

FINANCE COMMITTEE MINUTES

The Standing Committee on Finance met on *Monday October 7th, at 7:00 PM* in the *Council Chambers, Brockton City Hall, 45 School Street*, to consider the following with President Sullivan presiding, eight members present, Councilor Asack, Councilor Derenoncourt and Councilor Monahan absent.

President Sullivan stated DPW Commissioner had a conflict, cannot make the meeting tonight. The CFO, Mr. Clarkson is on vacation this week. Councilor Monahan is unable to join us tonight.

1. Re-appointment of William R. May, Jr. of 61 Oak St., Brockton, MA to the position of Director of Planning and Economic Development for the City of Brockton for a five year term ending June 2024.

Invited: Rob May, Director of Planning & Economic Development

Comments by Rob May:

(Our office has done great job at bringing both the community and the planning organizations together. We have produced a city wide comprehensive plan for the first time in 20 years. We have worked in the Campello area on the east side and have plans to work in the Good Samaritan Medical Center area for life sciences and there is a new open space plan that we will be working on this year.)

Comments by Councilor Farwell:

(Speaking for myself, you will find a much more collegial and working relationship at least with this councilor. Looking forward to your continued service with the city. My pleasure to support you.)

Comments by President Sullivan:

(Had some really good conversations, he is an expert in his field and is highly regarded in the industry at the Statehouse and we do not want to lose the connections that we have.)

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

2. Reappointment of Daniel Campbell, 16 Belcher Ave., Brockton, MA as a Constable in the City of Brockton for a term of three (3) years.

Invited: Daniel Campbell

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

3. Order: An Order for the City to Seek Authorization for the Acceptance of Streets in the City of Brockton. Purpose: Common convenience and necessity requires the acceptance of streets in the City of Brockton as public ways for purposes of public access, repairs, snow removal, emergency vehicle access, maintenance, and care of all roads in the City of Brockton.

Invited: Lawrence Rowley, DPW Commissioner

Comments by President Sullivan:

(Mr. Rowley couldn't join us tonight and asked that we postpone.)

Having considered the same, Motion by Councilor Eaniri to report to POSTPONE until the second Finance meeting in October, 2nd by Councilor Beauregard. Motion carried by a hand vote.

4. Order: Authorization of the payment of \$43,494.98
From: FY20 Finance-Purchase of Services
To: Rehoboth Solar for the billing period of May 28, 2019 through June 25, 2019.
Invited: Troy Clarkson, Chief Financial Officer

Comments by Karen Preval- on behalf of CFO, Mr. Clarkson

(We have a metering power credit with Rehoboth and allows us 20% credit on electric bills. We own the meters but solar arrays are owned by the company. This is a bill we are requested to pay, we want people to know we are receiving a 20% discount on electricity through owning the meters from the power that is coming from the solar.)

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

5. Ordered: Transfer in the amount of \$433,324
From: Law Department-Purchase of Services
To: Law Department-Personal Services Other than Overtime.
Invited: Philip Nessralla, City Solicitor
Troy Clarkson, Chief Financial Officer

Comments by Karen Preval:

(We are looking to transfer \$433,324 from purchase of services back to personal services line; clerical error made putting this into the wrong line item.)

Having considered the same, Motion by Councilor Farwell to report FAVORABLE, 2nd by Councilor Lally. Motion carried by a hand vote.

6. Ordered: acceptance and expenditure of the total grant funds in the amount of \$240,000
From: Massachusetts Department of Energy Resources (DOER)-Green Community Competitive Grant
To: City of Brockton Mayor's Office-Green Community Competitive Grant Funds.
Invited: Troy Clarkson, Chief Financial Officer

Comments by Karen Preval:

(Grant the city receives, looking to appropriate these funds.)

Comments by Councilor Nicastro:

(The project cost is \$331,590.00 and we are getting \$240,000.00 does this mean we have to make up the difference of \$91,590.00?)

Comments by Karen Preval:

(Stated she would need to look into that.)

Comments by President Sullivan:

(To Ms. Preval- do you think you would have an answer in a weeks time?)

Comments by Karen Preval:

(Stated yes.)

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

*This motion has a condition that an answer is given within 1 weeks time in regards to the difference of \$91,590.00; does the city have to make up this difference?

Motion made by Councilor Farwell to waive the reading of Order #7, 2nd by Councilor Cruise.

7. Ordered: A copy of all legal documents executed between the city and the Brockton 21st Century Corporation related to the transfer of control for these properties to the city, and the outstanding promissory note signed by the corporation, be provided to the City Council. (1) A summary of all outstanding contractual agreements, outstanding invoices for services or goods, or any other liability which was the responsibility of the Brockton 21st Century Corporation and which now may be incurred by the city be provided to the City Council. (2) If payments from public funds have been made for charges formerly required of the corporation, such information shall be provided to the City Council. (3) Documents and information requested shall be provided within fourteen (14) days of the date of this Order.

Invited: Michael Gallerani, Executive Director, Brockton 21st Century Corporation

Dan Evans, President, Brockton 21st Century Corporation

Philip Nessralla, City Solicitor

Troy Clarkson, Chief Financial Officer

Mary Lynn Peters-Chu, City Auditor

James Casieri, Building Superintendent

Brent Warren, Attorney, B21

Having considered the same, Motion by Councilor Farwell to report to POSTPONE until the second Finance Meeting in October, 2nd by Councilor Cruise. Motion carried by a hand vote.

8. Order: That sections twenty-six B to twenty-six E, inclusive of chapter one hundred and eleven of the Massachusetts General Laws (M.G.L. c. 111 §§26B-26E) be and hereby is accepted by the City of Brockton in accordance with section twenty-six A of chapter one hundred and eleven of the Massachusetts General Laws (M.G.L. c. 111 §26A)

Invited: Philip Nessralla, City Solicitor

Comments by Councilor McGarry:

(Order is in regards to the reconfiguration of the Board of Health, not the same order as the home rule petition would be. Don't see it on the agenda; shouldn't be handling one without the other. To vote on this you are accepting one without the other.)

Comments by Attorney Nessralla:

(I agree with that. Should be addressed at the same time.)

Comments by Councilor Farwell:

(Don't need a home rule petition. We need to accept section 26 of chapter 111. Council only needs to accept section 26A.)

Comments by Councilor Cruise:

(There is a lot to this. There are two separate proposals. We can't do one without the other. There are other issues, would like to see the Mayor here. Would need an MD to become the director of the board of health. Need to examine the two pieces together; couldn't agree to do one without the other. We need the Mayor here and Dr. Brophy here to give us opinions on who is going to take that job.)

Comments by President Sullivan:

(Would like our legislative counsel here as well. Also review union to see what ramifications it may have.)

**On the motion- Councilor Cruise would like to have Dr. Brophy invited to the next meeting. Councilor Farwell would like to have Attorney Bridges and President Sullivan noted to have Attorney Shannon Resnick invited as well.

Having considered the same, Motion by Councilor Eaniri to report to POSTPONE until the first Finance Meeting in November, 2nd by Councilor Nicastro. Motion carried by a hand vote.

9. Order: The City accepts the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2019, or take any other action relative thereto.

Invited: Philip Nessralla, City Solicitor

Troy Clarkson, Chief Financial Officer

Comments by Councilor Farwell:

(Important to have Mr. Clarkson here, they are asking to begin in FY20 and don't believe we can do that; believe we can set it up for FY21. Don't believe we can set it up for the fiscal year that began July 1st 2019 according to the statute.)

**Motion to take items #9, #10 & #11 collectively.

Having considered the same, Motion by Councilor Farwell to read Items #9, #10 & #11 collectively. Motion carried by a hand vote.

10. Order: To see if the city will dedicate all or a percentage, which may not be less than 25 percent, of the local option excise on retail marijuana sales revenues collected under Massachusetts General Laws Chapter 64N, §3 to the Community Impact Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2020 beginning on July 1, 2019, or take any other action relative thereto.

Invited: Philip Nessralla, City Solicitor

Troy Clarkson, Chief Financial Officer

11. Order: to see if the city will dedicate all or a percentage, which may not be less than 25 percent, of the community impact fees collected under Massachusetts General Laws Chapter 64N and related Host Community Agreements to the Community Impact Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year 2020 beginning on July 1, 2019, or take any other action relative thereto.

Invited: Philip Nessralla, City Solicitor

Troy Clarkson, Chief Financial Officer

Having considered the same for Items #9-11, Motion by Councilor Farwell to report to POSTPONE until the first Finance Meeting in November, 2nd by Councilor Eaniri.

Motion carried by a hand vote.

12. Resolve: to put on notice the owners or operators of Lubras Auto Body, located at 64 Elliot Street, Brockton and the owners or operators of D & G Auto, located at 8 Perkins Street, Brockton, to notify them that a Public Hearing will be held concerning revocation of their licenses.

Comments by President Sullivan:

(Met with City Clerk Zeoli regarding this resolve; does the City Council acting as finance wish to move forward to the full council on a possible revocation of the licenses? If so, then we move favorable. The City Clerk has asked that we do it in November to give ample time for preparation and also proper notification. Either yes, we want to move forward and have a hearing at the full City Council or no we don't and it would be an unfavorable.)

Comments by Councilor Cruise:

(Do we have complaints from the police?)

Comments by President Sullivan:

(It is my understanding that we do.)

Comments by Councilor Eaniri:

(Is this the same garage that we did due diligence with last year?)

Comments by President Sullivan:

(I believe so. If we do go forward all the information and facts would come out during said public hearing.)

Comments by Councilor Eaniri

(Make sure the people that come before us also understand what we are doing. Would also be a great help because the people that came before did not, and if they need a translator to bring one; that was the issue we had a problem with.)

Having considered the same, Motion by Councilor Beauregard to report FAVORABLE back to the Full City Council, second City Council Meeting in November for the City Clerk to Authorize a Public Hearing, 2nd by Councilor Eaniri. Motion carried by a hand vote.

Meeting Adjourned at 7:33 PM