

Out of respect for public health and in response to the Governor's declared state of emergency, this meeting will be closed to the public and interested parties can instead access the deliberations via a livestream

<https://www.youtube.com/user/TheBrocktonChannels/live>

This meeting is being held in accordance with Governor Charlie Baker's signed open meeting law order dated March 12, 2020 which relieves a public body from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

In City Council, June 22, 2020

1. Acceptance of the City Council minutes of May 26, 2020 meeting

APPOINTMENTS:

2. Promotion of Firefighter Kevin P. Sullivan to the rank of Fire Lieutenant in the Brockton Fire Department.
3. Appointment of Steven Johnson as a Special Police Officer in the City of Brockton for a term of one year.
4. Appointment of Robert F. Sergio as a Special Police Officer in the City of Brockton for a term of one year.
5. Appointment of Scott D. Uhlman as a Special Police Officer in the City of Brockton for a term of one year.
6. Appointment of Robert J. Smith as a Special Police Officer in the City of Brockton for a term of one year.
7. Appointment of John Lonergan as a Special Police Officer in the City of Brockton for a term of one year.
8. Appointment of Andrew Cesarini as a Special Police Officer in the City of Brockton for a term of one year.
9. Appointment of Peter J. Skelly as a Special Police Officer in the City of Brockton for a term of one year.

HEARINGS:

10. Petition from Massachusetts Electric Company requesting permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said company may deem necessary, in the following public way: Install New Pole #17 on Thatcher St.
11. Petition of National Grid and Verizon New England Inc. requesting permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways: North Quincy St. & Boundary Ave. Installation of four JO poles P126-50, P125, P124 and P4, Remove three JO poles P126, old P4 and old P124. Relocate one JO pole.
12. Petition of National Grid and Verizon New England Inc. requesting permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used

in common by your petitioners, in the following public way or ways: North Quincy St. & Boundary Ave. Installation of new jointly owned Pole 59-1 on Sterling Rd. for ADA compliance MassDOT project.

REPORTS:

13. Of the Real Estate Committee for its meeting of June 11, 2020
14. Of the Finance Committee for its meeting of June 15, 2020

COMMUNICATIONS:

15. From the DPW Commissioner requesting the acceptance and expenditure of a grant received in the amount of \$920,000 from the Commonwealth of Massachusetts Housing and Economic Development Program. The City is not required to contribute any matching funds for expenditures of the grant. The grant will fund construction of a new roadway from Petronelli Way to Court Street including crossing Franklin Street and improvements to Petronelli Way. The Project will support the four lots of developable municipal property within the City's 40R Smart Growth District.
16. From the Mayor recommending that the City Council provide authorization to expend additional grant monies related to the construction of a new roadway from Petronelli Way to Court Street from the Housing Economic Development Program in the amount of \$920,000.
17. 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 \$920,000 from Commonwealth of Massachusetts Housing and Economic Development Grant Program to Department of Public Works-Housing and Economic Development Grant Fund.
18. From the Deputy Director of MassDot acting under the provisions of Ch. 6C and Ch. 81 of the General Laws, on May 13, 2020 the Massachusetts Dept. of Transportation-Highway Division altered the location of a section (s) of State highway in Brockton and submitted a copy of the plan to file in the clerk's office in accordance with the statute referenced above.
19. From the Director of Planning and Economic Development requesting that the City Council accept the \$200,000 40 R Dividend and appropriate funds such as \$100,000 in FY21 to Planning Dept.- 40R Activities and the remaining \$100,000 into Thatcher Street Stabilization Account to be established by the Chief Financial Officer. (will be used to advance planning efforts including the development of new zoning around the Campello Station Area and the Southern Main Street Corridor to support the Campello Vision Plan created in 2018.
20. From the Mayor, recommending that the City Council provide authorization to accept a 40R Smart growth Incentive dividend from the Commonwealth of Massachusetts in the amount of \$200,000.
21. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the grant award in the amount of \$200,000 from Commonwealth of Massachusetts-40R Smart growth Incentive to Planning & Economic Development – 40R Activities (\$100,000) and Planning & Economic Development-Thatcher St. Capital (\$100,000).
22. From the Interim Superintendent of Buildings requesting the reauthorization of the Revolving Fund FY21 for the Demolition account.
23. From the Mayor, in accordance with the provisions and stipulations of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, recommending the reauthorization of the Demolition Revolving Fund for FY21 for the sole purpose of helping to fund the cost in connection with the demolition of buildings in the City of Brockton. The

Demolition Revolving Fund shall receive the receipt of payments of all demolition charges of the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition Revolving Fund during FY21. The Building Superintendent shall comply with the reporting requirements of M.G.L. Chapter 44, Section 53E ½.

24. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of Demolition Revolving Fund for the demolition charges and fees for the FY2021, limited to annual expenditures of not more than \$110,000, during FY2021, for demolition costs of buildings in the City of Brockton.
25. From the Interim Superintendent of Buildings requesting the reauthorization of the Revolving Fund FY2021 for the Vacant/Abandoned Fund.
26. From the Mayor, in accordance with the provisions and stipulations of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, recommending the reauthorization of the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Buildings Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. The Vacant and Abandoned Building Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Building Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$250,000 may be so expended without further appropriation from the Vacant and Abandoned Buildings Revolving Fund during FY21. The Building Superintendent shall comply with the reporting requirements of M.G.L. Chapter 44, Section 53E ½.
27. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of Vacant and Abandoned Buildings Revolving Fund for the sole purpose of maintaining the Abandoned Building Registry, limited to annual expenditures of not more than \$250,000, during FY2021.
28. From the DPW Commissioner, requesting that the City Council transfer \$75,000 from the Highway Division's Capital project outlay to Highway Divisions Snow Removal.
29. From the Mayor, recommending that the City Council provide authorization to transfer monies for the department of Public Works from the Capital line item to the Highway Division-Snow Removal line item in the amount of \$75,000.
30. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$75,000 from Department of Public Works-Capitol to Department of Public Works-Highway Division-Snow Removal.
31. From the Chief of Police, requesting the transfer of \$300,000 from Police-Court to Police-Capital.
32. From the Mayor, recommending that the City Council provide authorization to transfer monies for the Police Department from Court line item to Capital line item in the amount of \$300,000.
33. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$300,000 from Police Department-Court to Police Department-Capital.
34. From the Chief of Police, requesting authorization to spend grant monies in the amount of \$6,000 related to the FFY 2020 Pedestrian and Bicycle Safety Program from the Executive Office of Public Safety and Security via the national Highway Traffic Safety Administration.

35. From the Mayor, recommending that the City Council provide authorization from the Police Department to expend monies from the FFY2020 Pedestrian and Bicycle Safety Program grant from the Massachusetts Executive Office of Public Safety and Security's National Highway Traffic Safety Administration in the amount of \$6,000.
36. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the grant award in the amount of \$6,000 from Executive Office of Public Safety and Security (EOPSS)-National Highway Traffic Safety Administration-FY2020 Pedestrian and Bicycle Safety Program to Police Department-FY2020 Pedestrian and Bicycle Safety Program fund.
37. From the Director of Planning and Economic Development requesting that the City Council accept and appropriate a \$50,000 grant from the Executive Office of Energy and Environmental Affairs, for the purposes of developing Transit Oriented Development zoning in the Campello Neighborhood. The required 25% match of \$12,500 will come from the Thatcher 40R Smart Growth dividend.
38. From the Mayor, recommending that the City Council accept a Transit Oriented Development grant from the Executive Office of Energy and Environmental Affairs for the purposes of developing zoning in the Campello Neighborhood in the amount of \$50,000.
39. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the grant award in the amount of \$50,000 from Commonwealth of Massachusetts-Executive Office of Energy & Environmental Affairs – Planning Assistance grant to Planning & Economic Development – Planning Assistance grant.
40. From the Chief of the Police Department requesting permission to expend “Law Enforcement Equipment and Technology” grant in the amount of \$37,987.69 from the Executive Office of Public Safety and Security, Office of Grants and Research by the United States Department of Justice Bureau of Justice Assistance.
41. From the Mayor, recommending that the City Council provide authorization for the Police Department to expend monies from the FY2019 Project Safe Neighborhoods “Law Enforcement and Technology” local solicitation. This is a passthrough grant from the Bureau of Justice Assistance (BJA) Project Safe Neighborhoods (PSN) family of grants via the Massachusetts Executive Office of Public Safety and Security (EOPSS). Police will be purchasing seven interoperable digital radios that are Chapter 25 compliant as it continues to switch officers from analog radios to digital radios. The DA's office will be purchasing one desktop computer, 2 laptop computers and Input Ace software for digital evidence analysis software.
42. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the grant award in the amount of \$37,987.69 from Executive Office of Public Safety and Security, Office of Grants and Research by the United States Department of Justice Bureau of Justice Assistance-Law Enforcement Equipment and Technology grant to Brockton Police Department-Law Enforcement Equipment and Technology Grant fund.
43. From the Mayor, appointing Emanuel Gomes as Chief of Police for the City of Brockton Police Department for a term of three years.

UNFINISHED BUSINESS:

44. Ordered: that the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 3,255 square feet, located and known as Plot 10-1, 78 Wyman Street, Parcel ID: 093-204 to Alex Cwiakala, 76.5 Wyman Street, Brockton, MA 02301 for the purchase price of One Thousand Dollars (\$1,000.00). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser. (FAVORABLE AS AMENDED)

45. Ordered: Total Proposed Transfer of \$20,000
From: Parking Authority-Personal Services Non-Overtime
To: Parking Authority-Purchase of Services-Security Fire Control (FAVORABLE)
46. Ordered: That the City Council re-authorize the Parking Authority's Revolving fund to for revenues from parking fines up to and including the amount of \$250,000 for FY2021. (FAVORABLE)
47. Ordered: Total proposed Transfer of \$25,000
From: Commonwealth of Massachusetts Department of Fire Services
To: Brockton Fire Department-FY2020 General Appropriations Act, CH. 41 of the Acts of 2019 grant. (FAVORABLE)
48. Total Proposed Transfer of \$100,000
From: Auditor's Office-Consultants for \$25,000 and Police Department-Personal Services Other than Overtime-Court for \$75,000
To: Planning and Economic Development-Other Contract Services (FAVORABLE)
49. Ordered: Total transfer of \$1,500,000
From: DPW-Highway Division Snow Removal
To: City's Stabilization fund (FAVORABLE)
50. Ordered: That the City Council provide authorization for payment of the T-Mobile bill in the amount of \$1,636.65
From: Library-Purchase of Services. (FAVORABLE)
51. Ordered: That the City Council authorizes the re-authorization of the Comcast Revolving Fund for FY2021, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed \$750,000 without further appropriation, during fiscal year 2021(FAVORABLE)
52. Ordered: That the City Council authorize the proposed Tax Increment Financing Agreement between the City of Brockton and New Westgate Mall LLC. (FAVORABLE)
53. Resolve: That a representative from MassDevelopment appear before the Finance Committee to inform the Committee about the Massachusetts Property Assessed Clean Energy Program ("PACE Massachusetts") to provide a financing mechanism to private owners of commercial and industrial properties for certain qualifying commercial energy improvements. (FAVORABLE)
54. Resolve: That Joe Miranda, President of Brockton Community Access Board, appear before the City Council to give an update on BCA's progress. (FAVORABLE)

ORDERS:

55. 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 the grant in the amount of \$920,000 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 Public Works.
56. Ordered: The City of Brockton shall accept a \$200,000 40R Smart Growth incentive dividend from the Commonwealth of Massachusetts and reinvest it in planning activities. That \$100,000 of the 40R Smart Growth dividend be appropriated in Fiscal Year 2021 to Department of Planning and Economic Development, 40R Activities, and that the Department is authorized to engage professional consulting services to prepare various planning documents for various commercial district and in particular

the Campello neighborhood. Said documents may include, but shall not be limited to the following; District Master Plans, Rezoning Proposals, Urban Renewal Plans, District Improvement Plans, and Infrastructure Plans. That \$100,000 of the 40R Smart Growth dividend be appropriated into a Thatcher Street stabilization account to be created by the Chief Financial Officer.

57. Ordered: That the City of Brockton shall accept a \$50,000 Planning Assistance Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs (EEA), for the purposes of developing Transit Oriented Development zoning in the Campello Neighborhood, and That the required 25% match of \$12,500 come from the Thatcher Street 40R Smart Growth dividend, and That the Mayor of Brockton be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Economic Development.
58. Ordered: That the City Council authorizes the re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Buildings Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Building Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$250,000 may be so expended without further appropriation from the Vacant and Abandoned Buildings Revolving Fund during FY21.
59. Ordered: That the City Council authorizes the re-authorization of the Demolition Revolving Fund for FY21 for the sole purpose of helping to fund the cost in connection with the demolition of buildings in the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition Revolving Fund during FY21.
60. Ordered: Total transfer of \$300,000
From: Police Department - Court
To: Police Department - Capital
61. Ordered: Total Transfer of \$75,000
From: Department of Public Works-Capital
To: Department of Public Works-Highway Division-Snow Removal
62. Ordered: Appropriation of \$37,987,69.
From the FY2019 Project Safe Neighborhoods “Law Enforcement and Technology” local solicitation
To: Police Department-law Enforcement Equipment and technology Grant fund
63. Ordered: Appropriation of \$6,000
From: Executive Office of Public Safety and Security (EOPSS)- National Highway Traffic Safety Administration-FY2020 Pedestrian and Bicycle Safety Program
To: Police Department- FY2020 Pedestrian and Bicycle Safety Program fund
64. Granting of Massachusetts Electric Company to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said company may deem necessary, in the following public way: Install New Pole #17 on Thatcher St.
65. Granting of National Grid and Verizon New England Inc. to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways: North Quincy St. & Boundary Ave. Installation of four JO poles P126-50, P125, P124 and P4, Remove three JO poles P126, old P4 and old P124. Relocate one JO pole.

66. Granting of National Grid and Verizon New England Inc. to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways: North Quincy St. & Boundary Ave. Installation of new jointly owned Pole 59-1 on Sterling Rd. for ADA compliance MassDOT project.

Councilor's Recognition

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.