

In City Council April 12, 2021

Council Chambers, 2nd. floor
City Hall
45 School St.
Brockton, MA 02301
7PM

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. The City Council members, staff, and certain invited guests with matters on the agenda will attend the meeting in-person in Council Chambers at Brockton City Hall. 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>.

1. Acceptance of the minutes of the March 22, 2021 City Council meeting

APPOINTMENTS:

2. Of Jacqueline Murphy of 138 Torrey Street, Brockton, MA to the Diversity Commission for a three (3) year term ending April 2024.
3. Of Timothy J. Cruise to the position of Assistant City Clerk for the City of Brockton

HEARINGS:

4. Petition of National Grid to install new pole, P5-84 65' West of existing pole, P5 in order to relocate guy wire off the tree to new pole for #178 Channing Ave

PETITIONS:

5. Petition of Hannoush Jewelers, George Hannoush of 170 Quarry Rd., West Springfield, Ma, for a New Second Hand Precious Metal and Gems License located at 200 Westgate Drive, Brockton.

REPORTS:

6. Of the Finance Committee for its meeting of April 5, 2021.

COMMUNICATIONS:

7. From Councillor Timothy Cruise, submitting his resignation from the Brockton City Council as Ward One City Councillor, effective Tuesday, March 23, 2021, as presented by him at the City Council meeting of March 22, 2021.
8. From the Council President appointing Ward 3 Councillor, Dennis R. Eaniri, as Ordinance Committee Chairperson, due to the resignation of Councillor Timothy Cruise as Ordinance Committee Chairperson.
9. From the Mayor notifying the City Council that Reginald Thomas of 161 Kevin Rd., Brockton, MA has resigned from the Planning Board effective April 7, 2021.
10. From the Chief of the Police Department requesting authorization to expend donated funds from Hawkeye Fence, LLC to be used exclusively towards the purchase of a new K-9 and equipment as needed for the Brockton Police Department in the amount of \$1,000.
11. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the donation in the amount of \$1,000.00 from Hawkeye Fence, LLC to the City of Brockton Police Department. The donation will

be used to purchase equipment for K-9 related needs. There is no required match for these funds.

12. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the donation in the amount of \$1,000 from Hawkeye Fence, LLC to the Brockton Police Department.
13. From the Library Director requesting an outstanding Midwest Tape Bill in the amount of \$341.82 from FY2020 budget be paid with the FY2021 budget. There was confusion with Midwest Tape in sending paper bills. When the library became aware of the issue, it was quickly addressed.
14. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total payment of \$341.82 from Library-Books/Periodicals. (This money will be used to support the payment of a bill from FY2020).
15. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the support of the payment of a bill from FY2020 in the amount of \$341.82 from Library-Books/Periodicals.
16. From the Chief of the Police Department requesting authorization to expend funds related to the Massachusetts Chiefs of Police Association Opioid Prevention Grant from the Pharmaceutical Research and Manufacturers of America (PhRMA) in the amount of \$5,000.00.
17. 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 \$5,000.00 from the Pharmaceutical Research and Manufacturers of America (PhRMA)-Massachusetts Chiefs of Police Association Opioid Prevention Grant to the City of Brockton Police Department- Massachusetts Chiefs of Police Association Opioid Prevention Grant Fund. (The Massachusetts Chiefs of Police Association Opioid Prevention Grant will be used to purchase Deterra drug deactivation packages to be given to Brockton residents and to fund officer overtime for outreach events related to the prevention of Substance Abuse disorders). There is no required match for these funds.
18. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total grant in the amount of \$5,000.00 from Pharmaceutical Research and Manufacturers of America (PhRMA)-Massachusetts Chiefs of Police Association Opioid Prevention Grant to the City of Brockton Police Department- Massachusetts Chiefs of Police Association Opioid Prevention Grant Fund.

UNFINISHED BUSINESS:

19. Acceptance of the Reconsideration from the Council President, Winthrop Farwell, filed in the City Clerk's Office on Wednesday, March 24, 2021:
Ordered: Acceptance and expenditure of the total grant award in the amount of \$165,100.00 From: the Massachusetts Department of Transportation Highway Division-Shared Winter Streets and Spaces Program To: The City of Brockton Planning and Economic Development-Shared Winter Streets and Spaces Program.
20. Appointment of Manuel Centeio of 29 Kenneth Ave., Brockton, to the Brockton Community Cable Television Board for a three (3) year term ending March 2024.
(FAVORABLE)

21. Appointment of John McGarry of 68 Cambo St., Brockton to the License Commission as an alternate for a three (3) year term ending March 2024. (FAVORABLE)
22. Ordered: Acceptance and expenditure of donated funds from the Cape Verdean Association to be used towards the purchase of a new K-9 and equipment as needed for the Brockton Police Department in the amount of \$1,000. (FAVORABLE)
23. Ordered: Acceptance and expenditure of a donation in the amount of \$50,000.00
From: an Anonymous Donor
To: the City of Brockton Police Department. (FAVORABLE)
24. Ordered: Acceptance and expenditure of the total grant award in the amount of \$5,000.00
From: the National Crime Victims' Rights Week (NCVRW) Community Awareness Project (CAP) Subgrant Award
To: the City of Brockton Police Department-National Crime Victims' Rights Week (NCVRW) Community Awareness Project (CAP) Subgrant Award Fund.
(FAVORABLE)
25. Ordered: Acceptance and expenditure of the total grant award in the amount of \$9,240.00
From: the Commonwealth of Massachusetts Department of Public Health, Bureau of Substance Addiction Services (BSAS)-FY2021 First Responders Naloxone Grant
To: the City of Brockton Police Department-FY2021 First Responders Naloxone Grant Fund. (FAVORABLE)
26. Ordered: Acceptance and expenditure of the total grant award in the amount of \$1,300
From: the Commonwealth of Massachusetts Department of Health-2021 Massachusetts Unwanted Opioid & Benzodiazepine Product Stewardship Program
To: the City of Brockton Police Department-2021 Massachusetts Unwanted Opioid & Benzodiazepine Product Stewardship Program Grant Fund. (FAVORABLE)
27. Ordered: Transfer of \$492,000
From Stabilization Fund
To Fire Department-Capital for \$200,000, Information Technology Center –Capital for \$136,000, Planning & Economic Development–Capital for \$120,000 and Weights and Measures–Capital for \$36,000 (FAVORABLE)
28. Ordered: Transfer of \$11,389,487.00
From: The Stabilization Fund, to various departments, such as Animal Control, Auditing, Finance Department, Human Resources, Law Department, Library, Mayor's Office, Parks & Recreation, Public Property, Schools and Treasurer Collector.
(FAVORABLE)
29. Ordered: Pursuant to Provisions of General laws, Chapter 43, Section 59A as appears below, an election shall be held to fill said vacancy of the position of Ward One Councilor. (FAVORABLE)
30. Resolve: That the City Council, in conjunction with its Legislative Counsel, establish an Ad Hoc committee to discuss and make recommendations for considerations by the City Council for amendments to the City Council for amendments to the City ordinances and/or City Charter relative to the functions, responsibility, job description and accountability of the positions of City Clerk, Assistant City Clerk and Clerk of the Council. (FAVORABLE)

ORDERS:

31. Ordinance: An Ordinance Amending Article III, Division 2, Section 2-127 – Pay Plan
Be it ordained by the City Council of the City of Brockton, Article III, Section 2-127 is hereby amended by striking “\$25,000” in the Rate column for Dir. Emerg. Mgmt. and inserting in its place “\$35,568.00”.

32. Ordered: That Chapter 39, Section 23D of the Massachusetts General Laws be and hereby is accepted by the City of Brockton. Said Section 23D. Judiciary Hearing-Absent Member
33. Ordered: That the City Council of the City of Brockton petitions the Great and General Court for special legislation relating to the City of Brockton to be filed with an attested copy of this Order be and hereby is approved under the provisions of Clause One (1) Section Eight (8) of Article Two (2), as amended, of the Articles of Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted as follows, except for clerical or editorial changes of form only: Petition For Special Law Re: Filling Vacancies Of Brockton City Council Ward Seats During The Year 2021
34. Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Gloucester Street, extending from Pinehurst Avenue easterly to Annadea Road, a distance of 1,051.42 feet, more or less, 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
35. Ordered: Pursuant to Chapter 20, Section 20-2 of the Revised Ordinances of the City of Brockton, the street to be constructed as part of the so-called Trinity Development between Main Street and Montello Street, and which will intersect with Petronelli Way, shall be named: "Marvin Hagler Drive."
36. Ordered: Acceptance and expenditure of a donation in the amount of \$1,000.00
From: Hawkeye Fence, LLC
To: the City of Brockton Police Department
37. Ordered: Authorization of the total payment of \$341.82 from Library-Books/Periodicals (bill from FY2020)
38. Ordered: Acceptance and expenditure of the total grant award in the amount of \$5,000.00
From: the Pharmaceutical Research and Manufacturers of America (PhRMA)-
Massachusetts Chiefs of Police Association Opioid Prevention Grant
To: the City of Brockton Police Department- Massachusetts Chiefs of Police Association
Opioid Prevention Grant Fund.
39. Ordered: That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit: *18 Highland Street*. For further reference see Plymouth County Registry of Deeds Book 41056, Pages 144-145. Owners: Richard and Lenieve M. Henry

Amount: \$440,000.00
40. Ordered: That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit: *26 Highland Street*. For further reference see Plymouth County Registry of Deeds Book 38395, Pages 94-95. Owner: Raymond Metelus

Amount: \$420,000.00
41. Resolve: To invite the City Clerk for the City of Brockton, to appear before a committee of the Council as to the workings of the Clerk's Office.
42. Granting of National Grid to install new pole, P5-84 65' West of existing pole, P5 in order to relocate guy wire off the tree to new pole for #178 Channing Ave

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.