

In City Council October 25, 2021

The regularly scheduled meeting of the Brockton City Council will be held on Monday, October 25, 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 all nine members present. Councilor Asack Absent.

President Farwell reminded everyone that there is no Finance Committee meeting next Monday due to Elections.

599. Acceptance of the Minutes of the October 12, 2021 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

600. Promotion of Firefighter Steven P. Anastos to the rank of Fire Lieutenant in the Brockton Fire Department.

Councilor Eaniri motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote. Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Asack absent. Councilor Thompson motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Brief Recess

Back in Session

601. Appointment of Paula C. Kokoros-Odierno of 57 Reservoir St., Brockton, MA 02301 to Zoning Board of Appeals Associate Member for a three-year term, ending October 2024.

Referred to Finance

602. Appointment of Iolando Spinola of 23 Noyes Ave, Brockton, MA 02301 to Zoning Board of Appeals Associate Member for a three-year term, ending October 2024.

Referred to Finance

603. Appointment of John McGarry of 68 Cambo St., Brockton, MA 02301 from License Commission Associate Member to License Commission Member for a three-year term, ending October 2024.

Councilor Eaniri motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote. Confirmed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilor Asack absent.

HEARINGS:

Petition of National Grid and Massachusetts Electric Company requesting permission to erect and maintain poles and wires to be placed thereon, together with sustaining and protecting fixtures as said company may deem necessary, in the following public way or ways:

Montello St

213. (Hearings Cont.)

Installing two new poles (p85-50 & p85-51) to provide electrical service to new building at 1200 Montello St. (POSTPONED FROM OCTOBER 12, 2021 CITY COUNCIL MEETING)

President Farwell declared the hearing open.

Councilor Thompson motioned to Postpone this until next meeting November 8, 2021 and was properly second. The motioned carried by a hand vote.

REPORTS:

604.Of the Finance Committee for its meeting of October 18, 2021.

Accepted and placed on file

COMMUNICATIONS:

605.From the Fire Chief recommending the promotion of Firefighter Steven P. Anastos to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the retirement of Fire Lieutenant Steven L. Donahue. Firefighter Steven P. Anastos is the number one candidate on the current Human Resources Fire Lieutenant List.

Accepted and placed on file

606.From the Mayor recommending the promotion of Firefighter Steven P. Anastos to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the retirement of Fire Lieutenant Steven L. Donahue. Firefighter Steven P. Anastos is the number one candidate on the current Human Resources Fire Lieutenant List.

Accepted and placed on file

607.From the Mayor appointing Paula C. Kokoros-Odierno of 57 Reservoir St., Brockton, MA 02301 to Zoning Board of Appeals Associate Member for a three-year term, ending October 2024.

Accepted and placed on file

608.From the Mayor appointing Iolando Spinola of 23 Noyes Ave, Brockton, MA 02301 to Zoning Board of Appeals Associate Member for a three-year term, ending October 2024.

Accepted and placed on file

609.From the Mayor appointing John McGarry of 68 Cambo St., Brockton, MA 02301 from License Commission Associate Member to License Commission Member for a three-year term, ending October 2024.

Accepted and placed on file

Councilor Asack stepped in

UNFINISHED BUSINESS:

544.Appointment of Pourita Das of 6 Ray Avenue Brockton, MA 02301 to the Planning Board for a five-year term, ending October 2026. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

214. (Unfinished Business Cont.)

545.Appointment of Matthew Stanton of 160 Tribou Street Brockton, MA 02301 to the War Memorial Board of Trustees for a three-year term, ending October 2024. (FAVORABLE)
Confirmed by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

Mr. Stanton was present and President Farwell and the Councilors congratulated him.

546.Appointment of Sarah Yunits of 65 Longview Road, Brockton, MA 02301 to the War Memorial Board of Trustees for a three-year term, ending October 2024. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

547.Appointment of Brian Madden of 15 Madrid Square #5 Brockton, MA 02031 to the War Memorial Board of Trustees for a three-year term, ending October 2024. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

470.Ordered: That the sum of \$1,500,000 is hereby appropriated to lend funds for the **“Downtown Brockton Restaurant Infrastructure Fund”** loan program. Funds are to be loaned to property owners investing in the economic development activity of Brockton Downtown for installation of restaurant infrastructure, by providing funds to the Brockton Redevelopment Authority to make said loans and for the payment of all costs incidentals and related thereto; that to meet this appropriation the City Chief Financial Officer, City Treasurer with approval of the Mayor authorize said amount under pursuant to Chapter 74 of the Acts of 1945, or pursuant to any other enabling authority, including but not limited to the HUD Section 108 Program of the United States of America, and that the Mayor, Chief Financial Officer and City Treasurer are authorized to execute such documents as may be necessary or desirable to carry out this transaction. This certification conditional because the CDBG funding from U.S. Department of Housing and Urban Development to the City of Brockton which would repay the loan is subject to the discretion of the U.S. Congress. (FAVORABLE) (IN CITY COUNCIL SEPTEMBER 27, 2021 PASSED TO A THIRD READING)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

590.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance of the donation in the amount of \$3,000 from.....BROCKTON ASSEMBLY OF GOD CHURCH to..... MAYOR’S OFFICE. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

576.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation of \$332,421.50

FROM: STABILIZATION FUND	\$237,921.50
TO: CEMETERY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$18,200
CEMETERY DEPARTMENT-OVERTIME	\$1,806
DPW-HIGHWAY- PERSONAL SERVICES OTHER THAN OVERTIME	\$80,080
DPW-HIGHWAY-OVERTIME	\$5,686
DPW MAINTENANCE- PERSONAL SERVICES OTHER THAN	

215. (Unfinished Business Cont.)

OVERTIME	\$7,280
DPW-MAINTENANCE-OVERTIME	\$383
DPW-REFUSE- PERSONAL SERVICES OTHER THAN OVERTIME	\$29,120
DPW-REFUSE-OVERTIME	\$2,170
LIBRARY DEPARTMENT-PERSONAL SERVICES OTHER THAN OVERTIME	\$7,280
LIBRARY DEPARTMENT-OVERTIME	\$300
PARKING AUTHORITY- FULL TIME SALARIES	\$21,840
PARKING AUTHORITY- PART-TIME SALARIES	\$8,872.50
PARKING AUTHORITY-OVERTIME	\$477
PARKS & RECREATION-PERSONAL SERVICES OTHER THAN OVERTIME	\$32,760
PARKS & RECREATION-OVERTIME	\$6,215
PUBLIC PROPERTY-PERSONAL SERVICES OTHER THAN OVERTIME	\$14,560
PUBLIC PROPERTY-OVERTIME	\$892
And	
FROM: ARPA FUND	\$94,500
TO: CEMETERY DEPARTMENT -SIGNING BONUS	\$7,500
DPW-HIGHWAY- SIGNING BONUS	\$33,000
DPW-MAINTENANCE- SIGNING BONUS	\$3,000
DPW-REFUSE-SIGNING BONUS	\$12,000
LIBRARY-SIGNING BONUS	\$3,000
PARKING AUTHORITY-SIGNING BONUS	\$16,500
PARKS & RECREATION-SIGNING BONUS	\$13,500
PUBLIC PROPERTY-SIGNING BONUS	\$6,000

For the purposes of funding the Laborer’s contract.

This appropriation provides funding for three (3) years (July 1, 2019-June 30, 2022), of a three (3) year contract. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

577.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44,

recommending that the City Council authorize the appropriation of	\$236,862
FROM: STABILIZATION FUND	\$172,362
TO: DEPARTMENT OF PUBLIC WORKS WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME	\$101,920
DEPARTMENT OF PUBLIC WORKS WATER ENTERPRISE- OVERTIME	\$9,825
DEPARTMENT OF PUBLIC WORKS SEWER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME	\$54,600
DEPARTMENT OF PUBLIC WORKS SEWER ENTERPRISE- OVERTIME	\$6,017
and	
FROM: ARPA FUND	\$64,500
TO: DEPARTMENT OF PUBLIC WORKS WATER ENTERPRISE- SIGNING BONUS	\$42,000
DEPARTMENT OF PUBLIC WORKS SEWER ENTERPRISE- SIGNING BONUS	\$22,500

for purposes of funding the Public Employees’ Local Union 1162, Water & Sewer contract. This appropriation provides funding for three (3) years (July 1, 2019-June 30, 2022), of a three (3) year contract. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

Councilor Asack stepped out

216. (Unfinished Business Cont.)

578. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44 recommending that the City Council authorize the appropriation of \$119,150.87
 FROM: STABILIZATION FUND
 TO: BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME \$51,688.06
 BOARD OF HEALTH- OVERTIME \$1,315.00
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION- PERSONAL SERVICES OTHER THAN OVERTIME \$9,236.15
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION- OVERTIME \$300.00
 DEPARTMENT OF PUBLIC WORKS WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME \$18,701.07
 DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- PERSONAL SERVICES OTHER THAN OVERTIME \$9,236.39
 DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- OVERTIME \$34.00
 PUBLIC PROPERTY- PERSONAL SERVICES OTHER THAN OVERTIME \$28,119.20
 PUBLIC PROPERTY- OVERTIME \$521.00
 for purposes of funding the Brockton Association of Engineers, Technicians and Inspectors contract. This appropriation provides funding for three (3) years (July 1, 2019- June 30, 2022), of a three (3) year contract. (FAVORABLE)

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

579. Ordered: in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation of \$215,267.48
 FROM: STABILIZATION FUND
 TO: ASSESSOR’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME \$7,279.96
 AUDITOR’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME \$14,559.96
 AUDITOR’S OFFICE- EDUCATIONAL INCENTIVE \$36.40
 CITY CLERK’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME \$10,919.94
 CITY COUNCIL’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME \$10,920.60
 COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME \$7,279.70
 COUNCIL ON AGING- EDUCATIONAL INCENTIVE \$36.40
 DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- PERSONAL SERVICES OTHER THAN OVERTIME \$3,639.85
 DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- EDUCATIONAL INCENTIVE \$36.40
 DPW- ADMINISTRATION- PERSONAL SERVICES OTHER THAN OVERTIME \$3,639.91
 DPW- ADMINISTRATION- EDUCATIONAL INCENTIVE \$36.40
 DPW HIGHWAY DIVISION- PERSONAL SERVICES OTHER THAN OVERTIME \$7,279.70
 DPW REFUSE ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME \$3,640.02
 DPW SEWER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME \$3,639.89
 DPW WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME \$18,200.09
 DPW WATER ENTERPRISE- EDUCATIONAL INCENTIVE \$36.40
 DPW ENGINEERING - PERSONAL SERVICES OTHER THAN

217. (Unfinished Business Cont.)

OVERTIME	\$3,639.89
DPW ENGINEERING- EDUCATIONAL INCENTIVE	\$36.40
ELECTIONS COMMISSION- PERSONAL SERVICES OTHER THAN OVERTIME	\$10,919.70
FINANCE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,640.02
FIRE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$10,920.24
FIRE DEPARTMENT- EDUCATIONAL INCENTIVE	\$36.40
BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,640.02
BOARD OF HEALTH- EDUCATIONAL INCENTIVE	\$36.40
HUMAN RESOURCES DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$10,919.49
LAW OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,640.13
LAW OFFICE- EDUCATIONAL INCENTIVE	\$36.40
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,639.87
PARKS & RECREATION- EDUCATIONAL INCENTIVE	\$36.40
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$18,199.49
POLICE DEPARTMENT- EDUCATIONAL INCENTIVE	\$36.40
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,640.09
PROCUREMENT DEPARTMENT- EDUCATIONAL INCENTIVE	\$36.40
PUBLIC PROPERTY- PERSONAL SERVICES OTHER THAN OVERTIME	\$10,919.76
TAX COLLECTOR’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$18,199.94
TAX COLLECTOR’S OFFICE- EDUCATIONAL INCENTIVE	\$72.80
TREASURER’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$18,199.74
VETERAN’S OFFICE-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,639.91
for purposes of funding the Brockton City Hall Administrative Services Association Contract. This appropriation provides funding for three (3) years (July 1, 2019-June 30, 2022), of a three (3) year contract. (FAVORABLE)	

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

Councilor Asack stepped in.

President Farwell thanked the Finance Office for the amount of detail they put into these contracts.

580.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 Metropolitan Area Planning Council (MAPC) COVID-Safe Cooling Strategies Grant to.....Emergency Management Agency- Metropolitan Area Planning Council (MAPC) COVID-Safe Cooling Strategies Grant Fund. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

581.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the

218. (Unfinished Business Cont.)

grant award in the amount of \$50,000 from MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS (MBLC)-LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) DIRECT GRANT to..... MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS (MBLC)-LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) DIRECT GRANT FUND. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

582. 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 \$15,000 from MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS (MBLC)-LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) DIRECT GRANT to..... MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS (MBLC)-LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) DIRECT GRANT FUND. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

583. Ordered: That the City of Brockton does hereby take in fee in accordance with M. G.L. Ch. 79 and/or other applicable law, the following described parcels of land, to wit: *596 Summer Street* For further reference see Plymouth County Registry of Deeds Book 54317, Page 257; Map 117, Route 243 Plot 44. We have considered and estimated the damages sustained by all persons who have not waived damages in their several estates and hereby determine and award the same as follows, to be paid from the bond amounts previously authorized by the City Council for purchase or taking of property for public safety and general municipal purposes.

PROPERTY/OWNER	AMOUNT
596 Summer Street Owner: Five Ninety Six Summer Street Realty, LLC	\$3,998,460.00

Said taking shall include all trees, soil or fixtures thereon. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative. Councilor Nicastro motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

584. Ordered: WHEREAS, Pending before the Ordinance Committee of the City Council are proposed, major zoning changes for certain parcels of land in the area of Beaumont Avenue, Quincy Street, Christo’s Way, and the property formerly occupied by, or contiguous to, Christo’s Restaurant and function facility, and, WHEREAS, If approved, these zoning changes would have a profound effect on the inventory of commercial parcels of property in the city, as well as traffic, school populations, and other effects on residents in this area.

ORDERED:

1. The zoning changes filed during the meeting of September 27, 2021, and numbered thirty-two (32) and thirty-three (33) on the revised agenda, shall be the subject of a public hearing at the East Middle School held by the Finance Committee of the City Council. Committee members wishing to hear public comment may attend.
2. The city council shall request and receive the most recent traffic count data from the Old Colony Planning Council for the intersections of Quincy and Centre Street and Quincy and Crescent Street.
3. The city council shall request and receive information from the Brockton Public Schools as to the impact R-3, multi-family zoning may have on school populations in the school buildings which would accommodate additional students.

219. (Unfinished Business Cont.)

4. The city council shall request and receive copies of all documents from the planning department, or any vendor which was compensated for studying the proposed zoning changes, where residents or businesses within a one (1) mile area were solicited and returned positive or negative comments about zoning changes.
5. The city council shall request and receive from the planning department all copies of email, letters, notes, or other documents from any source sent to, or received by that department regarding the proposed zoning changes.

The city council shall request and receive information from the chief of the fire department as to the technical, fire prevention requirements for R-3, multi-family, three (3) story residential buildings. (FAVORABLE)

Failed by a roll call vote taken by “yeas” and “nays”; ten members five voting all in the affirmative. Councilors Asack, Eaniri, Lally, Monahan, and Thompson in the negative.

526.Resolve: To Invite representatives of the Brockton Redevelopment Authority, The Old Colony Planning Council and the City of Brockton Office of Planning and Economic Development to appear before the Finance Committee of the Brockton City Council. Further resolved to have these representatives discuss how the City is dealing with attracting new businesses, keeping existing businesses and reaching out to prospective business owners, particularly in the minority community, to explain and promote all programs that are available to assist in the growth of their endeavors. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members voting all in the affirmative.

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 Asack stated that October is Breast Cancer Awareness month and Brockton Police have purchased pink badges and each purchased goes to Breast Cancer Research Fund and thanked all the Police Officers who participated.

Councilor Thompson just wanted to update that the Ward 5 cast is postponed till Nov. 4 at 6PM due to scheduling conflict with the elections and to tune into the Brockton Community Access Channel, YouTube, and Facebook for updates and for any comments to email him at Jthompson@cobma.us.

Meeting adjourned at 7:32PM

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.