

## FINANCE COMMITTEE MINUTES

The Standing Committee on Finance met on *Monday, August 14, 2023 at 7:02 PM* in the *Council Chambers, Brockton City Hall, 45 School Street*, with Councilor Nicastro presiding, eight members present, Councilors Asack, Mendes and Tavares absent, to consider the following:

1. Acceptance of the minutes of the July 10, 2023 Finance Committee Meeting.

Accepted and Placed on File

### Public Hearing:

2. Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **Lawson Terrace**, extending from the end of the 1968 layout, easterly, a distance of 509.96 feet, 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 variable in width, is shown more particularly on plans entitled as follows:

1. "Plan of Land in Brockton, Massachusetts, owned by Alice I. Magoon, Scale: 1" = 40', July 17, 1991", drawn by Hayward – Boynton & Williams, Inc., Surveyors, Civil Engineers, 140 School St., Brockton, Mass., recorded at Plymouth County Registry of Deeds on December 4, 1991, in Plan Book 034, Pages 875-6; and
2. "LAWSON TERRACE EXTENSION, Definitive Subdivision Plan of Land in Brockton, Massachusetts, Scale: 1' = 40', January 8, 1991", drawn by Hayward – Boynton & Williams, Surveyors, Engineers, 140 School St., Brockton, Mass., recorded at Plymouth County Registry of Deeds on December 8, 2004, in Plan Book 049, Page 051.

Said layout of Lawson Terrace is bounded and described as follows:

Beginning at a point in the northerly line of Lawson Terrace at the easterly terminus of the 1968 layout of said Lawson Terrace, said point being further located **N 85 – 12' – 06" E**, a distance of 299.43 feet from the easterly line of Copeland Street; thence **N 04 – 47' – 54" W**, a distance of 0.99 feet; thence

**N 84 – 52' – 35" E**, in the northerly line of Lawson Terrace, a distance of 510.50 feet, to a point at the easterly terminus of said Lawson Terrace; thence

**S 03 – 19' – 08" E**, in said easterly terminus, a distance of 42.02 feet to a point, said point being at the easterly terminus of the southerly line of Lawson Terrace; thence

**S 84 – 52' – 35" W**, in the southerly line of said Terrace, a distance of 509.42 feet to the end of the afore said 1968 layout, said point being further located **N 85 – 12' – 06" E**, a distance of 300.57 feet from the easterly line of Copeland Street; and thence

**N 04 – 47' – 54" W**, a distance of 42.00 feet, to the point of beginning.

The land taken is more fully described as follows:

All the land within the limits of a private way known as **Lawson Terrace**, supposed to belong to parties unknown, being a strip of land variable in width, extending from the end of the 1968 Layout of said Lawson Terrace, easterly, a distance of 509.96 feet, as

shown on the previously described plans, together with a “**Drainage and Turnaround Easement**” in and over lots numbered 4 and 5 as shown on the first herein described plan. Reference is hereby made to plans 1 and 2 above 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.**

Invited: Patrick Hill, DPW Commissioner

\*Commissioner Hill appeared in favor. Mike Curtin of 58 Lawson Terrace appeared in favor. No one in opposition.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

3. Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out of **Fields Avenue**, extending from Pleasant Street, northerly, to Prospect Street, a distance of 332.52 feet, 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 32.00 in width, is shown more particularly on a plan entitled “Street Layout and Acceptance Plan of Fields Avenue, Station 0+00 – 3+32.52, in Brockton, (Plymouth County), Massachusetts”. Said plan, drawn by JDE CIVIL at a scale of 1” = 30’, and dated May 4, 2023, is to be recorded herewith and made a part of this taking.

Said layout of said street is bounded and described as follows:

Beginning at a point in the northerly line of Pleasant Street at its intersection with the easterly line of Fields Avenue; thence

**N 09 – 19’ – 00” E**, in said easterly line of Fields Avenue, a distance of 337.50 feet, to a point in the southerly line of Prospect Street; thence

**N 72 – 21’ – 42” W**, in said southerly line of Prospect Street, a distance of 14.82 feet, to a point of curvature in said southerly line; thence

**By a curve to the left** of 800.00 feet radius, a distance of 17.49 feet to a point in said southerly line, said point being the intersection of the southerly line of Prospect Street with the westerly line of Fields Avenue; thence

**S 09 – 19’ – 00” W**, in the westerly line of Fields Avenue a distance of 327.34 feet, to a point in the northerly line of Pleasant Street; and thence

**S 56 – 05’ – 12” E**, in said northerly line of Pleasant Street, a distance of 35.19 feet, to the point of beginning.

The land taken is more fully described as follows:

All the land within the limits of a private way known as Fields Avenue, supposed to belong to parties unknown, being a strip of land 32.00 in width extending from Pleasant Street, northerly, a distance of 332.52 feet, to Prospect Street as shown on the previously described plan, to which reference is hereby made. Said plan to be recorded herewith and made a part of this taking.

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.**

Invited: Patrick Hill, DPW Commissioner

\*Commissioner Hill appeared in favor. No one in opposition.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

4. Ordered: That the common necessity and convenience of the inhabitants of the City of Brockton require the laying out and acceptance of **IDA AVENUE**, extending from Court Street to Hobson Street, a distance of about 860 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 42.00 feet in width, is shown more particularly on a plan entitled "Section IV, Indian Heights at Brockton, Brockton, Mass., Developed by Campanelli Homes, Inc., Scale 1" = 40 feet, Dec. 1, 1956", drawn by Bradford Saivetz C.E., Quincy, Mass., and recorded at Plymouth County Registry of Deeds in Plan Book 11, Page 131.

The land taken is more fully described as follows:

All the land within the limits of a private way known as **Ida Avenue**, supposed to belong to parties unknown, being a strip of land 42.00 feet in width, with curved corners at Court Street, extending from said Court Street to Hobson Street, a distance of about 860 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.**

Invited: Patrick Hill, DPW Commissioner

\*Commissioner Hill appeared in favor. No one in opposition.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

### **Public Hearing Closed**

5. Appointment of Katrice Gerald of 766 Ash Street, MA 02301 to the License Commission as an Alternate for a three (3) year term, ending July 2026.

Invited: Katrice Gerald

\*Mayor Sullivan commented in favor of the appointment of Katrice Gerald as well as all of the following appointments.

\*Katrice Gerald addressed the Council and thanked them for this opportunity.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

6. Appointment of Janet Landerholm of 499 Copeland Street Brockton, MA 02301 to the License Commission as a Commissioner for a three (3) year term, ending July 2026.

Invited: Janet Landerholm

\*Janet Landerholm addressed the Council and thanked them for this opportunity.

\*President Nicasastro commented in favor of the appointment of Janet Landerholm.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

7. Appointment of Beverly Post of 503 West Elm Street, Brockton, MA 02301 to the Women's Commission as a Commissioner for a three (3) year term, ending June 2026.

Invited: Beverly Post

\*Beverly Post addressed the Council and thanked them for this opportunity.

Having considered the same, motion by Councilor Farwell to report FAVORABLE, 2<sup>nd</sup> by Councilor Lally. Motion carried by a hand vote.

8. Appointment of James C. Wade, Jr., of 355 Linwood Street, Brockton, MA 02301 to the Commission on Human Rights, Diversity, Equity, and Inclusion for a three (3) year term ending in June 2026.

Invited: James C. Wade, Jr.

\*James C. Wade, Jr. addressed the Council and thanked them for this opportunity.

\*President Nicasastro commented in favor of the appointment of James C. Wade, Jr..

Having considered the same, motion by Councilor D'Agostino to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

9. Appointment of Kenneth Lofstrom of 101 Church Street, East Bridgewater MA 02333 as a Special Police Officer to the City of Brockton Police Department.

Invited: Kenneth Loftstrom

\*Kenneth Lofstrom addressed the Council and thanked them for this opportunity.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

10. Reappointment of Daniel DePina of 109 Arthur Street, Apt. 3W, Brockton, MA 02302 to the City of Brockton Cemetery Board of Trustees as a member for a five (5) year term, ending June 2028.

Invited: Daniel DePina

\*Mayor Sullivan commented in favor of the appointment of Daniel DePina.

\*Daniel DePina addressed the Council and thanked them for this opportunity.

Having considered the same, motion by Councilor Farwell to report FAVORABLE, 2<sup>nd</sup> by Councilor Lally. Motion carried by a hand vote.

11. Reappointment of Charles F. Studenski of 56 Manners Avenue, Brockton, MA 02301 to the Parks & Recreation Commission as a Commissioner for a five (5) year term, ending June 2028.

Invited: Charles F. Studenski

\*Mayor Sullivan commented in favor of the appointment of Charles F. Studenski.

\*Charles F. Studenski addressed the Council and thanked them for this opportunity.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

\*Councilor Thompson motioned to take item #24 out of order and hear it at this time and was properly seconded. Motion carried by a hand vote.

24. Resolve: Be it resolved to have Sgt. Edward Cruikshank, chairman of the Brockton Fireworks Taskforce appear before the Finance Committee of the Brockton City Council to discuss planned activities this summer.

Invited: Sgt. Edward Cruikshank

\*Sgt. Edward Cruickshank introduced and explained the resolve to the Council and responded to questions and comments that the Council may have had.

\*Questions and comments from Councilors D'Agostino, and Thompson.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

\*Councilor Minichiello motioned to take items #17-23 out of order and hear them at this time and was properly seconded. Motion carried by a hand vote.

17. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$1,500.00

From: OCEAN STATE JOB LOT

To: THE ANIMAL CONTROL DEPARTMENT

Invited: Thomas DeChellis, Director of Animal Control

Troy Clarkson, Chief Financial Officer

\*CFO Clarkson and Mr. DeChellis introduced and explained the grant to the Council and responded to questions and comments that the Council may have had.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried by a hand vote.

18. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$2,500.00.

From: The Goddard Foundation

To: The City of Brockton

The donation will be used for the Brockton After Dark program.

Invited: Troy Clarkson, Chief Financial Officer

\*CFO Clarkson introduced and explained the grant to the Council and responded to questions and comments that the Council may have had.

Having considered the same, motion by Councilor Rodrigues to report FAVORABLE, 2<sup>nd</sup> by Councilor Lally. Motion carried by a hand vote.

19. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows: appropriation of \$144,000

FROM: THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
\$144,000

TO: THE CITY OF BROCKTON- MASS 40R SMART GROWTH FUND \$144,000

Invited: Rob May, Director of Planning and Economic Development

Troy Clarkson, Chief Financial Officer

\*Mr. May introduced and explained the grant to the Council and responded to questions and comments that the Council may have had.

\*Questions and comments from Councilors D'Agostino and Minichiello.

Having considered the same, motion by Councilor Rodrigues to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

20. Ordered: That the City Council authorizes and approves the Tax Increment Financing Agreement between the City and KARM Hospitality, LLC. This agreement will contribute to the ongoing economic vitality of the city, and will commit to job creation and increased revenue.

Invited: Mayor Robert Sullivan

John O'Donnell, Chairman

Rob May, Director of Planning and Economic Development

Troy Clarkson, Chief Financial Officer

Mahavir Patel, KARM Properties

\*Mayor Sullivan introduced and explained the item to the Council and responded to questions and comments that the Council may have had. He noted that Mr. O'Donnell is not in attendance.

\*Questions and comments from Councilor Rodrigues.

\*Comments from Mr. Patel.

Having considered the same, motion by Councilor Farwell to report FAVORABLE, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

21. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows: appropriation of \$ 557,449.69  
This grant requires the City's share of ten percent (10%) or fifty-five thousand seven hundred forty-four dollars and sixty-seven cents (\$55,744.67) to be appropriated by the Brockton Fire Department from the Other Contracted Services line item.

FROM: THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA):  
\$557,446.69

TO: THE BROCKTON FIRE DEPARTMENT – FY22 ASSISTANCE TO  
FIREFIGHTERS GRANT \$ 557,446.69

Invited: Brian Nardelli, Fire Chief

Troy Clarkson, Chief Financial Officer

\*Chief Nardelli introduced and explained the grant to the Council and responded to questions and comments that the Council may have had.

Having considered the same, motion by Councilor Lally to report FAVORABLE, 2<sup>nd</sup> by Councilor Teixeira. Motion carried by a hand vote.

22. Ordered: Moved that the City Council vote to authorize the Mayor to petition the General Court for a special act in the form set forth on the document entitled "An Act Relative To The Police Cadet Program In The City Of Brockton", which amends the state Civil Service rules that govern police department hiring by establishing a new preference for Brockton Police Cadets; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court; and provided further that the Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

AN ACT RELATIVE TO THE POLICE CADET PROGRAM IN THE CITY  
OF BROCKTON.

SECTION 1. Notwithstanding the provisions of chapter thirty-one of the General Laws, any person who has completed not less than two years of service as a police cadet in the police department of the city of Brockton under the provisions of section twenty-one A of chapter one hundred and forty-seven of the General Laws may, subject to a program established by the Mayor of the city and approval by the personnel administrator of the state division of personnel administration and the Massachusetts Police Training Committee, be appointed to fill a vacancy in a position in the lowest grade in the police force of said city without certification from an eligible list prepared under the provisions of chapter thirty-one of the General Laws; provided, however, that such person either is on a police entrance eligible list prepared under said chapter or passes a qualifying examination to be given by said personnel administrator. Such program shall include provisions for recruitment of applicants for appointment as police cadets in said city and for appointment from an eligible list prepared after a competitive examination administered under the supervision of the appointing authority of the city of Brockton.

SECTION 2. If any federal or state, administrative or court order requires the listing of candidates on separate groups, each group to be listed according to the law of the commonwealth, then this act shall be subject to such listing.

SECTION 3. Not more than thirty-three and one-third per cent of the total number of appointments to the regular police force of the city of Brockton in any calendar year shall be made under the provisions of this act. The appointing authority of the city of Brockton shall report in writing to the personnel administrator in said division of personnel administration any appointment made under the provisions of this act.

SECTION 4. The provisions of section sixty-one of chapter thirty-one of the General Laws shall apply to appointments made under this act. A person appointed to the regular police force of the city of Brockton under the provisions of this act shall, after satisfactory completion of the probationary period, be deemed to be permanently appointed to said police force and subject to the provisions of chapter thirty-one of the General Laws.

SECTION 5. This act shall take effect upon its passage.

Invited: Sandi Charton, Director of HR  
Brenda Perez, Chief of Police

Having considered the same, motion by Councilor Lally to report POSTPONED TO THE NEXT FINANCE COMMITTEE MEETING, 2<sup>nd</sup> by Councilor Thompson. Motion carried by a hand vote.

23. Ordered: The City Council reviews an exemption from the residency requirement in accordance with the Revised Ordinances of the City of Brockton Article III Section 2-110, City of Brockton Ordinance Waiver of Residency in reference to Evan LaCasse.

Invited: Evan LaCasse, Financial Analyst



Troy Clarkson, Chief Financial Officer

\*CFO Clarkson commented in favor of Mr. LaCasse's residency waiver. Mr. LaCasse addressed the council in regard to the waiver. Mayor Sullivan commented in favor of the waiver.

Having considered the same, motion by Councilor Rodrigues to report FAVORABLE, 2<sup>nd</sup> by Councilor Farwell. Motion carried by a hand vote.

12. Ordered: That the sum of \$55,000,000 is appropriated to pay costs of acquiring a parcel or parcels of land located at 430, 440, 460, and 500 Belmont Street in Brockton, by eminent domain or otherwise, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under M.G.L. c. 44A any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require.

Invited: Mayor Robert Sullivan

Megan Bridges, City Solicitor

Rob May, Director of Planning and Economic Development

Cinder McNerney, Senior Managing Director, Hilltop Securities

Troy Clarkson, Chief Financial Officer

\*President Nicaastro commented. Clerk Cruise introduced and explained the item in conjunction with the next three items, giving the reason why this item cannot be taken collectively with them.

\*Mr. May and CFO Clarkson introduced and explained the item to the Council and were there to respond to questions and comments that the Council may have had.

\*Questions and comments from Councilors Minichiello and D'Agostino. CFO Clarkson responded.

\*Questions and comments from Councilor Farwell to Ms. McNerney who attended the meeting via Zoom.

\*Comments from Councilor Rodrigues.

\*Comments and questions from Councilor Thompson. Mayor Sullivan, Solicitor Bridges and Mr. May responded.

\*President Nicaastro raised a point of information to Councilor Thompson in regard to zoning.

\*Councilor Farwell raised a point of information to Councilor Thompson in regard to potential conflicts.

\*Questions and comments from Councilor Lally. Mayor Sullivan, Commissioner Plouffe, CFO Clarkson and Mr. May responded.

\*Questions and comments from Councilor Minichiello. Mayor Sullivan responded.

\*Questions and comments from Councilor D'Agostino. Mayor Sullivan responded.

\*Comments from Councilor Farwell.

Having considered the same, motion by Councilor D'Agostino to report POSTPONED TO THE NEXT FINANCE COMMITTEE MEETING, 2<sup>nd</sup> by Councilor Thompson.  
Motion carried by a hand vote.

\*Councilor Lally motioned to take items #13-15 collectively and dispense of the readings and was properly seconded. Motion carried by a hand vote.

13. WHEREAS, the City of Brockton, a municipality organized and incorporated under the laws of Massachusetts, with a usual place of business located at 45 School Street, Brockton, MA is authorized, pursuant to Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, to take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS, the public benefit of the inhabitants of the City require that land described below be taken in fee for the purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto (the "Project"); and

WHEREAS, by virtue of and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Brockton by its City Council does hereby take the land hereinafter described, and all privileges and appurtenances thereto belonging as well as all trees and all structures thereon, excepting any easement of record, for any municipal purposes and for all purposes and uses accessory thereto. Intending to take and hereby taking in fee simple all land, excepting any easement of record, included within such description by whomsoever the same may be owned, it is therefore

ORDERED:

That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit:

DESCRIPTIONS BY ASSESSOR AND DEED REFERENCES

**Three parcels of land in Brockton**

*Parcel ID Nos: 026-120; 029-044; 029-045*

City of Brockton Assessors Map 026 Parcel 120 containing 2.06 acres +/-, and Map 029 Parcel 044 containing 1.83 acres +/-, and Map 029 Parcel 045 containing 1.56 acres +/- - being further identified as Lot 2, Lot 3, and Lot 4 on a Land Court Plan of Land being a subdivision of land shown on Land Court In No. 0319A, dated September 27, 1995, prepared by J.K. Holmgren & Associates, Inc. filed as Land Court Plan No. 8319D. For Title reference see Certificate number 89403.

We have considered and estimated the damages sustained by all persons who have not waived damages in their several estates and hereby determine and award the same as follows, to be paid by the bond amounts previously authorized by the City Council for

purchase or taking of property for purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto.

The damages awarded with respect to said Parcels of Land are nine million one hundred sixty-one thousand and three hundred thirty-nine dollars and forty-two cents (\$9,161,339.42) and the supposed owner is Massasoit Greyhound Association, Inc. Said taking shall include all trees, soil or fixtures thereon.

Invited: Mayor Robert Sullivan  
Megan Bridges, City Solicitor  
Rob May, Director of Planning and Economic Development  
Cinder McNerney, Senior Managing Director, Hilltop Securities  
Troy Clarkson, Chief Financial Officer

14. WHEREAS, the City of Brockton, a municipality organized and incorporated under the laws of Massachusetts, with a usual place of business located at 45 School Street, Brockton, MA is authorized, pursuant to Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, to take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS, the public benefit of the inhabitants of the City require that land described below be taken in fee for the purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto (the "Project"); and

WHEREAS, by virtue of and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Brockton by its City Council does hereby take the land hereinafter described, and all privileges and appurtenances thereto belonging as well as all trees and all structures thereon, excepting any easement of record, for any municipal purposes and for all purposes and uses accessory thereto. Intending to take and hereby taking in fee simple all land, excepting any easement of record, included within such description by whomsoever the same may be owned, it is therefore

**ORDERED:**

That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit:

**DESCRIPTIONS BY ASSESSOR AND DEED REFERENCES**

City of Brockton Assessors Map 026 Parcel 117 containing 14.1 acres on a plan by Hayward-Boynton & Williams, Inc. surveyors, dated August 10, 1979, and filed with the Land Court as Plan no. 8319C. For Title reference see Certificate 63003.

We have considered and estimated the damages sustained by all persons who have not waived damages in their several estates and hereby determine and award the same as

follows, to be paid by the bond amounts previously authorized by the City Council for purchase or taking of property for purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto.

The damages awarded with respect to said Parcel of Land are thirteen million and one hundred eighty thousand eight hundred and thirty0five dollars and seven cents (\$13,180,835.07) and the supposed owner is George L. Carney, Jr. Trustee of the Carney Office Building Trust.

Said taking shall include all trees, soil or fixtures thereon.

Invited: Mayor Robert Sullivan

Megan Bridges, City Solicitor

Rob May, Director of Planning and Economic Development

Cinder McNerney, Senior Managing Director, Hilltop Securities

Troy Clarkson, Chief Financial Officer

15. WHEREAS, the City of Brockton, a municipality organized and incorporated under the laws of Massachusetts, with a usual place of business located at 45 School Street, Brockton, MA is authorized, pursuant to Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, to take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS, the public benefit of the inhabitants of the City require that land described below be taken in fee for the purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto (the "Project"); and

WHEREAS, by virtue of and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Brockton by its City Council does hereby take the land hereinafter described, and all privileges and appurtenances thereto belonging as well as all trees and all structures thereon, excepting any easement of record, for any municipal purposes and for all purposes and uses accessory thereto. Intending to take and hereby taking in fee simple all land, excepting any easement of record, included within such description by whomsoever the same may be owned, it is therefore

ORDERED:

That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit:

DESCRIPTIONS BY ASSESSOR AND DEED REFERENCES

**Two parcels of land in Brockton**

*Parcel One // Belmont Street // Parcel ID 026-116*

City of Brockton Assessors Map 026 Parcel 116 containing 45.45 acres +/- being identified as Lot A on subdivision plan No. 8319B drawn by Arthur W. Bean, C.E. dated Nov. 4, 1931, filed with Certificate of Title No. 4566, and Lot 7 on subdivision plan No.

8319F prepared by Land Surveys Incorporated dated April 10, 2014, last revised November 18, 2014, and Lots 5 and 6 on subdivision plan No. 8319E prepared by Land Surveys Incorporated dated January 6, 2014 and filed with Certificate of Title No. 1611. For Title reference see Certificate of Title 1611.

*Parcel Two // Belmont Street // Parcel ID 026-116R*

City of Brockton Assessors Map 026 Parcel 116R containing 0.89 acres +/- and located westerly of the intersection of Avon Street and Thurber Avenue and are further bounded and described as follows:

Said premises are shown as Lot A on subdivision plan No. 8319B drawn by Arthur W. Bean, C.E. dated Nov. 4, 1931, filed with Certificate of Title No. 4566, and referenced in Release Deed found at Document No. 447936 / Certificate No. 95405, all and by land now or formerly of the Brockton Agricultural Society, as shown on the plan hereinafter mentioned.

We have considered and estimated the damages sustained by all persons who have not waived damages in their several estates and hereby determine and award the same as follows, to be paid by the bond amounts previously authorized by the City Council for purchase or taking of property for purposes of master-planned redevelopment, preservation of open space, office use, stimulation of economic growth/development, job creation, and all accessory uses thereto, or any other municipal purposes, and for all purposes and uses accessory thereto.

The damages awarded with respect to said Parcels of Land are thirty-one million fifty-eight thousand nine hundred ninety dollars and twenty-three cents (\$31,058,990.23) and the supposed owner is BAS Holding Corp.

Said taking shall include all trees, soil or fixtures thereon.

Invited: Mayor Robert Sullivan

Megan Bridges, City Solicitor

Rob May, Director of Planning and Economic Development

Cinder McNerney, Senior Managing Director, Hilltop Securities

Troy Clarkson, Chief Financial Officer

Having considered the same, motion by Councilor Lally to report items #13-15 POSTPONED TO THE NEXT FINANCE COMMITTEE MEETING, 2<sup>nd</sup> by Councilor Teixeira. Motion carried by a hand vote.

16. WHEREAS, the City of Brockton, a municipality organized and incorporated under the laws of Massachusetts, with a usual place of business located at 45 School Street, Brockton, MA is authorized to take land by eminent domain for any municipal purpose pursuant to Section 30, of the City Charter and M.G.L. c. 79; and WHEREAS, the City of Brockton, intends to acquire a portion of land for the preservation of the Liberty Tree, which marks a spot on the Underground Railroad and was a gathering place for great voices of abolition, such as the street's namesake, Frederick Douglass (the "Project"); and WHEREAS, in the opinion of the Mayor and City Council of the City of Brockton, the public benefit of the inhabitants of the City require that land be taken in fee for the purpose

of historical beautification and preservation of the Liberty Tree, from the owner listed below, as the same is more particularly described hereinafter, it is therefore

**ORDERED:**

That the City of Brockton does hereby take in fee in accordance with G.L. ch. 79 and/or other applicable law, the following described parcels of land, to wit:

A certain parcel of land situated on the northerly side of Frederick Douglass Avenue in Brockton, Plymouth County, Massachusetts being a portion of parcels 091-049 and 091-040 being more particularly described as follows:

Beginning at the southwesterly corner of the described premises, said point being the northerly side of Frederick Douglass Avenue; THENCE

N86-57-17E a distance of 30.00' along the northerly line of Frederick Douglass Avenue to a corner; THENCE

N03-02-43W a distance of 7.17' along the remaining land of the subject property to a corner; THENCE

N87-19-50W a distance of 29.48' along the remaining land of the subject property to a corner and land of parcel 019-050; THENCE

S00-44-12E a distance of 10.13' along parcel 091-050 to the northerly line of Frederick Douglass Avenue and the point of the beginning.

Said parcel of land contains 257 s.f. of land and is shown as Parcel A on a plan entitled "Proposed Boundary Lines Frederick Douglass Avenue, Brockton, MA" dated 09/06/2022, prepared by Klim Land Surveying Inc.

We have considered and estimated the damages sustained by all persons who have not waived damages in their several estates and hereby determine and award the same as follows, to be paid from the bond amounts previously authorized by the City Council for purchase or taking of property for historical beautification and preservation purposes.

PROPERTY/OWNER	AMOUNT
Wun U. Ryee	
W&H Management, LLC	\$9,625.00

Said taking shall include all trees, soil or fixtures thereon.

Invited: Mayor Robert Sullivan

Megan Bridges, City Solicitor

Troy Clarkson, Chief Financial Officer

\*Mayor Sullivan introduced and explained the item.

Having considered the same, motion by Councilor D'Agostino to report FAVORABLE, 2<sup>nd</sup> by Councilor Lally.

\*Councilor Thompson commented on the motion. Mayor Sullivan and Solicitor Bridges responded.

Motion carried by a hand vote.

Adjourned: 10:07PM