

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 **following COVID-19 procedures**.

In City Council, September 28, 2020

City Hall, 2<sup>nd</sup> flr, Council Chambers  
45 School St., Brockton, MA 02301  
7:00pm

1. Acceptance of the City Council minutes of September 14, 2020 meeting

#### REPORTS:

2. Of the Finance Committee for its meeting of September 21, 2020

#### HEARINGS:

3. Petition of Gary Leonard, CEO of Natural Agricultural Products LLC of 4 Main St. Brockton, MA 02301 requesting a Marijuana Cultivator License at 53 Spark St. Brockton, MA 02302
4. Petition of Gary Leonard, CEO of Natural Agricultural Products LLC of 4 Main St. Brockton, MA 02301 requesting a Marijuana Products Manufacturer License at 53 Spark St. Brockton, MA 02302
5. Petition of Jaconias DeOliveira 943 Front St. Weymouth, MA 02190 for a Garage License located at 50 Meadowbrook Road, Unit 5B Brockton, MA 02302
6. Petition of Jaconias DeOliveira 943 Front St. Weymouth, MA 02190 for a Motor Vehicle Repair Mechanical License located at 50 Meadowbrook Road, Unit 5B Brockton, MA 02302
7. Petition of TAPK LLC (Edward Ahern) of 6 Wenlock Rd. Dorchester, MA 02124 for a transfer of a Garage License located at 609 Oak St., Brockton, MA 02301 (Current Owner Paul Coyman)
8. Petition of NBP II Brockton LLC, 3030 Congress St. Boston, MA 02110 for a transfer of a Garage License located at 1150 W. Chestnut St., Brockton, MA 02301 (Current owner MA Industrial Brockton LLC)
9. Petition of Admilson Santos, of 21 Adams St. Apt #1 Dorchester, MA 02122 for a transfer of a Garage License located at 50 Meadowbrook Road, Unit 7 Brockton, MA 02302

#### COMMUNICATIONS:

10. From the Mayor, withdrawing the re-appointment of Phillip Griffin of 19 Emory St. Brockton, MA 02301 to the Brockton Redevelopment Authority.
11. From the Mayor, withdrawing the appointment of Frank Gurley 375 Pearl St. Brockton, MA 02301 to the Brockton Redevelopment Authority.
12. From the Mayor, appointing William Wells of 116 Richmond St. Brockton, MA 02302 to the Diversity Commission for a three-year term, ending September 2023.
13. From the Mayor's Director of Social Services, requesting the acceptance of a grant amendment for an increase of \$75,000 through June 30, 2021 from the Department of Public Health's Bureau of Substance Addiction Services. This funding will be to

continue services of the Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) funding to close out the grant which will be ending on June 30, 2021.

14. From the Mayor, in accordance with M.G.L. Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$75,000 from the Department of Public Health's Bureau of Substance Addiction Services-Substance Abuse and Mental Health Services (SAMSHA), Massachusetts Opioid Abuse Prevention Collaborative (MOAPC), to the Mayor's Office-Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) fund. The Department of Public Health's Substance Abuse and Mental Health Services Administration grant will be used to continue the services of the Massachusetts Opioid Abuse Prevention Collaborative (MOAPC). There is no required match for these funds.
15. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the increase in the grant award in the amount of \$75,000 from Department of Public Health's, Bureau of Substance Addiction Services- Substance Abuse and Mental Health Services (SAMHSA), Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) to Mayor's Office-Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) fund.
16. From the Mayor's Director of Social Services, requesting the acceptance of a grant amendment for an increase of \$75,000 through June 30, 2021 from the Department of Public Health's Bureau of Substance Addiction Services. This funding will be to continue services of the Substance Abuse Prevention Collaborative (SAPC) funding to close out the grant which will be ending on June 30, 2021.
17. From the Mayor, in accordance with M.G.L. Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$75,000 from the Department of Public Health's Bureau of Substance Addiction Services-Substance Abuse and Mental Health Services (SAMHSA), to the Mayor's Office-Substance Abuse and Mental Health Services (SAMHSA) fund. The Department of Public Health's Substance Abuse and Mental Health Services Administration grant will be used to continue the services of the Substance Abuse Prevention Collaborative (SAPC). There is no required match for these funds.
18. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the increase in the total grant award in the amount of \$75,000 from Department of Public Health's, Bureau of Substance Addiction Services- Substance Abuse and Mental Health Services (SAMHSA), to Mayor's Office- Substance Abuse and Mental Health Services (SAMHSA) fund.
19. From the Mayor, recommending that the City Council authorize the Mayor to execute any and all documents necessary to convey the property, located and known as Plot 7-3, Skinner St. to Miguel Antonio Fontes of 38 Skinner St. Brockton, MA 02302 for purchase under the Abutter Lot Program with a permanent non-buildable restriction.
20. From the Chief of the Police Department, requesting the authorization to expend \$50,000 in grant monies awarded by the Executive Office of Health and Human Services/Department of Mental Health as part of the FY2021 Massachusetts Jail/Arrest Diversion Program.
21. From the Mayor, in accordance with M.G.L. Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$50,000 from the Executive Office of Health and Human Services/Department of Mental Health-FY21 Massachusetts Jail Diversion Program Grant to the Police Department-FY21 Massachusetts Jail Diversion Program Grant fund. The grant will fund police overtime for trained Crisis Intervention Team members to conduct outreach to citizens with mental health and/or behavior issues and to contract the services of a licensed clinician for assistance when necessary. There is no required match for these funds.

22. 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 Executive Office of Health and Human Services/ Department of Mental Health-FY21 Massachusetts Jail Diversion Program Grant to Police Department-FY21 Massachusetts Jail Diversion Program Grant fund.
23. From the CFO, in accordance with The City of Brockton's Capital Improvement Ordinance, Sec. 2-298, requesting the total transfer of \$2,069,670.20 from various departments (FY20 Encumbered Capital Projects & FY20 Capital Balances from the general fund) into a capital fund for future expenditures. This is the result of significant work and collaboration between the Finance dept., Auditing Dept., and outside consultants, resulting in more orderly and consistent reflection for capital projects.
24. From the Mayor, in accordance with M.G.L. Chapter 44, recommending that the City Council authorize the total transfer of \$2,069,670.20 from Planning Department-40Q for \$38,224.08, Planning Department-Consultants for \$2,677.50, Planning Department-Other Const. Services for \$59,000, Police Department-Vehicles for \$145,584, Police Department- Department Equip. for \$32,500, Police Department-Capital Projects for \$450,000, Animal Control-Other Cont. Serv. For \$414,764.36, DPW Water-Consultants for \$114,473.49, DPW Water-Street Repairs for \$441,846.00, DPW-EPA/DEP Mandate (Safe Water) for \$158,476.73, DPW Sewer-Capital Projects for \$159,472, DPW Highway-Paving for \$299,075.63 and DPW Highway-Capital Projects for \$153,576.41 to Capital Fund for \$2,069,670.20.
25. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the total proposed transfer of \$2,069,670.20 from Planning Department-40Q for \$38,224.08, Planning Department-Consultants for \$2,677.50, Planning Department-Other Const. Services for \$59,000, Police Department-Vehicles for \$145,584, Police Department- Department Equip. for \$32,500, Police Department-Capital Projects for \$450,000, Animal Control-Other Cont. Serv. For \$414,764.36, DPW Water-Consultants for \$114,473.49, DPW Water-Street Repairs for \$441,846.00, DPW-EPA/DEP Mandate (Safe Water) for \$158,476.73, DPW Sewer-Capital Projects for \$159,472, DPW Highway-Paving for \$299,075.63 and DPW Highway-Capital Projects for \$153,576.41 to Capital Fund for \$2,069,670.20.

UNFINISHED BUSINESS:

26. Appointment of Paul Studenski of 48 Carlisle St. Brockton, MA 02302 from an alternate to a full member of the Licensing Commission for a three-year term, ending February 2023. (FAVORABLE)
27. Appointment of Retired Police Officer Charles Cassiani Jr as a Special Police Officer. (FAVORABLE)
28. Appointment of Hank Tartaglia of 33 Brook St. Brockton, MA 02301 to the Licensing Commission for a three-year term, ending September 2023. (FAVORABLE)
29. Reappointment of David Santos as a Weights and Measures agent in the City of Brockton for a one-year term, ending September 2021. (FAVORABLE)
30. Order: Appropriation of \$2,625  
From: Last Call Foundation COVID-19 Decontamination Grant  
To: Fire Department – Last Call Foundation COVID-19 Decontamination grant.  
(FAVORABLE)
31. Order: Appropriation of \$74,624  
From Plymouth County US Department of Justice – FY19 Justice Assistance Grant (JAG) Award  
To Police Department – FY19 Justice Assistance Grant (JAG) Award.  
(FAVORABLE)

32. Order: Appropriation of \$535,153  
From: Executive Office of Public Safety and Security/ State 911 Department-FY2021 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grants  
To: Police Department- FY2021 Public Safety Answering Point and Regional Emergency Communications Center Support and Incentive grant fund.  
(FAVORABLE)
33. Ordered: That the City of Brockton appropriate the amount of two million, nine hundred thirty-four thousand, three hundred seventy-six dollars (\$2,934,376) for the purpose of paying costs of the roof replacement project at the Huntington Alternative School, 1121 Warren Ave, Brockton, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City of Brockton may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of Brockton Public Schools. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The City of Brockton acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Brockton incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Brockton; provided further that any grant that the City of Brockton may receive from the MSBA for the Project shall not exceed the lesser of seventy nine and fifty-eight hundredths percent (79.58%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Brockton and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under M.G.L. c. 44A any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require. **The CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifies the proposed appropriation of and borrowing authorization for \$2,934,376, for the purpose of roof repairs at the Huntington Alternative School without a detrimental impact on the continuous provision of the existing level of municipal services. This is a conditional certification based upon developing a clear plan for long-term debt management.**  
(FAVORABLE AS AMENDED)
34. Order: That the City of Brockton hereby accepts a Recoverable Grant in the amount of One Hundred Fifty Thousand (\$150,000) Dollars through Mass Development's Site Readiness Grant Funds to be used to improve site readiness on property located in the vicinity of the Good Samaritan Medical Center, 824 Oak Street, Brockton MA (the "Site"), for the potential development of a new Life Science Center.  
(FAVORABLE)
35. Ordered: That the City of Brockton opt into the PACE Massachusetts program. The PACE program is an economic development tool for cities and towns across the Commonwealth that focuses on financing energy improvements in commercial buildings. (FAVORABLE)
36. Order: That pursuant to M.G.L. Chapter 40, Section 4, the City Council authorizes the Mayor to execute an Intermunicipal Agreement with the Town of Whitman for treatment of wastewater. (FAVORABLE)

37. Ordered: That the naming of Brookfield Drive also be known as Zuckerman Way in dedication of Rae Zuckerman. (FAVORABLE)
38. Resolve: Whereas, The City is currently evaluating plans for new public safety facilities, including a potential, combined fire, police, and emergency management facility at a location to be determined. Now, therefore, be it resolved. The Mayor, Chief Financial Officer, and such other individuals as the Mayor may determine to be appropriate, be invited to a Finance Committee meeting on September 21, 2020, in order to provide information to the City Council on the current progress of the public safety facilities project. (FAVORABLE)
39. Resolve: The Mayor, the Chief of Police, and the appropriate member of the Law Department be invited to a committee of the City Council to discuss the lawful options and strategies to address the continuing problem and the complaints from residents. (FAVORABLE)

ORDERS:

40. Ordered: Appropriation of \$75,000  
 From: Department of Public Health's Bureau of Substance Addiction Services-Substance Abuse and Mental Health Services (SAMSHA), Massachusetts Opioid Abuse Prevention Collaborative (MOAPC),  
 To: Mayor's Office-Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) fund.
41. Ordered: Appropriation of \$75,000  
 From: Department of Public Health's Bureau of Substance Addiction Services-Substance Abuse and Mental Health Services (SAMSHA),  
 To: Mayor's Office-Substance Abuse and Mental Health Services (SAMHSA) fund.
42. Ordered: Appropriation of \$50,000  
 From: Executive Office of Health and Human Services/Department of Mental Health-FY21 Massachusetts Jail Diversion Program Grant  
 To: Police Department-FY21 Massachusetts Jail Diversion Program Grant fund.
43. Ordered: Transfer of \$2,069,670.20  
 From: Planning Department-40Q for \$38,224.08  
 Planning Department-Consultants for \$2,677.50  
 Planning Department-Other Const. Services for \$59,000  
 Police Department-Vehicles for \$145,584  
 Police Department- Department Equip. for \$32,500  
 Police Department-Capital projects for \$450,000  
     Animal Control-Other Cont. Serv. For 414,764.36  
     DPW Water-Consultants for \$114,473.49  
     DPW Water-Street Repairs for \$441,846.00  
     DPW-EPA/DEP Mandate (Safe Water) for \$158,476.73  
     DPW Sewer-Capital Projects for \$159,472  
     DPW Highway-Paving for \$299,075.63  
     DPW Highway-Capital projects for \$153,576.41  
 To: Capital Fund for \$2,069,670.20.
44. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 2.595 square feet, located and known as Plot 7-3, Skinner St. Parcel ID: 136-090 to Miguel Antonio Fontes, 38 Skinner Street, Brockton, MA 02302 for the purchase price of eight hundred dollars (\$800.00). 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.

## **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. Recommendations are based on reports from committees.