

In City Council November 28, 2022

The regularly scheduled meeting of the Brockton City Council was held on Monday, November 28, 2022 at 7:00PM in the Council Chambers, 2<sup>nd</sup>. Fl., City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:01 PM with nine members present. Councilors Asack and Nicasastro absent.

President Lally stated that Councilor Asack had a family obligation and Councilor Nicasastro was under the weather and couldn't make it tonight. President Lally had a moment of silence for John Drusinska a committed volunteer and someone who cared deeply for the City of Brockton.

668. Acceptance of the Minutes of the November 14, 2022 City Council meeting.

Accepted and placed on file

HEARINGS:

669. That the City Council confirms the decision by Mayor Sullivan revoking the appointment of Marcelin Ulysse of 10 Longworth Av., Unit 9, Brockton, MA 32301 as a constable in the City of Brockton.

Councilor Rodrigues motioned to postponed to the next meeting and was properly seconded. The motion carried by a hand vote

PETITIONS:

Petition requesting approval change of Ownership/ Control and Name Change for Licensee Representatives Robert Murphy-Owner/Principal and Joseph Feeney-President for Nature's Embrace Inc DBA Botera, 747 Centre Street. Change of Ownership/Control to Chirag Patel, Hardik Patel, Jack Patel, Mahendra Patel, and Indravadan Patel and new Business name to GTE Brockton LLC. (POSTPONED FROM CITY COUNCIL MEETING NOVEMBER 14, 2022)

Hearing held.

Joseph Feeney and Chirag Patel appeared in favor.

Councilors Farwell and Thompson commented.

Councilor Thompson motioned to approve 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 Asack and Nicasastro absent.

Petition of The Holistic Concepts, Inc. license change of 49% ownership on a Retail Marijuana License located at 1915 Main Street, Brockton, MA, approved by License Commission on November 17, 2022 pending approval of the Brockton City Council and the CCC.

Councilors Farwell, Rodrigues, and Thompson commented.

City Clerk Timothy J. Cruise Commented.

Councilor Farwell motioned to Postponed to next City Council Meeting pending information from Legislative Council Attorney Resnick and was properly seconded. The motion carried by a hand vote.

**201. (REPORTS CONT.)**

REPORTS:

670.Of the Real Estate Meeting for its meeting of November 21, 2022.

Accepted and placed on file

671.Of the Finance Committee for its meeting of November 21, 2022.

Accepted and placed on file

COMMUNICATIONS:

672.From the Mayor revoking appointment of Marcelin Ulysse of 10 Longworth Avenue, Unit 9, Brockton, MA 0230, as a constable in the City of Brockton.

Accepted and placed on file

673.From the Police Chief requesting acceptance of donation from HarborOne Bank for \$1,000.00 and Rockland Trust for \$1,000.00. Both banks were generous in providing the necessary funds to ensure that the First Responder Community Jamboree on August 20, 2022 was a success.

Accepted and placed on file

674.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of a donation in the amount of \$2,000...

FROM: HARBORONE BANK	\$1,000
ROCKLAND TRUST	\$1,000

TO: BROCKTON POLICE DEPARTMENT

These donations will be used to support the first annual First Responder Community Jamboree.

Accepted and placed on file

675.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 a donation in the amount of \$2,000...

FROM: HARBORONE BANK	\$1,000
ROCKLAND TRUST	\$1,000

TO: BROCKTON POLICE DEPARTMENT

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

Accepted and placed on file

UNFINISHED BUSINESS:

Councilor Farwell motion to waive the reading of items # 11 and 12 and was properly seconded. The motion carried by a hand vote.

## 202. (UNFINISHED BUSINESS CONT.)

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. (FAVORABLE)

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

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 Corala 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. (FAVORABLE)

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

663. Ordered: That the City Council authorizes the acceptance of the Hazard Mitigation Plan from the Federal Emergency Management Agency (FEMA). This plan will reduce the long-term risks to human life and property from natural hazards. (FAVORABLE)

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

**203. (UNFINISHED BUSINESS CONT.)**

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

From: Executive Office of Public Safety and Security- 2022 Address Verification Program (AVP) Grant

To: Brockton Police Department – 2022 Address Verification Program (AVP) Grant Fund

(These grant funds will be used by the police department to verify addresses of registered sex offenders, conduct investigations, and place into violation those offenders with valid addresses. 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 Asack and Nicastro absent.

662. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the total proposed approval of the unappropriated estimated receipts of \$243,616.20

FROM: UNAPPROPRIATED ESTIMATED RECEIPTS  
\$237,317.95

TO: FINANCE DEPARTMENT-FINANCE PURCHASE OF SERVICES \$237,317.95

AND

FROM: FY23 FUNDS \$6,298.25

TO: PUBLIC PROPERTY-PURCHASE OF SERVICE \$1,574.67

FINANCE-PURCHASE OF SERVICES \$365.41

HUMAN RESOURCES-HR EMPLOYEE BENEFITS \$258.00

LAW-PURCHASE OF SERVICES \$245.82

LAW-GOODS & SUPPLIES \$600.00

LIBRARY-PURCHASE OF SERVICE \$916.84

MAYOR’S OFFICE-GOODS AND SUPPLIES \$1300.00

POLICE DEPARTMENT- GOODS AND SUPPLIES \$300.00

BROCKTON PARKING AUTHORITY-OUT OF STATE TRAVEL \$737.51  
(FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Asack and Nicastro 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.

**204. (UNFINISHED BUSINESS CONT.)**

660.Ordered: The City of Brockton grants to 142 Main Historic, LLC an easement over City owned land identified as Assessor’s Parcel ID: 110-047 and Alternate ID 17, commonly known as and referred to as 132-142 Main Street for purposes of constructing and maintaining underground stormwater pipes over the subject land. And further that the City Council authorizes the Mayor to execute the attached "Access and Stormwater Agreement" (revised) and to take other actions necessary to carry out the terms, purposes and conditions of the same. The easement shall be granted as amended, whereby said easement shall be granted simultaneously and forthwith upon issuance of the subject building permit. ((FAVORABLE AS AMENDED))

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

663.Resolve: WHEREAS, The Human Resources Department is responsible for the timely, professional recruitment and screening of candidates for positions within city departments; NOW, THEREFORE, BE IT RESOLVED: Director of Human Resources Sandra Charton and such other department heads as may be interested appear before a committee of the council to discuss the factors affecting recruitment of the best qualified candidates for career positions in city government. Provided further, that Ms. Charton share with the council relevant information from other cities regarding candidate recruitment practices and policies. (FAVORABLE)

Adopted by a hand vote. Councilors Asack and Nicastro absent.

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. (FAVORABLE)

Adopted by a hand vote. Councilors Asack and Nicastro absent.

**ORDERS:**

676.Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$2,000...

From: HarborOne Bank	\$1,000
Rockland Trust	\$1,000

To: Brockton Police Department

(These donations will be used to support the first annual First Responder Community Jamboree.)

Councilor Farwell motioned to move under suspension of rules 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 Asack and Nicastro absent.

## 205. (RESOLVES CONT.)

RESOLVES:

677.Resolve: WHEREAS, Land use and management through zoning ordinances have a direct effect on economic development and neighborhood preservation, and, WHEREAS, The city hired the Collins Center and Barrett Consulting Group to conduct an overview of zoning issues within the city, and, WHEREAS, All councilors and their constituents have an interest in the review, update and application of zoning ordinances; NOW, THEREFORE, BE IT RESOLVED: Representatives from the Collins Center and Barrett Consulting Group be invited to a meeting of a committee of the council in January, 2023, to discuss the scope and focus of the zoning review for which they were retained. A January, 2023, meeting should allow sufficient time for the invitees to schedule an appearance and provide any materials to be reviewed by councilors.

Referred to Finance

### **Councilor's Recognition**

Councilor D'Agostino stated that on December 14 from 6-8 PM there will be a Ward 3 Meeting held at the South Middle School Cafeteria.

City Clerk Timothy Cruise reminded everyone on behalf of Councilor Asack that there is a Ordinance meeting December 1 at 6 PM.

Meeting adjourned at 7:35PM

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.