

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening September 25, 2023 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the September 11, 2023 Special City Council meeting.

APPOINTMENTS:

2. Appointment of Jack D. Colombo of 22 Hazard Street, Brockton, MA 02301 to the City of Brockton Cultural Council as a member for a three (3) year term, September 2026.
3. Appointment of Police Officer Joseph Cummings of 14 Cassidy Place Bridgewater, MA 02324 as a Special Police Officer.

HEARINGS:

4. Petition of Roma & Son Autobody Repair of 40 Hartley Ave., Brockton, MA 02302 for a Motor Vehicle Repair Mechanical License and Motor Vehicle Repair Body License transfer located at 955 Montello St., Brockton, MA 02302.
5. Petition of Manuel D. Pires, of 192 Braemoor Rd., Brockton, MA 02301, for a Garage License transfer located at 770 Main St., Brockton, MA 02302.
6. Petition of Manuel D. Pires, of 192 Braemoor Rd., Brockton, MA 02301 for a Motor Vehicle Repair Mechanical License transfer located at 770 Main St., Brockton, MA 02302.
7. Petition of Bruno Silva, of 18 Exchange St. Apt. 1, Brockton, MA 02301, for a Garage License transfer located at 803 Crescent St., Brockton, MA 02302.
8. Petition of Bruno Silva, of 18 Exchange St. Apt. 1, Brockton, MA 02301 for a Motor Vehicle Repair Mechanical License transfer located at 803 Crescent St., Brockton, MA 02302.
9. Petition of PPJ Real Estate LLC, Paul Williams, of 428 Bay Rd., Stoughton, MA 02072, for a Garage License transfer located at 258 Grove Street., Brockton, MA 02302.

REPORTS:

10. Of the Finance Committee for its meeting of September 5, 2023.
11. Of the Public Safety Committee for its meeting of September 6, 2023.

COMMUNICATIONS:

12. From the Mayor appointing Jack D. Colombo of 22 Hazard Street, Brockton, MA 02301 to the City of Brockton Cultural Council as a member for a three (3) year term, ending in September 2026.
13. From the Chief of Police appointing Police Officer Joseph Cummings of 14 Cassidy Place Bridgewater, MA 02324 as a Special Police Officer.
14. From the Mayor appointing Police Officer Joseph Cummings of 14 Cassidy Place Bridgewater, MA 02324 as a Special Police Officer.
15. From the Library Director requesting permission to pay the following invoices from FY23 out of FY24 Budget.

FROM:	
LIBRARY - PURCHASE OF SERVICE – PUBLIC SAFTEY	\$2,086.07
LIBRARY -OTHER CONTRACT SERVICES	\$400.00
LIBRARY - BUILDING/ GROUNDS REPAIR/ MAINT	\$4,450.00
LIBRARY - BOOKS/PERIODICALS	\$461.18
LIBRARY - BOOKS/PERIODICALS	\$4,021.10

TO:	
BROCKTON POLICE DEPARTMENT	\$2,086.07
KUUMBA PUBLISHING	\$400.00
YANKEE SPRINKLER COMPANY	\$4,450.00
PLAYAWAY	\$461.18
INGRAM	\$4,021.10

16. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council total proposed approval of prior year unpaid bills \$11,418.35. In order to pay for the attached bills, the Library Department will need to take the funds out of their FY24 budget.

FROM:	
LIBRARY - PURCHASE OF SERVICE – PUBLIC SAFTEY	\$2,086.07
LIBRARY -OTHER CONTRACT SERVICES	\$400.00
LIBRARY - BUILDING/ GROUNDS REPAIR/ MAINT	\$4,450.00
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17. 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 total proposed approval of prior year unpaid bills of \$11,418.35, without a detrimental impact on the continuous provision of the existing level of municipal services. In order to pay for the attached bills, the Library Department will need to take the funds out of their FY24 budget.

FROM:	
LIBRARY - PURCHASE OF SERVICE – PUBLIC SAFTEY	\$2,086.07
LIBRARY -OTHER CONTRACT SERVICES	\$400.00
LIBRARY - BUILDING/ GROUNDS REPAIR/ MAINT	\$4,450.00
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INGRAM	\$4,021.10

18. From the Superintendent of Cemeteries respectfully requesting City Council approval in the amount of \$74.80 to be paid from FY24 Electricity. In order to pay for the attached bill, the Cemetery Department will need to take the funds out of our FY24 budget. In order to cover the attached bill.

19. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council respectfully approve the amount of \$74.80 to be paid from FY24 Electricity. In order to pay for the attached bill, the Cemetery Department will need to take the funds out of our FY24 budget. In order to cover the attached bill.
20. 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 total proposed approval of prior year unpaid bills \$74.80 from Cemetery Electricity FY24 to Constellation. without a detrimental impact on the continuous provision of the existing level of municipal services. In order to cover the attached bill, the Cemetery Department will have to take the funds from their FY24 budget.
21. From 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 \$1,496,630 from the U.S Department of Transportation-Strengthening Mobility and Revolutionizing Transportation (SMART) Grant to the City of Brockton. This grant will be used to install a traffic management system that will also assess air quality, road temperatures and pedestrian safety in Brockton. The period of performance is 9/01/23-03/01/25.

FROM: U.S DEPARTMENT OF TRANSPORTATION- STRENGTHENING
MOBILITY AND REVOLUTIONIZING TRANSPORTATION (SMART) GRANT
\$1,496,630

TO: THE CITY OF BROCKTON \$1,496,630

22. 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 \$1,496,630 from the U.S Department of Transportation - Office of the Assistant Secretary for Research and Technology to the City of Brockton, without detrimental impact on the continuous provision of the existing level of municipal services. This grant will be used to install a traffic management system that will also assess air quality, road temperatures and pedestrian safety in Brockton. The period of performance is 9/01/23-03/01/25. This grant award is part of our overall increased effort to obtain grants and focus on the city's infrastructure needs.

FROM: U.S DEPARTMENT OF TRANSPORTATION- STRENGTHENING
MOBILITY AND REVOLUTIONIZING TRANSPORTATION (SMART) GRANT
\$1,496,630

TO: THE CITY OF BROCKTON \$1,496,630

23. From the Commissioner of Buildings requesting approval from City Council to authorize the acceptance of the Draft ADA Transition plan and undergo a 30-day public comment period.
24. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance of the Draft ADA Transition plan and undergo a 30-day public comment period.
25. 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 of the Draft ADA Transition plan and undergo a 30-day public comment period, without detrimental impact on the continuous provision of the existing level of municipal services. The adoption of this plan is the next step in complying with federal requirements for assessing and addressing the city's needs to be more compliant with the Americans With Disabilities Act (ADA) and opens up additional grant opportunities.

UNFINISHED BUSINESS:

26. Appointment of George Depina of 176 Bourne Street, Brockton, MA 02302 to the position of Chief of Inspections for the City of Brockton for a five (5) year term, ending July 2028. (FAVORABLE)
27. Appointment of Taylor P. Harris of 38 Cathy Lane Brockton, MA 02301 to the Brockton Housing Authority as a Commissioner for a five (5) year term ending August 2028. (FAVORABLE)
28. Reappointment of Kenneth Galligan of 25 Messina Drive Brockton, MA 02301 to the Traffic Commission as a Commissioner for a three (3) year term, ending July 2026. (FAVORABLE)
29. Reappointment of Ulisses M. Varela of 81 Kennelworth Avenue, Brockton, MA 02301 to the Parks & Recreation Commission as a Commissioner for a five (5) year term, ending July 2028. (FAVORABLE)
30. 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. (FAVORABLE)

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

FROM: NORTH EASTON SAVINGS BANK -	\$1,000.00
EASTERN BANK-	\$1,500.00
TO: THE BROCKTON POLICE DEPARTMENT-	\$2,500.00

The donation will be used for the First Responders Community Jamboree.
(FAVORABLE)

32. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the form of sixty-eight cases of water totaling approximately \$1,404.00.

From: Christopher Carney, C. Carney Environmental
To: Fire Department (FAVORABLE)

33. Ordered: That the City of Brockton hereby accepts a Recoverable Grant in the amount of One Hundred Twenty-Five Thousand (\$125,000) Dollars through MassDevelopment's Site Readiness Grant Funds to be used to improve site readiness on property located in the vicinity of the Good Samaritan Medical Center, 824 Oak Street, Brockton MA (the "Site"), for the potential development of a new Life Science Center.

It is further Ordered that, if any City-owned portion of the Site is sold, conveyed, gifted, demised, ground leased, or otherwise transferred, or refinanced, and as a result of said transaction, the City receives funds that exceed the aggregate amount necessary for repayment of existing monetary liens, mortgage loans, and other debt on the project and all of the costs incurred by them in the acquisition, development, ownership, and sale of the Site or of the portion of the Site, then the City shall reimburse Mass Development the full amount of the net proceeds up to the amount of the Recoverable Grant that has been disbursed and has not already been repaid to MassDevelopment. The Mayor is authorized to execute any and all documents necessary in connection with said Recoverable Grant, including the expenditure thereof. (FAVORABLE)

34. Ordered: In accordance with General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the Tax Increment Exemption Agreement (TIE) between the City and CMK Development Partners, for the property located at 157 Centre St. (FAVORABLE)

35. Ordered: In accordance with General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the Tax Increment Exemption Agreement (TIE) between the City of Brockton and Ringside Properties LLC, for the property located at 40 Petronelli Way. (FAVORABLE)

36. Resolve: To invite Mr. Matt Stanton, chair of the Mayor's Brockton Beautification Committee, to appear before the Finance Committee to discuss the Committee's work, including an upcoming Fall Cleanup Challenge, and other related issues. (FAVORABLE)

37. Petition to place a Non-Binding referendum question on the November 7, 2023 City Election Ballot. (UNFAVORABLE)

ORDINANCE:

38. Ordinance: An Ordinance relative to regulatory scheme for use and regulations governing the practice of body art and body art establishments in the City of Brockton. A copy of the proposed ordinance (16 pages) is attached with this agenda.

ORDERS:

39. Ordered: That the City Council dedicate the City owned land more commonly known as 0 Petronelli Way, Brockton, Massachusetts, being identified as Parcel 109-057 and being the same premises identified in Plymouth County Registry of Deeds Book 41854, Page 253, containing approximately 4,157 square feet, more or less, and Parcel 109-055 and being the same premises identified in Plymouth County Registry of Deeds Book 54222, Page 204, containing approximately 3,472 square feet, more or less, to be dedicated as a public park under the protections of Article 97 of the Amendments to the Massachusetts Constitution.

40. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$11,418.35 for the prior year unpaid bills.

FROM:

LIBRARY - PURCHASE OF SERVICE – PUBLIC SAFTEY	\$2,086.07
LIBRARY -OTHER CONTRACT SERVICES	\$400.00
LIBRARY - BUILDING/ GROUNDS REPAIR/ MAINT	\$4,450.00
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TO:

BROCKTON POLICE DEPARTMENT	\$2,086.07
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41. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$74.80 from Cemetery-Electricity to Constellation. In order to cover attached bill.

42. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$1,496,630.
 From: U.S Department of Transportation – Strengthening Mobility and Revolutionizing Transportation (SMART) Grant
 To: The City of Brockton

43. Ordered: That the City Council accept the Draft ADA Transition Plan and undergo a 30-day public comment period. Comment period to start after the adoption of this order.

Councilor’s Recognition

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.