

In City Council February 14, 2022

The regularly scheduled meeting of the Brockton City Council was held on Monday, February 14, 2022 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 ten members present. Councilor D'Agostino absent.

Councilor Farwell had a moment of silence for Michael Bishop a former 9/11 New York Firefighter now a resident of Brockton who lost his battle to cancer.

62. Acceptance of the Minutes of the January 24, 2022 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

63. Appointment of Michelle Yaffe of 273 Belmont Avenue, Apt. 2, Brockton, MA 02301, as Parking Clerk for the City of Brockton.

Referred to Finance

64. Appointment of Mary James of 996 Court Street Brockton, MA 02302 to the Council on Aging for a three (3) year term, ending February 2025.

Referred to Finance

65. Appointment of Attorney Shannon Resnick of 131 Samoset Avenue, Hull, Ma. to the position of legislative counsel to the City Council for a two-year term ending in February of 2024.

Referred to Finance

REPORTS:

66. Of the Public Safety Committee for its meeting of February 2, 2022.

Accepted and placed on file

67. Of the Finance Committee for its meeting of February 7, 2022.

Accepted and placed on file

HEARINGS:

Petition of Thompson Realty LLC., of 15 Wilson Road, Windham, NH 03087 for a Garage License Transfer located at 495 Main Street, Brockton, MA 02301.

Kelly Thompson appeared in favor of the petition and was there to answer any questions.

Councilor Nicastro stated she was in favor of this.

Hearing held.

No one was in opposition.

Granted by a hand vote.

18. (CONT.)

COMMUNICATIONS:

68. From the Mayor appointing, Michelle Yaffe of 273 Belmont Avenue, Apt.2, Brockton, MA 02301 as Parking Clerk for the City of Brockton. In accordance with Section 60 of the City Charter, submitting this appointment to the City Council for confirmation.

Accepted and placed on file

69. From the Mayor appointing Mary James of 996 Court Street Brockton, MA 02302 to the Council on Aging for a three (3) year term, ending February 2025.

Accepted and placed on file

70. From the City Clerk appointing Attorney Shannon Resnick of 131 Samoset Avenue, Hull, Ma. to the position of legislative counsel to the City Council for a two-year term ending in February of 2024.

Accepted and placed on file

71. From the Mayor in accordance with the Revised Ordinances of the City of Brockton Chapter 2, Section 2-186 appointing Erica Pereira to the position of Assistant City Solicitor- Full Time for a three-year term, effective November 1st, 2021.

Accepted and placed on file

72. From the Mayor in accordance with the Revised Ordinances of the City of Brockton Chapter 2, Section 2-186 re-appointing Aileen C. Bartlett to the position of Assistant City Solicitor- Full Time for a three-year term, effective February 8, 2022.

Accepted and placed on file

73. From the Mayor in accordance with the Massachusetts Acts of 1990, Chapter 324, re-appointing Troy Clarkson to the position of Chief Financial Officer for a three-year term, ending in February 2025.

Accepted and placed on file

74. From the Emergency Management Director requesting acceptance of the FFY2021 EMPG Grant in the amount of \$51,480 (No match required) This funding will be used to purchase a 2022 Polaris UTV for Fire Department, flashlights and radio equipment.

Accepted and placed on file

75. 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 \$51,480 from.... MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY (MEMA) – EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) to..... BROCKTON EMERGENCY MANAGEMENT AGENCY – EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FUND. These grant funds will be used to purchase a 2022 Polaris Ranger UTV for Fire Department, flashlights and radio equipment. This grant does not require a match.

Accepted and placed on file

76. 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 \$51,480 from from.... MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY (MEMA) – EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) to..... BROCKTON EMERGENCY MANAGEMENT AGENCY – EMERGENCY

19. (COMMUNICATIONS CONT.)

MANAGEMENT PERFORMANCE GRANT (EMPG) FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

77. From the Fire Chief requesting acceptance of the FY 2022 Firefighter Safety Equipment Grant Program in the amount of Fifty thousand dollars (\$50,000.00) from the Commonwealth of Department of Fire Services. This is a non-matching grant with no cost to the city. The Fire Department intends to use this fund to purchase a thermal imaging camera.

Accepted and placed on file

78. 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.... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF FIRE SERVICES- FY2022 FIREFIGHTER SAFETY EQUIPMENT GRANT to..... BROCKTON FIRE DEPARTMENT- FY2022 FIREFIGHTER SAFETY EQUIPMENT GRANT FUND. These grant funds will be used to purchase a thermal imaging camera. This grant does not require a match.

Accepted and placed on file

79. 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 \$50,000 from from.... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF FIRE SERVICES- FY2022 FIREFIGHTER SAFETY EQUIPMENT GRANT to..... BROCKTON FIRE DEPARTMENT- FY2022 FIREFIGHTER SAFETY EQUIPMENT GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

80. From the Acting Chief of Police requesting authorization to expend grant monies related to the FY 2022 Municipal Public Safety Staffing Grant program from the Executive Office of Public Safety and Security in the amount of \$275,000.00.

Accepted and placed on file

81. From the Police Department Grant Coordinator requesting the grant award be processed to allow the City of Brockton to expend the FY2022 Municipal Police Services Staffing Grant from the Executive Office of Public Safety and Security in the amount of \$275,000.00.

Accepted and placed on file

82. 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 \$275,000 from.... EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY – FY2022 MUNICIPAL POLICE SERVICES STAFFING GRANT to..... BROCKTON POLICE DEPARTMENT- FY2022 MUNICIPAL POLICE SERVICES STAFFING GRANT FUND. These grant funds will be used to pay overtime wages for patrol shift minimum staffing; shift overruns, detective investigations; restraining order service, training, community police activities, etc. This grant does not require a match.

Accepted and placed on file

83. 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 \$275,000 from from.... EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY – FY2022 MUNICIPAL POLICE SERVICES STAFFING GRANT to..... BROCKTON POLICE DEPARTMENT- FY2022

20. (COMMUNICATIONS CONT.)

MUNICIPAL POLICE SERVICES STAFFING GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

UNFINISHED BUSINESS:

25. Appointment of Patrick Hill of 39 Patterson Avenue, Brockton, MA 02301 to the position of Commissioner of Public Works of the City of Brockton for a three-year term ending January 2025. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor D’Agostino Absent.

26. Appointment of Monique Screen-Berry of 126 Torrey Street, Brockton, MA 02301 to Zoning Board of Appeals Alternate Member for a three-year term, ending January 2025. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor D’Agostino Absent.

51. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of: \$75,000
From: Election- Purchase of Services \$20,000
and
Auditor- Purchase of Services
\$55,000
To: Auditor Mail- Purchase of Services \$75,000
(This transfer is necessary due to large mailing for the two elections that were held this past year.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor D’Agostino Absent.

56. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$718,400.

From: Executive Office of Public Safety and Security - 2022 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant

To: Brockton Police Department – 2022 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant Fund

(These grant funds will be used to pay for gang prevention efforts throughout the city. Police overtime will be used for outreach efforts to at-risk youth, including a new mentoring program to launch in the fall, hot spot suppression, and SRO/School Police home visits. This award will also fund Old Colony YMCA street outreach and case management services through Safe Corners and positive youth development through Kidz Konnect; Boys and Girls Club memberships, summer camperships, and paid summer counselor positions; mentoring, winter and spring clubs and workshops, a summer academy, and Kidz ‘n the Park program from Brockton Christian Mentoring Initiative, a summer work program run by MassHire YouthWorks; case management and the PLAAY group-based intervention program from Luminosity Behavioral Services; prevention efforts and positive youth development through discussion groups from Health Imperatives positive youth development through recovery art projects from 24 Hr. Power, Inc.; and a Juvenile Justice Jeopardy positive youth development program from Strategies for Youth. This grant requires a match of in-kind services only.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor D’Agostino Absent.

21. (UNFINISHED BUSINESS CONT.)

60. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$150,000.

From: MassDevelopment-Site Readiness Grant

To: Department of Planning and Economic Development-Site Readiness Grant Fund
(These grant funds will be used to prepare a strategy for the implementation of the Trout Brook Urban Renewal Plan. This grant does not require a match.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor D’Agostino Absent.

ORDERS:

84. Ordinance: Be it ordained by the City Council of the City of Brockton, Article II, Section 14-49 “Panhandling” is hereby repealed in its entirety and the sections shall be stricken in their entirety.

Referred to Ordinance

85. Ordinance: An Ordinance Amending Article IV, Section 27-32, C-5 Zone, Office Zones

Be it ordained by the City Council of the City of Brockton, Article IV, Section 27-32 is hereby amended by adding the following language to the list of principal permitted uses:

- e. Research and Development Office or Laboratory*
- f. Independent Senior Residential*
- g. Assisted Care Senior Residential*
- h. Business Incubator*
- i. Agricultural Greenhouse*

Be it further ordained that the Ordinance be amended to provide the following section (4):

Research & Development or Laboratory - Defined

The analysis, testing, and development of products, or services predominantly for scientific research operations in biotechnology, pharmaceuticals, medical equipment, communication & information technology, electronics, computer hardware, and their substantial equivalents. The following standard apply:

- a. Research & Development and/or Laboratory does not include activities involved in fabricating, assembling, warehousing, or sale of products for the retail or wholesale market.*
- b. Ancillary development of mock-up and prototype products is permitted so long as the total floor area devoted to their fabrication or assembly is limited to twenty-five percent (25%) of the gross floor area occupied by the use.*

Referred to Ordinance

86. Ordinance: Amendment to Zoning Map for Parcel IDs identified

Be it ordained, pursuant to Section 27-5 of the City Ordinances “Zoning Map” whereby reference is made to and incorporation of said boundaries of each of the zones established as shown on the map entitled, “The City of Brockton, Massachusetts Zoning District Map” dated November 10, 1967, and thereafter amended, that said map be amended to reflect the following zoning change:

| | | | |
|------------------|----------------|------------------------|-----------------|
| Parcel ID | 143-237 | C-2(current) to | C-5 Zone |
| | 143-092 | C-2(current) to | C-5 Zone |
| | 143-093 | C-2(current) to | C-5 Zone |
| | 143-095 | C-2(current) to | C-5 Zone |
| | 143-097 | C-2(current) to | C-5 Zone |
| | 143-098 | C-2(current) to | C-5 Zone |

22. (ORDERS CONT.)

| | | |
|---------|-----------------|----------|
| 143-087 | C-2(current) to | C-5 Zone |
| 143-086 | C-2(current) to | C-5 Zone |
| 143-085 | C-2(current) to | C-5 Zone |
| 143-084 | C-2(current) to | C-5 Zone |
| 143-088 | C-2(current) to | C-5 Zone |
| 143-236 | C-2(current) to | C-5 Zone |
| 143-077 | C-2(current) to | C-5 Zone |
| 143-078 | C-2(current) to | C-5 Zone |
| 143-079 | C-2(current) to | C-5 Zone |
| 143-080 | C-2(current) to | C-5 Zone |
| 143-081 | C-2(current) to | C-5 Zone |
| 143-090 | C-2(current) to | C-5 Zone |
| 143-082 | C-2(current) to | C-5 Zone |
| 143-089 | C-2(current) to | C-5 Zone |
| 143-083 | C-2(current) to | C-5 Zone |
| 143-236 | C-2(current) to | C-5 Zone |

Referred to Ordinance

87. 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:

Effective date of this Ordinance Amendment shall be July 1, 2022. Enforcement of this Ordinance shall be subject to a supplemental appropriation by the Mayor.

The flat rate salaries to be paid to Poll Workers shall be amended by striking the language “28 per hour” and inserting in its place “\$250 per day” and the following language under miscellaneous for Poll Workers shall be stricken: “Partial hours payable in quarter hour increments”

The flat rate salaries to be paid to Election – Wardens shall be amended by striking the language “\$35 per hour” and inserting in it place “\$300 per day” and the following language under miscellaneous for Election-Warden shall be stricken: “Partial hours payable in quarter hour increments.” Further, the Election-Wardens position shall be amended to include “Clerks”.

Adoption of the above changes shall result in the following:

| <i>Category</i> | <i>Position</i> | <i>Flat Rate</i> | <i>Misc.</i> |
|-----------------|-----------------------------------|----------------------|--------------|
| <i>EL-W</i> | <i>Elections – Wardens/Clerks</i> | <i>\$350 per day</i> | |
| <i>EL-2</i> | <i>Poll Workers</i> | <i>\$250 per day</i> | |

Referred to Ordinance

88. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$51,480.

From: Massachusetts Emergency Management Agency (MEMA)- Emergency Management Performance Grant (EMPG)

To: Brockton Emergency Management Agency- Emergency Management Performance Grant (EMPG) Fund

(These grant funds will be used to purchase a 2022 Polaris Ranger UTV for Fire Department, flashlights and radio equipment. This grant does not require a match.)

Referred to Finance

89. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$50,000.

23. (ORDERS CONT.)

From: Commonwealth of Massachusetts Department of Fire Services- FY2022 Firefighter Safety Equipment Grant
To: Brockton Fire Department- FY2022 Firefighter Safety Equipment Grant Fund
(These grant funds will be used to purchase a thermal imaging camera. This grant does not require a match.)

Referred to Finance

90. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$275,000.

From: Executive Office of Public Safety and Security – FY2022 Municipal Services Staffing Grant

To: Brockton Police Department- FY2022 Municipal Services Staffing Grant Fund
(These grant funds will be used to pay overtime wages for patrol shift minimum staffing; shift overruns, detective investigations; restraining order service, training, community police activities, etc. This grant does not require a match.)

Referred to Finance

91. Resolve: To have Plymouth County District Attorney Timothy Cruz present before the Brockton City Council an update on crime statistics in Brockton and what his office has been doing to address crime in the city as well as the programs offered through the DA's office such as the Safe Streets Meetings and programs for our youth.

Referred to Finance

Councilor's Recognition

Councilor Asack wished Councilor Teixeira a very happy Birthday. She reminded everyone that there is an Ordinance meeting on Thursday February 17th at 6PM and it will be televised. On Wednesday February 16th is Lithuanian Flag Raising held at 3PM at City Hall. The African American Association of Brockton is having a vendor expo on Feb 26th at the Brockton Community Access.

Councilor Mendes reminded everyone there is an Accounts Meeting on Tuesday February 22nd at 6PM in the G.A.R. Room and it will be televised.

Councilor Thompson reminded everyone that there is a Downtown Brockton Association Meeting held via Zoom on February 16th at 11:30AM- 12:30PM you can visit there website to get a login and view the Agenda.

Meeting adjourned at 7:22PM

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.