

In City Council September 13, 2021

The regularly scheduled meeting of the Brockton City Council will be held on Monday, September 13, 2021 at 7:00PM in the Council Chambers, 2nd. Fl., City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:00 PM with Nine members present Councilor Monahan Absent.

President Farwell asked for a brief moment of silence for Elizabeth Kelly a Fire Alarm operator in the Brockton Fire Department who lost her life to Cancer as well as a moment of Silence to all the lives lost on 9/11.

473. Acceptance of the Minutes of the August 23, 2021 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

474. Re-appointment of Philip Griffin of 19 Emory St. Brockton, MA 02301 to the Brockton Redevelopment Authority for a five-year term, ending September 2026.

Referred to Finance

HEARINGS:

Petition of George Legrice, Basement Powersports, 105 Cedar Street, East Bridgewater, MA, for a Motor Vehicle Repair Mechanical License and Motor Vehicle Repair Body License located at 21 Terminal Place, Brockton, MA (POSTPONED FROM CITY COUNCIL MEETING AUGUST 23, 2021)

Councilor Nicastro stated that Mr. Legrice is still not ready and she motioned to postpone this to next city council meeting and was properly seconded. Postponed by a hand vote.

Before Item number 4 was read Councilor Mendes stepped down and left the chambers since this is her husband's business and recused herself from voting on the matter.

Petition of Paulo De Paiva, Decunto Electronics, 281 Ash Street, Brockton, MA for a Second-Hand Article License located at 707A Centre St. Brockton, MA 02302.

Attorney Scott Ruben appeared in favor of the petition and was there to answer any questions.

Councilor Thompson stated she was in favor of this.

Hearing held.

No one was in opposition.

Granted by a hand vote. Councilor Mendes not Present.

Councilor Mendes Stepped back in.

REPORTS:

475.Of the Finance Committee for its meeting of September 8, 2021.

Accepted and placed on file

COMMUNICATIONS:

476.From Southeastern Regional School District Concerning the FY2022 Budget.

Accepted and placed on file

477.From the DPW Engineering Superintendent, to the City Council for the layout and acceptance of Roberta Avenue.

Accepted and placed on file

478.From the DPW Engineering Superintendent, to the City Council for the layout and acceptance of Harlan Terrace.

Accepted and placed on file

479.From the Mayor Appointing Pat Hill, Interim Commissioner of the Department of Public Works, to the Central Plymouth County Water Advisory Committee as his designee.

Accepted and placed on file

480.From the Mayor Appointing Councilor Susan Nicastro to the Central Plymouth County Water Advisory Committee.

Accepted and placed on file

481.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, Recommending that the City Council approve the expenditure of \$37,066.88 from Finance-Purchase of Services to True Green Capital.

Accepted and placed on file

482.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 total proposed approval of \$37,066.88 from Finance-Purchase of Services to True Green without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

177. (Communications Cont.)

483.From the Director of Veterans Services Requesting a transfer
From: Humanistic Supplies 05432376-5582000.....\$2,033.66
To: Full-Time Services 05432474-511100.....\$1,531.40
Admin Incentive 05432474-513903..... \$500.00
Stipend..... \$1.31
Educational Incentive..... \$.95

Accepted and placed on file

484.From the Mayor in accordance with General Laws of Massachusetts, Chapter 44,
recommending that the City Council authorize the transfer of \$2,033.66

From: Veterans Services- Humanistic Supplies
To: Veterans Services-Full-Time Salaries \$1,531.40
Veterans Services-Admin Incentive \$500.00
Veterans Services- Stipend \$1.31
Veterans Services- Educational Incentive \$.95

Accepted and placed on file

485.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 total proposed approval of \$2,033.66

From: Veterans Services- Humanistic Supplies
To: Veterans Services-Full-Time Salaries \$1,531.40
Veterans Services-Admin Incentive \$500.00
Veterans Services- Stipend \$1.31
Veterans Services- Educational Incentive \$.95

without a detrimental impact on the continuous provision of the existing level of
municipal services.

Accepted and placed on file

486.From the Director of Veterans Services requesting acceptance of these monetary donations
in the amount of \$61.00 from Stop and Shop Bags4MyCause Program.

Accepted and placed on file

487.From the Mayor in accordance with General Laws of Massachusetts, Chapter 44,
recommending that the City Council accept the donation in the amount of \$61.00 From....
Stop and Shop Bags4MyCause Program to.... Veterans Services.

Accepted and placed on file

488.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 \$61.00 From.... Stop and Shop
Bags4MyCause Program to.... Veterans Services without a detrimental impact on the
continuous provision of the existing level of municipal services.

Accepted and placed on file

178. (Communications Cont.)

489.From the Chief of Police requesting authorization to expend grant monies related to the Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 grant award in the amount of \$10,671.36.

Accepted and placed on file

490.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 \$10,671.36 from..... Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant to Brockton Police Department – Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant Fund.

Accepted and placed on file

491.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 \$10,671.36 from..... Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant to Brockton Police Department – Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

492.From the Chief of Police requesting authorization to expend grant monies related to the FY 2022 First Responders Naloxone Grant from the Massachusetts Department of Public Health, Bureau of Substance Addiction Services (BSAS) in the initial amount of \$8,750.00 distributed between the police and fire departments as needed.

Accepted and placed on file

493.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 \$8,750 from Massachusetts Department of Public Health, Bureau of Substance Addiction Services (BSAS)- FY2022 First Responders Naloxone Grant to.....City of Brockton Police Department- FY2022 First Responders Naloxone Grant Fund.

Accepted and placed on file

494.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 grant funds in the amount of \$8,750 from Massachusetts Department of Public Health, Bureau of Substance Addiction Services (BSAS)- FY2022 First Responders Naloxone Grant to.....City of Brockton Police Department- FY2022 First Responders Naloxone Grant Fund without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

UNFINISHED BUSINESS:

411.Appointment of Michael Mentor of 37 Barry Street, Brockton, MA 02302 as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

179.(Unfinished Business Cont.)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

- 412.Appointment of Larry D. Young of 1111 North Main St. Brockton, Ma 02301 to the Brockton Community Access Board for a three (3) year term, ending August 2024. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

- 472.Ordered: Re-appointing Jeffrey Charnel of 23 Madrid sq. Ste 12 Brockton, MA 02301 to the License Commission for a three (3) year term, ending August 2024. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

453. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the total proposed approval of \$55,283 fromUnappropriated Estimated Receipts to.....Information Technology Center- Full Time Salaries. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

454. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the total proposed approval of \$196,881 from... Executive Office of Energy and Environmental Affairs- Department of Energy Resources (DOER) Green Communities Competitive Grant to.... Finance Department - Green Communities Competitive Grant Fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

- 456.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 \$568,038 from FY 2022 Massachusetts Executive Office of Public Safety and Security State 911 Department Support and Incentive Grant to.....Brockton Police Department – FY2022 Support and Incentive Grant Fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

- 458.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation of \$200,217.79 from.....Stabilization Fund to Library Department – Personal Services Other Than Overtime for purposes of funding the Collective bargaining agreement between the City and Library Union, without a detrimental impact on the continuous provision of the existing level of municipal services. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

Councilor Asack stepped out.

180.(Unfinished Business Cont.)

459.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation of \$79,834.34

From: Stabilization Fund

To: Board of Health- Personal Services Other Than Overtime \$4,390.88
Council on Aging-Personal Services Other Than Overtime \$4,694.42
DPW-Administration -Personal Services Other Than Overtime \$5,708.94
DPW-Engineering-Personal Services Other Than Overtime \$13,214.20
DPW-Water Enterprise-Personal Services Other Than Overtime \$7,842.60
Finance Department -Personal Services Other Than Overtime \$6,207.94
Library Department -Personal Services Other Than Overtime \$7,783.10
Parks & Recreation -Personal Services Other than Overtime \$7,477.62
Police Department -Personal Services Other than Overtime \$7,342.60
Procurement Department – Personal Services Other Than Overtime \$7,977.62
Veterans Department-Personal Services Other than Overtime \$7,194.42

For the purpose of funding the SEIU, Local 888: Department Heads Unit union contract, without detrimental impact on the continuous provision of the existing level of municipal services. This appropriation provides funding for three (3) years (July1, 2019-June 30, 2022), of a three (3) year Contract. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilor Monahan Absent. Councilor Asack not present.

460.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation of \$249,504.54

From: Stabilization Fund

To: Animal Control- Personal Services Other Than Overtime \$33,124.39
Assessor’s Office -Personal Services Other Than Overtime \$9,463.94
Auditor’s Office -Personal Services Other Than Overtime \$9,782.30
DPW-Administration-Personal Services Other Than Overtime \$4,550.03
DPW-Refuse Division-Personal Services Other Than Overtime \$4,914.03
DPW-Sewer Enterprise -Personal Services Other Than Overtime \$2,411.54
DPW-Water Enterprise -Personal Services Other Than Overtime \$2,411.54
Elections Commission -Personal Services Other than Overtime \$4,550.04
Board of Health -Personal Services Other than Overtime \$4,550.04
Information Technology Center – Personal Services Other Than Overtime \$48,457.45
Law Office-Personal Services Other than Overtime \$9,691.74
License Commission- Personal Services Other than Overtime \$4,868.53
Parking Authority- Personal Services Other than Overtime \$4,914.03
Parks & recreation Department- Personal Services Other than Overtime \$5,216.35
Police Department - Personal Services Other than Overtime \$81,579.63
Public Property Department- Personal Services Other than Overtime \$4,823.03
Veterans Office- Personal Services Other than Overtime \$4,550.04
Weights & Measures Department- Personal Services Other than Overtime \$9,645.89

For the purpose of funding the Brockton City Employees Union contract, without detrimental impact on the continuous provision of the existing level of municipal services. This appropriation provides funding for three (3) years (July1, 2019-June 30, 2022), of a three (3) year Contract. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilor Monahan Absent. Councilor Asack not present.

Councilor Asack stepped back in.

181.(Unfinished Business Cont.)

461.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of \$81,313 from Unappropriated Estimated Receipts to... Finance Department – Full Time salaries. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

462.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation up to an amount of \$34,590,793 from Unappropriated Estimated Receipts-American Rescue Plan Act (ARPA) disbursement for purposes of COVID response, mitigation, and prevention activities. These funds are to be expended at the sole discretion of the Mayor without a detrimental impact on the continuous provision of the existing level of municipal services. (FAVORABLE)

Councilor Nicasro motioned to refer back to Finance Meeting in October and was properly seconded. Sent back to Finance by a hand vote.

463.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, Section 53E ½, the City Council authorize a revolving fund for Fiscal Year 2022, for the sole purpose of funding the creation and maintenance of the Roadway Design and Construction Fund. The Roadway Design and Construction Revolving Fund shall receive the receipts of payments of fines and fees for the engineering, design, construction and paving of projects. Expenditures from the Roadway Design and Construction fund Revolving Fund shall be made on the authority and direction of the Brockton Department of Public Works Commissioner, provided that no more than \$1,000,000 may be so expended from the Roadway Design and Construction Revolving Fund during fiscal year 2022. The Brockton Department of Public Works Commissioner shall comply with the reporting requirements of M.G.L., Ch.44, Section 53E1/2. (FAVORABLE)

Brief Recess

Back in Session

Councilor Lally motioned to refer back to Finance Meeting in September and was properly seconded. Sent back to Finance by a hand vote.

469. Resolve: To have The Inspector of Buildings, James Plouffe, appear before a committee of the Brockton City Council to discuss the Building Department’s ability to provide inspections of construction, plumbing and electrical work in a timely fashion. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Monahan Absent.

ORDERS:

182. (Orders Cont.)

495.Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of **Roberta Avenue**, from the end of the 1966 layout, a distance of 502.18 feet, to Harlan Circle, 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, said easement passing by or over lands, now or formerly, of those persons shown on “Exhibit A” attached hereto and made a part of this taking.

Referred to Finance/Planning

496.Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of **Harlan Terrace**, from Roberta Avenue easterly a distance of 367.38 feet, 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, said easement passing by or over lands, now or formerly, of those persons shown on “Exhibit A” attached hereto and made a part of this taking.

Referred to Finance/Planning

497.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, Recommending that the City Council approve the expenditure of \$37,066.88 from Finance-Purchase of Services to True Green Capital.

Referred to Finance

498.Ordered: In accordance with General Laws of Massachusetts, Chapter44, recommending that the City Council authorize the transfer of \$2,033.66

From: Veterans Services- Humanistic Supplies	
To: Veterans Services-Full-Time Salaries	\$1,531.40
Veterans Services-Admin Incentive	\$500.00
Veterans Services- Stipend	\$1.31
Veterans Services- Educational Incentive	\$.95

Referred to Finance

499.Ordered: In accordance with General Laws of Massachusetts, Chapter 44, recommending that the City Council accept the donation in the amount of \$61.00 From.... Stop and Shop Bags4MyCause Program to.... Veterans Services.

Referred to Finance

500.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 \$10,671.36 from..... Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant to Brockton Police Department – Massachusetts Commonwealth Security Trust Fund (CSTF) FY22 Grant Fund.

Referred to Finance

183. (Orders Cont.)

501. 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 \$8,750 from Massachusetts department of Public Health, Bureau of Substance Addiction Services (BSAS)- FY2022 First Responders Naloxone Grant to.....City of Brockton Police Department- FY2022 First Responders Naloxone Grant Fund.

Referred to Finance

502. Resolve: To have a representative of STV Engineering appear before the Finance Committee of the Brockton City Council to make a presentation concerning the Hazard Mitigation Plan update for the City of Brockton.

Referred to Finance

503. Resolve: That the Superintendent of Cemeteries (acting), Chief Financial Officer, and interim DPW Commissioner be invited to a meeting of the Council to provide an overview of the outstanding issues relative to flooding, as well as projected financial implications for any mitigations.

Referred to Finance

Councilor's Recognition

Councilor Asack reminded everyone that the Greek Festival is September 16 – September 19 it's a wonderful event great food and entertainment.

Councilor Cardoso reminded people tomorrow is the City Primary Elections and to please get out and Vote.

Councilor Nicastro reminded everyone tomorrow at 7pm at the Library on Main Street they are holding a New Series My Brockton History and Former Mayor Linda Balzotti will be there and everyone is welcome to attend.

Councilor Eaniri reminded everyone that there is an Ad Hoc Meeting on September 28, 2021 at 6PM and to follow with an Ordinance Meeting at 6:30pm.

Meeting adjourned at 7:40PM

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.