

In City Council June 27, 2022

The regularly scheduled meeting of the Brockton City Council was held on Monday, June 27, 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 seven members present. Councilors D'Agostino, Mendes, Tavares, and Thompson absent.

402. Acceptance of the Minutes of the May 23, 2022 City Council meeting.

Accepted and placed on file

403. Acceptance of the Minutes of the June 9, 2022 Special City Council meeting.

Accepted and placed on file

Councilors Mendes and Tavares stepped in.

APPOINTMENTS:

Councilor Farwell motioned to move under suspension of rules and take items #3-5 collectively and was properly seconded. the motion carried by a hand vote.

404. Promotion of Fire Captain Robert D. Hendrigan Jr. to the rank of Fire Deputy Chief on the Brockton Fire Department.

405. Promotion of Lieutenant Ronald J. Giguere Jr. to the rank of Fire Captain in the Brockton Fire Department.

406. Promotion of Firefighter Ryan P. Moffett to the rank of Fire Lieutenant in the Brockton Fire Department.

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent. Councilor Farwell 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

407. Promotion of Officer Kristen O'Brien-Hilliard to the rank of Sergeant in the Brockton Police Department.

Councilor Asack 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. Councilors D'Agostino and Thompson 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.

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

106.(Appointments Cont.)

Communication:

463. From the Acting Chief of Police recommending the appointment of the following four Police Recruits to Police Officers as they have completed the police Academy:

Vandaly Fernandes
Nicholas Schifone
Delcio Silva
Antonio Sousa

Accepted and placed on file

464. From the Mayor recommending the appointment of the following four Police Recruits to Police Officers as they have completed the police Academy:

Vandaly Fernandes
Nicholas Schifone
Delcio Silva
Antonio Sousa

Accepted and placed on file

Appointment:

465. Appointment of the following four Police Recruits to Police Officers as they have completed the Police Academy:

Vandaly Fernandes
Nicholas Schifone
Delcio Silva
Antonio Sousa

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

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

Communication:

466. From the Acting Police Chief requesting the Appointment of the following officer Alicia Fernandes.

Accepted and placed on file

467. From the Mayor Appointing City of Brockton School police Officer Alicia Fernandes of 56 Ford Street Brockton, MA 02301 as a Special Police Officer.

Accepted and placed on file

Appointment:

468. Appointment of City of Brockton School Police Officer Alicia Fernandes of 56 Ford Street Brockton, MA 02301 as a Special Police Officer.

Referred to Finance

107.(Appointments Cont.)

408.Re-Appointment of Sonja Dixon of 55 City Hall Plaza Brockton MA 02301 to the Women's Commission for a three-year term, ending June 2025.

Referred to Finance

409.Re-appointment of Timothy J. Sullivan of 9 Payton Court Brockton, MA 02301 to the Brockton Housing Authority Board for a five-year term, ending June 2027.

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"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent.

410.Appointment of Rita Spinola of 27 Vermont Avenue Brockton, MA 02302 to the Women's Commission for a three-year term, ending June 2025.

Referred to Finance

411.Appointment of Scott D. Uhlman of 142 Cashman Road Brockton, MA 02301 as an Alternate Member of the License Commission for a three-year term, ending June 2025.

Referred to Finance

HEARINGS:

Petition of National Grid to install a new pole, P76-84 on N. Quincy St. order to relocate guy wire from the tree to a new pole.

Marcial Lobaton representative National Grid and appeared in favor of the petition and was there to answer any questions.

Fabiola a resident on N. Quincy St. commented.

Hearing held.

No one was in opposition.

Granted by a hand vote.

Petition of National Grid to install a new pole, P 0-50 on Oak Hill Way between P13 Sargent's Way & P 1 Oak Hill Way in order to raise low wires higher crossing from Sargent's Way onto Oak Hill Way.

Marcial Lobaton representative National Grid and appeared in favor of the petition and was there to answer any questions.

Councilor Nicastro commented.

Hearing held.

No one was in opposition.

Granted by a hand vote.

108.(Petition Cont.)

PETITIONS:

Petition requesting approval change of Control/Ownership to replace all existing shareholders of Leaf Relief, Inc. to Philip C. Nessralla.

Attorney Scott Rubin and Philip C. Nessralla appeared in favor of the petition and were there to answer any questions.

Councilors Farwell, Asack, Minichiello, Rodrigues, Nicastro, Mendes commented.

Councilor Rodrigues motioned to Postpone and was properly seconded. Failed by a roll call vote taken by “yeas” and “nays”; nine members present and four in the affirmative. Councilors Asack, Lally, Mendes, Minichiello, and Teixeira in the negative. Councilors D’Agostino and Thompson absent.

Granted by a roll call taken by “yeas” and “nays”; nine members present and five voting in the affirmative. Councilors Farwell, Nicastro, Rodrigues, and Tavares in the negative. Councilors D’Agostino and Thompson absent.

REPORTS:

412.Of the Planning Committee for its meeting of May 4, 2022 and June 10, 2022.

Accepted and placed on file

413.Of the Ordinance Committee for its meeting of May 17, 2022.

Accepted and placed on file

414.Of the Public Safety Committee for its meeting of May 25, 2022.

Accepted and placed on file

415.Of the Finance Committee for its meeting of June 9, 2022 & June 21, 2022.

Accepted and placed on file

COMMUNICATIONS:

416.From the Fire Chief recommending the promotion of Fire Captain Robert D. Hendrigan Jr. to the rank of Fire Deputy Chief on the Brockton Fire Department. This promotion is due to the retirement of Deputy Joseph M. Marchetti.

Accepted and placed on file

417.From the Mayor recommending the promotion of Fire Captain Robert D. Hendrigan Jr. to the rank of Fire Deputy Chief on the Brockton Fire Department. This promotion is due to the retirement of Deputy Joseph M. Marchetti.

Accepted and placed on file

418.From the Fire Chief recommending the promotion of Lieutenant Ronald J. Giguere Jr. to the rank of Fire Captain in the Brockton Fire Department. This promotion is due to the promotion of Fire Captain Robert D. Hendrigan Jr.

Accepted and placed on file

109.(Communication Cont.)

419.From the Mayor recommending the promotion of Lieutenant Ronald J. Giguere Jr. to the rank of Fire Captain in the Brockton Fire Department. This promotion is due to the promotion of Fire Captain Robert D. Hendrigan Jr.

Accepted and placed on file

420.From the Fire Chief recommending the promotion of Firefighter Ryan P. Moffett to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the promotion of Fire Lieutenant Ronald J. Giguere, Jr.

Accepted and placed on file

421.From the Mayor recommending the promotion of Firefighter Ryan P. Moffett to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the promotion of Fire Lieutenant Ronald J. Giguere, Jr.

Accepted and placed on file

422.From the Acting Police Chief recommending the promotion of Officer Kristen O'Brien-Hilliard to the rank of Sergeant as she is one of the top-ranked candidates on the promotional list.

Accepted and placed on file

423.From the Mayor recommending the promotion of Officer Kristen O'Brien-Hilliard to the rank of Sergeant as she is one of the top-ranked candidates on the promotional list.

Accepted and placed on file

424.From the Mayor re-appointing Sonja Dixon of 55 City Hall Plaza Brockton MA 02301 to the Women's Commission for a three-year term, ending June 2025.

Accepted and placed on file

425.From the Mayor re-appointing Timothy J. Sullivan of 9 Payton Court Brockton, MA 02301 to the Brockton Housing Authority Board for a five-year term, ending June 2027.

Accepted and placed on file

426.From the Mayor appointing Rita Spinola of 27 Vermont Avenue Brockton, MA 02302 to the Women's Commission for a three-year term, ending June 2025.

Accepted and placed on file

427.From the Mayor appointing Scott D. Uhlman of 142 Cashman Road Brockton, MA 02301 as an Alternate Member of the License Commission for a three-year term, ending June 2025.

Accepted and placed on file

428.From the Mayor advising the City Council that effective June 3, 2022 Lt. Brenda Perez has been reappointed as Acting Police Chief for the City of Brockton pursuant to Massachusetts General Laws Chapter 41, Section 61A.

Accepted and placed on file

110.(Communication Cont.)

429.From the Mayor informing the City Council that Joanne Zygmunt is stepping down from the Conservation Commission effective May 20, 2022. Ms. Zygmunt is stepping down due to moving out of the City of Brockton.

Accepted and placed on file

430.From the Mayor informing the City Council that Sam Ambroise is stepping down from the Planning Board effective May 25, 2022. Ms. Ambroise is stepping down due to moving out of the City of Brockton.

Accepted and placed on file

431.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$1,483,724.96

FROM:	CERTIFIED FREE CASH	\$1,483,724.96
TO:	PARKS DEPARTMENT-CAPITAL	\$113,854.16
	LIBRARY DEPARTMENT-CAPITAL	\$700,000
	POLICE DEPARTMENT-CAPITAL	\$669,870.80

Accepted and placed on file

432.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 \$1,483,724.96

FROM:	CERTIFIED FREE CASH	\$1,483,724.96
TO:	PARKS DEPARTMENT-CAPITAL	\$113,854.16
	LIBRARY DEPARTMENT-CAPITAL	\$700,000
	POLICE DEPARTMENT-CAPITAL	\$669,870.80

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

Accepted and placed on file

433.From the Acting Police Chief requesting authorization to accept 67 child passenger safety seats with a value of \$7,491.15 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security Office of Grants and Research 2022 Car Seat Distribution Program.

Accepted and placed on file

434.From the Police Department Grant Coordinator requesting that the City Council allow the Brockton Police Department to accept 67 child passenger safety seats with a value of \$7,491.15 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security Office of Grants and Research 2022 Car Seat Distribution Program.

Accepted and placed on file

111.(Communication Cont.)

435.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation and expenditure of the grant award in the amount of \$7,491.15 from.....THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY OFFICE OF GRANTS AND RESEARCH (EOPSS/OGR) -FY22 CAR SEAT DISTRIBUTION GRANT to.....CITY OF BROCKTON POLICE DEPARTMENT - FY22 CAR SEAT DISTRIBUTION GRANT PROGRAM FUND. These grant funds will be used by the Brockton Police Department to purchase sixty-seven child passenger safety seats for installation for caregivers in need.

Accepted and placed on file

436.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 appropriation of the grant award of \$7,491.15 from.....THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY OFFICE OF GRANTS AND RESEARCH (EOPSS/OGR) -FY22 CAR SEAT DISTRIBUTION GRANT to.....CITY OF BROCKTON POLICE DEPARTMENT -FY22 CAR SEAT DISTRIBUTION GRANT PROGRAM FUND, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

437.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the appropriation and expenditure of the grant award in the amount of \$250,000 from.....THE COMMONWEALTH OF MASSACHUSETTS COMMUNITY COMPACT MUNICIPAL FIBER GRANT PROGRAM-FY22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE GRANT PROGRAM to.....CITY OF BROCKTON INFORMATION TECHNOLOGY DEPARTMENT-FY22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE GRANT PROGRAM FUND. These grant funds will allow for the replacement and upgrade of fiber that connects the two main data centers used for Police, Fire, City Hall, and Emergency Management Services for communication and dispatch.

Accepted and placed on file

438.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 appropriation of the grant award of \$250,000 from.....THE COMMONWEALTH OF MASSACHUSETTS COMMUNITY COMPACT MUNICIPAL FIBER GRANT PROGRAM-FY22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE GRANT PROGRAM to.....CITY OF BROCKTON INFORMATION TECHNOLOGY DEPARTMENT-FY22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE GRANT PROGRAM FUND, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

439.From the Emergency Management Director requesting acceptance of the FY23 COVID Safe Cooling Strategies Grant in the amount of \$40,000 (No match required).

Accepted and placed on file

112.(Communication Cont.)

440.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 \$40,000 from...METROPOLITAN AREA PLANNING COUNCIL-FY23 COVID SAFE COOLING STRATEGIES GRANT - to.... EMERGENCY MANAGEMENT DEPARTMENT-FY23 COVID SAFE COOLING STRATEGIES GRANT FUND. These grant funds will be used by the Emergency Management Department for Covid-19 Safe Cooling Strategies Funding: Development and Dissemination of Communications Materials, Distribution of Personal Cooling Equipment, Utility Bill Assistance, and Heat Health Training and Capacity Building.

Accepted and placed on file

441.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 \$40,000 from...METROPOLITAN AREA PLANNING COUNCIL-FY23 COVID SAFE COOLING STRATEGIES GRANT to.... EMERGENCY MANAGEMENT DEPARTMENT-FY23 COVID SAFE COOLING STRATEGIES GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

442.From the Police Department Grant Coordinator requesting that the City Council allow the Brockton Police to accept 50 child passenger safety seats with an approximate value of \$4,500.00 through Buckle Up for Life Gift of Safety Partnership grant program operated by Toyota Motors North America and Cincinnati Children's Hospital.

Accepted and placed on file

443.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 \$4,500 from...TOYOTA MOTORS NORTH AMERICA AND CINCINNATI CHILDREN'S HOSPITAL-FY22 BUCKLE UP FOR LIFE GIFT OF SAFETY PARTNERSHIP GRANT to.... BROCKTON POLICE DEPARTMENT-FY22 BUCKLE UP FOR LIFE GIFT OF SAFETY PARTNERSHIP GRANT PROGRAM. This grant will be used by the Brockton Police Department to purchase car seats for those in need.

Accepted and placed on file

444.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 \$4,500 from...TOYOTA MOTORS NORTH AMERICA AND CINCINNATI CHILDREN'S HOSPITAL-FY22 BUCKLE UP FOR LIFE GIFT OF SAFETY PARTNERSHIP GRANT to.... BROCKTON POLICE DEPARTMENT-FY22 BUCKLE UP FOR LIFE GIFT OF SAFETY PARTNERSHIP GRANT PROGRAM without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

445.From the Treasurer/Collector requesting to transfer \$125,000.00 from Treasurer's Debt-Interest Short Term Notes to Treasurer's-Medicare Tax. This transfer is necessary to cover the expected shortfall through the remainder of the fiscal year.

Accepted and placed on file

113.(Communication Cont.)

446.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$125,000 from.... TREASURER'S DEBT-INTEREST SHORT TERM NOTES to.... TREASURER'S-MEDICARE TAX.

Accepted and placed on file

447.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 \$125,000 from.... TREASURER'S DEBT-INTEREST SHORT TERM NOTES to.... TREASURER'S-MEDICARE TAX, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

448.From the Acting Police Chief requesting acceptance and utilization of the rent-free space provided by New Westgate Mall LLC and Mr. Farrington as a Public Safety Center this donation with an annual value of \$68,580.00 is a no match requirement from the Brockton Police Department.

Accepted and placed on file

449.From the Police Department Grant Coordinator requesting acceptance from the City Council to utilize the rent-free space provided by New Westgate Mall LLC and General Manager Greg Farrington as a Public Safety Center this donation with an annual value of \$68,580.00 is a no match requirement.

Accepted and placed on file

450.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance of a donation for 721 square feet of space and associated amenities located at the Westgate Mall in Brockton. The annual value of this donation is \$68,580. The donated space will be used by the Brockton Police Department for a Public Safety Center.

Accepted and placed on file

451.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the donation for 721 square feet of space and associated amenities located at the Westgate Mall in Brockton. The annual value of this donation is \$68,580 without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

UNFINISHED BUSINESS:

86. Ordinance: An Ordinance Amending the Zoning Map for Parcel IDs identified from C-2 Zone to C-5 Zone. (FAVORABLE)

Passed to a third reading by a hand vote.

114.(Unfinished Business Cont.)

85. Ordinance: An Ordinance Amending the C-5 Zone, Office Zones to add Research and Development Office or Laboratory, Independent Senior Residential, Assisted Care Senior Residential, business Incubator and Agricultural Greenhouse to the list of principal permitted uses: (FAVORABLE AS AMENDED)

Passed to a third reading by a hand vote.

246. Ordinance: An Ordinance relative to permitting and regulation of Food Truck operations in the City of Brockton. (FAVORABLE AS AMENDED)

Passed to a third reading by a hand vote.

247. Ordinance: An Ordinance relative to Zoning regulation and operations of Food Truck in the City of Brockton. (FAVORABLE AS AMENDED)

Passed to a third reading by a hand vote.

257. Ordinance: An Ordinance amending Adult use of Marijuana Zoning Ordinance relative to regulation and zoning of Marijuana Delivery in the City of Brockton. (FAVORABLE)

Passed to a third reading by a hand vote.

275. Ordinance: An Ordinance to remove outdoor seating from Zoning ordinances in the City of Brockton. (FAVORABLE)

Passed to a third reading by a hand vote.

274. Ordinance: An Ordinance to establish licensing and operations of outdoor dining in the City of Brockton. (FAVORABLE AS AMENDED)

Passed to a third reading 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) (IN CITY COUNCIL MAY 23, 2022 PASSED TO A THIRD READING BY A HAND VOTE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent. Councilor Minichiello motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

115.(Unfinished Business Cont.)

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) (IN CITY COUNCIL MAY 23, 2022 POSTPONED TO JUNE 9, 2022 SPECIAL CITY COUNCIL MEETING. IN CITY COUNCIL JUNE 9, 2022 PASSED TO A THIRD READING BY A HAND VOTE.

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent. Councilor Minichiello motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

316. WHEREAS, the City Council adopted an order on July 25, 2016 approving the March 8, 2016 Urban Renewal Plan prepared by A.G. Jennings, LLC and Stantec as an Urban Renewal Plan prepared in accordance with M.G.L. c. 121B and 760 CMR 12.00 and approved the boundaries of the Downtown Urban Revitalization Plan as depicted in Map 1 in the Plan; and WHEREAS, there exists a need to amend the 2016 Urban Renewal Plan to facilitate further development and redevelopment in designated areas in the City to reflect the current status, progress and priorities in the City of Brockton. ORDERED: That the City Council hereby adopt the amended Downtown Urban Revitalization Plan dated April 15, 2022 attached as Exhibit A. This Order authorizes the Mayor to approve minor, non-substantive language changes in the amended Downtown Urban Revitalization Plan if such changes are recommended by the Department of Housing and Community Development or MEPA Office. This Order shall take effect upon its final approval by the Department of Housing and Community Development. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent.

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. (FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent.

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.)
(FAVORABLE)

Adopted by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Thompson absent.

116.(Unfinished Business Cont.)

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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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. (FAVORABLE)

Failed by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the negative. Councilors D’Agostino and Thompson absent.

117.(Unfinished Business 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. (FAVORABLE)

Councilor Farwell motioned An Amendment percentage amended to 33% - Striking 25% “33% revenues to be placed in account for FY2023” and was properly seconded. the motion carried by a hand vote. Adopted As Amended by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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 (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

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.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

118.(Unfinished Business Cont.)

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.) (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent.

400.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. (FAVORABLE)

Adopted by a hand vote. Councilors D’Agostino and Thompson absent.

401.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. (FAVORABLE)

Adopted by a hand vote. Councilors D’Agostino and Thompson absent.

331.Resolve: To invite Scott Mercer, the Executive Director of Brockton Community Access to appear before the Finance Committee of the Brockton City Council to discuss his role at BCA and his plans for the city’s community tv access services. (FAVORABLE)

Adopted by a hand vote. Councilors D’Agostino and Thompson absent.

330.Resolve: To invite Chief Brenda Perez, Acting Chief of the Brockton Police Department to appear before the Standing Committee on Public Safety of the Brockton City Council to discuss public safety concerns that arise during the summer months. The focus, without limitation, will include noise, fireworks and large assemblies. Particular attention will be paid to the application of the City Ordinances and state laws on noise and disturbances of the peace. (FAVORABLE)

Adopted by a hand vote. Councilors D’Agostino and Thompson absent.

119.(Orders Cont.)

ORDERS:

452.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:
 Article III, Section 2-127 is amended by adding the following category:

<i>Information Technology Director</i>	<i>IT</i>
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Article III, Section 2-127 is further amended by striking the wage scale for the position of Data Processing Dept. Head and replacing it with the following:

Category	Position	Min.	2	3	4
<i>IT</i>	<i>Information Technology Director</i>	<i>\$137,465</i>	<i>\$141,558</i>	<i>\$145,805</i>	<i>\$150,179</i>

Be it further ordained by the City Council of the City of Brockton that Article III, Section 2-127A is amended to include the IT category by replacing the first sentence of Section 2-127A, subsection (2) with the following: *After completion of one (1) year of service at the highest salary step for an F, HR, PL, L 1-3, PW, PK, PR, CC, LB, TC, EM, BH or IT position, the employee shall receive an increase up to five percent (5%) of the annual salary at the discretion of the Mayor, and without further approval of the City Council.*

Referred to Ordinance

453.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: \$1,483,724.96	
FROM: Certified Free Cash	\$1,483,724.96
TO: Parks Department-Capital	\$113,854.16
Library Department-Capital	\$700,000
Police Department-Capital	\$669,870.80

Councilor Rodrigues 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. Councilors D’Agostino and Thompson 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.

120.(Orders Cont.)

454.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$7,491.15.

From: The Commonwealth of Massachusetts Executive Office of Public Safety and Security Office of Grants and Research (EOPSS/OGR) - FY22 Car Seat Distribution Grant Program Fund \$7,491.15 To: City of Brockton Police Department-FY22 Car Seat Distribution Grant Fund \$7,491.15 (These grant funds will be used by the Brockton Police Department to purchase sixty-seven child passenger safety seats for installation for caregivers in need.)

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”; nine members present and all voting in the affirmative. Councilors D’Agostino and Thompson absent. Councilor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

455.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$250,000.

From: The Commonwealth of Massachusetts Community Compact Municipal Fiber Grant Program-FY22 Executive Office for Administration and Finance Grant Program \$250,000

To: City of Brockton Information Technology Department-FY22 Executive Office for Administration and Finance Grant Program Fund \$250,000

(These grant funds will allow for the replacement and upgrade of fiber that connects the two main data centers used for Police, Fire, City Hall, and Emergency Management Services for communication and dispatch.)

Referred to Finance

456.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$40,000.

From: Metropolitan Area Planning Council-FY23 COVID Safe Cooling Strategies Grant

To: Emergency Management Department- FY23 COVID Safe Cooling Strategies Grant Fund (These grant funds will be used by the Emergency Management Department for Covid-19 Safe Cooling Strategies Funding: Development and Dissemination of Communications Materials, Distribution of Personal Cooling Equipment, Utility Bill Assistance, and Heat Health Training and Capacity Building.)

Councilor Asack 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”; eight members present and all voting in the affirmative. Councilors D’Agostino, Mendes and Thompson absent.

457.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$4,500.00

From: Toyota Motors North America and Cincinnati Children’s Hospital

To: Brockton Police Department- FY22 Buckle Up for Life Gift of Safety Partnership Grant (This grant will be used by the Brockton Police Department to purchase car seats for those in need.)

Councilor Asack 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”; eight members present and all voting in the affirmative. Councilors D’Agostino, Mendes and Thompson absent.

121.(Orders Cont.)

458.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: \$125,000

From: Treasurer's Debt-Interest Short Term Notes

To: Treasurer's-Medicare Tax

Councilor Rodrigues 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"; eight members present and all voting in the affirmative. Councilors D'Agostino, Mendes and Thompson absent.

459.Ordered: That the City Council authorizes the acceptance of a donation for 721 square feet of space and associated amenities located at the Westgate Mall in Brockton. The annual value of this donation is \$68,580.

Councilor Asack 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"; eight members present and all voting in the affirmative. Councilors D'Agostino, Mendes and Thompson absent.

460.Ordered: That the City Council hereby declare the City owned parcels located at Petronelli Way and Franklin Street, having parcel identifications of Parcel ID: 109-074 (lot B) and Parcel ID: 109-075 (lot E), as surplus and that the Mayor of Brockton is hereby authorized to transfer the same to the Brockton Redevelopment Authority in furtherance of the Downtown Brockton Urban Development Plan as approved by the Brockton City Council on July 25, 2016 in order to accomplish the modifications to the new road (Marvelous Marvin Hagler Way) and the planned pocket park.

Referred to Finance

461.Resolve: **BE IT RESOLVED**, that Members of the Brockton School Committee, Superintendent of Schools Michael Thomas, Mayor of Brockton Robert Sullivan, Chief Financial Officer Troy Clarkson, Chief Financial Officer for the School Department Aldo Petronio, or their designees, be invited to come before the Finance Committee to discuss athletic facilities in the community, funding, and the need for development of fields and upgrades for recreational uses in the City.

Referred to Finance

462.Resolve: **BE IT RESOLVED**, that a designee of Neighborhood Health Center be invited to come before the Finance Committee to discuss mental health services offered and upcoming mental health initiatives.

Referred to Finance

122.(Councilor's Recognition Cont.)

Councilor's Recognition

Councilor Asack had a moment of silence for fellow residents and former residents of Brockton that passed away this week Louis "Sonny" Colombo, Chester Hill, Patrick Ciasullo, and Pamela Grant. Her thoughts and prayers go out to there families.

Councilor Nicastro reminded everyone that the Committee of Public Safety will meet on Thursday June 30 @6PM in Council Chambers.

Meeting adjourned at 9:50 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.