

7.

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, January 25, 2021

A regular meeting of the City Council was held on Monday January 25, 2021 via Zoom. President Farwell presiding. The meeting was called to order at 7:00 PM with eleven members present.

28 Acceptance of the Minutes of the January 11, 2021 City Council meeting

Accepted and placed on file

APPOINTMENTS

29 Of Dieudoit Fils, of 335 Prospect St., Brockton, MA as a Constable in the City of Brockton for a term of three (3) years.

Referred to Finance Committee

Councilor Cruise motioned to take items #30-39 collectively and under the suspension of the rules and was properly seconded. Motion carried by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

30 Reappointment of City of Brockton School Police Officer Spencer Benoit as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

31 Reappointment of City of Brockton School Police Officer Adilson Andrade as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

32 Reappointment of City of Brockton School Police Officer Jason Mosley as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

33 Reappointment of City of Brockton School Police Officer Michael Gomes as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

34 Reappointment of City of Brockton School Police Officer Darnell Campbell as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

35 Reappointment of City of Brockton School Police Officer Jonathan Drane as a Special Police Officer.

8.

APPOINTMENTS (CONT'D)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 36** Reappointment of City of Brockton School Police Officer Kevin Smith as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 37** Reappointment of City of Brockton School Police Officer Daniel Vaughn as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 38** Reappointment of City of Brockton School Police Officer Julie Myshrall as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 39** Reappointment of City of Brockton School Police Officer Alicia Fernandes as a Special Police Officer.

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 40** Of Sydne’ Marrow of 38 Cathy Lane, Brockton, MA to the Old Colony Planning Council as the delegate from the City of Brockton

Councilor Cruise motioned to take this item under the suspension of the rules and was properly seconded. Motion carried by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

Confirmed by a roll call vote by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

Ms. Marrow thanked the Council for their votes.

- 41** Of Henry Soones of 5 Kenneth Ave., Brockton, MA to the Council on Aging Board of Directors as an alternate for a three (3) year term ending January 2024.

Referred to Finance Committee

REPORTS

- 42** Of the Finance Committee for its meeting of January 19, 2021

Accepted and placed on file

COMMUNICATIONS

- 43** From the Mayor recommending that the City Council authorize him to execute any and all documents necessary to convey the property, located and known as Plot 6-1, 52 Market Street to Felix Barros, 8 Berkley Street, Brockton, MA 02301. This property will be sold under the Abutter Lot Program with a permanent non-buildable restriction.

9.
COMMUNICATIONS (CONT'D)

Accepted and placed on file

- 44** From the Emergency Management Director requesting that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$14,000.00 from the Massachusetts Emergency Management Agency (MEMA)-FY20 Emergency Management Preparedness Grant to Brockton Emergency Management Agency-FY20 Emergency Management Preparedness Grant Fund. (This is an addition to the \$25,600.00 approved by the City Council in November 2020). There is no required match for these funds.

Accepted and placed on file

- 45** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$14,000.00 from the Massachusetts Emergency Management Agency (MEMA)-FY20 Emergency Management Preparedness Grant to Brockton Emergency Management Agency-FY20 Emergency Management Preparedness Grant Fund. (This is an addition to the \$25,600.00 approved by the City Council in November 2020). There is no required match for these funds.

Accepted and placed on file

- 46** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the grant award in the amount of \$14,000.00 from the Massachusetts Emergency Management Agency (MEMA)-FY20 Emergency Management Preparedness Grant to Brockton Emergency Management Agency-FY20 Emergency Management Preparedness Grant Fund. (This grant is an increase of \$14,000 from the previous amount approved by the City Council).

Accepted and placed on file

- 47** From the Chief of the Police Department requesting authorization to expend grant monies related to the Executive Office of Public Safety & Security's 2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant award in the amount of \$623,809.00.

Accepted and placed on file

- 48** From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$623,809.00 from the Executive Office of Public Safety & Security's 2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant to the City of Brockton Police Department-FY2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant Fund. The FY2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant will pay for gang prevention efforts throughout the City of Brockton. The match consists of in-kind services only.

Accepted and placed on file

- 49** From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the grant award in the amount of \$623,809 from Executive Office of Public Safety and Security, 2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant to Police Department-2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant Fund.

Accepted and placed on file

10.
UNFINISHED BUSINESS

612 Ordered: That the City of Brockton appropriate the amount of Ninety-Eight Million Dollars (\$98,000,000) for the purpose of paying costs of designing, constructing and equipping a public safety complex to house the Police, Fire, and Information Technology departments, as well as the Brockton Emergency Management Agency, including the payment of costs of designing and improving roadways and utilities in the vicinity of the public safety complex, making improvements to enhance traffic flow, and for the payment of all costs incidental or related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under G.L.c.44, ss7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. 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 G.L. c.44, ss20, 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 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 DECEMBER 28, 2020, PASSED TO A THIRD READING BY A ROLL CALL VOTE)

President Farwell reminded the Councilors that he sent out an informational update and the only thing that is being voted on is whether the City will be authorized for the borrowing of this money. This is not to determine a site or design of a building or any specific issues relating to this facility and public hearings will follow.

Councilor Cardoso thanked all constituents that sent their concerns. She wished that this could be postponed until there is a public hearing and further discussion. She said some of the reasons she feels they are moving too quickly on this are that the public comments are very important. In this climate where racial inequality and police reform is being addressed, the first thing done is to vote on this massive for a public safety complex without addressing other public safety concerns, like the health and safety of our youth and families post-pandemic, among other concerns and is concerned that there hasn't been enough discussion around these issues. Councilor Cardoso was also concerned that the School Department has not voted on this that could change the plans for this project and feels the State delegates should be more involved in this process and need to be part of the conversation. She intends to motion for a postpone when comments are complete.

Councilor Rodrigues said that a public safety building can be built while addressing all of Councilor's Cardoso's concerns that the community is facing. He is concerned about not allowing the community to be involved with the final decision making. Councilor Rodrigues said he understands this is the first step, but thinks they need to take this necessary step to make sure the Health Department is included in this. The fact that the Health Department is not included in a public safety complex is not completing what a public safety complex should look like and would like this inclusion. He agrees this should be postponed for two weeks and will give some time to go back to members of the community and clarify some of these public concerns.

Councilor Cardoso motioned to postpone this item for two weeks and was properly seconded. Motion failed by a roll call taken by "yeas" and "nays"; ten members present with three voting in the affirmative. Councilors Cruise, Eaniri, Farwell, Lally, Monahan, Nicastro and Thompson voting in the negative. Councilor Asack absent.

President Farwell said he agreed with Councilor Rodrigues that the Board of Health is part of public safety. Part of the discussion had been that they would not house a

11.
UNFINISHED BUSINESS (CONT'D)

department with heavy foot traffic in the public safety building for security and safety reasons.

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present with eight voting in the affirmative. Councilors Cardoso and Rodrigues voted in the negative. Councilor Asack absent.

Councilor Rodrigues said that his vote was not a vote against the public safety complex but wanted this paused for two weeks for further discussion. He is for the concerns that have been brought forward by members of the community and more time would give them the ability to understand what this is about.

President Farwell stated there will be plenty of public forums in the future to hear from constituents and discuss this facility.

Councilor Nicastro said she urged President Farwell and Councilor Asack, as members of this committee, to make sure there are public hearings held to hear the comments of the public sooner rather than later.

Councilor Nicastro motioned for reconsideration in the hopes that this not prevail and was properly seconded.

Councilor Cardoso said she echoed the concerns of Councilor Rodrigues and that she wants the police and fire departments to have a modern facility. She said they are not hearing the public and this should not be the first thing we do during this pandemic and the mayor has not been before Council to discuss this.

Motion failed by a roll call vote taken by “yeas” and “nays”; eleven members present with three voting in the affirmative. Councilors Cruise, Eaniri, Farwell, Lally, Mendes, Monahan, Nicastro and Thompson voting in the negative.

- 615** Appointment of Tiffanie Ellis-Niles of 31 Overton St., Brockton, MA to the Brockton Redevelopment Authority for a five-year term ending December 2025. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 2** Reappointment of Richard Bath of 38 Frost Ave., Brockton, MA to the Council on Aging Board of Directors for a three (3) year term ending January 2024. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 22** Ordered: That the Superintendent of the School Department Michael P. Thomas be authorized to put out an RFP for a five (5) year contract for Food Service Management for the Brockton Public Schools cafeteria meals program. The current Food Service Provider contract expires on June 30, 2021. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 21** Ordered: The City Council reviews a request of waiver of the residency requirements in accordance with the revised Ordinances of the City of Brockton Article III Section 2-100, City of Brockton Ordinance Waiver of Residency in reference to the Procurement Department. (FAVORABLE)

12.
UNFINISHED BUSINESS (CONT'D)

Councilor Asack motioned for a reverse roll call vote and was properly seconded.
Motion carried by a hand vote.

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 627** Ordered: Acceptance and expenditure of the total grant award in the form of 76 car seats
From: The Buckle Up for Life Gift of Safety Partnership Grant
To: The City of Brockton Police Department-Buckle Up for Life Gift of Safety Partnership Grant Fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 628** Ordered: Appropriation of \$40,000
From: Executive Office of Public Safety and Security, Office of Grants and Research-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant Fund
To: Brockton Police Department-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 24** Ordered: Appropriation of \$250,000
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security-SFY 2021 Massachusetts Municipal Public Safety Staffing Grant
To: Fire Department-SFY2021 Massachusetts Municipal Public Safety Staffing Grant Fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

- 629** Donation of \$500
From: An Anonymous Source
To: City of Brockton Police Department. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eleven members present with all voting in the affirmative.

ORDERS

- 50** Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of Chestnut Drive Extension, extending from the southerly terminus of the 2010 layout of Chestnut Drive, southerly, and for that purpose it is necessary to take an easement for Highway Purposes and lay out as a public Street or way of said City of Brockton.

Referred to Finance and Planning Committee.

- 51** Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 2,693 square feet, located and known as Plot 6-1, 52 Market Street

Referred to Real Estate Committee.

- 52** Ordered: Acceptance and expenditure of the total grant award in the amount of \$14,000.00
From: The Massachusetts Emergency Management Agency (MEMA)-

13.
ORDERS (CONT'D)

FY20 Emergency Management Preparedness Grant
To: Brockton Emergency Management Agency-FY20 Emergency
Management Preparedness Grant Fund.

Referred to Finance Committee

- 53** Ordered: Total grant award in the amount of \$623,809.00
From: The Executive Office of Public Safety & Security's 2021 Senator
Charles E. Shannon, Jr. Community Safety Initiative Grant
To: The City of Brockton Police Department-FY2021 Senator Charles E.
Shannon, Jr. Community Safety Initiative Grant Fund.

Referred to Finance Committee

- 54** Resolved: That Ms. Janice Fitzgerald and a representative from the Massachusetts
Healthy Aging Collaborative be invited to a committee of the council to inform the
public and councilors about the selection of Brockton to receive this honor.

Referred to Finance Committee

LATE FILES

Councilor Cardoso motioned for the acceptance of a late file and was properly seconded.
Motion carried by a roll call vote taken by "yeas" and "nays"; ten members present with
all voting in the affirmative. Councilor Asack absent.

- 55** Resolution to Discuss funding for Youth Programs in the City
Be it resolved that the Mayor of Brockton be invited to the next Finance Committee
meeting to discuss plans for youth initiatives and programs in 2021 and how we are
prioritizing these programs for the FY 2022 Budget.

Referred to Finance Committee

Councilor's Recognition

President Farwell wished to comment on his colleagues' comments. He suggested that
since they all represent different areas of the City, when there is a project of this
magnitude, if there is something that you feel warrant a public hearing then the proper
thing to do would be to file a resolve before the Council and vote on it for this purpose.
He said concerns should be addressed sooner, not after two or three readings for an item.

Councilor Cardoso thanked her constituents that reached out. She said that even though it
seems like a small number of people, they represent a larger group of the population that
rely heavily on them to get information for them. There are a lot of people in our
community that do not English or know how to navigate the system to get information.

Councilor Cardoso and Mendes will be part of a panel discussion Tuesday January 26,
2021 about how to hold your elected officials accountable and how to stay engaged and
involved in your community.

Councilor Cruise reminded the members of the Ordinance Committee that they will be
meeting Tuesday, January 26, 2021 at 6:00pm via Zoom. President Farwell commented
that this meeting was not on the city website as of earlier today.

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.
Adjourned at 7:52PM