

In City Council July 26, 2021

The regularly scheduled meeting of the Brockton City Council will be held on Monday, July 26, 2021 at 7:00PM in the Council Chambers, 2nd. Fl., City Hall, 45 School St., Brockton, MA. Acting President Enairi presiding. The meeting was called to order at 7:05 PM with eight members present. President Farwell and Councilor Rodrigues Absent.

308. Acceptance of the Minutes of the June 28, 2021 City Council meeting.

Accepted and placed on file

APPOINTMENTS

Councilor Asack motioned to move under Suspension of rules and act on item number two on the agenda tonight and was properly seconded. The motion carried by a hand vote. Confirmed by a roll call vote taken by “yeas” and “nays”; seven members present and all voting in the affirmative. Councilors Farwell, Monahan , and Rodrigues absent. Councilor Lally motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

309. Appointment of Fire Deputy Brian F. Nardelli to the rank of Fire Chief in the Brockton Fire Department.

New Fire Chief Brian F. Nardelli said he was honored and humble and thanked all his fellow fire fighters and the City of Brockton. He also thanked his family for supporting him throughout his career.

A brief recess was called.

Councilor Monahan Stepped in.

310. Appointment of Mary James of 996 Court St. Brockton, MA 02302 as an alternate for the Council on Aging for a three (3) year term, ending July 2024.

Referred to Finance

HEARINGS

Petition of National Grid and Verizon New England Inc., covering joint National Grid-Verizon New England Inc. pole locations.

Wellington PL

National Grid petitions to install new pole, P1 Wellington PL between P7 and P2 in order to raise wires higher crossing Curve St.

National Grid Engineer Sam Young stated he was in favor of this Pole Location.

Hearing held.

No one was in opposition.

REPORTS

311.Of the Finance Committee for its meeting of July 19, 2021.

Accepted and placed on file

COMMUNICATIONS

312.From the Chief of the Fire Department Michael F. Williams to the City Council submitting a letter of retirement effective 12:01 A.M. on July 17th 2021 after thirty-five years of faithful and devoted service to the City of Brockton. Last official working day is July 16th 2021.

Accepted and placed on file

313.From the Mayor appointing Brian Nardelli as acting Chief of the City of Brockton Fire Department.

Accepted and placed on file

314.From Chief of Fire Department recommending the promotion of Fire Deputy Brian F. Nardelli to the rank of Fire Chief in the Brockton Fire Department. This promotion is due to the retirement of Fire Chief Michael F. Williams. Deputy Brian F. Nardelli is the number one candidate on the current Human Resources Fire Chief list.

Accepted and placed on file

315.From the Mayor promoting Fire Deputy Brian F. Nardelli to the rank of Fire Chief in the Brockton Fire Department.

Accepted and placed on file

316.From the DPW Engineering Superintendent to City Council for the layout and acceptance of Sheridan Street.

Accepted and placed on file

317.From the Chief of Police requesting authorization to expend grant monies related to the Executive office of Health and Human Services FY22 Safe and Successful Youth Initiative Grant award in the amount of \$500,000.

Accepted and placed on file

318.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 grant award in the amount of \$500,000 from the Executive Office of Health & Human Services - FY22 Safe & Successful Youth Initiative Grant to Police Department FY22 Safe & Success Youth Initiative Grant Fund.

Accepted and placed on file

319.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to

143.
COMMUNICATIONS (CONT.)

be adequate to support the acceptance and expenditure of the grant award in the amount of \$500,000 from ...Executive Office of Health & Human Service's-FY22 Safe & Successful Youth Initiative Grant to...Police Department- FY22 Safe & Successful Youth Initiative Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

320.From the Director of Social Services requesting the acceptance of the Prevention in Early Childhood Grant in the total amount of \$156,250 from the Department of Public Health's Bureau of Substance Addiction Services.

Accepted and placed on file

321.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 grant award in the amount of \$156,250 from the Department of Public Health's Bureau of Substance Addiction Services-Prevention in Early Childhood Grant to the Mayor's Office-Early Childhood Grant Fund.

Accepted and placed on file

322.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the total grant award in the amount of \$156,250 from... Department of Public Health's Bureau of Substance Addiction Services-Prevention in Early Childhood Grant to The Mayor's Office-Early Childhood Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

323.From the Chief of Police requesting authorization to expend \$50,000 in grant monies awarded by the Executive Office of Health and Human Services/Department of Mental Health as part of the FY 2022 Massachusetts Jail/Arrest Diversion Program.

Accepted and placed on file

324.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 grant award in the amount of \$50,000 from the Executive Office of Health & Human Services-FY22 Massachusetts Jail/Arrest Diversion Program Grant to Police Department FY22 Massachusetts Jail/Arrest Diversion Program Grant Fund.

Accepted and placed on file

325.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the grant award in the amount of \$50,000 from... Executive Office of Health & Human Services- FY22 Massachusetts Jail/Arrest Diversion Program Grant to.... Police Department FY22 Massachusetts Jail/Arrest Diversion Program Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

144.
COMMUNICATIONS (CONT.)

Accepted and placed on file

- 326.** From the Chief of Police requesting authorization to expend \$11,255.54 in grant monies awarded by the Executive Office of Public Safety and Security as part of a subgrant of FY 2019 Byrne/ Justice Assistance grant award funds dedicated to the Sex Offender registry Board's 2021 Address Verification program.

Accepted and placed on file

- 327.** 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 grant award in the amount of \$11,255.54 from the Executive Office of Public Safety and Security FY 2019 Byrne/ Justice Assistance Grant to Police Department FY2019 Byrne/Justice Assistance Grant Fund.

Accepted and placed on file

- 328.** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the grant award in the amount of \$11, 255.54 from ... Executive Office of Public Safety and Security FY 2019 Byrne/ Justice Assistance Grant to....Police Department FY2019 Byrne/Justice Assistance Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

- 329.** From the Director of Planning and Economic Development requesting authorization for Site Readiness Grant from MassDevelopment in the amount of \$70,000.

Accepted and placed on file

- 330.** 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 grant award in the amount of \$70,000 from the MassDevelopment Site Readiness Grant Award to the Department of Planning and Economic Development – MassDevelopment's Site Readiness Grant Fund.

Accepted and placed on file

- 331.** From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the total grant award in the amount of \$70,000 from... MassDevelopment Site Readiness Grant Award to.... Department of Planning and Economic Development – MassDevelopment's Site Readiness Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

145.
COMMUNICATIONS (CONT.)

332. From the Chair of the Health Equity Task Force requesting acceptance of the donated funds in the amount of \$4,727.55 from the United Way of Greater Plymouth County to the Mayor's Office.

Accepted and placed on file

385. 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 grant award in the amount of \$4,727.55 from the United Way of Greater Plymouth County to the Mayor's Office.

Accepted and placed on file

386. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the donation in the amount of \$4,727.55 From.... United Way of Greater Plymouth County to.... the Mayor's Office without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

UNFINISHED BUSINESS

381. Ordinance: An Ordinance Amending Section 2-181 of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Section 2-181 is repealed in its entirety and in its place the following is inserted: "The city solicitor shall be an active attorney at law in the Commonwealth of Massachusetts, properly licensed and in good standing with the Massachusetts Board of Bar Overseers. He or she shall have a minimum of five (5) years of experience in the practice of law in Massachusetts with a thorough knowledge of Massachusetts General Laws including municipal law. He or she shall have demonstrated trial experience including the research, preparation, and management of civil or criminal cases during the various stages of litigation. The provisions of Section 2-110 of the Revised Ordinances shall not apply to this position. However, where two or more candidates have equal qualifications and experience as determined by the mayor, preference shall be given to a resident of the city or a candidate willing to move into the city within one (1) year of appointment." (IN CITY COUNCIL JUNE 28, 2021, AMENDMENT PASSED BY A ROLL CALL VOTE. PASSED TO A THIRD READING, AS AMENDED BY ROLL CALL VOTE)

The Question is on Final passage by a roll call of "yeas" and "nays" eight members present all voting in the affirmative. Councilors Farwell and Rodrigues absent. The Ordinance is Ordained.

156. Ordinance: An Ordinance Amending Article II, Section 1.004 of the Revised Ordinances of the City of Brockton Be It Ordained By The City Council Of The City Of Brockton As Follows: Section 1.004, Regulation of Marijuana Sales, is amended by adding the following sections where appropriate: (a) There shall be no more than two (2) licenses issued for the delivery of marijuana products pursuant to regulations promulgated by the Massachusetts Cannabis Control Commission. Priority shall be given to an applicant for a license to deliver marijuana products who currently holds a license for the conduct of marijuana businesses within the City of Brockton. (b) There shall be a moratorium on the issuance of any license to allow social consumption of marijuana for a period of two (2) years from the

UNFINISHED BUSINESS (CONT.)

date of adoption of this ordinance. There shall be a moratorium on the issuance of any license to allow delivery of retail marijuana for a period of one hundred and twenty (120) days or until such time as zoning and use ordinances are adopted by the City of Brockton, whichever shall occur first. (IN CITY COUNCIL JUNE 28, 2021, AMENDMENT PASSED BY A ROLL CALL VOTE. PASSED TO A THIRD READING, AS AMENDED BY ROLL CALL VOTE)

Councilor Cardoso motioned to postponed item number thirty on the agenda to the next council meeting and was properly seconded. The motion carried by a hand vote.

- 251.** Ordinance: An Ordinance Amending Revised Ordinance Of The City Of Brockton, Chapter 6, Article 1, Section 6-2 Composition Be it ordained by the City Council of the City of Brockton, that Chapter 6, Article 1, Section 6-2 of the Revised Ordinances of the City of Brockton be amended to strike the following provision: *“The increase in the number of Captains in the Fire Department shall be for a limited time only. The additional position of an Eighteenth (18th) Captain, as set forth in this Amendment, shall be eliminated and the number of captains allowed in the Fire Department shall revert back to seventeen (17) immediately upon a vacancy occurring in said title for any reason, including but not limited to the termination, resignation, retirement, promotion, or any other separation from employment by any one (1) of the eighteen (18) captains of the Fire Department.”* The Proposed Amendment, if adopted, shall result in the ordinance reading as follows: The fire department shall consist of a fire chief and the following assistants: (b) Eighteen (18) captains. (IN CITY COUNCIL JUNE 28, 2021, PASSED TO A THIRD READING, BY ROLL CALL VOTE)

The Question is on Final passage by a roll call of “yeas” and “nays” eight members present all voting in the affirmative. Councilors Farwell and Rodrigues absent. The Ordinance is Ordained.

- 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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

- 190.** 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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

UNFINISHED BUSINESS (CONT.)

- 307.** Appointment of Anthony Michael Branch, 25 Montello Street Ext. Brockton, MA 02301 as a constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and seven voting in the affirmative. Councilor Nicasastro voting in the negative. Councilors Farwell and Rodrigues absent. Councilor Asack motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

- 377.** Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, Recommending that the City Council authorize the acceptance and expenditure of an additional grant award in the amount of \$25,000 from the Executive Office of Public Safety and Security FY2021 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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

- 376.** Ordered: That the City of Brockton appropriate the amounts of Nineteen Million One Hundred Thousand Dollars (\$19,100,000) for the purpose of paying costs of designing and constructing water system improvements, but not limited to, water main replacements in (i) the North Main Street/North Montello Street Loop, (ii) North Main Street and (iii) Martland Avenue, repairs and paving incidental to making such improvements, and the payment of all costs incidental or related thereto. To meet this appropriation the City Treasurer, with approval of the Mayor, is authorized to borrow said amount under G.L. c.44, ss 8 (4), 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, 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 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. (FAVORABLE)

Councilors Cardoso stated for the people to keep in mind this loan is only for one ward it translates to \$150 million to do the entire city, and the toxic chemicals in the water they should advocate pamphlets that are sent to the residents in different languages so people have a better understanding.

Councilor Thompson stated that the loan is not just for one ward and that he mis spoke and he did speak to DPW Commissioner and the water levels are just slightly elevated but they are not dangerous or toxic it just changes the taste of the water.

Councilor Lally stated this project will go through wards 5, 6, and 7 and it is quite an investment. He is glad to see this project go through.

148.
UNFINISHED BUSINESS (CONT.)

Councilor Nicastro stated that at the presentation the additional fees that were added from last year are sufficient to cover the cost in repairs.

Passed to a third reading by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

Councilor Eaniri reminded Councilors this is still going to a third reading so they have more time for discussion before voting on it.

378.Ordered: Recommending that the City Council provide appropriation and borrowing authorization for \$360,900,000 for the purpose of funding all or a portion of the unfunded pension liability of the retirement system of the City of Brockton. (FAVORABLE)

Councilor Thompson motioned to make an amendment and was properly seconded.

As Amended Ordered: that the City of Brockton appropriates the amount of \$360,900,000 Dollars for the purpose of funding all or a portion of the unfunded pension liability of the retirement system of the City and paying bond issuance costs and other expenses necessary or incidental thereto; that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount in accordance with Chapter 483 of the Acts of 2004 (Chapter 483); that the total amount authorized to be borrowed pursuant to this order shall be reduced to the extent that the unfunded liability of the retirement system of the City, as determined by the Public Employee Retirement Administration Commission of The Commonwealth of Massachusetts and the City of Brockton Retirement Board, is less than the total amount authorized to be borrowed by this order; that the City hereby establishes on its books a pension stabilization fund which shall be available to mitigate unanticipated shortfalls in funding of the City’s retirement system upon such terms and conditions as shall be approved by the Secretary of Administration and Finance of the Commonwealth in accordance with said Chapter 483; that the Treasurer with the approval of the Mayor, is authorized to secure the bonds with a municipal bond insurance policy; and that, in accordance with the guidelines published by the Executive Office for Administration and Finance dated April 14, 2004 relating to its criteria for the approval of the issuance of pension obligation bonds, the following disclosure is hereby acknowledged: “The use of pension obligation bonds may increase the potential losses associated with pension fund investment. The Commonwealth is not responsible for any losses incurred by a municipality due to the issuance of pension obligation bonds, nor for any increase in unfunded actuarial accrued liability due to deficient investment returns.” 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, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The authorized but unissued amount of the pension obligation borrowing approved by the City Council in an order adopted on October 11, 2005, is hereby rescinded.

Councilor Cardoso stated that she spoke to the CFO and that the state Retirement Board has outperformed the city the last five years and that she suggests a state marketing rep come before them.

The motion carries by a hand vote. Passed to a third reading by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

381.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 extension in reference to AnnMarie Raymond. (FAVORABLE)

Councilors Cardoso stated the city has had a year to advertise for this position and she suggests they request her resume or ask for an update on this position.

UNFINISHED BUSINESS (CONT.)

Councilor Thompson state this isn't an order appointing Ms. Raymond as Auditor but just a residency wavier. She has been an employee of Brockton for 13 years and is just looking to downsize her home.

Councilor Asack just agreed with Councilor Thompson and there's no need for a resume for this waiver.

Councilor Eaniri stated that Ms. Raymond isn't looking to fill the auditor's position she just wants a waiver for her residency.

Councilor Asack said the Waiver should go with the person not the position.

Councilor Cardoso stated the position being filled should have been a priority not this residency waiver.

Councilors Thompson made a motion to call the vote and was properly seconded.

Adopted by a roll call vote taken by "yeas" and "nays"; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent. Councilor Lally motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

ORDERS

387.Ordinance: AN ORDINANCE AMENDING REVISED ORDINANCE OF THE CITY OF BROCKTON, CHAPTER 11, ARTICLE 9, SECTION 11-161 NUMBER OF CLASS II LICENSES PERMITTED Be it ordained by the City Council of the City of Brockton, that Chapter 11, Article 9, Section 11-161 of the Revised Ordinances of the City of Brockton be amended to strike the following language "per thirteen hundred (1,300)" and insert in its place "per thousand (1,000)".

The Proposed Amendment, if adopted, shall result in the ordinance reading as follows:

There shall be no more than one (1) Class II motor vehicle dealers' licenses (used car dealers) issued per thousand (1,000) population.

Referred to Ordinance

388.Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of Sheridan Street, extending from the end of the 1944 layout, northerly, a distance of about 1,355 feet, more or less, to Kathleen Road, 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/Planning

389.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$500,000 from the Executive Office of Health & Human Services -FY22 Safe & Successful Youth Initiative Grant to Police Department FY22 Safe & Success Youth Initiative Grant Fund.

Referred to Finance

150.
ORDERS (CONT.)

390.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$156,250 from the Department of Public Health's Bureau of Substance Addiction Services-Prevention in Early Childhood Grant to the Mayor's Office-Early Childhood Grant Fund.

Referred to Finance

391.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$50,000 from the Executive Office of Health & Human Services- FY22 Massachusetts Jail/Arrest Diversion Program Grant to Police Department FY22 Massachusetts Jail/Arrest Diversion Program Grant Fund.

Referred to Finance

392.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$11,255.54 from the Executive Office of Public Safety and Security FY 2019 Byrne/ Justice Assistance Grant to Police Department FY2019 Byrne/Justice Assistance Grant Fund.

Referred to Finance

393.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$70,000 from the MassDevelopment Site Readiness Grant Award to the Department of Planning and Economic Development – MassDevelopment's Site Readiness Grant Fund.

Referred to Finance

394.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$4,727.55 from the United Way of Greater Plymouth County to the Mayor's Office.

Councilor Thompson motioned to move under Suspension of rules and act on item number forty six on the agenda tonight and was properly seconded. The motion carried by a hand vote. Adopted by a roll call vote taken by "yeas" and "nays"; eight members present and all voting in the affirmative. Councilors Farwell and Rodrigues absent.

395.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 REDUCTION OF SPEED LIMIT ON CERTAIN
STREETS IN THE CITY OF BROCKTON:

151.
ORDERS (CONT.)

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1

Notwithstanding any general or special law to the contrary, the following streets in the City of Brockton shall be affixed with speed limit signs designing a speed limit of twenty-five (25) miles per hour (mph):

Anne Marie Drive, Ardsley Street, Bellevue Avenue, Brewster Road, Carrlyn Road, Harvard Street, Harwich Road, Healey Terrace, Hillberg Avenue, Louis Street, Newbury Street, Provost Street, Sagamore Road, South Leyden Street, Sterling Road, Torrey Avenue, Vesey Street, Westfield Drive, and Wilder Street.

Section 2

The provisions of this act shall take effect upon passage.

Referred to Finance

- 396.**Resolve: BE IT RESOLVED, that the Executive Health Officer of the Board of Health, City Solicitor, Chief of Police, Designee of the License Commission, and Fire Chief for the City of Brockton come before the Finance Committee to discuss code enforcement measures and processes in the City.

Referred to Finance

- 397.**Resolve: BE IT RESOLVED, that Joseph Cardinal of National Grid (or its designees), the Commissioner for the Department of Public Works, and the Mayor of the City of Brockton come before the Finance Committee to discuss recent power outages and solutions for improvements, response, and reducing service interruptions in the City of Brockton, specifically in response to outages occurring in Wards 4, 5 and 6.

Referred to Finance

Question is on Granting National Grid Petition. Granted by a hand vote. Eight members present. Councilors Farwell and Rodrigues absent.

Councilor Cardoso had a question on item number 47 that it was referred to finance not traffic committee.

Councilor Lally stated that under the state Laws all streets require the entire city in a whole to do every street the state requires the city to get permission on changing the street speed limits from the Great and General Court of Commonwealth of Massachusetts. Councilor Lally stated he did put in a request to the Commonwealth of Massachusetts.

Councilor Asack Motioned to accepted a late file and was properly seconded.

LATE FILES

Communications:

398. From the Superintendent of Parks requesting the acceptance and expenditure of grant funds related to the Office of Energy and Environmental Affairs Dam and Seawall Repair or Removal Grant Program. The \$82,725 will further the design and permitting for repairs to Ellis Brett Pond Dam.

Accepted and placed on file

399. From the Mayor, in accordance with General Laws of Massachusetts, chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$82,725 from the Office of Energy and Environmental Affairs Dam and Seawall Repair or Removal Grant to the Parks and Recreation Department - Dam and Seawall Repair or removal Grant Fund.

Accepted and placed on file

400. From the C.F.O., In accordance with Section 5 Chapter 324 of Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the acceptance and expenditure of the total grant award in the amount of \$82,725 from... Office of Energy and Environmental Affairs Dam and Seawall Repair or Removal Grant to.....Parks and Recreation Department - Dam and Seawall Repair or removal Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

Orders:

401. Ordered: In accordance with General Laws of Massachusetts, chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$82,725 from the Office of Energy and Environmental Affairs Dam and Seawall Repair or Removal Grant to the Parks and Recreation Department - Dam and Seawall Repair or removal Grant Fund.

Councilor Asack stated that it was important to act on this tonight due to the fact its summer session and that this is a no match grant.

Councilor Asack motioned to move under Suspension of rules and act on it tonight and was properly seconded.

Councilor Cardoso stated she doesn't agree. She would prefer to see a presentation from the superintendent of parks.

The motion carried by a roll call vote taken by "yeas" and "nays"; eight members present and five voting in the affirmative. Councilors Cardoso, Eaniri, and Thompson in the negative. Adopted by a roll call vote taken by "yeas" and "nays"; eight members present and six voting in the affirmative. Councilors Cardoso and Eaniri in the negative. Councilors Farwell and Rodrigues absent. Councilor Asack motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

LATE FILES (CONT.)

Councilor Thompson Motioned to accepted a late file and was properly seconded.

Communications:

- 402.** From the Mayor, in accordance with General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the HDIP Tax Increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St.

Accepted and placed on file

- 403.** From the C.F.O., In accordance with Section 5 Chapter 324 of Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the proposed approval of the HDIP Tax increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St., without a detrimental impact on the continuous provision of the existing level of municipal services. This is the latest in a series of TIE agreements designed to stimulate growth in the downtown and create new sustainable revenue for the city.

Accepted and placed on file

Orders:

- 404.** Ordered: In accordance with General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the HDIP Tax Increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St.

Referred to Finance

Councilor Thompson Motioned to accepted a late file and was properly seconded.

- 405.** Ordered: That the City, pursuant to the provisions of M.G.L. Ch. 40 SS 15A, hereby accepts as surplus that portion of the Keith Field property comprising of 47, 170 square feet as depicted, measured, and identified as area of potential excess land in the conceptual soccer field layout plan prepared by Beals and Thomas, Inc., and presented to the School Committee on May 18, 2021 (and attached hereto). The School Committee will maintain control of the remaining land. Be it further ordered that the surplus property is available for disposition to the most advantageous proposer after soliciting requests for proposals. The Mayor is hereby authorized to execute any and all documents necessary to dispose of said property.

Referred to Finance

Councilor Nocastro Motioned to accepted a late file and was properly seconded.

- 406.** Ordered: That the Mayor be authorized to enter into contract for WASTEWATER TREATMENT PLANT AND WATER TREATMENT FACILITIES OPERATION, MAINTENANCE AND MANAGEMENT AGREEMENT between the City of Brockton and Veolia Water North America – Northeast, LLC (summary and terms sheet attached hereto). The Wastewater Treatment Plant and Water Treatment Facilities Operation, maintenance, and management Agreement (the “Agreement”) is made in connection with the City of Brockton’s (the “City”) Request for Proposals dated August 2020 (the RFP”). And further the Mayor be and hereby is authorized to execute any and all documents necessary to effectuate the contract.

Referred to Finance

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.

Councilor Eaniri mentioned that about a week ago Attorney Anthony Eonas passed away and served as a chairman on the zoning board, and Joseph Bage who was a former Superintendent of schools. Just want to recognize them and is sorry to hear of their loss. They were two great men who served the City of Brockton.

Councilor Thompson just wanted to invite everyone to Brockton's mid-summer celebration at Salisbury Park on Saturday July 31st there will be vendors and live entertainment. This event is being sponsored by the Brockton Lions.

Councilor Eaniri mentioned that Councilor Rodrigues had a scheduled conflict that's why he is absent.

Councilor Eaniri stated for those on the Ordinance Committee when Attorney Resnick returns from vacation he would like to schedule a meeting the second week of August.

Meeting adjourned at 8:25PM