

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, November 23, 2020  
City Hall, 2<sup>nd</sup> flr, Council Chambers  
45 School St., Brockton, MA 02301  
7:00pm

1. Acceptance of the November 9, 2020 City Council minutes

REPORTS:

2. Of the Ordinance Committee for its meeting of November 5, 2020
3. Of the Finance Committee for its meeting on November 17, 2020

APPOINTMENTS:

4. Reappointment of Stephen Hooke of 31 Hammond St. Brockton, MA to the Traffic Commission for a three-year term.
5. Appointment of Allison Cogliano to the position of Assistant City Solicitor-Part Time for a three-year term, effective November 18, 2020.
6. Appointment of Matthew Albanese to the position of Assistant City Solicitor-Part Time for a three-year term, effective November 30, 2020.

COMMUNICATIONS:

7. From the Mayor, advising that he has changed Attorney Anthony Donegan's status as an Assistant City Solicitor for the City of Brockton from part-time to full-time effective November 16, 2020.
8. From the Chief of the Police Department, requesting authorization to expend \$8,000 in donated funds from an anonymous source to be used for K-9 supplies and equipment as needed for the Brockton Police Department.
9. From the Mayor, in accordance with M.G.L. Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the donation in the amount of \$8,000 from an anonymous donation to the Police Department. The donation will be used to purchase equipment for K-9 related needs. There is no required match for these funds.
10. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the total acceptance and expenditure of the donation in the amount of \$8,000 from an Anonymous Donation to Police Department.
11. From the DPW Commissioner, regarding the October 30, 2020 MassDEP grant received by Brockton DPW Recycling in the amount of \$68,000. This is a no-match grant which will be used to defray the cost of purchasing the 96-gallon wheeled containers for the curbside recycling program.
12. 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 \$68,000 from the Massachusetts Department of Environmental Protection (MassDEP)-Sustainable Materials Recovery Program grant to the Department of Public Works-Sustainable Materials Recovery Program fund. The Sustainable

Materials Recovery Program grant will be used to defray the cost of purchasing the 96-gallon wheeled containers for the curbside recycling program. There is no required match for these funds.

13. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the total acceptance and expenditure of the grant award in the amount of \$68,000 from Massachusetts Department of Environmental Protection (MassDEP)-Sustainable Materials Recovery Program grant to the Department of Public Works-Sustainable Materials Recovery Program fund.
14. From the Mayor authorizing the City of Brockton Public Works Department to transfer \$1,400,000 of the \$2,000,000 that was originally appropriated to fund the water main replacement on Thomas Street, Thomas Circle and Morse Avenue. While this transfer is not required to be authorized by the City Council, CFO Troy Clarkson and the Mayor committed to communicate with the City Council about the way in which these funds would be expended. The Mayor respectfully requests that this communication be referred to the City of Brockton Finance Committee, so that this matter may be further discussed.
15. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed appropriation of \$1,400,000 from the \$2,000,000 previously appropriated in the FY21 Budget. This appropriation represents an expenditure within the approved budget which does not require a transfer. However, the Mayor and the CFO both committed to a transparent and collaborative process to expend these funds. Accordingly, this action has been filed without a detrimental impact on the continuous provision of the existing level of municipal services.
16. From the Executive Director of PERAC (Public Employee Retirement Administration Commission) submitting the amount to be appropriated for the Brockton Retirement System for FY2022, which commences July 1, 2021.

UNFINISHED BUSINESS:

17. Ordinance: An Ordinance to Provide Noise Control and Establish, and To Enforce, Civil Infraction for Violation  
Be it ordained by the City Council of the City of Brockton, a new ordinance to be added to the Revised Ordinances, Chapter 14 – Offenses – Miscellaneous, as Section 14-49 or in the next section available. (FAVORABLE, AS AMENDED)
18. Ordered: that sum of \$2,000,000 is appropriated to pay costs of replacing water transmission main piping and valves, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, ss 8 (5) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. All or any portion of this borrowing may be obtained through the Massachusetts Clean Water Trust (the "Trust"). Any premium received by the City upon the sale of any bonds or notes approved by this order, 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 order in accordance with M.G.L. c. 44, ss 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. (IN CITY COUNCIL, NOVEMBER 9, 2020, PASSED TO A THIRD READING BY A HAND VOTE)
19. 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 James Plouffe of the Building Department. (FAVORABLE)

20. Appointment of James Plouffe of 3 Carriage House Drive Lakeville, MA 02347 to the position of Building Superintendent of the Public Property Department for the City of Brockton for a three-year term ending November 2023. (FAVORABLE)
21. Ordered: Acceptance and expenditure of the donation in the amount of \$1,000.00  
From: C. Carney Environmental  
To: Police Department  
No match required (FAVORABLE)
22. Ordered: Acceptance and expenditure of the grant award in the amount of \$25,600  
From: Massachusetts Emergency Management Agency (MEMA)-  
FY20 Emergency Management Preparedness Grant  
To: City of Brockton Emergency Management-FY20 Emergency  
Management Preparedness Grant fund. (FAVORABLE)
23. Ordered: Acceptance and expenditure of the grant award in the amount of \$13,265  
From: U.S. Department of Justice- FY2020 Patrick Leahy Bulletproof Vest  
Partnership grant  
To: Police Department-FY2020 Patrick Leahy Bulletproof Vest Partnership Grant  
fund. (FAVORABLE)
24. Resolve: To invite Rob May, Director of Planning, and the Chairperson of the Zoning  
and Planning boards to discuss means to inform the public as to the lack of  
availability of adult use retail marijuana in the City of Brockton. (FAVORABLE)
25. Resolve: To invite Mr. John O'Donnell, as he is the Chairperson of the Brockton  
Board of Assessors, and any other persons he wishes to accompany him, to come  
before a committee of this Council to discuss the results of the recent comprehensive  
reassessment of all classes of property in the City of Brockton, the resulting proposed  
2021 property valuations, and information related to the valuations and tax  
rate. (UNFAVORABLE)

#### ORDERS:

26. Ordered: Acceptance of an anonymous donation of \$8,000 to be used to purchase  
equipment for K-9 related needs.  
From: An anonymous donation  
To: Police Department.  
There is no required match for these funds.
27. Ordered: Appropriation of \$68,000  
From: Massachusetts Department of Environmental Protection (MassDEP)-  
Sustainable Materials Recovery Program grant  
To: Department of Public Works-Sustainable Materials Recovery Program fund.
28. Resolve as follows: That the City Council shall recommend approval for the City of  
Brockton to enter into an Intermunicipal Agreement with the Town of West  
Bridgewater for all properties seeking water and sewer connections with Brockton.  
That the City Council shall recommend approval for the City of Brockton to approve  
the water connection for the 46-acre parcel approved by the Brockton Water  
Commission and execute the Intermunicipal Agreement with West Bridgewater for  
the water and sewer connections for said Parcel.

#### **Councilor's Recognition**

Executive Session: to discuss strategy with respect to litigation as an open meeting  
may have a detrimental effect on the litigating position of the public body.

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.