

In City Council December 27, 2021

The regularly scheduled meeting of the Brockton City Council was held on Monday, December 27, 2021 at 7:00PM in the Council Chambers, 2<sup>nd</sup>. Fl., City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:0 PM with nine members present. Councilor Nicastro absent.

President Farwell and City Clerk Timothy Cruise presented plaques to Councilors Cardoso, Monahan, and Eaniri for all the work and contribution they put in and they will truly be missed.

Councilor Nicastro Stepped In.

714. Acceptance of the Minutes of the December 13, 2021 City Council meeting.

Accepted and placed on file

REPORTS:

715. Of the Planning Board for its meeting October 5, 2021.

Accepted and placed on file

716. Of the Finance Committee for its meeting of December 20, 2021.

Accepted and placed on file

COMMUNICATIONS:

717. From the Zoning Board of Appeals Chairperson informing the City Council that the Brockton Zoning Board of Appeals at a regularly scheduled meeting held on Thursday, December 16, 2021 elected from its members, member Fire Chief Brian Nardelli to serve as the vice-chairperson of the Zoning Board of Appeals in accordance with Article 1-Organization, Section 3.

Accepted and placed on file

UNFINISHED BUSINESS:

On December 15, 2021 Councilor Monahan filed for reconsideration on the following order.

656. 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 parcel of land, to wit: 99 Warren Avenue Parcel ID:053-014: for further reference see Plymouth County Registry of Deeds Book 55385, Page 81 and Book 27411, Page 97

And

(0) Highland Street (not numbered) Parcel ID: 053-015: further reference see Plymouth County Registry of DEEDs Book 55385, Page 81 and Book 27411, Page 97

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

99 Warren Avenue and (0) Highland Street

Owner: E-Z Cashing LLC \$2,447,080.00

Said taking shall include all trees, soil, or fixtures thereon. to reduce the amount by \$497,080.00. As Amended The new amount will read, 1, 950,000.00. (FAVORABLE)

CFO Troy Clarkson and City Solicitor joined the City Council Meeting through ZOOM.

## 259. (UNFINISHED BUSINESS CONT.)

CFO Troy Clarkson spoke briefly on the matter stating that it will be costly and that the City Council should reconsider.

City Solicitor Megan Bridges spoke on the matter and stated she supports the request for reconsideration and wasn't aware that there was going to be a price reduction and has created a presentation on why the City Council should reconsider.

Brief Recess

Back in Session

City Solicitor Megan Bridges shared a presentation with further explanation on the matter.

Councilor Rodrigues commented that he was the one who made the amendment to the order and was told that the council could counteroffer and was voted eight to two. He stated he will vote against reconsideration.

Councilor Rodrigues motion to call the vote for reconsideration and was properly seconded.

Councilor Asack requested a reversal roll call.

Reconsideration taken by a roll call vote taken by "yeas" and "nays"; ten members present and nine voting in the affirmative. Councilor Rodrigues in the negative.

Councilor Monahan motioned to Amend to \$2,447,080 and was properly seconded. The Amendment carried by a roll call vote taken by "yeas" and "nays"; ten members present and nine voting in the affirmative. Councilor Rodrigues in the negative.

Adopted as Amended by a roll call vote taken by "yeas" and "nays"; ten members present and nine voting in the affirmative. Councilor Rodrigues in the negative.

Councilor Nicastro filed for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a roll call vote taken by "yeas" and "nays"; ten members present and one voting in the affirmative. Councilors Asack, Cardoso, Eaniri, Farwell, Lally, Mendes, Monahan, Nicastro, and Thompson in the negative.

Petition of James Murphy for a license to Solicit and Canvass on behalf of C C- Teknologies, a Solar and Energy Storage provider. (FAVORABLE)

Granted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative.

516. Ordinance: An Ordinance Creating a Revolving Fund pursuant to Massachusetts General Law, Chapter 44, Section 53E ½ Be it ordained by the City Council of the City of Brockton pursuant to the Massachusetts General Law, Chapter 44, Section 53E ½, that the following language be adopted as a City of Brockton Ordinance: *The Roadway Design and Construction Revolving Fund shall be created. Programs or activities for which the Roadway Design and Construction Revolving Fund may be expended shall be consistent with purposes for road paving, roadway repairs, design and construction of roads in the City of Brockton. Receipts of payments of fines and fees for the engineering, design, construction and paving of projects in the City of Brockton shall be credited to the Roadway Design and Construction Revolving Fund. Expenditures from the Roadway Design and Construction Revolving Fund shall be made on the authority and direction of*

**260. (UNFINISHED BUSINESS CONT.)**

*the Brockton Department of Public Works Commissioner, provided that no more than \$1,000,000 may be expended from the Roadway Design and Construction Revolving Fund during fiscal year 2022. (FAVORABLE)*

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

519.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 as follows: The chart in Sec. 2-127 – Pay Plan See Attached. (FAVORABLE AS AMENDED)

Councilor Asack motioned to table and was properly seconded. Failed by a roll call vote taken by “yeas” and “nays”; ten members present and four voting in the affirmative. Councilors Eaniri, Farwell, Monahan, Nicastro, Rodrigues, and Thompson in the negative.

Ordained by a roll call vote taken by “yeas” and “nays”; ten members present and seven voting in the affirmative. Councilors Asack, Cardoso, and Mendes in the negative. Councilor Thompson motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a roll call vote taken by “yeas” and “nays”; ten members present and four in the affirmative. Councilors Eaniri, Farwell, Monahan, Nicastro, Rodrigues, and Thompson in the negative.

707.Ordered: That the City Council authorizes the total proposed approval of \$7,587.96.  
From: Finance Department – Purchase of Services  
To: Public Consulting Group, Inc.  
(This will be used to pay an invoice dated April 28, 2021) (FAVORABLE)

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

708.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$150,000.  
From: Office of Justice Programs (OJP) – 2021 BJA FY21 The Kevin and Avonte Program: Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities Grant Award  
To: Brockton Police Department- 2021 BJA FY21 The Kevin and Avonte Program: Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities Grant Award Fund  
(These grant funds will be used to re-introduce the Project Lifesaver program into the Brockton Police Department. Locative bracelets and accessories will be purchased to be distributed to individuals with dementia or developmental disabilities, corresponding receivers will be purchased for the Police Station, Project Lifesaver Train the Trainer training will be provided to eight officers all sworn staff and cadets can then be trained in the program, and overtime for bi-monthly battery checks which will also serve as family check-ins and resource referral opportunities will be funded.) (FAVORABLE)

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

709.Ordered: That the City Council authorizes the acceptance of a donation for 28.20 Acres of Vacant Land, Map C4 Lots 12 and 26 Off School St. Pembroke, MA owned by Richard M. Clemence. The value of this land is \$725,000. (FAVORABLE)

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

## 261. (UNFINISHED BUSINESS CONT.)

713. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$68,000.

From: Massachusetts Department of Environmental Protection – Recycling Dividends Program Grant

To: Department of Public Works- Recycling Dividends Program Grant Fund  
(The grant funds will be used to provide payments for municipalities that have implemented specific programs and policies proven to maximize reuse, recycling and waste production and incentives to improve their recycling program. There is no required match for this grant.) (FAVORABLE)

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

### **Councilor’s Recognition**

Councilor Cardoso thanked everyone and stated it was a pleasure serving the City of Brockton. That she has raised three beautiful children in this City and will continue serving the City as a Reregistered Nurse.

Councilor Monahan stated that he has twenty-four years of service in the City of Brockton and is glad he did it. He has made so many friendships throughout the way. He said it’s a sad time and a good time and thanked everyone.

President Farwell recognized former Ward 5 Councilor Denis DeNapoli and thanked him for all his service.

Councilor Eaniri stated he appreciates what was given to him for his Forty-Two years of service in the City of Brockton and thanked everyone the City of Brockton.

President Farwell thanked City Clerk Timothy Cruise for his many years of service in City Council.

Councilor Asack wanted to take a moment to thank GiGi and Bryan from GiGi’s House of Pizza who cooked, served, and donated their time to make 120 meals for the residents of Kennedy Drive on Christmas. She also stated she had learned so much from the Councilors who are leaving and thanked them for everything and she will miss them.

President Farwell wished everyone a Happy and Safe New year.

Meeting adjourned at 8:10PM

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.