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A regular meeting of the City Council was held at the Arnone School, 135 Belmont St., auditorium, due to the elevator not working. Council President Eaniri presiding. The meeting was called to order at 7:00 pm with eleven members present.

In City Council, November 26, 2018

567 Acceptance of the minutes of the November 13, 2018 City Council meeting.

Accepted and placed on file

HEARINGS

Petition of Eddie Awon, DBA A1 Restorations, for a Motor Vehicle Mechanical Repair License located at 287 North Montello St Unit #1.

Eddie Awon appeared in favor. No one was in opposition. Hearing held.

Councillor Lally stated that he would like the same stipulations as other Motor Vehicle Repair licenses at that location.

Councillor Farwell questioned if there can be multiple licenses at one license by the same owner.

Attorney Resnick stated that these applications can either be advised or tabled if this is not what the council wants.

Mr. Awon stated that this is a location that two tenants were evicted.

Councillor Farwell questioned can a single person have 3 separate license per one location? Attorney Resnick stated that no, one individual cannot have 3 businesses at one location.

Councillor Sullivan, as a point of information, stated that it is the dba not the individual. He has 3 separate dba's for the location. They are 3 different units.

Councillor Farwell questioned do we want 3 Motor Vehicle Repair shops in the city?

Attorney Resnick stated that the licenses are transferable. Mr. Awon would have to transfer the license to another individual and at that point the council can vote if they want it to go through. Councillor Farwell questioned if Mr. Awon will have 3 separate ins policies, and separate worker's comp. insurances?

Attorney Resnick stated that can be stipulated.

Councillor Lally stated that there are stipulations on the businesses that are already there.

Councillor Farwell questioned if there was a parking plan and what would the hours, days of week be?

Attorney Resnick stated that the issue in the past was that the units weren't consistent and they need to be consistent. Same hours etc.

Councillor Eaniri asked if this should be place to the end of the agenda.

Councillor Rodrigues states he is concerned with one individual getting 3 licenses. If an individual wants to get 3 licenses, would that mean others may get 4 or 5 if they can afford it? He motioned to refer to Public Safety.

Councillor Sullivan stated that he doesn't remember when we stopped sending to Public Safety. He also mentions the parking parameter etc. He states to Councillor Lally that you can't attach stipulations if there wasn't any previous stipulation. In one of the units, there hadn't been any Motor Vehicle Repair License. He shares Councillor Rodrigues' concerns.

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HEARINGS (cont'd)

Attorney Resnick stated that it hasn't recently gone to Public Safety as we have new amendments now and they can apply. Before this, there were no new applicants.

The motion was properly seconded by Councillor Beauregard.

Councillor Asack on motion as a point of information, stated that this has been going on over a year. Due to changes in the ordinance, he has been waiting a long time.

Councillor Deronocourt stated that it is important and not questioning last year, himself and Councillor Nicastro are new councillors and it would be wise to send to new councilors.

The motion carried to send to Public Safety by a hand vote.

Petition of Eddie Awon, DBA A3 Motorworks, for a Motor Vehicle Mechanical Repair License located at 287 North Montello St Unit #3.

Eddie Awon appeared in favor. No one in opposition. Hearing held.
Lally motioned prop 2nd. By hv

The motion carried to send to Public Safety by a hand vote.

Petition of Eddie Awon, DBA A4 Automotive, for a Motor Vehicle Mechanical Repair License located at 287 North Montello St Unit #4.

Eddie Awon appeared in favor. No one in opposition. Hearing held.

Councillor Lally motioned to refer to Public Safety and was properly seconded by a hand vote.

Councillor Asack on motion, stated that the same situation will occur and it will die in committee.

Councillor Sullivan stated that it wouldn't happen again, as items won't die at the end of this year.

Councillor Deronocourt would like to see this done by end of year.

The motion carried to send to Public Safety by a hand vote.

Councillor Sullivan on the motion, if individual coverages are needed for each unit, Mr. Awon would need to know so he can get that information together.

Councillor Eaniri request that it comes together and gets resolved.

REPORTS

Councillor Farwell, as a point of information, states that the next Public Safety Committee meeting will be held on December 17, 2018 at 6pm if possible.

568 Of the Ordinance Committee for its meeting of November 7, 2018.

Accepted and placed on file

569 Of the Finance Committee for its meeting of November 19, 2018.

Accepted and placed on file

COMMUNICATIONS

- 570** From the Fire Chief requesting that the City Council authorizes the total appropriation of \$400,000 from Fire Dept-Personal Services Non Overtime to Fire Dept-Overtime. In order to maintain all companies through the remainder of FY2019.

Accepted and placed on file

- 571** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total appropriation of \$400,000 from Fire Dept-Personal Services Non Overtime to Fire Dept-Overtime. In order to maintain all companies through the remainder of FY2019.

Accepted and placed on file

- 572** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the appropriation of \$400,000 from Fire Dept-Personal Services Non Overtime to Fire Dept-Overtime.

Accepted and placed on file

- 573** From the Fire Chief requesting that the City Council authorizes the acceptance and expenditure of a donation of \$500.00 from the Enbridge Foundation to City of Brockton- Fire Department. The donation will be used to help defray the costs of public safety.

Accepted and placed on file

- 574** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of a donation in the amount of \$500 from Enbridge Foundation to City of Brockton-Fire Department. The donation will be used to help defray the costs of public safety.

Accepted and placed on file

- 575** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the acceptance and expenditure of a donation of \$500.00 from the Enbridge Foundation to City of Brockton- Fire Department.

Accepted and placed on file

- 576** From the Police Chief requesting authorization to expend grant monies in the amount of \$22,035.00 related to the Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2019 Sustained Traffic Enforcement Program (Step) Grant.

Accepted and placed on file

- 577** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$22,035 from Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2019 Sustained Traffic Enforcement Program (Step) Grant to City of Brockton Police Department-FFY2019 Sustained Traffic Enforcement Program (step) Grant Fund. \$20,993.25 of the grant funds will be used to pay for police overtime to conduct high visibility traffic enforcement on streets with a high volume of accidents and injuries during peak hours. The balance of \$1,101.75 will be used for overtime for records clerks who must enter each citation given under the grant into the system and file a hard copy as well as process payments.

Accepted and placed on file

COMMUNICATIONS (cont'd)

- 578** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the acceptance and expenditure of the total grant funds in the amount of \$22,035 from Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2019 Sustained Traffic Enforcement Program (Step) Grant to City of Brockton Police Department-FFY2019 Sustained Traffic Enforcement Program (step) Grant Fund.

Accepted and placed on file

UNFINISHED BUSINESS

- 564** Ordered that the City Council Accepts and approves the Tax Increment Exemption Agreement between the City and South Shore Property Management, LLC of Torrey Street, Unit 3 of Brockton, MA relative to the Market rate housing project proposed for 47 West Elm Street.(FAVORABLE)

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

- 563** Appropriation of the total grant in the amount of \$680,516.00
From: U.S Department Of Justice Office of Justice Programs-FY18 Strategies for Policing Innovations Grant
To: City Of Brockton Police Department-FY18 Strategies for Policing Innovations Grant Fund. This is a multi-year award, with four annual budgets of \$243,920, \$211,832, \$207,782 and \$17,432 applying respectively, beginning in 2018.(FAVORABLE)

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

ORDERS

- 580** Ordered that the City council authorize the acceptance and expenditure of a donation in the amount of \$500 from Enbridge Foundation to City of Brockton-Fire Department.

Councillor Cruise stated that the Fire Chief is here if anyone had questions.

Councillor Cruise motioned to move under suspension of the rules and was properly seconded. The motion carried by a hand vote.

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

- 581** Ordered that the City Council authorize the acceptance and expenditure of the total grant funds in the amount of \$22,035 from Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division-FFY2019 Sustained Traffic Enforcement Program (Step) Grant to City of Brockton Police Department-FFY2019 Sustained Traffic Enforcement Program (step) Grant Fund.

Councillor Eaniri motioned to move under of the rules and was properly seconded. The motion carried by a hand vote.

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

- 579** Total Appropriation of \$400,000
From Fire Dept-Personal Services Non Overtime
To Fire Dept-Overtime

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ORDERS (cont'd)

Councillor Cruise motioned to move under suspension of the rules and was properly seconded. The motion carried by a hand vote.

The Fire Chief that this was just an estimate. The snow will make it higher. There will be a lot of overtime shifts and 8 or 9 retirees.

Councillor Rodrigues questioned is the Federal Government giving a reimbursement?

The Chief stated that there is no reimbursement.

Councillor Farwell wanted to clarify, it is both police and fire. It is not a local option, and there are other implications.

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

Councillor Cruise motioned for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

- 582** Resolve to invite the Mass Development TDI Fellow to inform the City Council as the results of the summer beer garden project known as Prova and any future plans for other such activity.

Referred to Finance

- 583** Resolve to invite the Executive Director of the Brockton Retirement Board to inform the city council as to changes and policies established under her administration.

Referred to Finance

Councillor Eaniri stated that items **582** and **583** probably won't make an agenda for 2 resolves, but will be on a future agenda.

Councillor Eaniri stated they haven't brought back Aquaria. There are still questions and concerns. He made a motion to hold, but never really got back to them.

Councillor Sullivan wanted info on contract as well as Councillor Farwell. He believes it should be referred to legal counsel for the council.

Councillor Eaniri stated that we need to find out where we are at.

Councillor Sullivan questioned Councillor Farwell didn't they get something?

Councillor Farwell said the Solicitor gave them something, but it didn't address his question. He wanted to know what did the Solicitor have to rely on, when getting the water agreement without council approval? Was there a valid amendment?

Councillor Eaniri stated that we did leave it that way. Where do we go from there?

Councillor Farwell suggests it be brought up in mid January of 2019.

Councillor Nicastro stated that regarding a letter from the City Solicitor. He said to let him know if anyone wanted his opinion. She has not received any reply though she asks for it more than once.

Councillor Rodrigues stated that there were 2 items, one amendment was tabled. The second was a resolve by Councillor Farwell. They can still move forward on the resolve. The resolve questioned the Solicitor why he signed amendment.

Councillor Eaniri reminds everyone that on Monday, December 3, 2018, at 6pm there will be a Special Meeting regarding setting the tax rate. Mr. O'donnell gave the council packets and everything should be in there.

Councillor Asack takes a moment of personal privilege to state that the Accounts Committee will meet on Wednesday, November 28, 2018 at 4pm in the basement at city hall, and also takes a moment of personal privilege to wish a Happy Birthday Madeline Asack, the best Mom.

Councillor Beauregard stated that there is also a resolve regarding Comcast to have the Solicitor's office come before the council .

Councillor Sullivan believes that the Solicitor stated that they are in negotiation.

Councillor Eaniri will find out the status.

Councillor Sullivan thanked the council and especially the citizens for attending and working on the parade that was a big success.

Adjourned 7:40pm

All items on agenda are available in their entirety for review in the City Clerk's Office for all interested parties.

All council business as listed on the agenda have been emailed to the City Council members in their complete form, with exception of oversized material, such as maps, photos, etc.