

A regular meeting of the City Council was held in the Council Chambers with Councillor Sullivan presiding. The meeting was called to order at 8:03pm with ten members present. Councillor Studenski absent.

The Council President stated that Councillor Studenski was not present because he was under weather.

In City Council, October 10, 2017

**430** Acceptance of the minutes of the September 25, 2017 City Council meeting.

Accepted and placed on file.

#### **APPOINTMENTS:**

Councillor Farwell motioned to move under suspension of the rules on items **431-433** and was properly seconded. The motion carried by a hand vote.

**431** Of Police Sergeant Brian Maker to Police Lieutenant in the Brockton Police Department.

**432** Of Police Patrolman Brian Benvie, Jr. to Police Sergeant in the Brockton Police Department.

**433** Of Police Lieutenant Mark Porcaro to Police Captain in the Brockton Police Department.

Confirmed by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councillors Barnes, Rodrigues and Studenski absent.

A one minute recess was called.

Back in session.

#### **HEARINGS**

Councillors Barnes and Rodrigues stepped in at 8:07pm

Councillor Farwell motioned to file for reconsideration on items **431-433** with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Petition of Souaiden LLC, dba Nation Wide Auto Center for a Motor Vehicle Repair Mechanical/Body located at 1104 N. Montello St., Brockton, MA 02301.

Charbel Souaiden appeared in favor. Councillor Cruise questioned if this was a transfer of a previous license?

Councillor Rodrigues stepped down.

Councillor Barnes questioned the petitioner on the timing of the application.

The Clerk to the Council stated that he had applied well before the ordinance regarding the number of licenses was passed.

Councillor Farwell stated that it was not necessary to send to Public Safety and he wanted to act on this tonight.

Clerk to the Council stated that all requirements have been filled and this was a transfer.

No one was in opposition.

Hearing held.

**107**  
**HEARINGS (cont'd)**

Councillor Farwell asked to read the past stipulations He wanted to put the same stipulations as previous license.

As a point of information, President Sullivan stated that relative to Motor Vehicle Repair licenses, they are generally referred to a subcommittee. Since this is a transfer of license and there are going to be stipulations on the license, they will vote on it this evening.

Councillor Farwell motioned to grant the license with the following stipulations: Hours of operation, Mon.-Friday 8am-6pm. Saturday 8am-5pm. Sunday closed. No outside storage of automotive parts and/or by products such as oil, grease, gasoline, etc. No outside repair of vehicles. No outside coin operated machines including but not limited to pay phones and vending machines. Outside of property shall be kept clean and neat and free of trash and debris.

Councillor Rodrigues stepped back in.

Petition of David Tavares & Jose Rodrigues dba Royal Motor Enterprises, Inc. for a Motor Vehicle Repair Mechanical/Body license located at 27 Freight St. Unit C, Brockton, MA 02302.

David Tavares and Jose Rodrigues appeared in favor. Greg Ingram of 146 Court St. and Anthony Oso also appeared in favor.

This applicant had filed prior to ordinance regarding the number of licenses was passed.

Councillor Beauregard appeared in opposition. They are working on Sundays. Neighbors are complaining about parking on Freight St., the noise, and all of the activity. Hearing held. Councillor Beauregard motioned to refer to Public Safety and was properly seconded. The motion carried by a hand vote.

Petition of Jasmine Alise Monteiro dba 224 for a Secondhand Articles license located at 691 Warren Ave., Brockton, MA.

Jasmine Monteiro appeared in favor. She will be selling clothing shoes and household items. She also purchases furniture from auctions. Councillor Farwell questioned if she will be selling precious metals or gems. She stated that no, she will not. Councillor Farwell questioned the hours and days she planned on working. Jasmine stated that she would work Tues.-Saturday 11am-7pm. 1 Sunday a month, 11am-7pm. All paperwork is on file. Councillor Farwell motioned to act on this tonight and was properly seconded. Granting by a hand vote with stipulation of hours.

Petition of Verizon New England Inc. and Mass Electric Company to relocate one jointly owned pole (P81) on the westerly side of Main Street. Pole 81 to be placed at a point on the westerly side of Main Street approximately 16' in a general northerly direction from existing location of Pole 81. The one pole relocation is necessary in order to allow ingress/egress from an existing driveway.

Councillor Asack motioned to postpone the hearing until the end of the meeting and was properly seconded. The motion carried by a hand vote.

Hearing postponed until the next City Council meeting.

**REPORTS**

**434** Of the Finance Committee for its meeting of October 2, 2017.

Accepted and placed on file.

**108**  
**COMMUNICATIONS**

- 435** From the Chief of Brockton Fire Department requesting the acceptance of donation from Anthony Prosper, 108 Belcher Ave. Brockton to the City of Brockton Veterans Services Department to be used for flag collection and proper flag disposal. The estimated value of the Flag Box is five hundred and fifty dollars. (\$550.00)

Accepted and placed on file.

- 436** From the Mayor recommending that the City Council authorize the acceptance of a Flag Box from Anthony Prosper, 108 Belcher Ave. Brockton MA to City of Brockton Fire Department in the amount of five hundred fifty dollars (\$550.00). The gift will be used by the City of Brockton Veterans Services Department for collection and proper flag disposal.

Accepted and placed on file.

- 437** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990 certifying the proposed donation of a Flag Drop Box from Anthony Prosper to The Brockton Fire Department.

Accepted and placed on file.

**UNFINISHED BUSINESS**

Councillor Sullivan stepped down. Councillor Eaniri stepped in as president pro tempe.

- 39** An Ordinance Amending Chapter 27, Zoning, of the Revised Ordinances of the City of Brockton by adding ARTICLE XVIII. - THATCHER STREET SMART GROWTH OVERLAY DISTRICT (TSSGOD). (FAVORABLE w/ stipulations) (IN CITY COUNCIL, AUGUST 28, 2017, PASSED TO A THIRD READING, with stipulations).(IN CITY COUNCIL SEPTEMBER 25, 2017, POSTPONED BY HAND VOTE).

Councillor Farwell speaks regarding item #39. He stated though it looks simple, Residents wanted more info. Councillor Farwell motioned to send to Finance Committee and was properly seconded. The motion carried by a hand vote. He would like to have the Mayor, the City Planner, Attorney James Burke and David Aikin, of the Planning Office of Urban Affairs be invited to attend the Finance Committee meeting.

Councillor Sullivan stepped back in as President.

- 406** Appointment of Claudia Denelle of 28 Bigney Ave., Brockton, MA to the Brockton Commission on Women's Issues for a two year term ending October 2019. (FAVORABLE)

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

- 407** Appointment of Richard Johnson of 35 Longworth Ave., Brockton, MA to the Brockton Redevelopment Authority for a term of five years. (FAVORABLE)

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

- 408** Appointment of Jean Baptiste Fleury of 55 City Hall Plaza, Brockton, MA 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 Studenski absent.

## UNFINISHED BUSINESS (cont'd)

- 417** Appropriation of \$1,964,000  
 From: Stabilization Fund  
 To: FY17 Police Personal Services Retroactive payment, including all Overtime-\$644,000  
 FY18 Police Personal Services Other than Overtime-\$1,190,000  
 FY18 Police Personal Services, Overtime, Including Impact and License Overtime-\$130,000  
**(conditional certification for FY19) (FAVORABLE)**

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councillor Studenski absent. Councillor Eaniri motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 418** Appropriation of \$175,649.39  
 From: Massachusetts Executive Office of Public Safety and Security/State 911 Department Training Grant and EMD/Regulatory Compliance Grant  
 To: City of Brockton Police Department-State 911 Training Grant and EMD/Regulatory Compliance Grant Fund. (FAVORABLE)

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

- 419** Ordered: that the city council acquire the most current list of city use, foreclosed, and deeded property presently in the possession of the city of Brockton from the Treasurer/Collector. (FAVORABLE)

Councillor Barnes mentioned that item #419 should go to Real Estate. Councillor Barnes motioned to refer to Real Estate and was properly seconded. The motion carried by a hand vote.

- 420** Resolve: to invite the chair of the Traffic Commission and the commissioner of the Department of Public Works to discuss the procedures involved with both the “winter parking ban” and the “snow emergency” policies and their implementations to prepare for the upcoming season. (FAVORABLE)

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

**ORDERS:**

- 438** That the City hereby accepts as a grant and gift From Anthony Prosper of 108 Belcher Ave. Brockton a Flag Box to be donated To City of Brockton Fire Department. The estimated value of the Flag box is five hundred fifty dollars. (\$550.00) The gift will be used by the City of Brockton Veterans Services Department for collection and proper flag disposal.

Referred to Finance.

The Council President stated that he would like to invite Anthony prosper, who is a candidate for eagle scout, to the Finance Committee meeting.

Granting of Verizon New England Inc. and Mass Electric Company to relocate one jointly owned pole (P81) on the westerly side of Main Street. Pole 81 to be placed at a point on the westerly side of Main Street approximately 16’ in a general northerly direction from existing location of Pole 81.

Councillor Cruise motioned to postpone until the next City Council meeting and was properly seconded. The motion carried by a hand vote.

Councillor Cruise takes a moment of personal privilege to state that there will be an Ordinance Committee meeting on Thursday, October 12, 2017 at 6pm.

Councillor Eaniri takes a moment of personal privilege to remind everyone that the next Accounts Committee meeting will be held on Monday evening at 6pm in the GAR room. He also stated that there will be a Ward 3 meeting on Tuesday, October 17, 2017 at the JFK School at 7pm.

Councillor Beauregard takes a moment of personal privilege to remind everyone that both the Alumni and School Department are having a reception on the Arnold Colombo football field at 6pm on Friday the 13<sup>th</sup>.to recognize teachers and staff and their contributions to the Public School system and to gather alumni of Brockton High. It is a homecoming event.

Adjourned 8:35pm