affirmative. Councillor DuBois absent.

- 463** Appropriation of \$33,602  
From: Unappropriated FY2015 Estimated Receipts  
To: Library Purchase of Services-Bld/Grd RP  
(in order to meet the minimum requirements for the State Aid Public Libraries award certification based on a formula by state law). (FAVORABLE)

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

- 464** Appropriation: of \$249,000  
From: Unappropriated Estimated Receipts of the Refuse Enterprise Fund  
To: Refuse Enterprise Fund- Capital (to provide funding to purchase a bucket truck, and fifteen (15) new surveillance cameras for the Department of Public Works Refuse Division. (The purpose of purchasing the bucket truck is to maintain, remove, and replace cameras, in known dumping areas, as needed within the City). (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 DuBois absent.

- 465** Appropriation: of \$45,000  
From: the Executive Office of Health and Human Services Massachusetts Department of Mental Health/Police based Jail Diversion Grant for 2015  
To: City of Brockton Police Department Jail Diversion-Grant Fund. (This grant gives the Brockton Police Department overtime funds to continue to train first responders in the specialized field of Mental Health First Aid. (FAVORABLE)

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

- 468** Ordered: That \$1,750,000 is appropriated to pay costs of making various sewer system repairs and improvements throughout the City, including design and bidding costs and including without limitation all costs thereof as defined in Section 1 Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow and issue bonds or note. (FAVORABLE)

Passed to a third reading by a hand vote.

- 459** Ordered: That the City Council authorize the acceptance of a donation of \$150 from Market Basket to City of Brockton Emergency Management Agency which will be used to build the water and food reserve. (FAVORABLE)

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

- 457** Ordered: that the City of Brockton does hereby take as Temporary Construction Easements and as Permanent Easements for Highway Purposes the parcels identified as **TE-1** through **TE-96** and parcels identified **E-1** through **E-4**, inclusive, on “**EXHIBIT A**” and “**EXHIBIT B**” and shown on a plan entitled “Plan Showing Temporary Construction Easements and Permanent Easements, West Elm Street, Brockton, MA. (FAVORABLE)

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

Councillor Cruise motioned to file for reconsideration with the wish that it not prevail on item **457** and was properly seconded. Reconsideration failed by a hand vote.

- 461** Ordered: That the Committee of Frederick Douglass Neighborhood Association appear before a Committee of this Council to promote to 10 year Anniversary Celebration for the renaming of High Street to FD Way. (FAVORABLE)

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

- 456** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the State Primary will be held on Tuesday, September 9, 2014. (FAVORABLE)

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

- 466** Resolved: That the Mayor and Superintendent of Schools be invited to appear before a committee of this Council to discuss hiring trends in the City and the School Department and promoting diversity in hiring. (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 DuBois absent.

- 326** Resolve: To invite the School Superintendent to appear before the Council to discuss the state of the schools in the City of Brockton. (FAVORABLE)

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

- 467** Resolved: That the members of the Compensation Committee be invited to appear before a committee of this Council to report on its findings and recommendations. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present with seven voting in the affirmative. Councillors Eaniri, Studenski and Sullivan voting in the negative. Councillor DuBois absent.

- 468** Resolve: That Mayor William Carpenter, City Solicitor Philip Nessralla Jr., Mr. David Farrell-Veteran’s Services Officer, and Ms. Janice Fitzgerald-Director of the Council on Aging, come before the Finance Committee to discuss the Senior Citizen and Veterans’ Volunteer Program Ordinance(s) (passed in 2013 by the City Council) and explain why the City has yet to offer this program to its qualified residents. (FAVORABLE)

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

**ORDERS**

- 481** Ordinance: An Ordinance Amending Article XIII of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows: Chapter 13. Procurement. Article 1. Contractor Qualifications and Sanctions.

Referred to Ordinance

- 482** Ordered: That the City of Brockton Government Study Committee is hereby established to be comprised of seven (7) citizens of the City, 3 of whom are to be appointed by the Mayor and 4 of whom are to be appointed by the City Council President. Each committee member shall be a registered voter and to the extent possible, possess expertise or knowledge relevant to the work of such Government Study Committee (GSC). The GSC is charged with exploring, by whatever means it deems appropriate, all aspects of local government organization and structure, the strengths and weaknesses in Brockton’s current form of government and areas for improvement, alternative models of government, and recommend changes in such organization and structure, including, but not limited to, the terms of office, and the method of selection of officials, consistent with the needs of the City, and designed to achieve greater efficiency and effectiveness in the delivery of government services.

Referred to Finance

- 483** Ordered: That pursuant to the Massachusetts General Law, Chapter 44, Section 53E 1/2, the City Council authorizes the Fire Department Reimbursable Overtime Revolving Fund. The expenditures from the fund shall be made on the authority and direction of the Fire Chief, provided that not more than fifty thousand dollars (\$50,000) may be so expended during fiscal year 2015.

The Council President stated that the Fire Chief was present to answer any questions. Councillor Cruise questioned the Chief.

**107**  
**ORDERS (cont'd)**

- 484** Appropriation of: \$500  
From: Spectra Energy Foundation  
To: City of Brockton Fire Department Spectra Energy Foundation Grant Fund.  
(These grant monies are for the purpose of purchasing a Dell Tablet to be used in the field for hazardous materials response, code enforcement, and fire prevention activities.)

Items **483-484** were adopted collectively by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor DuBois absent. Councillor Cruise motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 485** Resolve: That Ollie Spears and Anne Beauregard come before a committee of this council to discuss plans to establish a committee on tourism for the City of Brockton

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

**LATE FILES**

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

- 486** Ordinance: An Ordinance Amending Chapter 27 of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows. Sec. 27-73. Electronic Advertising Boards

Referred to Ordinance and Planning

President Sullivan stated that they are still on the summer schedule and the next Finance Committee Meeting will be on September 15, 2014, and September 9 is primary day.

Councillor Barnes takes a moment of personal privilege to remind everyone that the Jean Sullivan Memorial Breakfast will be on September 7, 2014 at 10:00am and the tickets are \$20.00 each.

The Council President stated that the Fire Truck is down on the East Side fire station and that it is needed for public safety. He hopes the Mayor can find the funding to repair it.

Adjourned at 8:22pm