

35.

A regular meeting of the City Council was held on Monday March 9, 2020 in the City Council Chambers, 2nd Floor of City Hall, 45 School St., Brockton, MA, President Asack presiding. The meeting was called to order at 7:08 PM with nine members present. Councilors Monahan and Rodrigues absent.

Councilor Cruise, as a point of personal privilege, welcomed a new constituent to Ward One as Hope Hathaway Joyce Farwell joined the people of Ward One over the last couple days. She is the daughter of Allison Farwell and granddaughter of Councilor Farwell.

President Asack announced that BCA was still waiting on the part to fix the cable equipment issue, but thanked Mike Simmons of BCA for his work. Tonight's meetings will be live streaming on YouTube.

145 Acceptance of the minutes of the February 24, 2020 City Council meeting.

Accepted and placed on file

Councilor Cruise motion to have items **#115, 116 & 117** taken out of order and collectively and was properly seconded. Motioned carried by a hand vote.

Councilor Cruise motioned for reconsideration is the hopes that this will not prevail and was properly seconded. Motioned failed by a hand vote.

Recess called at 7:12PM

Meeting called to order at 7:16PM

President Asack invited Sergeant Matthew Graham, Sergeant Michael Skinner and Lieutenant Brenda Perez to the podium for congratulations and recognition. President Asack stated they will meet in the Clerk's office after this meeting to be sworn in. Any family members will be welcome to attend.

REPORT

146 Of the Ordinance Committee for its meeting of February 19, 2020

Accepted and placed on file

147 Of the Finance Committee for its meeting of March 2, 2020

Accepted and placed on file

COMMUNICATIONS

148 From the Director of Planning and Economic Development requesting a Grant of Easement which would grant 28 Petronelli Way, currently under redevelopment by Ted Carmen, over an adjacent portion of City owned land for the purpose of providing access for loading, unloading vehicles and waste. The easement will help facilitate the historic restoration of the former Saint Patrick Total Absence Society (a.k.a. Petronelli Gym) into 18 market rate residential units.

Accepted and placed on file

149 From the Mayor recommending that the City Council pass the Grant of Easement and Agreement for 28 Petronelli Way over an adjacent portion of City owned land for the purpose of providing access for loading and unloading of vehicles and waste.

Accepted and placed on file

COMMUNICATIONS (CONT'D)

150 From the Director of Planning requesting the City Council amend Ch. 27 of the Revised Ordinances of the City of Brockton to create a new zoning overlay district for certain parcels on North Pearl Street.

Accepted and placed on file

151 From the Mayor recommending the City Council amend Ch. 27 of the Revised Ordinances of the City of Brockton to create a new zoning overlay district for certain parcels on North Pearl Street.

Accepted and placed on file

152 From the Mayor recommending that the City Council pass the Tax Financing Agreement between the City of Brockton and New Westgate Mall LLC.

Accepted and placed on file

153 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed Tax Increment Financing Agreement between the City of Brockton and New Westgate Mall LLC. The agreement will only apply to new value that is created, sharing that revenue between the city and the mall, and also guaranteeing the creation of 50 new jobs.

Accepted and placed on file

154 From the Chief of Police requesting authorization to expend additional grant monies related to the Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant award in the amount of \$70,000.

Accepted and placed on file

155 From the Mayor recommending that the City Council authorize the acceptance and expenditure of additional grant monies related to the Executive Office of Health and Human Service's FY20 Safe and Successful Youth Initiative Grant award in the amount of \$70,000.

Accepted and placed on file

156 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$70,000 from Executive Office of Health and Human Services-FY20 Safe and Successful Youth Initiative Grant to Police Department- FY20 Safe and successful Youth Initiative Grant Fund.

Accepted and placed on file

157 From the Chief of Police requesting authorization to expend grant monies related to the State of Massachusetts Office of Grants and Research/Executive Office of Public Safety and Security Bulletproof Vest Program Grant in the amount of \$13,048.20

Accepted and placed on file

158 From the Mayor recommending the City Council authorize the acceptance and expenditure of additional grant monies related to the State of Massachusetts Office of Grants and Research/Executive Office of Public Safety and Security Bulletproof Vest Program Grant in the amount of \$13,048.20

Accepted and placed on file

COMMUNICATIONS (CONT'D)

159 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$13,048.20 from Executive Office of Public Safety and Security (EOPSS)-Massachusetts Bulletproof Vest Program Grant Award to Police Department-Massachusetts Bulletproof Vest Program Grant Fund.

Accepted and placed on file

160 From the Mayor recommending the City Council authorize the acceptance and expenditure of additional grant monies related to the Urban Agenda Grant Funds from the Executive Office of Housing and Economic Development (EOHED) in the amount of \$60,000.

Accepted and placed on file

161 From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$60,000 from the Executive Office of Housing and Economic Development (EOHED) to Mayor's Office.

Accepted and placed on file

UNFINISHED BUSINESS

113 Appointment of Noubé Rateau of 14 Madrid Sq., Unit #2, Brockton, MA to the Brockton Community Cable Television Board for a three-year term ending February 2023. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

114 Appointment of Paul Studenski of 48 Carlisle St., Brockton, MA as an Alternate to the Brockton License Commission for a three-year term ending February 2023. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

115 Promotion of Matthew Graham to rank of Temporary Sergeant in the Brockton Police Department. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

116 Promotion of Michael Skinner to rank of Permanent Sergeant in the Brockton Police Department. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

117 Promotion of Sergeant Brenda Perez to rank of Temporary Lieutenant in the Brockton Police Department. (FAVORABLE)

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

143 Ordered: Acceptance and expenditure of the grant award in the amount of \$144,041.60 From: Executive Office of Elder Affairs-FY20 Formula Grant

UNFINISHED BUSINESS (CONT'D)

To: City of Brockton Council on Aging-FY20 Formula Grant Fund
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

- 142** Ordered: 1. That the Mayor of Brockton, pursuant to the provisions of M.G.L., Ch. 44 sec. 53A, be and is hereby authorized to accept this grant from the Commonwealth of Massachusetts Housing Choice Initiative program; and 2. That the Mayor of Brockton be and is hereby authorized to expend and take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the City’s Department of Planning and Economic Development.
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

- 139** Ordered: The City Council reviews an extension to the residency requirements in accordance with the revised Ordinances of the City of Brockton Article III Section 2-110, City of Brockton Ordinance Waiver of Residency extension in reference to the Library Department. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

Councilor Farwell motioned for reconsideration in the hope that this does not prevail and was properly seconded. Motion failed by a hand count.

President Asack stepped down. Councilor Cruise assumed the Chair.

- 140** Ordered: The City Council reviews an exemption from the residency requirement in accordance with the Revised Ordinances of the City of Brockton Article III Section 2-110, City of Brockton Ordinance Waiver of Residency in reference to the Board of Health Department. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Asack, Monahan and Rodrigues absent.

Councilor Farwell motioned for reconsideration in the hope that this does not prevail and was properly seconded. Motion failed by a hand count.

Councilor Asack returned.

- 141** Ordered: The City Council reviews an exemption from the residency requirement in accordance with the Revised Ordinances of the City of Brockton Article III Section 2-110, City of Brockton Ordinance Waiver of Residency in reference to the Finance Department. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

Councilor Farwell motioned for reconsideration in the hope that this does not prevail and was properly seconded. Motion failed by a hand count.

- 33** Order: Regulations governing the operation of hawkers and peddlers within the City of Brockton. (FAVORABLE AS AMENDED)

Amendment passed by a hand vote.

UNFINISHED BUSINESS (CONT'D)

Adopted as amended by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Monahan and Rodrigues absent.

ORDERS

162 Ordinance: Be it ordained by the City Council of the City of Brockton as follows:
That the City Council amend Chapter 27 of the Revised Ordinances of the City of Brockton to create a new zoning overlay district for certain parcels on North Pearl Street.

Referred to Ordinance and Planning

163 Ordered: That the City Council authorize the proposed Tax Increment Financing Agreement between the City of Brockton and New Westgate Mall LLC.

Referred to Finance

164 Ordered: The City of Brockton grants to 28 Petronelli LLC an easement over City owned land identified as MAP 109 Route 054, PLOT 3 (0 Ward Street) for purposes of pedestrian and vehicle ingress, egress, and access to its parking and dumpster storage to facilitate the redevelopment of both parcels. And further that the City Council authorizes the Mayor to execute the “Grant of Easement and Agreement” and to take other actions necessary to carry out the terms, purposes and conditions of the same.

Referred to Real Estate and Planning

165 Ordered: That the City of Brockton remove its order of July 22, 2002 regarding the property located at and known as 7 Melrose Street (Map 164, Route 326, Plot 7) that declared said lot as “non-buildable” so that possible development may take place and to execute any documents necessary to lift any restrictions in the deed to said property.

Referred to Real Estate

166 Ordered: Acceptance and expenditure of the grant award in the amount of \$70,000
From: Executive Office of Health and Human Services-FY20 Safe and Successful Youth Initiative Grant To: Police Department- FY20 Safe and successful Youth Initiative Grant Fund.

Referred to Finance

167 Ordered: Acceptance and expenditure of the grant award in the amount of \$13,048.20 From: Executive Office of Public Safety and Security (EOPSS)- Massachusetts Bulletproof Vest Program Grant Award
To: Police Department- Massachusetts Bulletproof Vest Program Grant Fund.

Referred to Finance

168 Ordered: Acceptance and expenditure of the grant award in the amount of \$60,000
From: Executive Office of Housing and Economic Development (EOHED)
To: Mayor’s Office.

Referred to Finance

169 Resolve: That Joe Miranda, President of Brockton Community Access Board, appear before the City Council to give an update on BCA’s progress.

ORDERS (CONT'D)

Referred to Finance

LATE FILES

Councilor Nicastro motioned to take 5 late files collectively and to suspend the rules to act on this tonight and was properly seconded. Motion carried by a hand vote.

President Asack stated that the first meeting for the Library Trustees is scheduled for tomorrow at 6:30PM at the Main Library and the Mayor requested these be done prior to the meeting.

- 174 Reappointment of Dr. Joseph Policape Of 715 Main St., Brockton, MA to the Brockton Library Board of Trustees for a term of three years ending February 2023
- 173 Reappointment of Dr. Aminah Pilgram of 10 Columbia St., Brockton, MA to the Brockton Library Board of Trustees for a term of three years ending February 2023.
- 171 Reappointment of Margaret Mone of 10 Braemoor Rd. Brockton, MA to the Brockton Library Board of Trustees for a term of three years ending February 2023
- 172 Reappointment of Jocelyn Meek of 140 Copeland St., Brockton, MA to the Brockton Library Board of Trustees for a term of three years ending March 2023.
- 170 Appointment of Pastor Matthieu Delisme of 14 Clifford Ave. Brockton, MA to the Brockton Library Board of Trustees for a term of three years ending February 2023.

Reappointments and appointment confirmed by a hand vote.

Councilor Nicastro motioned for reconsideration on Items #170-174 in the hopes that this will not prevail and was properly seconded. Reconsideration failed by a hand vote.

Councilor's Recognition

Councilor Eaniri announced the Accounts committee will be meeting Monday March 16, 2020 at 5:30PM in the Council Committee room.

Councilor Cruise commented on Item #162 in reference to an exciting proposal to build luxury apartments at the old Braemoor Nursing home site on North Pearl St. There will be a neighborhood meeting on Wednesday March 25th, 2020 at 7:00PM at the Hancock School where the developers will be there with their proposal.

Councilor Cardoso recognized March as Women's month and wished a happy Women's month to all the wonderful ladies out there. She also congratulated Lieutenant Perez on her promotion and all the great ladies doing good things for the City of Brockton.

Councilor Lally announced the Real Estate committee will be meeting later this week. The date and time to be determined.

Councilor Eaniri acknowledged that Councilor Cardoso celebrated her 40th birthday yesterday.

President Asack acknowledged that yesterday was International Women's Day, a day to celebrate social, economic, cultural and political achievements of women and that she is proud to stand with the other wonderful ladies on the Council. The community also has a

lot of amazing women and tonight we honored the first woman lieutenant in Brockton's history.

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.