

FINANCE COMMITTEE MINUTES

The Standing Committee on Finance met on *Tuesday, April 20th, 2021 at 7:00 PM, in the Council Chambers, Brockton City Hall, 45 School Street*, with Councilor Farwell presiding, 9 members present, Councilor Asack absent, to consider the following:

* Council President Farwell states Councilor Asack is sick this evening and Legislative Counsel Shannon Resnick not able join this evening due to getting her Covid Vaccination.

1. Appointment of Jacqueline Murphy of 138 Torrey Street, Brockton, MA to the Diversity Commission for a three (3) year term ending April 2024.

Invited: Jacqueline Murphy

Having considered the same, motion by Councilor Nicastro to report to POSTPONE to May 3rd Finance Meeting, 2nd by Councilor Thompson. Motion carried by a roll call vote, 10 in the affirmative.

2. Appointment of Timothy J. Cruise to the position of Assistant City Clerk for the City of Brockton

Invited: Timothy J. Cruise

City Clerk, Anthony J. Zeoli

*Mr. Cruise states he is looking forward to asking for your votes tonight. Feels this is a natural progression, combination of business background in customer service and the 15 years in the council and 10 years on the housing authority board of commissioners.

* Councilor Cardoso states she appreciates his time on the Council and all that he has done for the city. Concerned that this position was open and was never filled. It wasn't open to other candidates to come before us today. Do not want to have an appearance that we're doing any wrong doings in the Council. Not comfortable with this appointment today.

* Mr. Cruise states currently we have the process the way it is set up. The fact that it hasn't been filled is not something I can speak to. At this point we do need to fill the position. Looking forward if in the position, to working closely with the Ad Hoc Committee. Good time to look at the process and see if there should be any changes. The Clerk looked at my experience and feels I am the right person for the job.

*Councilor Cardoso asks, if he does see how the timing of this could be looked at, we have other folks in city government and will be retiring and need to have some sort of continuity plan and not just jump the gun. There needs to be a process.

*Mr. Cruise states agrees and states this is a continuity plan where someone with experience will be stepping in. An office with 7 people that are having 4 people leaving shortly, and without that continuity and that institutional knowledge would be difficult.

*Councilor Thompson thanks Mr. Cruise for his time on the Council. Feels it benefits the City Clerk's office to have a qualified employee with real world experience and customer service and municipal work. If you are appointed, what would be some short-term goals for the office be?

* Mr. Cruise states there will be at least 4 new people in the office, first things would be training and putting together an onboarding process and making sure that the office

doesn't miss a beat. Also focus on digitization, modernizing the office. Longer term goals would be onboarding for new Councilors.

* Councilor Nicastro researched state laws regarding this appointment. Feels the addition of the Assistant City Clerk is crucial.

* Councilor Rodrigues states no one here is going to question your abilities or the service you provided to the city. There is an issue of clarity. A position becomes available, I would vote for you, anytime. The problem is that what gets out into the community is that we are not as transparent as we should be. The process, no advertisement or equal access to apply for the position.

* Councilor Mendes asks Mr. Cruise to speak in relations to ethical guidelines. Should there have been a waiting period.

* Mr. Cruise states he has a binding ruling from the ethics commission on this. Could have been appointed the day I resigned.

* Councilor Monahan states we are in a unique position to have someone who understands the ordinances of the city and how the City Council runs. Our own ordinances and Mass General Laws tells us how to appoint for this position. The City Clerk appoints them and we approve or disapprove.

Having considered the same, motion by Councilor Monahan to report FAVORABLE, 2nd by Councilor Lally. Motion carried by a roll call vote, 8 in the affirmative.

3. 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
Invited: Troy Clarkson, Chief Financial Officer
Emanuel Gomes, Chief of Police

* Chief Gomes states this is a continuous generous donation.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2nd by Councilor Monahan. Motion carried by a roll call vote, 9 in the affirmative.

4. 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.
Invited: Troy Clarkson, Chief Financial Officer
Emanuel Gomes, Chief of Police
Michelle St. James, Grant Coordinator, Brockton Police Department

* Ms. St. James states this grant is for outreach in terms of substance abuse disorder. Also, to purchase drug disposal pouches for excess prescriptions, add water, seal the pouch and the drugs are deactivated and are able to go in the trash.

* Councilor Nicastro states good work on getting this grant!

* Councilor Mendes also states job well done!

* Councilor Lally also states job well done to Ms. St. James!

Having considered the same, motion by Councilor Monahan to report FAVORABLE, 2nd by Councilor Lally. Motion carried by a roll call vote, 9 in the affirmative.

5. Ordered: That the City Council provide authorization to transfer monies
From: Parking Authority Full Time Salaries
To: Overtime for \$3,000.00.
Invited: Troy Clarkson, Chief Financial Officer
Eric Akesson, Executive Director of Parking Authority

*Mr. Akesson states this is for overtime. Overtime budget has been used for the new garage, snow removal and any movies being filmed in the city.

* Councilor Rodrigues asks if how do you know you will need only \$3,000?

* Mr. Akesson stated an employee will be out on leave and hopefully this will cover.

* Councilor Lally asks if this is for stuff that has already happened?

* Mr. Akesson states the overtime money for the year has already been spent.

* Mr. Clarkson the need for this money has been reviewed and should be sufficient.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2nd by Councilor Monahan. Motion carried by a roll call vote, 9 in the affirmative.

6. 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: Raymond Metelus
Amount: \$420,000.00
Invited: Mayor Robert Sullivan
Megan Bridges, City Solicitor
Troy Clarkson, Chief Financial Officer

* Council President states the Mayor is unable to be here tonight.

* Solicitor Bridges states that the order before you tonight is relative to the Public Safety Complex, 2 parcels on Highland street. The city is in desire of acquiring. This property does not have a mortgage, is not owner occupied and the owner lives on the North Shore. Has had conversations with the owner's broker/attorney about the conveyance; arriving at the price after a market analysis and negotiations.

* Councilor Rodrigues asks what happens to the renter? Is there a program to help them?

* Solicitor Bridges explains the law contemplates a relocation assistance, in terms of monetary support. A relocation agent and the development of relocation plan is not triggered unless there are 5 or more displaced persons.

* Councilor Cardoso asks are the owners allowed to partake in the conversations?

* Solicitor Bridges states in this instance I can affirmatively state that the owner has had a say and they are represented by a lawyer and a broker.

- * Councilor Nicaastro asks the size of the lot.
- * Solicitor Bridges states approximately 7,000 sq. feet.
- * Councilor Thompson asks if there is a relocation required is that part of the \$420,000?
- * Solicitor Bridges states it is not. It would be extra money.
- * Councilor Thompson asks other than these 2 properties are there other properties that the city would be thinking about taking?
- * Solicitor Bridges states the city has identified 99 Warren Ave, the parcel adjacent to both of these that touches on the footprint of the Public Safety Complex.
- * Councilor Thompson asks if there are current negotiations on this property as well?
- * Solicitor Bridges states yes.
- * Councilor Cardoso states she is not comfortable voting on this without more information. Would like to hear from the other parties.

Having considered the same, motion by Councilor Monahan to report FAVORABLE, 2nd by Councilor Lally. Motion carried by a roll call vote, 9 in the affirmative.

7. 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: Richard and Lenieve M. Henry
Amount: \$440,000.00

Invited: Mayor Robert Sullivan
Megan Bridges, City Solicitor
Troy Clarkson, Chief Financial Officer

- * Solicitor Bridges states this is a single family occupied home. Owners are looking forward to a new construction home in Brockton. In discussion since February and are eager to move on.
- * Councilor Nicaastro asks the lot size.
- * Solicitor Bridges states they are very similar in size, 7,000 sq. feet.

Having considered the same, motion by Councilor Monahan to report FAVORABLE, 2nd by Councilor Lally. Motion carried by a roll call vote, 9 in the affirmative.

8. 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."
Invited: Robert May, Director of Planning and Economic Development

- * Council President Farwell states that Mr. May is unable to be here tonight.

* Councilor Thompson speaks of order, feels this is an appropriate naming of this street, it is serendipitous that it intersects with Petronelli Way, and the Boxing Gym in which he trained.

* Councilor Rodrigues speaks of a Marvin Hagler Park in the same area, that is already in the works, and hopes we do more than the street naming for all Mr. Hagler did for this community.

Having considered the same, motion by Councilor Thompson to report FAVORABLE, 2nd by Councilor Monahan. Motion carried by a roll call vote, 9 in the affirmative.

9. 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

Invited: Legislative Counsel, Shannon Resnick

* Councilor Nicaastro states that Solicitor Bridges is here for back up on this order. The planning board asked the law department if a member of the board was absent, could they vote on the matter if they had not heard all of the testimony over the various meetings. The city came back and stated that because the city had not adopted general laws chapter 39 section 23d, everyone had to be available to be able to vote. In order to vote they would need to write saying that they examined all of the evidence which includes audio or video recording or a transcript.

* Solicitor Bridges states that is all correct.

Having considered the same, motion by Councilor Nicaastro to report FAVORABLE, 2nd by Councilor Farwell. Motion carried by a roll call vote, 9 in the affirmative.

10. 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

Invited: Legislative Counsel, Shannon Resnick

* Council President Farwell states we do not have our Legislative Counsel tonight, we can proceed or postpone, your choice.

* Councilor Rodrigues states that we either need to hold an election or petition the state to allow us to have some sort of an appointment of the position that we are currently discussing.

* Councilor Thompson asks if he would still be able to ask legislative counsel questions on this matter next week at the City Council meeting?

- * Council President Farwell states yes.
- * Councilor Lally asks the same question, and agrees to keep this moving forward.
- * Councilor Cardoso asks for clarification on what we are moving forward?
- * Councilor Rodrigues states that what was filed was the order to the City Council, to the City Council to decide on. Once the Council gives the okay to move forward we have the order that is going to go the State.
- * Councilor Nicastro states there is 2 parts of section 59A. I don't feel qualified to appoint someone for Ward 1. Would like to see us amend this home rule petition. Let it go forward to ask the legislature not make us have that special election lets just sit and let this seat remain open. Ward 1 is amply represented by the four Councilors at Large who represent the entire city.

Having considered the same, motion by Councilor Nicastro to report FAVORABLE as AMENDED, 2nd by Councilor Lally. Motion carried by a roll call vote, 6 in the affirmative.

11. 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.
Invited: City Clerk, Anthony J. Zeoli

* Mr. Zeoli states what the City Clerk as well as the City Clerk's Office handles.

Having considered the same, motion by Councilor Monahan to report FAVORABLE, 2nd by Councilor Nicastro. Motion carried by a roll call vote, 8 in the affirmative.

12. Resolve: That the Mayor, Building Inspector James Plouffe, and State Representative Michelle Dubois come before the Finance Committee to discuss the possibility of the City acquiring the Massasoit Conference Center for use as a multi-generational community center.
Invited: Mayor Robert Sullivan
State Representative Michelle Dubois
James Plouffe, Building Superintendent

Having considered the same, motion by Councilor Thompson to report to POSTPONE to May 3rd Finance Meeting, 2nd by Councilor Eaniri. Motion carried by a roll call vote, 10 in the affirmative.

Meeting adjourned at 10:09 PM