

In City Council, May 24, 2021

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 City Council minutes of the May 10, 2021 meeting

REPORTS:

2. Of the Ordinance Committee for its meeting of May 4, 2021.
3. Of the Public Safety Committee for its meeting of May 6, 2021
4. Of the Finance Committee for its meeting of May 17, 2021

HEARINGS:

5. Petition on behalf of AT&T and while reserving all rights, accept this submission as an application for approval for one (1) small cell wireless facility installed in and on a replacement light pole owned by the City of Brockton and located near the above-referenced address in Brockton, MA pursuant to the federal telecommunications Act of 1996, the Declaratory Ruling and Third Report and Order 18-133 issued by the FCC in September 2018 and, to the extent applicable, M.G.L., Ch. 166, Sec. 21,22,25A for telecommunication wires and wireless attachments appurtenances installed within the public right-of-way. The small cell wireless facility complies and is in accordance with the Act, the Order and Massachusetts Law. (Near 150 School St.)

Due to the Covid 19 pandemic restrictions, any member of the public that wishes to speak on this agenda item must pre-register at councilcomment@cobma.us. Please leave your name, address and phone number and you will be allowed into the City Council chamber at the time of the public hearing. You will be required to exit the City Council chamber immediately following.

6. Petition of NWSOMA 121 Main LLC of 422 Washington St., Quincy, MA for a Garage License located at 121 Main St., Brockton, MA (new Garage Development)

Due to the Covid 19 pandemic restrictions, any member of the public that wishes to speak on this agenda item must pre-register at councilcomment@cobma.us. Please leave your name, address and phone number and you will be allowed into the City Council chamber at the time of the public hearing. You will be required to exit the City Council chamber immediately following.

COMMUNICATIONS:

7. From the City Clerk to the City Council submitting a letter of retirement from his position as City Clerk and Clerk to the Council effective June 30, 2021.
8. From the Mayor in accordance with the provisions and stipulations of section 53E ½ of Ch. 44 of the M.G.L., recommending the re-authorization of the Comcast Revolving Fund for FY2022, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed \$750,000 without further appropriation, during fiscal year 2022

9. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed re-authorization of the Comcast Revolving Fund for FY2022, under the control of the Mayor, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed \$750,000 without further appropriation, during fiscal year 2022, and shall be limited to spending purposes for cable related activities, including funding provided by Brockton Community Cable Corporation
10. From the Executive Director, Brockton Parking Authority requesting renewal of FY 2022 of the revolving fund for revenues from parking violation fines in order to pay expenses of the Authority's parking enforcement program, including salaries and other support costs of the enforcement personnel and capital projects of the Authority as approved by the Parking Authority Board of Directors.
11. From the Mayor in accordance with the provisions and stipulations of section 53E ½ of Ch. 44 of the M.G.L., recommending that the City Council provide authorization for the renewal for FY2022 of the revolving fund for revenues from parking fine violation fines up to and including the amount of \$250,000.
12. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of the Parking Authority Revolving fund for revenues from parking fines up to and including the amount of \$250,000 for FY2022.
13. From the Superintendent of Buildings, requesting the reauthorization of the revolving funds FY2022 for Demolition.
14. From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, recommend the re-authorization of the Demolition Revolving Fund for FY2022 for the sole purpose of helping to fund cost in connection with demolition of buildings in the City of Brockton. The Demolition Revolving Fund shall receive the receipt of payments of all demolition charges of the city of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition revolving Fund During FY2022. The Building Superintendent shall comply with the reporting requirement of M.G.L., Chapter 44, Section 53E ½.
15. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of Demolition Revolving Fund for the demolition Charges and fees for the FY2022, limited to annual expenditures of not more than \$110,000, during FY2022, for demolition costs of buildings of the City of Brockton.
16. From the Chief of Police requesting authorization to expend \$3,000.00 in donated funds from Easton Festival of Trees to be used for K-9- related items as needed for the Brockton Police Department.
17. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the donation in the amount of \$3,000.00 from Easton Festival of Trees to the City of Brockton Police Department. (The donation will be used to purchased equipment for K-9 related needs). There is no required match for these funds.
18. From CFO in accordance with Section 5 Chapter 324 of the Acts of 1990, certifying the donation in the amount of \$3,000 from Easton Festival to City of Brockton Police Department.
19. From the Superintendent of Buildings requesting reauthorization of the revolving funds FY2022 for the Vacant & Abandoned account

20. From the Mayor in accordance with the provisions and stipulations of section 53E ½ of Ch. 44 of the M.G.L., recommending the re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Building Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Buildings revolving fund shall be made on the authority and direction of the Brockton Building Commissioner, provided that not more than two hundred and fifty thousand (\$250,000) may be so expended without further appropriation from the Vacant and Abandoned Buildings Revolving Fund during FY22. The Brockton Building Commissioner shall comply with the reporting requirements of M.G.L., Ch. 44, Section 53E ½.
21. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the proposed re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the sole purpose of maintaining the Abandoned Building Registry, limited to annual expenditures of not more than \$250,000, during FY2022.

UNFINISHED BUSINESS:

22. Ordered: The City Council of the City of Brockton petitions the Great and General Court under the provisions of Section 8 of Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act as follows: An Act Authorizing the City of Brockton To Grant Additional Wine and Malt Beverage Licenses (FAVORABLE)
23. 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”. (FAVORABLE, AS AMENDED)
24. Petition of Hannoush Jewelers, George Hannoush of 170 Quarry Rd., West Springfield, Ma, for a Second Hand Precious Metal and Gems License located at 200 Westgate Drive, Brockton. (FAVORABLE WITH STIPULATION TO OBTAIN CORI APPROVAL PRIOR TO ISSUANCE)
25. Appointment of Jacqueline Murphy of 138 Torrey Street, Brockton, MA to the Diversity Commission for a three (3) year term ending April 2024. (FAVORABLE)
26. Appointment of David Sylvestre of 363 Ash St., Brockton to the War Memorial Board of Trustees for a three year term ending May 2024. (FAVORABLE)
27. Ordered: Acceptance and expenditure of the total grant award in the amount of \$250,000
From: the Massachusetts Department of Public Health-Bureau of Substance Addiction Services
To: City of Brockton-Mayor’s Office. (FAVORABLE)
28. Ordered: Total transfer of \$30,000
From: Human Resources-Separation Costs
To: Emergency Management-Full Time Salaries \$14,000
Auditing-Telephone \$12,300
Auditing-Personal Services Other Than Overtime \$3,700 (FAVORABLE)
29. Ordered: Total transfer of \$400,000.00
From: DPW-Highway - Snow Removal
To: DPW- Highway-Capital (FAVORABLE)

30. Ordered: Acceptance and expenditure of additional grant monies in the amount of \$460,623.82
From: the Executive Office of Health and Human Service's -FY21 Safe and Successful Youth Initiative Grant
To: City of Brockton Police Department- FY21 Safe and Successful Youth Initiative Grant Fund (FAVORABLE)
31. Ordered: Acceptance and expenditure of the total grant award in the amount of \$40,000
From: Massdevelopment's TDI Challenge Grant
To: City of Brockton Planning and Economic Development (FAVORABLE)
32. Ordered: Acceptance and expenditure of the total grant award in the amount of \$222,064
From: the Department of Public Health-Office of Local and Regional Health-Centers of Disease Control Grant
To: City of Brockton Board of Health –Centers of Disease Control Grant.
(FAVORABLE)
33. Ordered: Acceptance and expenditure of additional grant monies in the amount of \$52,320
From: the Department of Public Health-Office of Local and Regional Health
To: City of Brockton Board of Health (FAVORABLE)
34. Resolve: To invite Brockton Library Director, Mr. Paul Engle to provide an overview of our libraries during covid and all the amazing programs and activities taking place this year. (FAVORABLE)

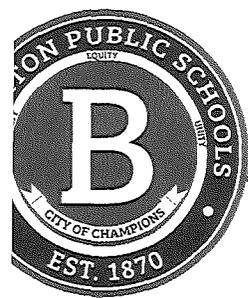
ORDERS:

35. Ordered: That the naming of North Manchester Street also have the honorary name of "Ruth E. Silva Way" in recognition of Ruth E. Silva, who is a resident of the City of Brockton and has fostered over 250 children on North Manchester Street.
36. Ordered: Acceptance and expenditure of a donation in the amount of \$3,000.00 from Easton Festival of Trees to the City of Brockton Police Department.
37. Ordered: That the City Council authorizes the re-authorization of the Comcast Revolving Fund for FY2022, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed \$750,000 without further appropriation, during fiscal year 2022.
38. Ordered: That the City Council authorizes the re-authorization of the Demolition Revolving Fund for FY2022 for the sole purpose of helping to fund cost in connection with demolition of buildings in the City of Brockton. The Demolition Revolving Fund shall receive the receipt of payments of all demolition charges of the city of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition revolving Fund During FY2022. The Building Superintendent shall comply with the reporting requirement of M.G.L., Chapter 44, Section 53E ½.

39. Ordered: That the City Council authorize the re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Building Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Buildings revolving fund shall be made on the authority and direction of the Brockton Building Commissioner, provided that not more than two hundred and fifty thousand (\$250,000) may be so expended without further appropriation from the Vacant and Abandoned Buildings Revolving Fund during FY22. The Brockton Building Commissioner shall comply with the reporting requirements of M.G.L., Ch. 44, Section 53E ½.
40. Ordered: In accordance with the provisions and stipulations of section 53E ½ of Ch. 44 of the M.G.L., that the City Council authorize the renewal for FY2022 of the revolving fund for revenues from parking fine violation fines up to and including the amount of \$250,000.

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.



City of Brockton

BROCKTON PUBLIC SCHOOLS

Michael P. Thomas ♦ Superintendent of Schools

Aldo E. Petronio, Chief Financial Officer
Office of Financial Services
Phone (508) 580-7577 Fax (508) 580-7587
aldoepetronio@bpsma.org

May 6, 2021

Mayor Robert F. Sullivan
City Council
City of Brockton
45 School Street
Brockton, MA. 02301

Dear Mayor Sullivan and the Brockton City Council,

The following addendum is for further explanation of the School Committee's request for the permission to file a Statement of Interest (SOI) with the Massachusetts School Building Authority.

Addendum to School Committee motion for permission to submit a Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA) for the **Brockton High School** located at 470 Forest Avenue, Brockton, MA.

The School should be considered under MSBA priority category #1

"Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. If a district selects this priority, the MSBA must receive a hard copy of the engineering or other professional report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The report must be from an independent source that is not under the control of the school district or the city/town. In addition to the independent report, the district must submit photographs of the conditions which caused the district to select Priority #1".

The School was originally constructed in 1970 as the only High School and still has many of the original features. The overall structure of the building is solid but much of the interior has reached its useful life. In order to bring this school up to the standard requirements for a high school, current state building codes and ADA (American with Disabilities Act) requirements, a total rehab is necessary. The school will require updates to electrical, heating, ventilation, bathrooms, fire codes, all technology as well as student needs.

Please feel free to contact me if any further information is required.

Sincerely,

Aldo E. Petronio



ROBERT F. SULLIVAN

Mayor

City of Brockton

Finance Department

TROY B.G. CLARKSON

Chief Financial Officer

finance@cobma.us
(phone) 508-580-7165

May 24, 2021

Robert F. Sullivan, Mayor
Members of the City Council
45 School Street
Brockton, MA 02301

Ladies and Gentlemen:

In accordance with Section 5 of Chapter 324 of Acts of 1990, I hereby certify that it is my professional opinion, after an evaluation of all pertinent financial information reasonably available, that City Council authorize the submission of the Statement of Interest (SOI) only, to the Massachusetts School Building Authority (MSBA) dated May 6, 2021 for the Brockton High School, located at 470 Forest Avenue, Brockton MA. The attached addendum describes and explains the deficiencies and the priority category(s), for which an application may be submitted to the MSBA in the future: Brockton High School-full renovation; and hereby further specifically acknowledges that by submitting this Statement of Interest form, the MSBA in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the MSBA or commits the City of Brockton to filing an application for funding with the MSBA.

Furthermore, the City Council and Mayor should be aware that MSBA regulations indicate that a SOI should not be submitted unless the community has the ability to fund the project within two fiscal years. This will entail appropriating funds for planning and feasibility as well as construction. At the present, these costs are unknown, but in my professional opinion, the city's share of the project can be funded with our current debt plan. However, a debt exclusion vote would provide more flexibility.

Respectfully submitted,

Troy B.G. Clarkson
Chief Financial Officer

TBGC/tc

"City of Champions"

45 SCHOOL STREET, BROCKTON, MA 02301





ROBERT F. SULLIVAN
Mayor

City of Brockton

Office of the Mayor

KERRY RICHARDS
Chief of Staff

krichards@cobma.us
508.580.7123

May 19, 2021

TO THE MEMBERS OF THE CITY COUNCIL

LADIES AND GENTLEMEN:

In accordance with the General Laws of Massachusetts, Chapter 44, I hereby request that the City Council authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest (SOI) Form date May 6, 2021, for the Brockton High School, located at 470 Forest Avenue, Brockton, MA, which describes and explains the deficiencies and the priority category(s), as delineated on the attached addendum, for which an application may be submitted to the Massachusetts School Building Authority in the future: Brockton High School - full renovation; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Brockton to filing an application for funding with the Massachusetts School Building Authority.

If you have any questions on this matter, please call my office.

Respectfully submitted,

Robert F. Sullivan
Mayor
City of Brockton

RS/kr

2021 MAY 19 11 15 AM
CITY CLERK'S OFFICE
BROCKTON, MA.

"City of Champions"

CITY HALL: 45 SCHOOL STREET BROCKTON MA 02301



In City Council May 24, 2021

ORDERED:

In accordance with M.G.L., Ch. 44, that the City council Authorize the superintendent to submit to the Massachusetts School Building authority the Statement of Interest (SOI) Form date May 6, 2021, for the Brockton High School, located at 470 Forest Avenue, Brockton, Ma, which describes and explains the deficiencies and priority category(s), as delineated on the attached addendum, for which an application may be submitted to the Massachusetts School Building Authority in the future: Brockton High School- full renovation; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Brockton to filing an application for funding with the Massachusetts School Building Authority.



Councillor

Councillor Dennis R. Eaniri