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FOR IMMEDIATE RELEASE:

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Brockton, MA – In this latest stunt, prepared and rehearsed behind closed doors, Mayor Bill Carpenter has manufactured a parade of tyranny for a victory that does not exist. He has shown complete disregard for the democratic process, our form of government, Brockton’s City Council and the vast majority of residents against the power plant. Carpenter has ignored well-established positions taken by the city and well-established laws. His deceptive, backroom actions are not without consequence.

We expect the City Council to seek injunctive relief immediately.

Fact: According to Brockton’s City Ordinances, as no order of the City Council was given, Mayor Carpenter has no authority to take such action:

Sec. 2-157. - Execution of legal instruments generally.

Except as otherwise provided, the mayor is authorized to execute and deliver, in behalf of the city, all deeds and leases of land sold or leased by the city, and all deeds, agreements, indentures and assurances made and entered into by order of the city council.

Fact: According to Brockton City Ordinances Mayor Carpenter may not settle any claim exceeding \$300. A settlement is also an agreement and this was not ordered by the City Council.

Sec. 2-158. - Settling claims against city.

The mayor shall have authority upon consultation with the city solicitor, and with the approval of the city auditor, to settle and adjust any legal claim not exceeding three hundred dollars (\$300.00) made against the city for damages arising from accidents within the city, and issue his warrant therefor.

Fact: The City of Brockton is reversing its long held position that was reaffirmed, twice: by the Energy Facilities Siting Board and the Supreme Judicial court, that the 2007 wastewater ordinance is valid.

Fact: City Solicitor Philip Nessralla’s interpretation of Mass General Law Chapter 43 Section 18 is also deeply flawed as the statute sets a floor for a city council majority but not a ceiling for a city council majority.

