

In City Council August 22, 2022

The regularly scheduled meeting of the Brockton City Council was held on Monday, August 22, 2022 at 7:00PM in the Council Chambers, 2nd. Fl., City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:02 PM with eight members present. Councilors D'Agostino, Mendes, and Rodrigues absent.

504.Acceptance of the Minutes of the July 25, 2022 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

505.Appointment of Brenda Perez of 40 Paula Rd, Brockton, MA 02302 to the position of Police Chief for a five-year term, ending in July 2027.

Mayor Robert F. Sullivan and Chief Brenda Perez spoke briefly. Councilor Minichiello 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 Rodrigues 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.

Councilor Mendes Stepped in.

506.Promotion of Sgt. Victor Perez of 40 Paula Rd, Brockton, MA 02302 to the rank of Lieutenant.

Councilor Thompson 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 Rodrigues absent. Councilor Thompson motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

507.Promotion of Officer Daniel MacIntosh of 17 Lowell Ave., Marshfield, MA 02050 to the rank of Sergeant.

Councilor Nicastro 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 Rodrigues 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.

Councilor Farwell motioned to take items #5-7 Collectively and to move under suspension of rules and was properly seconded. the motion carried by a hand vote.

508.Appointment of Police Officer Adelson Mendes of 158 Menlo St., Brockton, MA 02301 as a Special Police Officer.

509.Appointment of Police Officer Abraham D. Nazario Jr. of 427 Winthrop St. #4, Brockton, MA 02301 as a Special Police Officer.

133. (APPOINTMENTS CONT.)

510.Appointment of Police Officer Marc Deveau of 15 Brentwood Ave., Brockton, MA 02302 as a Special Police Officer.

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

511.Appointment of Martha Testa of 430 West Chestnut Street, Brockton, MA 02301 to the Women’s Commission for a three-year term, ending August 2025.

Referred to Finance

HEARINGS:

Petition of HMP Realty, LLC (Miled Homsy), of 540 High Street, Westwood, MA 02090, for a Garage License Transfer located at 955 Montello Street, Brockton, MA 02301. (POSTPONED FROM JULY 25, 2022 CITY COUNCIL MEETING)

Miled Homsy & Christopher Homsy appeared in favor of the petition and was there to answer any questions.

Councilor Nicastro commented and was in favor.

Hearing held.

No one was in opposition.

Granted by a hand vote. Councilor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

REPORTS:

512.Of the Finance Committee for its meeting of August 15, 2022.

Accepted and placed on file

COMMUNICATIONS:

513.From the Mayor appointing Brenda Perez of 40 Paula Rd, Brockton, MA 02302 to the position of Police Chief or a five-year term, ending in July 2027.

Accepted and placed on file

514.From the Acting Director of Human Resources recommending that you appoint Sgt. Victor Perez, one of the top-ranked candidates, to the rank of lieutenant.

Accepted and placed on file

515.From the Mayor recommending the promotion of Sgt. Victor Perez of 40 Paula Rd, Brockton, MA 02302 to the rank of Lieutenant as he is one of the top-ranked candidates on the promotional list.

Accepted and placed on file

134. (COMMUNICATIONS CONT.)

516. From the Acting Chief of Police requesting Officer Daniel MacIntosh be promoted to the rank of Sergeant as he is the top-ranked candidate on the attached promotional list.

Accepted and placed on file

517. From the Mayor recommending the promotion of Officer Daniel MacIntosh of 17 Lowell Ave., Marshfield, MA 02050 to the rank of Sergeant as he is the top-ranked candidate on the promotional list.

Accepted and placed on file

518. From the Mayor appointing Police Officer Adelson Mendes of 158 Menlo St., Brockton, MA 02301 as a Special Police Officer.

Accepted and placed on file

519. From the Mayor appointing Police Officer Abraham D. Nazario Jr. of 427 Winthrop St. #4, Brockton, MA 02301 as a Special Police Officer.

Accepted and placed on file

520. From the Mayor appointing Police Officer Marc Deveau of 15 Brentwood Ave., Brockton, MA 02302 as a Special Police Officer.

Accepted and placed on file

521. From the Mayor appointing Martha Testa of 430 West Chestnut Street, Brockton, MA 02301 to the Women's Commission for a three-year term, ending August 2025.

Accepted and placed on file

522. From the DPW Engineering Superintendent requesting the City Council for the layout and acceptance of the following streets as outlined in the draft Council orders:

1. Dorothy Road: Boundary Street, westerly.
2. Corala Road: Dorothy Road, northwesterly.

Accepted and placed on file

523. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council support a proposed approval of the HDIP Tax Increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St.

Accepted and placed on file

524. 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 approval of the HDIP Tax Increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St., without a detrimental impact on the continuous provision of the existing level of municipal services. This is a revised TIE agreement; you already approved the tax increment for this project. Based on some adjustments to the available square footage for development, the unit count has been adjusted. This revision reflects those changes.

Accepted and placed on file

135. (COMMUNICATIONS CONT.)

525. From the Acting Chief of Police requesting authorization to expend grant monies in the amount of \$30,000 related to a subaward from the Massachusetts State Police Edward J. Bryne Justice assistance Grant Award.

Accepted and placed on file

526. 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 \$30,000 from.....THE MASSACHUSETTS DEPARTMENT OF STATE POLICE-FY23 EDWARD J. BYRNE JUSTICE ASSISTANCE PROGRAM GRANT to.....CITY OF BROCKTON POLICE DEPARTMENT-FY23 EDWARD J. BYRNE JUSTICE ASSISTANCE PROGRAM GRANT PROGRAM FUND. These grant funds will be utilized by the Brockton Police Gang Unit teaming up with the Massachusetts gang unit over the summer targeting gun crimes and illegal firearms possession. **There is no match requirement.**

Accepted and placed on file

527. 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 \$30,000 from.....THE MASSACHUSETTS DEPARTMENT OF STATE POLICE-FY23 EDWARD J. BYRNE JUSTICE ASSISTANCE PROGRAM GRANT to.....CITY OF BROCKTON POLICE DEPARTMENT-FY23 EDWARD J. BYRNE JUSTICE ASSISTANCE PROGRAM GRANT PROGRAM FUND, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

528. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the proposed appropriation of \$55,572.82

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-
CONTRACTUAL UNION COSTS

TO: BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN
OVERTIME- FULL-TIME SALARIES \$1,687.54

BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN
OVERTIME- EDUCATIONAL INCENTIVE \$700.00

BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN
OVERTIME- STIPEND \$600.00

COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN
OVERTIME- FULL-TIME SALARIES \$7,191.06

COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN
OVERTIME- EDUCATIONAL INCENTIVE \$700.00

COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN
OVERTIME- STIPEND \$1,200.00

DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN
OVERTIME- FULL-TIME SALARIES \$4,771.72

DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN
OVERTIME- STIPEND \$600.00

DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN
OVERTIME- FULL-TIME SALARIES \$4,316.46

136. (COMMUNICATIONS CONT.)

DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$8,386.50
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$1,200.00
LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$1,332.44
LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,592.18
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,316.46
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,592.18
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
VETERANS DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$1,586.28
VETERANS DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00

137. (COMMUNICATIONS CONT.)

for purposes of funding the SEIU, Local 888: Department Heads Unit union contract, without detrimental impact on the continuous provision of the existing level of municipal services. This appropriation provides funding for three (3) years (July 1, 2022-June 30, 2025), of a three (3) year contract.

Accepted and placed on file

529.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 adequate to support the proposed appropriation of \$55,572.82

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-
CONTRACTUAL UNION COSTS

TO: BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$1,687.54
BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$7,191.06
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$1,200.00
DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,771.72
DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,316.46
DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
DPW-WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$8,386.50
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
DPW-ENGINEERING- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$1,200.00
LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$1,332.44

138. (COMMUNICATIONS CONT.)

LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
LIBRARY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,592.18
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
PARKS & RECREATION- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,316.46
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$4,592.18
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- EDUCATIONAL INCENTIVE	\$700.00
PROCUREMENT DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00
VETERANS DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- FULL-TIME SALARIES	\$1,586.28
VETERANS DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME- STIPEND	\$600.00

for purposes of funding the SEIU, Local 888: Department Heads Unit union contract, without detrimental impact on the continuous provision of the existing level of municipal services. This appropriation provides funding for three (3) years (July 1, 2022-June 30, 2025), of a three (3) year contract. This is a reasonable and financially sustainable settlement for the city.

Accepted and placed on file

530. From the Mayor in accordance with Section 5 of Chapter 324 of the Acts of 1990, recommending that the City Council support the proposed authorization of the Opioid Settlement Revolving Fund, provided that no more than \$250,000 may be expended during Fiscal Year 2023 without a detrimental impact on the continuous provision of the existing level of municipal services. The city is a party to a class action suit and will receive more than \$4 million over the next sixteen years to address treatment and related services to those living with addiction.

Accepted and placed on file

139. (COMMUNICATIONS CONT.)

531. 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 authorization of the Opioid Settlement Revolving Fund, provided that no more than \$250,000 may be expended during Fiscal Year 2023 without a detrimental impact on the continuous provision of the existing level of municipal services. The city is a party to a class action suit and will receive more than \$4 million over the next sixteen years to address treatment and related services to those living with addiction.

Accepted and placed on file

532. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, Section 53A recommending that the City Council authorize the appropriation and expenditure of the grant award in the amount of \$9,016,226.11 from...PLYMOUTH COUNTY to UNAPPROPRIATED ESTIMATED RECIEPTS-AMERICAN RESCUE PLAN ACT (ARPA) FUND.

Accepted and placed on file

533. From the CFO in accordance with the General Laws of Massachusetts, Chapter 44, Section 53A recommending that the City Council authorize the appropriation and expenditure of the grant award in the amount of \$9,016,226.11 from...PLYMOUTH COUNTY to UNAPPROPRIATED ESTIMATED RECIEPTS-AMERICAN RESCUE PLAN ACT (ARPA) FUND... without a detrimental impact on the continuous provision of the existing level of municipal services. Similar to the American Rescue Plan Act (ARPA) grant funds from the federal government, the City of Brockton is submitting this order to accept this initial funding grant from Plymouth County. The City of Brockton expects further commitments but will re-file for those additional amounts.

Accepted and placed on file

UNFINISHED BUSINESS:

472. Appointment of Adewumi Oluwatoyin of 123 Country Club Lane Brockton, MA 02301 to the Women's Commission for a three-year term, ending July 2025.

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

473. Appointment of Lawrence Jezewski of 36 Sophia Avenue Brockton, MA 02301 to the Elections Commission for a four-year term, ending July 2026.

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

474. Appointment of Sandra Charton of 225 Northern Avenue, Boston, MA 02210 to the position of Director of Human Resources for a three-year term, ending in July 2025.

Confirmed by a roll call vote taken by "yeas" and "nays"; nine members present and all voting in the affirmative. Councilors D'Agostino and Rodrigues absent. Councilor Farwell motioned to take items #32-34 and file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

140. (UNFINISHED BUSINESS CONT.)

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

From: Massachusetts Department of Transportation (Mass DOT)-FY23 Shared Streets and Spaces Program Grant.

To: Department of Public Works- FY23 Shared Streets and Spaces Program Grant Fund. (These grant funds will be used by the Department of Public Works to purchase snow plows.)

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

495.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$5,000.

From: Plymouth County District Attorney’s Office-FY23 Drug Prevention Education and Awareness Program Grant.

To: Brockton Police Department- FY23 Drug Prevention Education and Awareness Program Grant Fund. (These grant funds will be used by the Brockton Police Department for the care and training of Brockton Police Department’s comfort K9 Bonnie, who provides emotional support for the well-being of Drug-Endangered children, students with Adverse Childhood Experiences (ACES), and others that require that service.)

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

496.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$96,500.00.

From: The Executive Office of Health and Human Services/Department of Mental Health-FY23 Massachusetts Jail/Arrest Diversion Grant Program

To: City of Brockton Police Department-FY23 Massachusetts Jail/Arrest Diversion Grant Program

(These grant funds will be used to pay for Crisis Intervention Team Training and Mental Health First Aid training for Brockton Police Officers. **There is no match requirement.**)

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

499.Resolve: To invite Chief Brenda Perez of the Brockton Police Department and Chief Brian Nardelli of the Brockton Fire Department and/or their designees, to appear before the Finance Committee of the Brockton City Council to discuss the work of the Fireworks Joint Task Force including, without limitation, number of calls received by its hotline, number of visits to City properties, amount of fireworks confiscated, their opinions of the effectiveness of the task force, reflect on what has been learned and what will be implemented in the future.

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

501.Resolve: To have representatives of the Greater Brockton Minority Business Association, GBMBA, appear before the Brockton City Council to help bring awareness to their efforts to assist the minority business community in the city.

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

502.Resolve: To have representatives of Moms Demand Action organization appear before the Brockton City Council to help bring awareness to their campaign to educate the public on gun safety.

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

141. (ORDINANCES CONT.)

ORDINANCES:

534.Ordinance: AN ORDINANCE CREATING AN INSPECTIONAL SERVICES

DEPARTMENT Be it Ordained by the City Council of the City of Brockton as follows: Chapter II, Article 3, Division 8 “Superintendent of Public Buildings” of the Ordinances of the City of Brockton is hereby amended by inserting the following section where appropriate: There is hereby established an Inspectional Services Department (ISD) within the Building Department. The executive and administrative head shall be the Superintendent of Public Buildings as the building commissioner, hereinafter the “commissioner.” Inspectors within the building department and health department shall be under the daily supervision of the commissioner. For the purposes of this ordinance, the word “inspector” shall mean a person employed or compensated pursuant to a contractual agreement whose duties include the enforcement of laws, regulations and ordinances related to the state building code, state health code, laws of the commonwealth or ordinances of the City of Brockton. The mayor, at his discretion, may appoint a “chief of inspections” or “inspectional services coordinator,” or person of similar title, who shall supervise the inspectional personnel and report to the commissioner. The person so appointed shall be compensated as determined by city ordinance. The appointment shall be confirmed by the city council. The person appointed by the mayor shall be exempt from the provisions of Section 2-110 of the Revised Ordinances of the City of Brockton. However, where equal qualifications exist as determined by the mayor, a resident of the City of Brockton shall be given preference for appointment. The commissioner shall be responsible for the following duties and responsibilities which include, but are not limited to:(1) Assign daily and weekly duties to inspectors to ensure all laws, regulations and ordinances are fairly, consistently, and uniformly enforced. (2) Enforce provisions of the zoning code, including stipulations imposed by the Zoning Board of Appeals, Planning Board, or other regulatory board.(3) File a quarterly report with the mayor and city council which shall contain, but not be limited to, the number of complaints filed for the quarter, the number of complaints filed for the year to date, a comparison with previous years, the status of the complaints, and any specific problems encountered with the zoning ordinance and any recommendations for correction of such problems.(4) By March 1st of each calendar year, file a report with the city clerk and city council with recommendations for additions or amendments to city ordinances to improve code enforcement.

Referred to Ordinance

535.Ordinance: AN ORDINANCE AMENDING ARTICLE III, SECTION 2-127 OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON

Be it Ordained by the City Council of the City of Brockton as follows:

Article III, Section 127 of the Ordinances of the City of Brockton is hereby amended by inserting the following:

CATEGORY	Position	Min	2	3	4
PR-2	Inspectional Services Coordinator/ Chief of Inspections	\$83,130	\$87,287	\$91,651	\$96,233

Referred to Ordinance

142. (ORDINANCES CONT.)

536. Ordinance: Be it ordained by the City Council of the City of Brockton as follows:
That the City Council adopt the following AMENDMENT to the Ordinance relative to the permitting and regulation of Food Truck operations in the City of Brockton: Under Application requirements and procedures, section 1 shall be stricken in its entirety and replaced with the following language: 1. All Mobile Food Vendors shall provide the Board of Health with a copy of a state issued Hawkers and Peddlers License.
Under Application requirements and procedures, section 2 shall be stricken in its entirety.
Under Application requirements and procedures, section 5A shall be amended to increase the permit annual fee from \$100 to \$125 and the following language shall be stricken: “The application fee shall be \$50.00”, to eliminate an application fee. Under Application requirements and procedures, section 5B shall be amended to increase the permit renewal annual fee from \$100 to \$125 and the following language shall be stricken: “The renewal application fee shall be \$50.00”, to eliminate a renewal application fee. Under Application requirements and procedures, section 5G shall be amended to increase the fine for a first offense from \$100 to \$125.

Referred to Ordinance

537. Ordinance: WHEREAS, The city has a Commission On Diversity which has not consistently met in over a year or longer, and,
WHEREAS, The mayor made two (2) recent appointments of residents who were willing to serve as members of the Commission on Diversity but they have not had any opportunity to contribute to our community, and,
WHEREAS, the Ordinances of the City of Brockton required an annual report from the Commission On Diversity which has not been submitted for at least two (2) years;
Be it Ordained by the City Council of the City of Brockton:
Article II, Division 6 is deleted in its entirety. In its place is inserted the following:
AN ORDINANCE ESTABLISHING A HUMAN RIGHTS COMMISSION IN THE CITY OF BROCKTON
PREAMBLE: It is the policy of the city to assure that every individual shall have equal access to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals of the city. It is the goal of the Human Rights Commission to ensure that all city residents are treated fairly and equally by eliminating bigotry, discrimination, intolerance and prejudice.
MEMBERSHIP: The Human Rights Commission shall consist of seven (7) members, all of whom shall be residents of the city during their term of appointment.
The mayor shall appoint, subject to confirmation by the city council, persons to serve for a period of three (3) years or until a successor is appointed and qualified. The mayor shall designate a chairperson to preside at meetings of the commission.
DUTIES AND RESPONSIBILITIES:
The Human Rights Commission shall have, as its principal responsibilities:
(1) To ensure that all city residents are treated fairly and equally by constantly striving to eliminate bigotry, discrimination, intolerance & prejudice.
(2) To facilitate the exchange of information to residents in the areas of education, employment, economic and business development, and city services.
(3) To foster enhanced partnerships between public safety departments and residents.
(4) To recommend to the mayor and city council programs and services which enhance the quality of life for all residents.
(5) To publish information accessible by the city’s diverse communities regarding city, federal and state grants and programs which contribute to the health, safety, and economic stability of our residents.
(6) To network with community-based organizations with the goal of sharing information, awareness of city services and programs, and economic assistance to residents.

143. (ORDINANCES CONT.)

(7) The commission shall submit in February of each year to the city council, an annual report detailing its activities for the prior calendar year and stating its policy recommendations and legislative recommendations to all departments, divisions and agencies of the city, including the mayor and city council. This Ordinance shall take effect ninety (90) days after approval to allow for appointment and confirmation of members of the commission.

Referred to Ordinance

538.Ordinance: An Ordinance Creating a Revolving Fund pursuant to Massachusetts General Law, Chapter 44, Section 53E ½ Be it ordained by the City Council of the City of Brockton pursuant to the Massachusetts General Law, Chapter 44, Section 53E ½, that the following language be adopted as a City of Brockton Ordinance: The Opioid Settlement Revolving Fund shall be created to support, the following programs set by the Commonwealth of Massachusetts:

- 1.) Opioid Use Disorder Treatment
- 2.) Support People In Treatment and Recovery
- 3.) Connections to Care
- 4.) Harm Reduction
- 5.) Address the Needs of Criminal Justice-Involved Persons
- 6) Support Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome; and
- 7.) Prevent Misuse of Opioids and Implement Prevention Education

Expenditures from the Opioid Settlement Revolving fund shall be made on the authority and direction of the Mayor of the City of Brockton, provided not more than \$250,000 may be expended from the Opioid Settlement Revolving Fund during each fiscal year, without the consent of the city council.

Referred to Ordinance

ORDERS:

539.Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **DOROTHY ROAD**, extending from Boundary Street, westerly, a distance of about 480 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 "BROOKFIELD HEIGHTS, SECTION III, at Brockton, Mass., Scale 1" = 40', October 30, 1958", drawn by Bradford Saivetz, C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 603. The land taken is more fully described as follows: All the land within the limits of a private way known as **Dorothy Road**, supposed to belong to parties unknown, being a strip of land 50.00 feet in width, with curved corners at Boundary Street, extending from said Boundary Street, westerly, a distance of about 480 feet, more or less, ending in a cul de sac of 45.00 feet radius at the westerly terminus, 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**. Exhibit A, Layout and Acceptance and all other attachments are all located in the Clerk's Office for viewing.

Referred to Finance

144. (ORDERS CONT.)

540. Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **CORALA ROAD**, extending from Dorothy Road, northwesterly, a distance of about 275 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 “BROOKFIELD HEIGHTS, SECTION III, at Brockton, Mass., Scale 1” = 40’, October 30, 1958”, drawn by Bradford Saivetz, C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 603. The land taken is more fully described as follows: All the land within the limits of a private way known as **Coral Road**, supposed to belong to parties unknown, being a strip of land 50.00 feet in width, with curved corners at Dorothy Road, extending from said Dorothy Road, northwesterly, a distance of about 275 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**. Exhibit A, Layout and Acceptance and all other attachments are all located in the Clerk’s Office for viewing.

Referred to Finance

541. Ordered: In accordance with General Laws of Massachusetts, Chapter 44 recommending that the City Council approve the HDIP Tax Increment Exemption Agreement (TIE) between the City and 46 Montello, LLC., for the property located at 46 Montello St.

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

Councilors Asack, Nicastro, and Farwell spoke briefly.

Councilor Thompson motioned to approve favorably and was properly seconded. The motion carried 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 Rodrigues 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.

542. Ordered: That the City Council hereby rescind the Amendment to the Order declaring the City owned parcel at West Elm Street, Brockton, MA (known as Keith Field), Assessor Map 58, Route 71-1, Plot 56, being the same premises shown on “Plan of Land in Brockton, June 12, 1920, Hayward & Hayward, Surveyors, 28 Main Street, Brockton, filed with Plymouth County Land Court Records, as surplus and available for disposition. The Amendment reads as follows: *To include in the order that the transfer of land shall be subject to a deed restriction which provides that the City shall have the right of first refusal, which shall be subject to City Council approval, to execute an option to purchase the land at the purchase price provided for in the transfer made pursuant to the order. Said option shall be executed upon the expiration of one hundred and twenty days upon receipt of notice to the City, for the option to purchase back the transferred land in the event the purchaser elects to sell the land transferred in this order.* This Order shall only rescind the language of the Amendment so that the land remains declared as surplus without the restriction contained in the Amendment.

Referred to Finance

145. (ORDERS CONT.)

543. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$30,000.00.
From: The Massachusetts Department of State Police/ FY23 Massachusetts State Police Edward J. Byrne Justice Assistance Grant Program
To: City of Brockton Police Department-FY23 FY23 Massachusetts State Police Edward J. Byrne Justice Assistance Grant Program
Fund. (These grant funds will be utilized by the Brockton Police Gang Unit teaming up with the Massachusetts gang unit over the summer targeting gun crimes and illegal firearms possession. **There is no match requirement.**)

Referred to Finance

544. Ordered: That the following named sum be and the same hereby appropriated as the same was submitted by the Mayor as follows: Appropriation of: \$55,572.82

From: Human Resources- Employee Benefits- Contractual Union Costs

To: Board of Health- Personal Services Other Than Overtime- Full-Time Salaries	\$1,687.54
Board of Health- Personal Services Other Than Overtime- Educational Incentive	\$700.00
Board of Health - Personal Services Other Than Overtime- Stipend	\$600.00
Council on Aging- Personal Services Other Than Overtime- Full-Time Salaries	\$7,191.06
Council on Aging - Personal Services Other Than Overtime- Educational Incentive	\$700.00
Council on Aging - Personal Services Other Than Overtime- Stipend	\$1,200.00
DPW-Administration- Personal Services Other Than Overtime- Full-Time Salaries	\$4,771.72
DPW-Administration - Personal Services Other Than Overtime- Stipend	\$600.00
DPW-Water Enterprise- Personal Services Other Than Overtime- Full-Time Salaries	\$4,316.46
DPW-Water Enterprise - Personal Services Other Than Overtime- Educational Incentive	\$700.00
DPW-Water Enterprise - Personal Services Other Than Overtime- Stipend	\$600.00
DPW-Engineering- Personal Services Other Than Overtime- Full-Time Salaries	\$8,386.50
DPW-Engineering - Personal Services Other Than Overtime- Educational Incentive	\$700.00
DPW-Engineering - Personal Services Other Than Overtime- Stipend	\$1,200.00

146. (ORDERS CONT.)

Library Department- Personal Services Other Than Overtime- Full-Time Salaries	\$1,332.44
Library Department - Personal Services Other Than Overtime- Educational Incentive	\$700.00
Library Department - Personal Services Other Than Overtime- Stipend	\$600.00
Parks & Recreation- Personal Services Other Than Overtime- Full-Time Salaries	\$4,592.18
Parks & Recreation - Personal Services Other Than Overtime- Educational Incentive	\$700.00
Parks & Recreation - Personal Services Other Than Overtime- Stipend	\$600.00
Police Department- Personal Services Other Than Overtime- Full-Time Salaries	\$4,316.46
Police Department - Personal Services Other Than Overtime- Educational Incentive	\$700.00
Police Department - Personal Services Other Than Overtime- Stipend	\$600.00
Procurement Department- Personal Services Other Than Overtime- Full-Time Salaries	\$4,592.18
Procurement Department - Personal Services Other Than Overtime- Educational Incentive	\$700.00
Procurement Department - Personal Services Other Than Overtime- Stipend	\$600.00
Veterans Department - Personal Services Other Than Overtime- Full-Time Salaries	\$1,586.28
Veterans Department - Personal Services Other Than Overtime- Stipend	\$600.00

for purposes of funding the SEIU, Local 888: Department Heads Unit union contract, without detrimental impact on the continuous provision of the existing level of municipal services. This appropriation provides funding for three (3) years (July 1, 2022-June 30, 2025), of a three (3) year contract.

Referred to Finance

545.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$9,016,226.11.

From: Plymouth County

To: Unappropriated Estimated Receipts- American Rescue Plan Act (ARPA) Fund

Referred to Finance

147. (LATE FILES CONT.)

LATE FILES

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

COMMUNICATION:

546.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 \$740,000 from.... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE- MASK PROGRAM GRANT to..... BOARD OF HEALTH- MASK PROGRAM GRANT FUND. These grant funds will be used to purchase and distribute face masks.

547.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 \$740,000 from.... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE- MASK PROGRAM GRANT to..... BOARD OF HEALTH- MASK PROGRAM GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

ORDER:

548.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$740,000.
From: Commonwealth of Massachusetts Executive Office for Administration and Finance- Mask Program Grant
To: Board of Health- Mask Program Grant Fund (These grant funds will be used to purchase and distribute face masks.)

Councilor's Recognition

Councilor Lally thanked everyone who attended the Ward 6 meeting and reminded everyone that the next finance meeting is going to be Wednesday September 7, 2022 at 7 pm due to the holiday and elections.

Meeting adjourned at 7:55PM

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.