

In City Council February 27, 2023

Notice is hereby given that the regularly scheduled meeting of the City Council was held on Monday evening February 27, 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 Asack, D'Agostino, Minichiello, and Rodrigues absent.

President Nicastro stated that Councilors D'Agostino and Rodrigues were unable to attend tonight's meeting.

827. Acceptance of the Minutes of the February 13, 2023 City Council meeting.

Accepted and placed on file

REPORTS:

828. Of the Ordinance Committee for its meeting of February 8, 2023.

Accepted and placed on file

COMMUNICATIONS:

Councilor Asack stepped in.

829. 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 Earmark in the amount of \$100,000 from.... MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH- LEGISLATIVE EARMARK FUNDING GRANT to..... THE MAYOR'S OFFICE - LEGISLATIVE EARMARK FUNDING GRANT FUND. The grant funds will be used to support the Champion Plan. There is no match required.

Accepted and placed on file

830. 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 Earmark in the amount of \$100,000 from MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH- LEGISLATIVE EARMARK FUNDING GRANT to..... THE MAYOR'S OFFICE - LEGISLATIVE EARMARK FUNDING GRANT FUND without a detrimental impact on the continuous provision of the existing level of municipal services. This is direct funding from the legislature for Brockton's Champion Plan addiction treatment program.

Accepted and placed on file

UNFINISHED BUSINESS:

635. Ordinance: An Ordinance Amending Article III, Section 2-146 – Compensation – School Committee members elected by Ward is hereby amended by striking the words “five thousand dollars (\$5,000.00)” and inserting in its place. “fifteen thousand dollars (\$15,000.00).” The language “The amendment shall be effective January 1, 2018” shall be amended to reflect a new effective date of January 1, 2024. (FAVORABLE)

Passed to a third reading. By a hand vote.

734. Ordinance: An Ordinance Amending Article II, Section 2-91, entitled “Committees generally” by creating a City Council subcommittee for the Committee on Economic Development. (FAVORABLE)

**244. (UNFINISHED BUSINESS CONT.)**

Passed to a third reading. By a hand vote.

685.Ordinance: That the City Council adopt the following Amendment to Chapter 2 of the Revised Ordinances, Article IV, Section 2-261 “Veterans property tax work-off program” as follows: Subsection 2-261(i)(1) shall be deleted in its entirety to eliminate income limitations for applicants. (FAVORABLE)

Passed to a third reading. By a hand vote.

684.Ordinance: That the City Council adopt the following Amendment to Chapter 2 of the Revised Ordinances, Article IV, Section 2-260 “Senior citizen property tax work-off program” as follows: Subsection 2-260(h)(1) shall be deleted in its entirety to eliminate income limitations for applicants. (FAVORABLE)

Passed to a third reading. By a hand vote.

723.Ordinance: That the City Council adopt the following Amendment to Chapter 3 “Animals and Fowl” of the Revised Ordinances of the City of Brockton, replacing the entirety of Chapter 3. (FAVORABLE)

Passed to a third reading. By a hand vote.

735.Ordinance: That the City Council adopt the following Ordinance relative to Recreational Vehicles in the City of Brockton. (FAVORABLE AS AMENDED)

Passed to a third reading as Amended. By a hand vote.

794.Ordinance: An Ordinance Amending Article III, Division 2, Section 2-127 – Pay Plan inserting “Conservation Commission Chair, Conservation Commission Member” to the categories of pay plan positions and establishing a per meeting flat rate. (FAVORABLE AS AMENDED)

Passed to a third reading as Amended. By a hand vote.

**ORDERS:**

831.Ordered: That the City Council authorizes the acceptance and expenditure of the Earmark in the amount of \$100,000.  
From: Massachusetts Department of Public Health- Legislative Earmark Funding Grant  
To: The Mayor’s Office- Legislative Earmark Funding Grant Fund  
(These grant funds will be used to support the Champion Program. There is no match required.)

Referred to Finance

**RESOLVES:**

## 245. (RESOLVES CONT.)

832.Resolve: WHEREAS, The Brockton Board of Health is charged with oversight of the health department; NOW, THEREFORE, BE IT RESOLVED:  
The three (3) appointed members of the City of Brockton, Board of Health be requested to appear before a committee of the city council to discuss the policies, oversight and operations of the department.

Referred to Finance

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

Referred to Finance

834.Resolve: Be it resolved by the Brockton City Council to invite representative from MassINC Gateway Cities Innovation Institute to come before the City Council to make a presentation and discuss their findings relative to the Gateway Cities report on Social Infrastructure featuring the City of Brockton.

Referred to Finance

835.Resolve: To invite Dr. James Bruce to appear before a committee of the Brockton City Council to discuss the growth of the Brockton Cultural Affairs and Tourism group in the past year and to inform the public of the Cultural Affairs Expo to occur on March 25, 2023.

Referred to Finance

### LATE FILES

Councilor Lally motioned to accept two late files and was properly seconded. The motion carried by a hand vote.

836.Resolve: Be it resolved by the Brockton City Council to invite Mayor Robert Sullivan and Patrick Hill, Commission of Public Works, to come before the City Council to discuss plans for road paving and other infrastructure work.

837.Resolve: WHEREAS, the City of Brockton was required to, and the City Council did adopt on December 22, 2019 the stormwater control ordinances (Revised Ordinances section 23-131) to comply with the Stormwater Program of the National Pollutant Discharge Elimination System promulgated by the U.S. Department of Environmental Protection; and  
WHEREAS, the purpose of said Ordinances is to "... effect proper management of Stormwater runoff and its control facilities, in a prudent manner; to Comply with state and federal environmental regulations."; and  
WHEREAS, said Ordinances provide, at sections 23-132 and -135, for the imposition of a Stormwater Utility Fee to fund Stormwater services and payable into a special dedicated fund.;  
WHEREAS, said fee is intended, as stated in Sec.23-135, to be "...operated in the manner the existing sewer and water utilities are operated"; and

## 246. (LATE FILES CONT.)

WHEREAS, since the City began billing property owners for said Stormwater Utility Fees, there have been repeated problems with the billings including inaccuracies and duplicate billings, and how the bills are calculated, as well as the need to clarify the amounts being raised.

NOW Therefore, be it resolved by the Brockton City Council to invite the Commissioner of Public Works, Patrick Hill, the Treasurer/Collector, Martin Brophy, and CFO Troy Carlson to appear before the Finance Committee of the Brockton City Council to discuss billing issues and such other related issues as may arise.

By separate resolve, the members of the Stormwater Authority will be invited to discuss the uses of the funds raised and other related issues.

### **Councilor's Recognition**

Councilor Asack reminded everyone that there will be an Ordinance Meeting on Wednesday March 8, 2023 at 6PM and the Agenda will be posted sometime this week.

President Nicastro stated today Cub Scouts 117 toured the City Hall with Mayor Sullivan, Clerk Cruise, and President Nicastro they are working on there "Build a Better World" requirements. She wanted to Congratulate them on there interest in Public service.

Meeting adjourned at 7:15PM.

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.