

In City Council May 23, 2022

The regularly scheduled meeting of the Brockton City Council was held on Monday, May 23, 2022 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 7:04 PM with ten members present. Councilor Minichiello absent.

333. Acceptance of the Minutes of the May 9, 2022 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

334. Appointment of Kelly Young of Brockton, MA 02301 as Director of Veteran's Services Department for the City of Brockton.

Councilor Nicastro motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote.

Mayor Sullivan, Kelly Young, and Councilor Asack spoke briefly

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

335. Appointment of Karen Preval of Brockton, MA 02301 to a three-year term as Auditor for the City of Brockton.

Councilor Mendes motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote.

Mayor Sullivan, Karen Preval, and Councilors Asack and Farwell commented.

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

PETITIONS:

Petition of Verizon New England Inc. proposing to place new facilities -30' of Conduit to AT&T Hand Hole near #170 School St.

Ross Bilodeau representative Verizon New England and appeared in favor of the petition and was there to answer any questions.

Hearing held.

No one was in opposition.

Granted by a hand vote.

Petition of Roger P. Woods Jr., trustee of Brockton Oak LLC, 538 Bedford Street, Suite 9, Abington, MA 02351, for a flammable storage (Aboveground) license transfer located at 650 Oak Street, Brockton, MA 02301.

## 85. (PETITIONS CONT.)

Roger Woods Owner appeared in favor of the petition and was there to answer any questions.

Councilor Asack spoke in favor of the petition.

Hearing held.

No one was in opposition.

Granted by a hand vote.

Petition of Centre Sheridan Realty Trust, of 479 Mohawk Road, Raynham MA, 02767, for a Garage License Transfer located at 530 Centre Street, Brockton, MA 02302.

Attorney Michael Corey spoke on Trustees behalf appeared in favor of the petition and was there to answer any questions.

Councilor Asack and Thompson spoke in favor of the petition.

Hearing held.

No one was in opposition.

Granted by a hand vote.

Petition of Centre Sheridan Realty Trust, of 479 Mohawk Road, Raynham MA, 02767, for a Flammable Storage (Underground) License Transfer located at 530 Centre Street, Brockton, MA 02302.

Attorney Michael Corey spoke on Trustees behalf appeared in favor of the petition and was there to answer any questions.

Councilor Thompson spoke in favor of the petition.

Hearing held.

No one was in opposition.

Granted by a hand vote.

### REPORTS:

336.Of the Finance Committee for its meeting of May 16, 2022.

Accepted and placed on file

337.Of the Real Estate Committee for its meeting of May 16, 2022.

Accepted and placed on file

### COMMUNICATIONS:

338.From the Mayor appointing Kelly Young of Brockton, MA 02301 as Director of Veteran's Services Department for the City of Brockton. In accordance with Section 60 of the City Charter, I hereby submit this appointment to the City Council for confirmation.

Accepted and placed on file

**86. (COMMUNICATONS CONT.)**

339.From the Mayor appointing Karen Preval of Brockton, MA 02301 to a three-year term as Auditor for the City of Brockton. In accordance with Section 60 of the City Charter, I hereby submit this appointment to the City Council for confirmation.

Accepted and placed on file

340.From the Mayor informing the City Council of the official Fiscal Year 2023 Budget Proposal.

Accepted and placed on file

341.From the CFO informing the City Council of the official Fiscal Year 2023 Budget Proposal.

Accepted and placed on file

342.From the Mayor in accordance with the provisions and stipulations of Section 53E ½ of Chapter 44 of the Massachusetts General Laws, recommending the re-authorization of the Comcast Revolving Fund for Fiscal Year 2023, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditures from this fund shall not exceed \$750,000 without further appropriation, during fiscal year 2023, said expenditures to be limited to the cable related activities during fiscal year 2023, including disbursement of funding to the Brockton Community Cable Corporation, and that further, the Mayor shall comply with reporting requirements for revolving funds of M.G.L., Chapter 44, Section 53 1/2 and with the reporting requirements of the contract with Comcast.

Accepted and placed on file

343.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 proposed re-authorization of the Comcast Revolving Fund for Fiscal Year 2023, under the control of the Mayor, from all revenues in excess of \$675,000 from franchise fees from Comcast pursuant to the Cable contract, but further provided that expenditures of such revolving fund revenues shall not exceed \$750,000 without further appropriation, during Fiscal Year 2023, and shall be limited to spending purposes for cable related activities, including funding provided to Brockton Community Cable Corporation, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

344.From the Director of Council on Aging requesting acceptance of \$190,596.00 Formula Grant Funds by the City Council.

Accepted and placed on file

345.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 \$190,596.00 from... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ELDER AFFAIRS-FORMULA GRANT to.....DEPARTMENT OF COUNCIL ON AGING-FORMULA GRANT FUND. These grant funds will be used to fund the Council on Aging and dispersed in the following manner: salary including overtime, energy, department equipment repair, printing, office supplies, and registration, memberships and subscriptions.

Accepted and placed on file

**87. (COMMUNICATONS CONT.)**

346.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 \$190,596.00 from... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ELDER AFFAIRS-FORMULA GRANT to.....DEPARTMENT OF COUNCIL ON AGING-FORMULA GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

347.From the DPW Commissioner requesting reauthorization of the revolving fund FY2023 for the Roadway Design Construction fund.

Accepted and placed on file

348.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council re-authorize the Roadway Design and Construction Revolving Fund, provided that no more than \$1,000,000 may be expended during Fiscal Year 2023.

Accepted and placed on file

349.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 proposed re-authorization of the Roadway Design and Construction Revolving Fund, provided that no more than \$1,000,000 may be expended during Fiscal Year 2023 without a detrimental impact on the continuous provision of the existing level of municipal services.  
This revolving fund was created last year and we are seeking to renew it to have a fund dedicated to repairing city streets.

Accepted and placed on file

350.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$2,000,000.00 from.... CERTIFIED FREE CASH to.... PENSION STABILIZATION FUND.

Accepted and placed on file

351.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 transfer of \$2,000,000.00 from.... CERTIFIED FREE CASH to.... PENSION STABILIZATION FUND without a detrimental impact on the continuous provision of the existing level of municipal services. As part of the Commonwealth's approval for our plan of finance for the recent pension obligation bond (POB), the city committed to funding the pension stabilization fund yearly with \$5 million. We propose using \$2 million in free cash to fund a portion of the first allocation now, taking advantage of free cash this year.

Accepted and placed on file

352.From the Superintendent of Buildings requesting reauthorization of the revolving fund FY2023 for the revolving demolition account.

Accepted and placed on file

**88. (COMMUNICATONS CONT.)**

353.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council re-authorize the Demolition Revolving Fund for the demolition charges and fees for the FY2023, limited to annual expenditures of not more than \$110,000, during FY2023, for demolition costs of buildings of the City of Brockton.

Accepted and placed on file

354.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 proposed re-authorization of Demolition Revolving Fund for the demolition charges and fees for the FY2023, limited to annual expenditures of not more than \$110,000, during FY2023, for *demolition* costs of buildings of the City of Brockton, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

355.From the Executive Director of Parking Authority requesting the following transfer of funds From: Parking Authority Capital Projects Enforcement \$21,271.00 To: Snow Removal \$21,271.00 this transfer will be used to pay snow removal in addition to the funds we have collected for Fiscal Year 2022. Further, we have the funds available for Capital Projects.

Accepted and placed on file

356.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, I hereby recommend that the City Council authorize the transfer of \$21,271.00 from.... PARKING AUTHORITY- CAPITAL to.... PARKING AUTHORITY- SNOW REMOVAL.

Accepted and placed on file

357.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 transfer of \$21,271.00 from.... PARKING AUTHORITY- CAPITAL to.... PARKING AUTHORITY- SNOW REMOVAL without a detrimental impact on the continuous provision of the existing level of municipal services. This transfer will fund additional snow removal costs from the past winter.

Accepted and placed on file

**89. (COMMUNICATONS CONT.)**

358.From the Mayor in accordance with the provisions and stipulations of Section 5B of Ch. 40 of the Massachusetts General Laws, recommending the City Council accepts the fourth paragraph of the M.G.L., Ch. 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund to be effective for the fiscal year beginning on July 1, 2022, or take any other action relative thereto. Expenditures from the Stabilization Fund shall be made on the authority and direction of the Mayor with a vote of the City Council. Also, that the City Council rescind the order that was adopted as amended by the City Council on December 9, 2019 which ordered as follows: Ordered: that the City Council dedicate the following percentage, which may not be less than 25 percent, of the local option excise on retail marijuana sales revenues collected under M.G.L., Ch. 64N ss 3 to the Community Impact Stabilization Fund established under M.G.L., CH. 40, Sec. 5B effective for FY2020 beginning July 1, 2019, or take any other action relative thereto.

Accepted and placed on file

359.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 proposed fourth paragraph of the M.G.L., Ch. 40, Section 5B, and that the City Council rescind the order that was adopted as amended by the City Council on December 9, 2019 without a detrimental impact on the continuous provision of the existing level of municipal services. This proposal was developed over many months through collaboration between the Law Department and Finance Department.

Accepted and placed on file

360.From the Superintendent of Buildings requesting reauthorization of the revolving fund FY2023 for the Vacant/Abandoned Buildings Revolving fund.

361.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council re-authorize the Vacant and Abandoned Buildings Revolving Fund for the sole purpose of maintaining the Abandoned Building Registry, limited to annual expenditures of not more than \$250,000, during FY2023, for the registration of vacant and abandoned buildings.

Accepted and placed on file

362.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 proposed re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the sole purpose of maintaining the Abandoned Building Registry, limited to annual expenditures of not more than \$250,000, during FY2023, for the registration of vacant and abandoned buildings without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

**90. (COMMUNICATONS CONT.)**

363.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$185,000.00 from.... CERTIFIED FREE CASH to.... EDUCATION- COLLABORATIVE PROGRAMS SOUTHEASTERN REGIONAL SCHOOL.

Accepted and placed on file

364.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 transfer of \$185,000.00 from.... CERTIFIED FREE CASH to.... EDUCATION- COLLABORATIVE PROGRAMS SOUTHEASTERN REGIONAL SCHOOL without a detrimental impact on the continuous provision of the existing level of municipal services. The budget for Southeastern Regional School was cut by the Council during last year's budget hearing. This restores the current year's budget to the required amount using available free cash.

Accepted and placed on file

365.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$750,000 from.... CABLE REVOLVING FUND – to.... BROCKTON SCHOOL DEPARTMENT-FACILITIES REVOLVING ACCOUNT without a detrimental impact on the continuous provision of the existing level of municipal services. This transfer will be used for the renovations to the Brockton High School's Auditorium.

Accepted and placed on file

366.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 transfer of \$750,000 from.... CABLE REVOLVING FUND – to.... BROCKTON SCHOOL DEPARTMENT-FACILITIES REVOLVING ACCOUNT without a detrimental impact on the continuous provision of the existing level of municipal services. This funding is for a collaborative effort between the City and the Brockton Public Schools to upgrade and repair audio and video equipment in the auditorium at Brockton High School.

Accepted and placed on file

367.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... 2022 BLUE CROSS AND BLUE SHIELD (BCBS) OF MASSACHUSETTS NATIONAL FITNESS CAMPAIGN- FY22 NATIONAL FITNESS CAMPAIGN GRANT to.....PARKS AND RECREATION DEPARTMENT– FY22 NATIONAL FITNESS GRANT FUND. These grant funds will be used by the Parks and Recreation Department to renovate Tukis Playground into a Fitness Court to meet the differing needs of a shifting community.

Accepted and placed on file

**91. (COMMUNICATONS CONT.)**

368.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...2022 BLUE CROSS AND BLUE SHIELD (BCBS) OF MASSACHUSETTS NATIONAL FITNESS CAMPAIGN- FY22 NATIONAL FITNESS CAMPAIGN GRANT to.....PARKS AND RECREATION DEPARTMENT– FY22 NATIONAL FITNESS GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

369.From the Acting 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 Substances Addition Services (BSAS) in the additional amount of \$5,415.30 to be distributed between the police and fire departments as needed.

Accepted and placed on file

370.From the Police Department Grant Coordinator requesting the attached grant award documents be processed to allow the City of Brockton to expend additional funds from the FY 2022 First Responders Naloxone Grant from the Massachusetts Department of Public Health, Bureau of Substances Addition Services (BSAS) in the additional amount of \$5,415.30 to be distributed between the police and fire departments as needed. There is no required match for these funds.

Accepted and placed on file

371.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, I hereby recommend that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$5,415.30 from... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH- FY22 FIRST RESPONDERS NALOXONE GRANT to..... BROCKTON POLICE DEPARTMENT– FY22 FIRST RESPONDERS NALOXONE GRANT FUND. These grant funds will be used by both Police and Fire Departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug.

Accepted and placed on file

372.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 \$5,415.30 from... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH- FY22 FIRST RESPONDERS NALOXONE GRANT to.....BROCKTON POLICE DEPARTMENT– FY22 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:**

Councilor Farwell motioned after reading to take items # 45-48 collectively and was properly seconded. The motion carried by a hand vote.

277.Appointment of Robert Simpson of 29 Keswick Road Brockton, MA 02302 to the License Commission for a three-year term, ending May 2025.



## 92. (UNFINISHED BUSINESS CONT.)

280. Appointment of Paul Beckner of 92 Quincy St., Brockton, MA 02302 as an alternate for the Council on Aging for a three-year term, ending May 2025.
278. Re-appointment of Karlene Derozier-Brizard of 31 Frost Ave Brockton, Ma 02301 to the Women's Commission for a three-year term, ending May 2025.
279. Re-appointment of Janice Johnson-Plumer of 126 Peterson Avenue, Brockton, MA 02302 to the Women's Commission for a three-year term, ending May 2025.

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

373. Corrected Order: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **ASPEN STREET**, extending from Keswick Road, northerly, to Rodwell Street, a distance of about 1,088 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, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto and parties unknown. Said layout of said street, being 50.00 feet in width, is shown more particularly on a plan entitled "BUTLER PARK, Revision of Lots at Brockton, Brockton, Mass., Scale 1" = 40', January 30, 1959", drawn by Bradford Saivetz C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 719.

The land taken is more fully described as follows: All the land within the limits of a private way known as **Aspen Street**, supposed to belong to parties unknown, being a strip of land 50.00 feet in width, extending from Keswick Road, northerly, to Rodwell Street, a distance of about 1,088 feet, more or less, as shown on the herein described plan, to which reference is hereby made for a more particular description. And we have considered and estimated the damages sustained by all persons who have not waived damages in their several estates as follows: NO AWARDS. (FAVORABLE)

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

374. Corrected Order: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **RODWELL STREET**, extending from Aspen Street, northeasterly, to Keswick Road, a distance of about 300 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, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto and parties unknown. Said layout of said street, being 50.00 feet in width, is shown more particularly on a plan entitled "BUTLER PARK, Revision of Lots at Brockton, Brockton, Mass., Scale 1" = 40', January 30, 1959", drawn by Bradford Saivetz, C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 719.

The land taken is more fully described as follows: All the land within the limits of a private way known as **Rodwell Street**, supposed to belong to parties unknown, being a strip of land 50.00 feet in width, extending from Aspen Street, northeasterly, to Keswick Road, a distance of about 300 feet, more or less, as shown on the herein described plan, to which reference is hereby made for a more particular description. And we have considered and estimated the damages sustained by all persons who have not waived damages in their several estates as follows: NO AWARDS. (FAVORABLE)

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

**93. (UNFINISHED BUSINESS CONT.)**

375. Corrected Order: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **VICTORY STREET**, extending from Aspen Street, westerly, to Bourne Street Street, a distance of about 450 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, said easement passing by or over lands of those persons shown on "EXHIBIT A", attached hereto and parties unknown. Said layout of said street, being 42.00 feet in width, is shown more particularly on a plan entitled "BUTLER PARK, Revision of Lots at Brockton, Brockton, Mass., Scale 1" = 40', January 30, 1959", drawn by Bradford Saivetz, C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 719.

The land taken is more fully described as follows: All the land within the limits of a private way known as **Victory Street**, supposed to belong to parties unknown, being a strip of land 42.00 feet in width, extending from Aspen Street, westerly, to Bourne Street, a distance of about 450 feet, more or less, as shown on the herein described plan, to which reference is hereby made for a more particular description. And we have considered and estimated the damages sustained by all persons who have not waived damages in their several estates as follows: NO AWARDS. (FAVORABLE)

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

248. Ordered: That the City Council hereby declares that the land off Thatcher Street in Brockton, MA identified as LOT A containing 40,000 sq. ft., described in a plan dated December 9, 2021 entitled "PROPOSED ACQUISITION in BROCKTON, PLYMOUTH, MA", scale 1' = 50', prepared by J.K. Holmgren Engineering, Inc., Registered Professional Engineers and Land Surveyors, and more fully identified in Exhibit A attached hereto is surplus property and available for disposition and the Mayor and/or Treasurer be authorized to execute any and documents necessary to sell the property to Thatcher Street East LLC, a Massachusetts Limited Liability Corporation having a usual place of business at 561 Thatcher Street, Brockton, Plymouth County, reserving to itself an easement in Lot A for purposes of, installing, Maintain, replacing, removing and using underground utilities, including without limitation sewers, drains, water mains, gas pipes, underground electric lines, underground telephone lines and underground cable television lines therein and thereunder under the easement area, (all of which underground sewers, drains, water mains, gas pipes, electric light, power and telephone wires and cable television lines shall remain the property of the persons installing the same). (FAVORABLE)

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

317. Ordered: That the City of Brockton will revoke the provisions of Chapter 44, § 53F½ of the Massachusetts General Laws, ceasing the Renewable Energy Fund as an enterprise fund effective fiscal year Fiscal Year 2023. (FAVORABLE)

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

Councilor Farwell motioned to take items # 54-56 collectively and was properly seconded. The motion carried by a hand vote.

318. 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: \$78,000  
FROM..... ASSESSORS OFFICE-PURCHASE OF SERVICES \$78,000  
TO..... ASSESSORS OFFICE-FULL TIME SALARIES \$78,000 (FAVORABLE)

**94. (UNFINISHED BUSINESS CONT.)**

319. 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: \$22,880.05  
FROM: EMERGENCY MANAGEMENT AGENCY- PURCHASE  
OF SERVICES \$2,048  
HUMAN RESOURCES-FULL TIME SALARIES \$20,832.05  
TO: EMERGENCY MANAGEMENT AGENCY- FULL TIME  
SALARIES \$22,880.05 (FAVORABLE AS AMENDED)

321. 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: \$61,128  
FROM: LAW DEPARTMENT-PURCHASE OF SERVICES \$20,000  
HUMAN RESOURCES-FULL TIME SALARIES \$41,128  
TO: LAW DEPARTMENT-FULL TIME SALARIES \$61,128 (FAVORABLE)

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

322. 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: \$50,000  
From: Department of Public Works- Highway- Personal Services- Other Than Overtime  
To: Department of Public Works- Highway- Personal Services- Overtime  
(This transfer is necessary in order to cover projected overtime expenses and emergencies for the remainder of the fiscal year.) (FAVORABLE)

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

Councilor Nicastro Motioned to take items # 58 & 60 collectively after reading and was properly seconded. The motion carried by a hand vote.

323. Ordered: That the City of Brockton appropriates the amount of Sixteen Million Dollars (\$16,000,000) to pay costs of designing, reconstructing and rehabilitating the City’s sewer system, including, but not limited to cleaning, inspecting and relining sewer lines and mains, manhole rehabilitation, bypass pumping and all other costs incidental and related thereto. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under G.L. c. 44, §8(4), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. 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)

**95. (UNFINISHED BUSINESS CONT.)**

325. Ordered: That the City of Brockton appropriates the amount of Thirty-Four Million, Eight Hundred Thousand Dollars (\$34,800,000) to pay costs of designing, constructing, equipping and furnishing an advanced water reclamation facility (AWRF) necessary for the efficient disposal of biosolids, which project will include, but not be limited to, demolition of the existing incinerator, installation of new sludge thermal dryers, sludge conveyance equipment and all other ancillary systems and any other related repairs and upgrades to the AWRF, and including the payment of all costs incidental and related thereto. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under G.L. c. 44, §7(1), §8(14), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

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)

Councilor Nicastro commented. Councilor Nicastro motioned to postpone item #58 & 60 to June 9, 2022 City Council special meeting and was properly seconded.

Councilors Asack, Rodrigues, Farwell, and D'Agostino commented on the motion.

The motion carried by a hand vote.

324. Ordered: That the City of Brockton appropriates the amount of Six Hundred Thousand Dollars (\$600,000) to pay costs of conducting a lead service line inventory and creating a detailed electronic database and map of the City's water service lines, including the payment of all costs incidental and related thereto. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under G.L. c. 44, §7(7), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. 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)

Passed to a third reading by a hand vote.

329. 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: \$48,011.95  
From: Department of Public Works- Highway- Snow Removal  
To: Department of Public Works- Highway- Personal Services- Other Than Overtime  
(FAVORABLE)

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

327. 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: \$635,456.00  
From: Department of Public Works- Highway- Purchase of Services  
To: Department of Public Works- Highway- Capital  
(These funds will be used for the purchase of snow and ice removal equipment.)  
(FAVORABLE)

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

**96. (UNFINISHED BUSINESS CONT.)**

320. 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: \$19,079

FROM: TREASURER/COLLECTOR-PURCHASE OF SERVICES \$4,000

HUMAN RESOURCES-FULL TIME SALARIES \$15,079

TO: TREASURER/COLLECTOR-FULL TIME SALARIES \$19,079 (FAVORABLE)

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

326. 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: \$297,495

From: Certified Free Cash

To: Brockton Police Department – Capital Vehicles (FAVORABLE)

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

328. 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: \$1,400,000

From: Public Property- Vacant and Abandoned Building Revolving Fund

To: Public Property - Capital (FAVORABLE)

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

332. Resolve: To have Tim Carpenter, Superintendent of Parks, appear before the Brockton City Council Standing Committee on Finance, to discuss efforts for the spring time cleanup and opening of athletic fields and parks in the City of Brockton. Further resolved to have Mr. Carpenter give an update on the plans and timelines concerning repair and rehabilitation of multiple City of Brockton parks and playgrounds. Be it further resolved to have Mr. Carpenter report on the methods, and rules and regulations used for permitting groups to use the city Parks and athletic fields. (FAVORABLE)

Adopted by a hand vote. Councilor Minichiello absent.

**ORDERS:**

376. Ordered: Receipt of the proposed Fiscal Year 2023 Budget Appropriations.

Referred to Finance

377. Ordered: That the City Council authorize the re-authorization of the Comcast Revolving Fund for FY2023, from all cash receipts from Comcast franchise fees, in excess of \$675,000, pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed \$750,000 without further appropriation, during Fiscal Year 2023.

Referred to Finance

**97. (ORDERS CONT.)**

378. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$190,596.00.

From: Commonwealth of Massachusetts Executive Office of Elder Affairs- Formula Grant

To: Department of Council on Aging- Formula Grant Fund

(These grant funds will be used to fund the Council on Aging and dispersed in the following manner: salary including overtime, energy, department equipment repair, printing, office supplies, and registration, memberships and subscriptions.)

Referred to Finance

379. Ordered: That the City Council authorize the re-authorization of the Roadway Design and Construction Revolving Fund for the Fiscal Year 2023 for the sole purposes of funding the creation and maintenance of 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 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 2023. The Brockton Department of Public Works Commissioner shall comply with the reporting requirements of M.G.L., Ch. 44, Section 53E1/2.

Referred to Finance

380. 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: \$2,000,000.00

From: Certified Free Cash

To: Pension Stabilization Fund

Referred to Finance

381. Ordered: That the City Council authorize the re-authorization of the Demolition Revolving Fund for the FY2023 for the sole purpose of helping to fund cost in connection with demolition of buildings in the City of Brockton. The Demolition Revolving Fund shall receive the receipt of payments of all demolition charges of the City of Brockton. Expenditures from the Demolition Revolving Fund shall be made at the direction of the Building Superintendent, with the written approval of the Mayor, provided that not more than \$110,000 may be so expended from the Demolition Revolving Fund during FY2023. The Building Superintendent shall comply with reporting requirement of M.G.L., Chapter 44, Section 53E ½.

Referred to Finance

382. 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: \$21,271.00

From: Parking Authority- Capital

To: Parking Authority- Snow Removal

Referred to Finance

383. Ordered: The City accepts the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2022, or take any other action relative thereto.

Referred to Finance

**98. (ORDERS CONT.)**

384.Ordered: To see if the city will dedicate all or a percentage, which may not be less than 25 percent, of the community impact fees, including but not limited to medical and recreational fees, collected under Massachusetts General Laws Chapter 94G and related Host Community Agreements to the Community Impact Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for fiscal year beginning on July 1, 2022, or take any other action relative thereto.

Referred to Finance

385.Ordered: That the City Council authorize the re-authorization of the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Building Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Buildings Revolving Fund shall be made on the authority and direction of the Building Superintendent, provided that no more than two hundred and fifty thousand (\$250,000) may be so expended without further appropriation from the Vacant and Abandoned Buildings Revolving Fund during the FY23. The Building Superintendent shall comply with the reporting requirements of M.G.L., Ch 44. Section 53E ½.

Referred to Finance

386.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: \$185,000.00  
From: Certified Free Cash  
To: Education- Collaborative Programs Southeastern Regional School

Referred to Finance

387.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: \$750,000  
From: Cable Revolving Fund  
To: Brockton Public School – Facilities Revolving Account  
(This transfer will be used for the renovations to the Brockton High School’s Auditorium.)

Referred to Finance

388.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$50,000  
From: 2022 Blue Cross and Blue Shield (BCBS) of Massachusetts National Fitness Campaign- FY22 National Fitness Campaign Grant  
To: Parks and Recreation Department- FY22 National Fitness Campaign Grant Fund  
(These grant funds will be used by the Parks and Recreation Department to renovate Tukis Playground into a Fitness Court to meet the differing needs of a shifting community.)

Referred to Finance

**99. (ORDERS CONT.)**

389.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$5,415.30  
From: Commonwealth of Massachusetts Department of Public Health- FY22 First Responders Naloxone Grant  
To: The Brockton Police Department- FY22 First Responders Naloxone Grant Fund (These grant funds will be used by both Police and Fire Departments to purchase Naloxone, otherwise known as Narcan, and supplies related to the administering of this drug.)

Councilor Farwell 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”; ten members present and all voting in the affirmative. Councilor Minichiello absent.

390.Resolved: To have an Ad Hoc committee made up of the City Clerk, the Chief Financial Officer and the City Auditor, or their designees, investigate the compensation and staffing levels of the Mayor’s Office, City Council and School Committees of similar Gateway Cities to the City of Brockton in size and scope in Massachusetts.

Referred to Finance

391.Resolved: To have an Ad Hoc committee made up of the City Clerk, the Elections Commissioner and the City Solicitor, or their designees, research and define the process for possible changes to the term of office for City Government in the City of Brockton. Be it further resolved to have this committee examine other cities in the Commonwealth of Massachusetts as to their City Charters and lengths of terms of office.

Referred to Finance

Late Files

Councilor Thompson motioned to accept a late file and was properly second. The motion carried by a hand vote.

Communication:

392.From the Emergency Management Director requesting acceptance of the grant award FY2021-22 Hazardous Material Emergency Preparedness (HMEP) Grant in the amount of \$2,617.00 (No match required). This funding will be used to purchase office supplies and materials to be used for planning purposes.

Accepted and placed on file

393.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 \$2,617.00 from ... COMMONWEALTH OF MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY (MEMA)- FY2021-22 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT to.... EMERGENCY MANAGEMENT AGENCY DEPARTMENT-FY2021-22 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT FUND. These grant funds will be used by the Emergency Management Department to purchase office supplies and materials to be used for planning purposes.

Accepted and placed on file



**100. (LATE FILES CONT.)**

394. 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 \$2,617.00 from... COMMONWEALTH OF MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY (MEMA)- FY2021-22 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT to.... EMERGENCY MANAGEMENT AGENCY DEPARTMENT- FY2021-22 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

Order:

395. ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$2,617.00.  
From: Commonwealth of Massachusetts Emergency Management Agency (MEMA)- FY2021-22 Hazardous Materials Emergency Preparedness (HMEP) Grant  
To: Emergency Management Agency Department- FY2021-22 Hazardous Materials Emergency Preparedness (HMEP) Grant Fund  
(These grant funds will be used by the Emergency Management Department to purchase office supplies and materials to be used for planning purposes.)

Referred to Finance

Councilor Teixeira motioned to accept a late file and was properly second. The motion carried by a hand vote.

Communication:

396. From the Police Department Grant Coordinator requesting the attached documents be processed to allow the Brockton Police Department to expend a donation from the Boys and Girls Clubs of Metro South in the form of in-kind services and funding from Nancy Lieberman Charities in the form of goods and supplies in the amount of \$8,605.00 for the purpose of holding two weeks of a Junior Cadet Program for Brockton youth this summer.

Accepted and placed on file

397. 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 \$8,605.00 from...BOYS & GIRLS CLUBS OF METRO SOUTH- NANCY LIEBERMAN CHARITIES GRANT to...BROCKTON POLICE DEPARTMENT- NANCY LIEBERMAN CHARITIES GRANT FUND. This donation will fund two weeks of a Junior Cadet program for Brockton youth between the ages of 14 and 16 this summer.

Accepted and placed on file

## 101. (LATE FILES CONT.)

398. 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 \$8,605.00 from...BOYS & GIRLS CLUBS OF METRO SOUTH-NANCY LIEBERMAN CHARITIES GRANT to...BROCKTON POLICE DEPARTMENT- NANCY LIEBERMAN CHARITIES GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

Order:

399. ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$8,605.00

From: Boys & Girls Clubs of Metro South-Nancy Lieberman Charities Grant

To: The Brockton Police Department-Nancy Lieberman Charities Grant Fund

(This donation will fund two weeks of a Junior Cadet program for Brockton youth between the ages of 14 and 16 this summer.)

Referred to Finance

### **Councilor's Recognition**

President Lally stated that the Special meeting will be called soon and it's on Thursday June 9 and that he spoke with the CFO and the Budget books will be delivered Friday.

Councilor Asack reminded everyone that The City of Brockton will have its annual Memorial Day Parade Monday May 30 starting at 10 AM at the War memorial building. Also, June 2 is Italian Flag raising and its at the City Hall.

Councilor Nicastro stated that Wednesday May 25 is the Public safety meeting in Council Chambers and next Wednesday June 1 she will be hosting a Ward 4 meeting at the Davis School on Plain St.

Councilor Farwell stated that June 1 at 6:30PM Boston Medical staff will be at the Hancock School to discuss the new program and building going in on North Pearl Street.

Councilor Thompson stated that on Saturday May 28 at 9AM they are having another Clean up Event at Salisbury Park on Crescent St.

Meeting adjourned at 8:15 PM

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.