

In City Council February 13, 2023

Notice is hereby given that the regularly scheduled meeting of the City Council was held on Monday evening February 13, 2023 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:05 PM with seven members present. Councilors D'Agostino, Nicasastro, Tavares, and Teixeira absent.

Councilor Lally stated that President Nicasastro is under the weather and will not be here tonight. He will be acting President. On behalf of President Nicasastro, Councilor Lally asked for a moment of silence in honor of the brave Brockton firefighters, doctors, nurses, and staff of Brockton Hospital on getting all 150 patients out safely while fighting a major fire last week. He went on to say that President Nicasastro is proud of the work from Fire Chief Nardelli and the numerous Deputy Chiefs on managing this disaster. We honor all this hard work that resulted in no casualties. Councilor Lally issued "King" Kevin Walsh a citation for his victory on becoming New England's Junior Lightweight Boxing Champion.

Brief Recess.

Back in Session.

795. Acceptance of the Minutes of the January 23, 2023 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

796. Appointment of Martha Crowell of 221 Oak St., Apt. 102, Brockton, MA 02301 to the Planning Board for a five-year term, ending February 2028.

Referred to Finance

HEARINGS:

Petition of 693 N. Montello LLC., of 192 Braemoor Road, Brockton, MA 02301, for a Garage License Transfer located at 693 N. Montello Street, Brockton, MA 02301.

Manuel Pires, of 192 Braemoor Road, the Owner, appeared in favor of the petition and was there to answer any questions.

Hearing held.

Elizabeth Luna of 36 Ames Street was in opposition.

Councilors Rodrigues, Thompson, Minichiello, Asack, and Lally Commented.

Granted by a hand vote. Councilors D'Agostino, Nicasastro, Tavares, and Teixeira absent

Petition of 50 Meadowbrook Trust (Manuel Pires), of 192 Braemoor Road, Brockton, MA 02301, for a Garage License Transfer located at 50 Meadowbrook Unit 2, Brockton, MA 02301.

Manuel Pires, of 192 Braemoor Road, the Owner, appeared in favor of the petition and was there to answer any questions.

Hearing held.

No one was in opposition.  
Councilor Farwell Commented.

**236. (HEARINGS CONT.)**

Granted by a hand vote. Councilors D'Agostino, Nicastro, Tavares, and Teixeira absent  
Councilor D'Agostino stepped in.

**REPORTS:**

797.Of the Planning Board for its meeting of January 19, 2023.

Accepted and placed on file

798.Of the Finance Committee for its meeting of February 6, 2023.

Accepted and placed on file

**COMMUNICATIONS:**

799.From the Mayor appointing Martha Crowell of 221 Oak St., Apt. 102, Brockton, MA 02301 to the Planning Board for a five-year term, ending February 2028.

Accepted and placed on file

800.From the Fire Chief requesting acceptance and expenditure of FY 2023 Student Awareness of Fire Education (S.A.F.E.) grant in the amount of ten thousand four hundred eighty-one dollars and zero cents (\$10,481.00) from the Commonwealth of Massachusetts Executive Office of Public Safety. This is a non-matching grant with no cost to the City.

Accepted and placed on file

801.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 \$10,481.00 from...COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY-FY23 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.) GRANT PROGRAM to..... MAYOR'S OFFICE-FY23 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.) GRANT PROGRAM FUND. The Fire Department intends to use these grant funds for their Fire Safety Education program. This is a non-matching grant with no cost to the City.

Accepted and placed on file

802.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 \$10,481.00 from...COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY-FY23 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.) GRANT PROGRAM to..... MAYOR'S OFFICE-FY23 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.) GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

803.From the Fire Chief requesting acceptance and expenditure of FY 2023 Senior SAFE grant in the amount of two thousand eight hundred seventy-seven dollars and zero cents (\$2,877.00) from the Commonwealth of Massachusetts Executive Office of Public safety. This is a non-matching grant with no cost to the City.

**237. (COMMUNICATIONS CONT.)**

Accepted and placed on file

804. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$2,877.00 from... COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY-FY23 SENIOR SAFE GRANT PROGRAM to..... MAYOR'S OFFICE-FY23 SENIOR SAFE GRANT PROGRAM FUND. The Fire Department intends to use these grant funds for their Fire Safety Education program. This is a non-matching grant with no cost to the City.

Accepted and placed on file

805. 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 \$2,877.00 from...COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC SAFETY-FY23 SENIOR SAFE GRANT PROGRAM to..... MAYOR'S OFFICE-FY23 SENIOR SAFE GRANT PROGRAM FUND without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

806. 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. This order was previously approved by the Council however, the numbers were transposed and the Council voted \$298,148.94. This order is to correct that administrative mistake.

Accepted and placed on file

807. 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 \$289,148.94 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

808. 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 \$289,148.94 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. This order was

**238. (COMMUNICATIONS CONT.)**

809. previously approved by the Council however, the numbers were transposed and the Council voted \$298,148.94. This order is to correct that administrative mistake.

Accepted and placed on file

810. From the Superintendent of Parks requesting acceptance and expenditure of the state appropriation in the amount of \$50,000 is for improvements of the Brookfield's Baseball Complex. There is no required match for this appropriation.

Accepted and placed on file

811. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the proposed acceptance and expenditure of the state appropriation in the amount of \$50,000 from...COMMONWEALTH OF MASSACHUSETTS-DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION-ACCEPTANCE OF STATE APPROPRIATION to..... PARKS & RECREATION-CAPITAL FUND. The Parks & Recreation Department intends to use these state funds for purposes of improving Brookfield's Baseball Complex. There is no required match for this appropriation.

Accepted and placed on file

812. 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 acceptance and expenditure of the state appropriation in the amount of \$50,000 from...COMMONWEALTH OF MASSACHUSETTS-DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION-ACCEPTANCE OF STATE APPROPRIATION to.... PARKS & RECREATION-CAPITAL FUND without a detrimental impact on the continuous provision of the existing level of municipal services. There is no required match for this appropriation.

Accepted and placed on file

813. From the Fire Chief requesting acceptance and expenditure of one hundred fifty-nine thousand nine hundred ninety-two dollars and eighteen cents (\$159,992.18) from the Federal Emergency Management Agency (FEMA). The Brockton Fire Department was awarded this grant to replace the aging mobile radios currently deployed in the apparatus from the Federal Emergency Agency (FEMA). There is a required ten percent (10%) match in the amount of fifteen thousand nine hundred ninety-nine dollars and twenty-two cents (\$15,999.22) to be appropriated from Fire Security personal services account.

Accepted and placed on file

814. 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 \$159,992.18 from...THE FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA)- FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) to.... BROCKTON FIRE DEPARTMENT-FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FUND. There is a required ten percent (10%) match in the amount of fifteen thousand nine hundred ninety-nine dollars and twenty-two cents (\$15,999.22) to be appropriated from the Fire Security/Fire Control account bringing the total grant award in the amount of \$175,991.40. The Brockton Fire Department was awarded this grant to replace the aging mobile radios currently deployed in the apparatus from the Federal Emergency Agency (FEMA).

**239. (COMMUNICATIONS CONT.)**

Accepted and placed on file

815.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 \$159,992.18 from...THE FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA)- FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) to.... BROCKTON FIRE DEPARTMENT-FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FUND there is a required ten percent (10%) match in the amount of fifteen thousand nine hundred ninety-nine dollars and twenty-two cents (\$15,999.22) to be appropriated from the Fire Security/Fire Control account bringing the total grant award in the amount of \$175,991.40 without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

816.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$300,000  
FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-  
CONTRACTUAL UNION COSTS  
TO: FIRE DEPARTMENT- PERSONAL SERVICES OTHER  
THAN OVERTIME  
for purposes of funding the Firefighters Local 144 contract. This provides funding for the first year of a three (3) year contract (July 1, 2022-June 30, 2025).

Accepted and placed on file

817.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 authorize the transfer of \$300,000  
FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-  
CONTRACTUAL UNION COSTS  
TO: FIRE DEPARTMENT- PERSONAL SERVICES OTHER  
THAN OVERTIME  
for purposes of funding the Firefighters Local 144 contract, without detrimental impact on the continuous provision of the existing level of municipal services. This provides funding for the first year of a three (3) year contract (July 1, 2022-June 30, 2025).  
This contract is both fiscally responsible and sustainable.

Accepted and placed on file

**UNFINISHED BUSINESS:**

745.Appointment of Monique Screen-Berry of 126 Torrey Street Brockton, MA 02301 to the Zoning Board of Appeals as a Member for a three-year term, ending January 2026.  
(FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Nicastro, Tavares, and Teixeira absent.

746.Appointment of Iolando Spinola of 23 Noyes Ave, Brockton, MA 02301 to the Planning Board for a five-year term, ending January 2028. (FAVORABLE)

Confirmed by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Nicastro, Tavares, and Teixeira absent.

**240. (UNFINISHED BUSINESS CONT.)**

783. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$293,850.00.

From: The Commonwealth of Massachusetts Executive Office of Public Safety and Security's Office of Grants and Research-FY23 Municipal Public Safety Staffing Grant  
To: Brockton Police Department – FY23 Municipal Public Safety Staffing Grant Fund  
(Grant funds are provided to the Brockton Police Department to pay overtime wages for patrol shift minimum staffing, shift overruns, detective investigations, restraining order service, training, community policing activities. There is no match required.)  
(FAVORABLE)

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

784. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$286,488.75.

From: The Commonwealth of Massachusetts Executive Office of Health and Human Services-Department of Public Health -FY23 Covid 19 Sexual and Domestic Violence Trust Grant Program  
To: Brockton Police Department – FY23 Covid 19 Sexual and Domestic Violence Trust Grant Program Fund  
(Grant funds are used to partner with Health Imperatives and Brockton Family and Community Resources, Inc. to provide a direct link to enhanced advocacy and emergency services for survivors of sexual and domestic violence. There is no match required.)  
(FAVORABLE AS AMENDED)

Adopted as amended by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Nicastro, Tavares, and Teixeira absent.

785. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$718,400.

From: Commonwealth of Massachusetts Executive Office of Public Safety and Security-Office of Grants & Research-FY23 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant  
To: Brockton Police Department – FY23 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant Fund  
(These grant funds will pay for gang prevention efforts throughout the City. Police overtime will be used for outreach efforts to at-risk youth, hot spot suppression by the Brockton Police Department Gang Unit, and SRO/School Police home visits. This award will also fund Old Colony YMCA street development through its Kidz Konnect program, provide camperships at the Boys and Girls Club, create services from Luminosity. The grants funds will also allow Strategies for Youth to continue to introduce their Juvenile Justice Jeopardy Game that fosters relationships with the at-risk youth and law Health Imperatives to educate youth about dating violence, and Free the Captive Ministry to teach STEM education via one on one coaching and mentoring. The match consists of in-kind services only.) (FAVORABLE)

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

Councilor Farwell motioned to take items #30-34 collectively and was properly seconded. The motion carried by a hand vote.

**241. (UNFINISHED BUSINESS CONT.)**

740.Order: Pawnbrokers are to deliver a list of purchased/pawned articles to the Chief of Police. (FAVORABLE)

736.Order: Rules and Regulations governing motor vehicles for hire under Chapter 159A for the carrying of passengers. (FAVORABLE)

737.Order: Assessors to act as agents of City Council in matter of apportionment of betterments. (FAVORABLE)

738.Order: Clerk to give notice of hearings before Council. (FAVORABLE)

739.Order: Regulations governing the operation of hawkers and peddlers within the City of Brockton. (FAVORABLE)

#30-34 Adopted by a roll call vote taken by “yeas” and “nays”; eight members present and all voting in the affirmative. Councilors Nicastro, Tavares, and Teixeira absent.

793.Resolved: To invite Brockton Chief of Police, Brenda Perez, to appear before the City Council to present her annual report, prepared pursuant to Revised Ordinances Sec. 19-26, discussing the department’s business of the preceding calendar year, with her remarks and recommendations. (FAVORABLE)

Adopted by a hand vote. Councilors Nicastro, Tavares, and Teixeira absent.

**ORDINANCES:**

818. Ordinance: Be it ordained by the City Council of the City of Brockton, Article II, Section 28 Compensation, is hereby amended by inserting the following language: The City Council President shall receive an additional Two Thousand Five Hundred Dollar (\$2,500.00) per annum, commencing January 1, 2024.

Referred to Ordinance

819.Ordinance: Be it ordained by the City Council of the City of Brockton, that the following Ordinance Establishing the Wetlands Protection Ordinance be adopted in the Revised Ordinances of the City of Brockton: Full Ordinance is available for viewing in the Clerk’s Office.

Referred to Ordinance

**ORDERS:**

Councilor Mendes stepped out.

819.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$10,481.00.  
From: Commonwealth of Massachusetts Department Executive Office of Public Safety- FY23 Student Awareness of Fire Education (S.A.F.E.) Grant  
To: Mayor’s Office- FY23 Student Awareness of Fire Education (S.A.F.E.) Grant Fund  
The Fire Department intends to use these grant funds for their Fire Safety Education program. This is a non-matching grant with no cost to the City.

Referred to Finance

820.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$2,877.00.  
From: Commonwealth of Massachusetts Department Executive Office of Public Safety- FY23 Senior SAFE Grant  
To: Mayor’s Office- FY23 Senior SAFE Grant Fund

The Fire Department intends to use these grant funds for their Fire Safety Education program. This is a non-matching grant with no cost to the City.

**242. (ORDERS CONT.)**

Referred to Finance

821. Amended Order: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$289,148.94.

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.

Councilor Rodrigues 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”; seven members present and all voting in the affirmative. Councilor Mendes not present. Councilors Nicastro, Tavares, and Teixeira absent.

Councilor Mendes stepped back in.

822. Ordered: That the City Council authorizes the acceptance and expenditure of the total State Appropriation of: \$50,000

From: Commonwealth of Massachusetts-Department of Elementary & Secondary Education-Acceptance of State Appropriation

To: Parks & Recreation- Capital Fund

The Parks & Recreation Department intends to use these state funds for purposes of improving Brookfield’s Baseball Complex.

There is no required match for this appropriation.

Councilor Minichiello 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”; eight members present and all voting in the affirmative. Councilors Nicastro, Tavares, and Teixeira absent.

823. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$159,992.18.

FROM: THE FEDERAL EMERGENCY MANGEMENT AGENCY (FEMA)- FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG)

TO: BROCKTON FIRE DEPARTMENT-FY2021 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FUND.

The required ten percent (10%) match in the amount of fifteen thousand nine hundred ninety-nine dollars and twenty-two cents (\$15,999.22) is to be appropriated from Fire Security/Fire Control. (In order to replace the aging mobile radios currently deployed in the apparatus from the Federal Emergency Agency)

Referred to Finance

824. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:

Transfer of \$300,000

From: Human Resources- Employee Benefits- Contractual Union Costs

To: Fire Department- Personal Services Other Than Overtime

for purposes of funding the Firefighters Local 144 contract. This provides funding for the first year of a three (3) year contract (July 1, 2022-June 30, 2025).



Referred to Finance

**243. (ORDERS CONT.)**

RESOLVES:

825.Resolve: Be it resolved by the Brockton City Council to invite Troy Clarkson, Chief Financial Officer of the City of Brockton, to come before the Council to provide an update and report on the current fiscal year budget compared to fiscal year to date expenditures and to provide an update on City debts and maturity dates of existing debts.

Referred to Finance

826.Resolve: Be it resolved by the Brockton City Council to invite representatives from Brockton's Downey Youth Baseball, Brockton Baseball, Brockton Blazers Softball and Brockton Youth Soccer Association to provide information about their respective organizations, program offerings, and registration details.

Referred to Finance

**Councilor's Recognition**

Councilor Lally stated that there is a Ward 6 ward meeting on Thursday, February 16, 2023, at 6:30PM at Brookfield Elementary School. A few Department Heads and Mayor Sullivan will be in attendance.

City Clerk Cruise reminded everyone that the Finance Committee Meeting will be on Tuesday, February 21, 2023 due to Monday being a holiday.

Meeting adjourned at 7:45PM.

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.