

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 eleven members being present.

In City Council, September 22, 2014

Councillor Asack takes a moment of personal privilege to acknowledge two citizens, Carol Phillips and Chet Young, who have been taking care of the island at the corner of Oak St. and Battles St. They have been planting plants and mowing the area. She presented them with a citation.

Councillor Sullivan stated that next Monday, October 5, will be the joint committee meeting with the School Committee and the Mayor. It will be at the East Middle School at 6:30pm.

APPOINTMENTS

488 Of Charles B. Hickey of 279 Menlo Street, Brockton, MA to the Brockton Parking Authority for a five-year term ending in October 2019.

Referred to Finance

489 Of Marline Amedee of 47 Herrod Avenue, Brockton, MA to the Brockton Cable Advisory Board for a three-year term ending in October 2017.

Referred to Finance

490 Of Andrea R. Burton of 67 Bigney Avenue, Brockton, MA to the Brockton Parking Authority for a five-year term ending in October 2019.

Referred to Finance

HEARINGS

Petition of John and Sondra Dreystadt for a Garage License located at 1016 Belmont Street

Attorney Kevin Riley and Hank Tuohy appeared on behalf of the petitioner. No one was in opposition. Hearing held. Granted by a hand vote.

Councillor Eaniri
Councillor Monahan stepped in at 8:05pm

Petition of E & J Auto Sales for a Motor Vehicle Repair Mechanical License located at 1016 Belmont Street

Councillor DeNapoli stepped down.

Attorney Kevin Riley and Hank Tuohy appeared on behalf of the petitioner. No one was in opposition. Hearing held. Granted by a hand vote.

Councillor DeNapoli stepped back in.

REPORTS

491 Of the Finance Committee for its meeting of September 15, 2014

Accepted and placed on file

COMMUNICATIONS

- 492** From the Lieutenant of the Brockton Police Department submitting a scrivener's error from Council order #420 which was adopted on July 28, 2014 and signed by the Mayor on August 6, 2014. The correct amount of the grant should read \$86,969.70 not \$89,969.70.

Accepted and placed on file

- 493** From the Chief of the Fire Department requesting the acceptance of a Paramount Multi Station Gym from Precision Fitness Equipment to City of Brockton Fire Department. The retail value of this two (2) stack gym is five thousand one hundred ninety-nine dollars (\$5,199). The gift of Paramount Multi Station Gym will serve as fitness equipment to the Fire Department for keeping in shape, physically fit and be centrally located at Station 1. There is no cost to the City.

Accepted and placed on file

- 494** From the Mayor recommending that the City Council authorize the acceptance of a Paramount Multi Station Gym from Precision Fitness Equipment to City of Brockton Fire Department. The retail value of this two (2) stack gym is five thousand one hundred ninety-nine dollars (\$5,199). The gift of Paramount Multi Station Gym will serve as fitness equipment to the Fire Department for keeping in shape, physically fit and be centrally located at Station 1. There is no cost to the City.

Accepted and placed on file

- 495** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance of the donation of a Paramount Multi Station Gym from Precision Fitness Equipment to the Brockton Fire Department.

Accepted and placed on file

UNFINISHED BUSINESS

- 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)(IN CITY COUNCIL, AUGUST 25, 2014, PASSED TO A THIRD READING)

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

Councillor Studenski stepped down.

Councillor Studenski stepped back in.

- 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)

Confirmed by a roll call vote taken by "yeas" and "nays"; ten members present with six voting in the affirmative. Councillors Barnes, DuBois, Studenski and Sullivan voting in the negative. Councillor Stewart absent.

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

UNFINISHED BUSINESS

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

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

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

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

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

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

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

- 416** Ordered: That the City Council authorizes the Mayor to enter into the Intermunicipal Agreement between the Town of Abington and the City of Brockton for Transport and Treatment of Wastewater from Abington and Transmission. This Agreement is intended to supersede and replace the current agreement between the parties. (UNFAVORABLE)

Councillor DuBois motioned to send back to Finance Committee, because they had received new information from the Solicitor’s Office regarding this. She has legal concerns. Councillor Eaniri stated he would like hard copies of all of the information. He thanked the Abington Town Manager for all of their information and for attending the meeting.

Councillor Stewart stepped in at 8:20pm

The motion carried by a hand vote, with Councillor Barnes voting in the negative.

- 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 (FAVORABLE)

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

- 287** Resolve: That the City’s CFO confer with the Assessor’s Department and get full accounting by year, of any-and-all funds from “Reserve for Abatements and Assessment accounts” that maybe made available. (FAVORABLE)

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

ORDERS

- 496** Ordered: That the Brockton City Council does hereby grant a perpetual right and easement to Massachusetts Electric Company, and Verizon New England, Inc., for consideration of One Dollar (\$1.00) to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but

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ORDERS (cont'd)

not limited to, one (1) pole with wires and cable installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances over, across, under and upon land owned by the City of Brockton being located on the southerly side of North Cary Street. And further, that the City Council authorizes the Mayor to execute the "Grant of Easement" and to take any actions necessary to carry out the terms, purposes and conditions of the same.

Referred to Finance

- 497** Ordered: That the Mayor and/or Real Estate Custodian be authorized to place various parcels of city-owned property on the list for sale at auction and to execute any and all documents necessary to effectuate the sale of these properties

Referred to Real Estate

- 498** Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the State Election will be held on Tuesday, November 4, 2014 in the designated polling places.

Councillor Studenski motioned to move under suspension of the rules on item **498** and was properly seconded. The motion carried by a hand vote.

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

- 499** Ordered: That the City Council authorize the acceptance of a Paramount Multi Station Gym From: Precision Fitness Equipment
To: City of Brockton Fire Department
The retail value of this two (2) stack gym is five thousand one hundred ninety-nine dollars (\$5,199). (The gift of Paramount Multi Station Gym will serve as fitness equipment to the Fire Department for keeping in shape, physically fit and be centrally located at Station 1). There is no cost to the City.

Referred to Finance

- 500** Resolve: That Fire Chief Francis, Chief Financial Officer John Condon and Mayor Bill Carpenter be invited to appear before a committee of this council to purchase 2 new tower trucks for the Brockton Fire Department.
Referred to Finance

LATE FILES

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

- 502** Report of the Real Estate for its meeting of September 19, 2014.

Accepted and placed on file.

- 458** Ordered: That the City Council hereby declare #226 Main Street (Map 110, Route 019, Plot 368) available for disposition and sale and further that the Mayor be and hereby is authorized to execute any and all documents necessary to dispose of said property by sale to the Commonwealth of MA's Division of Capital Asset Management and Maintenance (DCAMM) for the purchase price of (\$1.00).

Councillor DeNapoli motioned to move under suspension of the rules and act on item **458** and was properly seconded by Councillor Stewart.

Councillor Rodrigues stated that he was in opposition and wanted to motion for more time.

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LATE FILES (cont'd)

Councillor DuBois stated that the building is deteriorating. If they don't act upon it, it will probably be torn down. The potential use of the building will bring a lot of community development.

Councillor Rodrigues stated that the building is too small for the intended use. He4 stated that individuals are interested in buying this building.

Councillor DuBois stated that as a point of information, the state needed authorization and that we would empower the Mayor whether they go forward with this or not.

Councillor DeNapoli through the chair, stated that this property has been vacant for nine years and is condemned. The Governor wantd to give special grant money to the city and it is a great opportunity.

Councillor Barnes stated that she needed more information on it and that she needed more time to understand the plan.

Councillor DuBois as a point of information, stated that this has been in council and there has been plenty of time.

Councillor Stewart questioned the ramifications of the deadline.

Councillor DeNapoli stated that if they didn't act tonight, the city would lose thousands of dollars.

A two-minute recess was called.

Back in session

The motion had been made by Councillor DeNapoli to act on item **458** and was properly seconded by Councillor Stewart. The motion carried by a hand vote with Councillors Barnes, Eaniri and Rodrigues voting in the negative.

Adopted by a roll call vote taken by "yeas" and "nays"; eleven members present with eight voting in the affirmative. Councillors Barnes, Eaniri and Rodrigues voting in the negative.

Councillor DeNapoli motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote; eleven members present with eight voting in the negative. Councillors Barnes, Eaniri and Rodrigues voting in the affirmative.

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

- 501** Resolve: That the City's Mayor, Veteran's Services Director, Solicitor, Building Superintendent and Dr. Robert Haglund (Co-Chair of the Restoration Project) come before the Finance Committee to discuss the previous War Memorial Building restoration efforts

Referred to 2nd. Finance Committee in October

Councillor DeNapoli takes a moment of personal privilege to state that there will be a Ward 5 meeting on October 1, 2014 at the Plouffe School at 6:30pm. The topic will be the road construction.

Councillor Asack takes a moment of personal privilege to mention the Church Festival at St. Therasas and the Downtown Festival that starts on Friday. For more information, contact Bill Hogan.

Councillor DuBois stated that there would be a Ward 6 meeting at the Brookfield School on September 24, 2014 at 6:30pm

Councillor Eaniri stated that there would be a Ward 3 meeting at the Kennedy School on Tues., September 30, 2014 at 6pm

Councillor Barnes stated that there would be a free health discussion on September 24, 2014 from 1-2pm and to contact Janice Fitzgerald from the Council on Aging for more information.

The Council President acknowledges the Greek Festival and the Brockton Day Nursery anniversary gala and the triathlon that Councillor Barnes participated in.

Councillor Barnes stated that Officer Seth Jeune had also been on her team in the triathlon.

The Council President stated that next Monday will be the Joint Meeting with the School Committee and the Mayor. They will spend 3 minutes on each topic, in order to let the residents have the time to ask questions.

Councillor Studenski takes a moment of personal privilege to remember a son of Brockton, Charles Moore, who was an investigator and a highly decorated Vietnam Vet that passed away.

Adjourned at 8:41pm