

In City Council October 11, 2022

The regularly scheduled meeting of the Brockton City Council was held on Tuesday, October 11, 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 nine members present. Councilors Tavares and Thompson absent.

Councilor Farwell stated that with great sadness a loss of a former Councilor at Large Geraldine Creedon passed away last week. She was a former State Representative of Brockton and wife of former Senator Rob Creedon. She always had integrity and devotion to the City of Brockton. A moment of silence.

Councilor Nicastro had a moment of silence for the loss of former Brocktonian Dr. J. Edward Carchidi he was an Oral surgeon and still has his practice on Main street in Brockton. He taught at Tufts University and also founded ACE surgical supply company. He was a great man and a big supporter of Brockton and on the behalf of the Council we send our deepest condolences to his wife and family. May he rest in peace. A moment of silence.

588.Acceptance of the Minutes of the September 26, 2022 City Council meeting.

Accepted and placed on file

REPORTS:

589.Of the Finance Committee for its meeting of October 3, 2022.

Accepted and placed on file

COMMUNICATIONS:

590.From the Chief of Police requesting authorization to expend grant monies related to the FY 23 State 911 Department Support and Incentive Grant for the Executive Office of Public Safety and Security/State 911 Department in the mount of \$568,038.00.

Accepted and placed on file

591.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 \$568,038.00 from... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY STATE 911 DEPARTMENT-FY23 STATE 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT PROGRAM to.....BROCKTON POLICE DEPARTMENT-FY23 STATE 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT PROGRAM FUND. These grant funds will be used to backfill ETD and police dispatcher wages and fund overtime. Funds will also be used to purchase dispatch equipment for the Brockton Police Department. There is no match required for this grant.

Accepted and placed on file

163.(COMMUNICATION CONT.)

592.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 acceptance and expenditure of the grant award in the amount of \$568,038.00 from...COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY STATE 911 DEPARTMENT-FY23 STATE 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT PROGRAM to.....BROCKTON POLICE DEPARTMENT- FY23 STATE 911 DEPARTMENT SUPPORT AND INCENTIVE GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

593.From the Chief of Police requesting authorization to expend grant monies related to the FY 23 State 911 Department Training Grant from the Executive Office of Public Safety and Security /State 911 Department in the amount of \$289,148.94.

Accepted and placed on file

594.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 \$298,148.94 from... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY STATE 911 DEPARTMENT-FY23 STATE 911 DEPARTMENT TRAINING GRANT PROGRAM to.....BROCKTON POLICE DEPARTMENT- FY23 STATE 911 DEPARTMENT TRAINING GRANT PROGRAM FUND. These grant funds will be used to reimburse overtime for ETDs, police officers and Fire Department Emergency Medical Dispatch personnel to attend sixteen hours of mandatory E911 continuing education training for annual certification, to pay State 911 Department approved certified training vendors to conduct classes at the Brockton Police Department, to purchase training materials and to pay the class fees for officers to conduct online training if necessary. There is no match required for this grant.

Accepted and placed on file

595.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 acceptance and expenditure of the grant award in the amount of \$298,148.94 from...COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY STATE 911 DEPARTMENT-FY23 STATE 911 DEPARTMENT TRAINING GRANT PROGRAM to.....BROCKTON POLICE DEPARTMENT- FY23 STATE 911 DEPARTMENT TRAINING GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

596.From the Director of Social Services requesting the City Council accept the Massachusetts Collaborative for Action, Leadership, and Learning 3 (MassCALL3) Substance Misuse Prevention grant in the total amount of \$491,666.00 (\$125,000.00 July 1, 2022 through June 30,2023/ \$366,666.00 July 1, 2023 through June 30,2024) with an anticipated contract duration of July 1, 2021 through June 30, 2029 from the Department of Public Health's Bureau of Substance Addition Services. The funding will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue programs that aid in preventing substance use within youth, through educational programming and opportunities. This funding will also be used to prevent opioid specific misuse and addiction through training community entities and business on overdose prevention and the administration of Naloxone. The city will not be supplying a grant match.

164.(COMMUNICATION CONT.)

Accepted and placed on file

597.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 \$125,000 from... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH'S BUREAU OF SUBSTANCE ADDICTION SERVICES -FY23 MASSACHUSETTS COLLABORATIVE FOR ACTION, LEADERSHIP, AND LEARNING 3 (MASSCALL3) SUBSTANCE MISUSE PREVENTION GRANT PROGRAM to..... MAYOR'S OFFICE- FY23 MASSACHUSETTS COLLABORATIVE FOR ACTION, LEADERSHIP, AND LEARNING 3 (MASSCALL3) SUBSTANCE MISUSE PREVENTION GRANT PROGRAM FUND. These grant funds will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue programs that aid in preventing substance use within youth, through educational programming and opportunities. This funding will also be used to prevent opioid specific misuse and addiction through training community entities and business on overdose prevention and the administration of Naloxone. The city will not be supplying a grant match.

Accepted and placed on file

598.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 acceptance and expenditure of the grant award in the amount of \$125,000 from...COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH'S BUREAU OF SUBSTANCE ADDICTION SERVICES -FY23 MASSACHUSETTS COLLABORATIVE FOR ACTION, LEADERSHIP, AND LEARNING 3 (MASSCALL3) SUBSTANCE MISUSE PREVENTION GRANT PROGRAM to..... MAYOR'S OFFICE-FY23 MASSACHUSETTS COLLABORATIVE FOR ACTION, LEADERSHIP, AND LEARNING 3 (MASSCALL3) SUBSTANCE MISUSE PREVENTION GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

599.From the Chief of Fire informing the City Council that the Brockton Fire Department has been awarded a FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of four million seven hundred seventy-seven thousand four hundred sixteen dollars and sixteen cents (\$4,777,416.16) from the Federal Emergency Agency (FEMA). This is a non-match grant with no cost to the city. A request from the Brockton Fire department to accept and expend the four million seven hundred seventy-seven thousand four hundred sixteen dollars and sixteen cents (\$4,777,416.16). This grant will staff sixteen (16) new firefighter positions for the next three years through the Federal FEMA funds.

Accepted and placed on file

600.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 \$4,777,416.16 from... FEDERAL EMERGENCY AGENCY (FEMA) -FY23 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT to..... BROCKTON FIRE DEPARTMENT- FY23 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM FUND. These grant funds will staff sixteen (16) new firefighter positions for the next three years through the Federal FEMA funds. This is a non-matching grant with no cost to the city.

Accepted and placed on file

165.(COMMUNICATION CONT.)

601.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 acceptance and expenditure of the grant award in the amount of \$4,777,416.16 from...FEDERAL EMERGENCY AGENCY (FEMA) - FY23 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT to..... BROCKTON FIRE DEPARTMENT- FY23 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services. The SAFER Grant is highly competitive and presents a rare opportunity to fully fund sixteen (16) positions in the Brockton Fire Department. In the past, SAFER Grants required a match from the city. Now, these grants fully fund all costs for these positions, including salary and benefits.

Accepted and placed on file

602.From the Director of Social Services requesting the City Council accept the Prevention in Early Childhood SOR grant in the amount of \$300,000.00(\$112,500.00 September 30,2022 through September 29,2023/\$150,000.00 September 30,2023 through September 29, 2024/ \$37,500.00 September 30,2024 through June 30, 2025) from the Department of Public Health's Bureau of Substance Addiction Services. The funding will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue multi-faceted prevention services that are directed to the age range of children from prenatal to 5 years, that have a parent or caregiver with a history of substance use/addiction, including those currently in treatment and recovery, the parents and caregivers of these children, pre-school and/or school settings, as well as social service and early childhood service providing agencies. The city will not be supplying a grant match.

Accepted and placed on file

603.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 \$112,500 from... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH'S BUREAU OF SUBSTANCE ADDICTION SERVICES-FY23 PREVENTION IN EARLY CHILDHOOD SOR GRANT PROGRAM to..... MAYOR'S OFFICE - FY23 PREVENTION IN EARLY CHILDHOOD SOR GRANT PROGRAM FUND. These grant funds will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue multi-faceted prevention services that are directed to the age range of children from prenatal to 5 years, that have a parent or caregiver with a history of substance use/addiction, including those currently in treatment and recovery, the parents and caregivers of these children, pre-school and/or school settings, as well as social service and early childhood service providing agencies. The city will not be supplying a grant match.

Accepted and placed on file

604.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 acceptance and expenditure of the grant award in the amount of \$112,500 from...COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH'S BUREAU OF SUBSTANCE ADDICTION SERVICES -FY23 PREVENTION IN EARLY CHILDHOOD SOR GRANT PROGRAM to.....MAYOR'S OFFICE- FY23 PREVENTION IN EARLY CHILDHOOD SOR GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

166.(COMMUNICATION CONT.)

605.From the Director of Planning and Economic Development informing the City Council that the Commonwealth of Massachusetts has awarded the City of Brockton a Municipal Vulnerability Program (MVP) Grant to prepare 30% design documents and drawings for nature-based flood control measures along Trout Brook in furtherance of the Trout Brook Urban Renewal Plan. This \$157,300 MVP grant will require a local match of \$54,000. Our intention is to use a US EPA SNEP grant to fund the match.

Accepted and placed on file

606.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 \$157,300 from... COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS-FY23 COMMONWEALTH'S MUNICIPAL VULNERABILITY GRANT PROGRAM to.....PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT- FY23 COMMONWEALTH'S MUNICIPAL VULNERABILITY GRANT PROGRAM FUND. These grant funds will be used to prepare 30% design documents and drawings for nature-based flood control measures along Trout Brook in furtherance of the Trout Brook Urban Renewal Plan. This grant will require a local match of \$54,000.

Accepted and placed on file

607.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 acceptance and expenditure of the grant award in the amount of \$157,300 from...COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS-FY23 COMMONWEALTH'S MUNICIPAL VULNERABILITY GRANT PROGRAM to.....PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT- FY23 COMMONWEALTH'S MUNICIPAL VULNERABILITY GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

UNFINISHED BUSINESS:

569.Reappointment of Daniel Campbell, 16 Belcher Avenue, Brockton, MA 02301 as a Constable in the City of Brockton for a term of three (3) years. (FAVORABLE)

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

584.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$500,000.
From: Executive Office of Health and Human Services- FY23 Safe and Successful Youth Initiative Grant
To: Brockton Police Department – FY23 Safe and Successful Youth Initiative Grant Fund
(These grant funds will be used for street outreach, case management, behavioral health, and tiered employment services for a targeted group of individuals aged 17-24 between July 1, 2022 and June 30, 2023. There is no match required for this grant.)
(FAVORABLE)

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

167.(UNFINISHED BUSINESS CONT.)

586.Resolve: WHEREAS,The City of Brockton has formally adopted a Poet Laureate and Youth Poet Laureate Honorary positions;
NOW, THEREFORE, BE IT RESOLVED:
The Poet Laureate, Phillip Hasouris, and Youth Poet Laureate Hannah Baptiste, be invited to address the Finance Committee of the City Council with a selection of poetry and to outline future events for the Poet Laureate and Youth Poet Laureate.
(FAVORABLE)

Adopted by a hand vote. Councilors Tavares and Thompson absent.

ORDINANCES:

608.Ordinance: *An Ordinance Amending Part II of the Revised Ordinances, Chapter 21 "Taxicabs, Buses, etc."* Be it Ordained by the City Council of the City of Brockton: Section 21-7 – "Rates and charges" shall be amended in subsection (1) by striking the words "two dollars (\$2.00)" and inserting in its place "three dollars and sixty cents (\$3.60)" and by striking the words "thirty-five cents (\$0.35)" and inserting in its place "forty cents (\$0.40)." Be it further amended in subsection (2) by striking the words "thirty-five cents (\$0.35) and inserting in its place "forty cents (\$0.40)". Be it further amended that Section 21-15 – "Safety shields" shall be deleted in its entirety.

Referred to Ordinance

ORDERS:

609.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$568,038.00.
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security State 911 Department- FY23 State 911 Department Support and Incentive Grant Program
To: Brockton Police Department – FY23 State 911 Support and Incentive Grant Program Fund
(These grant funds will be used to backfill ETD and police dispatcher wages and fund overtime. Funds will also be used to purchase dispatch equipment for the Brockton Police Department. There is no match required for this grant.)

Referred to Finance

610.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$298,148.94.
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security State 911 Department- FY23 State 911 Department Training Grant Program
To: Brockton Police Department – FY23 State 911 Department Training Grant Program Fund
(These grant funds will be used to reimburse overtime for ETDs, police officers and Fire Department Emergency Medical Dispatch personnel to attend sixteen hours of mandatory E911 continuing education training for annual certification, to pay State 911 Department approved certified training vendors to conduct classes at the Brockton Police Department, to purchase training materials and to pay the class fees for officers to conduct online training if necessary. There is no match required for this grant.)

Referred to Finance

168.(ORDERS CONT.)

611.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$125,000.

From: Commonwealth of Massachusetts Department of Public Health's Bureau of Substance Addiction Services-FY23 Massachusetts Collaborative for Action, Leadership, and Learning 3 (MassCALL3) Substance Misuse Prevention Grant

To: Mayor's Office- FY23 Massachusetts Collaborative for Action, Leadership, and Learning 3 (MassCALL3) Substance Misuse Prevention Grant Fund

(These grant funds will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue programs that aid in preventing substance use within youth, through educational programming and opportunities. This funding will also be used to prevent opioid specific misuse and addiction through training community entities and business on overdose prevention and the administration of Naloxone. The city will not be supplying a grant match.)

Referred to Finance

612.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$4,777,416.16.

From: Federal Emergency Agency (FEMA)-FY23 Staffing for Adequate Fire and Emergency Response (SAFER) Grant

To: Brockton Fire Department- FY23 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Fund

(These grant funds will staff sixteen (16) new firefighter positions for the next three years through the Federal FEMA funds. This is a non-matching grant with no cost to the city.)

Referred to Finance

613.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$112,500.

From: Commonwealth of Massachusetts Department of Public Health's Bureau of Substance Addiction Services-FY23 Prevention in Early Childhood SOR Grant Program

To: Mayor's Office- FY23 Prevention in Early Childhood SOR Grant Program Fund

(These grant funds will be managed by the Brockton Area Prevention Collaborative (Brockton High Point Treatment Center). This funding will be used to support and continue multi-faceted prevention services that are directed to the age range of children from prenatal to 5 years, that have a parent or caregiver with a history of substance use/addiction, including those currently in treatment and recovery, the parents and caregivers of these children, pre-school and/or school settings, as well as social service and early childhood service providing agencies. The city will not be supplying a grant match.)

Referred to Finance

614.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$157,300.

From: Commonwealth of Massachusetts Executive Office of Energy & Environmental Affairs-FY23 Commonwealth's Municipal Vulnerability Program

To: Planning and Economic Development Department-FY23 Commonwealth's Municipal Vulnerability Program Fund.

(These grant funds will be used to prepare 30% design documents and drawings for nature-based flood control measures along Trout Brook in furtherance of the Trout Brook Urban Renewal Plan. This grant will require a local match of \$54,000.)

Referred to Finance

169.(RESOLVES CONT.)

RESOLVES:

615.Resolve: **BE IT RESOLVED**, that Members of the Brockton Interfaith Community leadership team or their designees, be invited to come before the Finance Committee to discuss “Blueprint for a Welcoming Brockton” and to provide additional information regarding the event scheduled on October 20, 2022 at the Joseph F. Plouffe Academy school.

Referred to Finance

616.Resolve: **In Support of the Fair Share Amendment**

WHEREAS, Massachusetts needed new investments in our transportation and public education systems even before the COVID-19 pandemic, and those investments are needed more than ever to lift our economy into an equitable and long-lasting recovery; **WHEREAS**, the best way to help working families and rebuild a strong economy for us all is to make sure that we have quality public schools for our children, affordable public higher education, and a reliable transportation system; and **WHEREAS**, for Massachusetts to compete against other regions around the nation and the globe, we need modern, reliable transportation: safer roads and bridges, public transportation that works, and safe ways to walk and bike around town; and **WHEREAS**, Brockton has overdue road repair and replacement projects; and **WHEREAS**, students need a well-rounded education, founded on a rich and varied curriculum that includes science, technology, engineering, and math (STEM), music, art, and athletics; and **WHEREAS**, major investments in public education are needed to help students recover academically, socially, and emotionally from the COVID-19 pandemic; and **WHEREAS**, tuitions and fees at our public colleges are among the highest in the country, forcing students to take on enormous debt just to receive a degree; and **WHEREAS**, new state revenue is necessary to rebuild crumbling roads and bridges, improve our public schools from Pre-K through college, expand access to vocational and technical training, invest in fast and reliable public transportation, make public higher education affordable again, and expand opportunities for healthy walking and bicycling; and **WHEREAS**, wealthy Massachusetts residents saw their investments grow during the pandemic while working families struggled, and Massachusetts’ wealthiest residents should pay their fair share to support our communities and grow our economy. **THEREFORE**, let it be resolved that **BROCKTON CITY COUNCIL** supports the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges, and universities, and for the repair and maintenance of roads, bridges, and public transportation.

Referred to Finance

LATE FILES

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

170.(LATE FILES CONT.)

617.ORDERED: In compliance with the provisions of the Election Laws, notice is hereby given that the State Election will be held on Tuesday, November 8, 2022 in the following designated Polling Places:

Ward One	Precinct A	Housing Authority, 70 Hawley St
Ward One	Precinct B	West Middle School, 271 West Street
Ward One	Precinct C	Hancock School, 125 Pearl Street
Ward One	Precinct D	Hancock School, 125 Pearl Street
Ward Two	Precinct A	Barret Russell School, 45 Oakdale Street
Ward Two	Precinct B	Manning Towers, 45 Goddard Road
Ward Two	Precinct C	Senior Center, 10 Father Kenney Way
Ward Two	Precinct D	War Memorial Building, 156 West Elm Street
Ward Three	Precinct A	South Middle School, 105 Keith Avenue Ext
Ward Three	Precinct B	South Middle School, 105 Keith Avenue Ext
Ward Three	Precinct C	John F. Kennedy School, 900 Ash Street
Ward Three	Precinct D	West Side Library, 540 Forest Avenue
Ward Four	Precinct A	Gilmore School, 150 Clinton Street
Ward Four	Precinct B	Gilmore School, 150 Clinton Street
Ward Four	Precinct C	Davis Elementary School, 380 Plain Street
Ward Four	Precinct D	Campello High Rise Apts, 1380 Main Street
Ward Five	Precinct A	East Side Library, 54 Kingman Street
Ward Five	Precinct B	East Middle School, 464 Centre Street
Ward Five	Precinct C	Downey School, 55 Electric Avenue
Ward Five	Precinct D	Caffrey Towers, 755 Crescent Street
Ward Six	Precinct A	Brookfield School, 135 Jon Drive
Ward Six	Precinct B	Ashfield School Gymnasium, 225 Coe Road
Ward Six	Precinct C	Brookfield School, 135 Jon Drive
Ward Six	Precinct D	Brookfield School, 135 Jon Drive
Ward Seven	Precinct A	North Middle School, 108 Oak Street
Ward Seven	Precinct B	Belair Street High Rise, 105 Belair Street
Ward Seven	Precinct C	Sullivan Towers, 140 Colonel Bell Drive
Ward Seven	Precinct D	Raymond School, 125 Oak Street

The polls will be open at 7:00 A.M., and will be closed at 8:00 P.M.

Said voters will then in their respective polling places give in their votes each on one piece of paper to the Warden for the election of candidates for the following named offices, viz: Governor; Lieutenant Governor; Attorney General; Secretary of the Commonwealth; Treasurer; Auditor; Representative in Congress for the 8th Congressional District; Governor's Council for the 4th Councillor District; State Senator in General Court for the 2nd Plymouth and Bristol Senatorial District; State Representative in General Court for the 9th, 10th, and 11th Representative District; District Attorney in Plymouth County; Sheriff in Plymouth County; County Commissioner in Plymouth County; Southeastern Regional Vocational Technical School Committee; And the following questions

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again, on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

171.(LATE FILES CONT.)

A **YES VOTE** would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A **NO VOTE** would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

172.(LATE FILES CONT.)

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers' out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

173.(LATE FILES CONT.)

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

Referred to Finance

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

COMMUNICATION:

618.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 \$14,500 from... EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE-FY23 BEST PRACTICES COMPACT PROGRAM GRANT to..... HUMAN RESOURCES DEPARTMENT- FY23 BEST PRACTICES COMPACT PROGRAM FUND.

These grant funds will be used by the Human Resources Department for the costs associated with the holding a supervisory training program for city employees. This is a non-matching grant with no cost to the city.

Accepted and placed on file

174.(LATE FILES CONT.)

619.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 acceptance and expenditure of the grant award in the amount of \$14,500 from...EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE-FY23 BEST PRACTICES COMPACT PROGRAM GRANT to..... HUMAN RESOURCES DEPARTMENT- FY23 BEST PRACTICES COMPACT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

ORDER:

620.ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$14,500.
From: Executive Office for Administration and Finance- FY23 Best Practices Compact Program Grant
To: Human Resources Department- FY23 Best Practices Compact Program Grant Fund
(These grant funds will be used by the Human Resources Department for the costs associated with the holding a supervisory training program for city employees. This is a non-matching grant with no cost to the city.)

Referred to Finance

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

COMMUNICATION:

621.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 \$33,300 from... EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE-FY23 BEST PRACTICES COMPACT PROGRAM GRANT to..... HUMAN RESOURCES DEPARTMENT- FY23 BEST PRACTICES COMPACT PROGRAM FUND.
These grant funds will be used by the Human Resources Department for the costs associated with customer service training program for city employees. This is a non-matching grant with no cost to the city.

Accepted and placed on file

622.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 acceptance and expenditure of the grant award in the amount of \$33,300 from...EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE-FY23 BEST PRACTICES COMPACT PROGRAM GRANT to..... HUMAN RESOURCES DEPARTMENT- FY23 BEST PRACTICES COMPACT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

175.(LATE FILES CONT.)

ORDER:

623.ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$33,300.

From: Executive Office for Administration and Finance- FY23 Best Practices Compact Program Grant

To: Human Resources Department- FY23 Best Practices Compact Program Grant Fund

(These grant funds will be used by the Human Resources Department for the costs associated with customer service training program for city employees. This is a non-matching grant with no cost to the city.)

Referred to Finance

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

COMMUNICATION:

624.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 \$441,149.57 from...MASSACHUSETTS EMERGENCY MANGEMENT AGENCY- FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) PROGRAM GRANT to..... DEPARTMENT OF PUBLIC WORKS- FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) PROGRAM GRANT FUND.The FEMA Public Assistance (PA) program reimburses approved applicants for the federal share of eligible costs incurred during the Severe Winter Storm and Snowstorm that occurred from January 28-29, 2022.

Accepted and placed on file

625.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 acceptance and expenditure of the grant award in the amount of \$441,149.57 from...MASSACHUSETTS EMERGENCY MANGEMENT AGENCY- FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) PROGRAM GRANT to..... DEPARTMENT OF PUBLIC WORKS- FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE (PA) PROGRAM GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

ORDER:

176.(LATE FILES CONT.)

626.ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$441,149.57.

From: Massachusetts Emergency Management Agency- Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program Grant

To: Department of Public Works- Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program Grant Fund

(The FEMA Public Assistance (PA) program reimburses approved applicants for the federal share of eligible costs incurred during the Severe Winter Storm and Snowstorm that occurred from January 28-29, 2022.)

Referred to Finance

Councilor's Recognition

Councilor Asack reminded everyone that the Ordinance meeting that was suppose to be last week is now on Thursday October 13, 2022 at 6:00PM and the Agenda is posted online and everyone is welcome to attend.

Councilor Farwell commented on item number thirty.

Meeting adjourned at 7:30PM

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.