

## FINANCE COMMITTEE MINUTES

The Standing Committee on Finance met on *Tuesday September 3<sup>rd</sup>, at 7:00 PM* in the *Council Chambers, Brockton City Hall, 45 School Street*, to consider the following:

Comments by President Sullivan:

(Received a message from Joe Miranda, he is working his shift and cannot make it tonight as well as the Police Chief. We do have the Captain here. Mark Linde has a Library Board meeting tonight and cannot make it. Also regarding item #11 Marty Brophy is no longer the Real Estate Custodian, the City Solicitor Attorney Nessralla or his designee will be here.)

1. Reappointment of Joe Miranda of 19 Wallace St., Brockton, MA to the Brockton Community Cable Television Board for a three year term.  
Invited: Mark Linde, General Manager, BCA  
Joe Miranda

Having considered the same, Motion by Councilor Cruise to report FAVORABLE, 2<sup>nd</sup> by Councilor Asack. Motion carried by a hand vote.

2. Reappointment of Kenneth Galligan of 25 Messina Drive, Brockton, MA to the Brockton Zoning Board of Appeals for a three year term.  
Invited: Kenneth Galligan

Comments by Kevin Galligan:

(Thanks the Mayor for putting his name back on for another 3 years. Has 26 years on the board.)

Having considered the same, Motion by Councilor Cruise to report FAVORABLE, 2<sup>nd</sup> by Councilor Asack. Motion carried by a hand vote.

3. Ordered: Acceptance and expenditure of grant funds in the amount of \$200,000  
From: Commonwealth of Massachusetts-Department of Environmental Protection (MassDEP)- Gap II Grant Funding Program  
To: City of Brockton Department of Public Works- Gap II Grant Funding Program Grant Fund.  
Invited: Troy Clarkson, CFO  
Lawrence Rowley, DPW Commissioner  
Dave Norton, Water/ Sewer Contract Administrator

Comments by Lawrence Rowley:

(This is a \$200,000 grant from DEP; no match grant.)

Comments by Councilor Nicastro:

(Technical question; the grant is dated August of last year and states the funds have been used to furnish and install second turbo blower. Is that true?)

Comments by Lawrence Rowley:

(We did receive in 2018; the project had to be completed. Checks were sent to the wrong department. Work has to be completed, and then we can apply for grant money.)

Having considered the same, Motion by Councilor Farwell to report FAVORABLE, 2<sup>nd</sup> by Councilor Asack. Motion carried by a hand vote.

4. Ordered: Acceptance and expenditure of total grant funds in the amount of \$365,586.00  
From: Executive Office of Public Safety and Security/State 911 Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants  
To: Brockton Police Department-FY2020 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Fund.  
Invited: Troy Clarkson, CFO  
John Crowley, Chief of Police

Comments by Captain Williamson:

(Award used to backfill ETD and police dispatcher wages. Contact start date of 8/6/19-6/30/20.)

Having considered the same, Motion by Councilor Farwell to report FAVORABLE, 2<sup>nd</sup> by Councilor Monahan. Motion carried by a hand vote.

5. Ordered: Acceptance and expenditure of the total grant funds in the amount of \$275,110.27  
From: Executive Office of Public Safety and Security/State 911 Department-FY20 State 911 Training Grant  
To: Brockton Police Department-FY20 State 911 Training Grant Fund.  
Invited: Troy Clarkson, CFO  
John Crowley, Chief of Police

Comments by Captain Williamson:

(Training grant for 911 training reimburse overtime, \$50,000 to pay vendors to conduct the classes.)

Having considered the same, Motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Cruise. Motion carried by a hand vote.

6. Ordered: Acceptance and expenditure of total grant funds in the amount of \$430,000  
From: Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant  
To: Brockton Police Department-FY2020 FY20 Safe and Successful Youth Initiative Grant Fund.  
Invited: Troy Clarkson, CFO

John Crowley, Chief of Police

Comments by Captain Williamson:

(Majority goes to Old Colony YMCA street outreach in case management services of the Old Colony safe corners team as well as to provide client incentives. Reoccurring grant)

Having considered the same, Motion by Councilor Cruise to report FAVORABLE, 2<sup>nd</sup> by Councilor Monahan. Motion carried by a hand vote.

7. Ordered: Acceptance and expenditure of the total grant funds in the amount of \$300,000  
From: Environmental Protection Agency-Brownfield Assessment Grant  
To: City of Brockton Planning and Economic Development- Brownfield Assessment Grant Fund  
Invited: Troy Clarkson, CFO  
Rob May, Director of Planning & Economic Development

Comments by Rob May:

(Does not require a city match; using to explore downtown area.)

Having considered the same, Motion by Councilor Asack to report FAVORABLE, 2<sup>nd</sup> by Councilor Monahan. Motion carried by a hand vote.

8. Ordered: That the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 93 Centre St., between the City and 93 Centre Street, LLC.  
Invited: Troy Clarkson, CFO  
Philip Nessralla, City Solicitor  
John O'Donnell, Chairman of Assessors  
Rob May, Director of Planning and Economic Development  
Ted Carmen, Concord Square Planning & Economic Development

Comments by President Sullivan:

(Spoke to Legislative Attorney Resnick was unable to join tonight, if needed we can call her.)

Comments by Councilor Farwell:

(To Troy Clarkson- who negotiates from the City side what the percentages will be over a period of time?)

Comments by Troy Clarkson:

(For these specific agreements the negotiating was done by Mr. O'Donnell and myself under the guidance and direction of the Mayor.)

Comments by Councilor Farwell:

(For 93 Centre Street; how did you come up with 60% abatement over 20 year. What criteria do you use?)

Comments by Troy Clarkson:

(These agreements are an important economic development tool. City is only sharing in the new value that is created and isn't losing any money. The baseline that exists is only built upon so the method by which that value is shared is really the subject of negotiation.)

Comments by Councilor Farwell:

(Got to be something that separates these different projects in the negotiating teams mind as they arrive at these percentages.)

Comments by Troy Clarkson:

(There is no cookie cutter approach; each building is different, the size and the scope of each development is different and the financing needs of each developer is different. Try to protect the City's interest and also negotiate an agreement that the developers could make work.)

Comments by Councilor Farwell:

(Would like to see something on the City's website about TIFs and TIEs and some of the criteria.)

Comments by Councilor Cruise:

(Each project is different, and every project isn't worth as much to us as a city. Time to move forward on this and I will be supporting them.)

Comments by President Sullivan:

(These TIE agreements along with the TIFs; they don't run with the land in perpetuity they run to the LLC to the applicant. It's an agreement between the city of Brockton and the applicant. Could you clarify that Attorney Nessralla? I believe we had a previous applicant that misspoke in the chamber a few weeks ago.)

Comments by Attorney Nessralla:

(What you just states is correct. They don't run with the land and actually they are not assignable not unilaterally assignable, but can be bilaterally consented to by both the municipality and the recipient based on the merits so the municipality has the opportunity to check the merits of the recipient and to ensure that his vision and plan going forward is keeping with the template that was given to him at the time.)

Comments by Councilor Nicasastro:

(Word to the wise- to the employees at City Hall and to the developers; we want to see our city developed, but bring us in on what is going on before we come to the meetings.)

Comments by Councilor Monahan:

(In the past when a project would come in you would meet with the ward councilor of that area and the four at large and go over the proposal and then go to the councilors. They are going to start doing that again.)

Having considered the same, Motion by Councilor Cruise to report FAVORABLE, 2<sup>nd</sup> by Councilor Monahan. Motion carried by a hand vote.

9. Ordered: That the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 127 Centre St., between the City and 127 Center Corner, LLC.

Invited: Troy Clarkson, CFO

Philip Nessralla, City Solicitor

John O'Donnell, Chairman of Assessors

Rob May, Director of Planning and Economic Development  
Attorney James Burke

Comments by Councilor Beauregard:

(Developers are doing a good job. Grateful for CFO for explaining all the financial aspects of this and like it when things are public. Continue to have a dialog, connect with us.)

Comments by Councilor Farwell:

(Not going to support this. This project is 28% smaller than 93 Centre St. and are looking for larger TIE. Not willing to give away those kind of exemptions.)

Comments by Rob May:

(This is a new construction, scrap the pad and will involve some steel construction which adds significantly to the cost.)

Having considered the same, Motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Cruise. Motion carried by a hand vote.

10. Ordered: That the City Council authorize the approval of the proposed Housing Development Incentive Program (HDIP) Tax Increment Exemption Agreement (TIE), for 19-31 Main St., between the City and Brockton Development Company, LLC.

Invited: Troy Clarkson, CFO

Philip Nessralla, City Solicitor

John O'Donnell, Chairman of Assessors

Rob May, Director of Planning and Economic Development

Catherine Norcott

Comments by President Sullivan:

(Received information that this applicant has withdrawn.)

Having considered the same, Motion by Councilor Farwell to report to TABLE, 2<sup>nd</sup> by Councilor Cruise. Motion carried by a hand vote.

11. Ordered: that the Mayor and/or Real Estate Custodian be authorized to accept on behalf of the City of Brockton a parcel of land containing approximately 1.4121 acres, located at and known as Plot 3, 0 Bridge Street, more particularly described as Parcel Identification Number : 128-337.

Invited: Honorable Mayor Moises Rodrigues

\* ~~Martin Brophy, Real Estate Custodian~~

Comments by President Sullivan:

(Mr. Brophy used to be the Real Estate Custodian, is now Attorney Nessralla.)

Comments by Councilor Nicastro:

(I am sponsoring this and can give some info. In ward 4, the owners of Homes McDuffy Florist have closed and are relocating. This is an additional parcel of land behind their property and would like to give to the city, 1.4 acres. Not aware of any conditions to the gift.)

Having considered the same, Motion by Councilor Farwell Asack to report FAVORABLE, 2<sup>nd</sup> by Councilor Beauregard. Motion carried by a hand vote.

12. Resolved: that Mayor is hereby authorized, on behalf of the City of Brockton, to enter into a Tax Increment Financing Agreement with NEW WESTGATE MALL LLC encompassing the property described as above, whereby, provided NEW WESTGATE MALL LLC satisfies certain condition more fully described in the Tax Financing Agreement, And Be It Further Resolved that, upon execution of the Tax Increment Financing Agreement, Mayor is hereby authorized, on behalf of the City of Brockton, to petition the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement of the Tax Increment Financing Agreement.

Invited: Honorable Mayor Moises Rodrigues

Troy Clarkson, CFO

John O'Donnell, Chairman of Assessors

Having considered the same, Motion by Councilor Asack to report to TABLE, 2<sup>nd</sup> by Councilor Lally. Motion carried by a hand vote.

Meeting Adjourned at 7:39PM