

In City Council October 10, 2023

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Tuesday evening October 10, 2023 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the September 25, 2023 City Council meeting.

APPOINTMENTS:

2. Appointment of Scott Uhlman of PO Box 4010 Brockton, MA 02303 to the License Commission as a Commissioner for a three (3) year term, ending October 2026.

REPORTS:

3. Of the Finance Committee for its meeting of October 2, 2023.

COMMUNICATIONS:

4. From the Mayor Appointing of Scott Uhlman of PO Box 4010 Brockton, MA 02303 to the License Commission as a Commissioner for a three (3) year term, ending October 2026.
5. From the Police Chief requesting authorization to expend grant monies related to the FY 2024 Support and Incentive Grant of \$648,038.00 from the Executive Office of Public Safety and Security.
6. From the Brockton Police Dept. Grant Writer requesting the attached grant award documents be processed to allow the City of Brockton to expend the FY2024 Massachusetts Executive Office of Public Safety and Security State 911 Department Support and Incentive Grant program in the amount of \$648,038.00.
7. 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 \$648,038.00 from the Executive Office of Public Safety and Security to the Police Department.
FROM: THE MASSACHUSETTS OFFICE OF PUBLIC SAFETY AND SECURITY
\$648,038
TO: THE POLICE DEPARTMENT \$648,038
8. 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 \$648,038.00 from the Executive Office of Public Safety and Security to the Police Department, without detrimental impact on the continuous provision of the existing level of municipal services. This grant will be used towards the salary and overtime of certified enhanced 911 telecommunicators and dispatchers.
FROM: THE MASSACHUSETTS OFFICE OF PUBLIC SAFETY AND SECURITY
\$648,038
TO: THE POLICE DEPARTMENT \$648,038
9. From the Police Chief requesting authorization to expend grant monies to the FY 2024 State 911 Department Training Grant Program of \$304,766.48 from the Executive Office of Public Safety and Security.
10. From the Brockton Police Dept. Grant Writer requesting that the attached grant award documents be processed to allow the City of Brockton to expend funds authorized under the FY 2024 State 911 Department Training Program in the amount of \$304,766.48.

11. 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 \$304,766.48 from the Executive Office of Public Safety and Security to the Police Department.
FROM: THE MASSACHUSETTS OFFICE OF PUBLIC SAFETY AND SECURITY
\$304,766.48
TO: THE POLICE DEPARTMENT \$304,766.48
12. 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 \$304,766.48 from the Executive Office of Public Safety and Security to the Police Department, without detrimental impact on the continuous provision of the existing level of municipal services. This grant 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.
FROM: THE MASSACHUSETTS OFFICE OF PUBLIC SAFETY AND SECURITY
\$304,766.48
TO: THE POLICE DEPARTMENT \$304,766.48
13. From the Director of Social services requesting acceptance of the Prevention in Early Childhood SOR grant in the total amount of \$187,500.00 (\$150,000.00 July 1, 2023 through June 30, 2024/\$37,500.00 July 1, 2024 through September 29,2024) from the Department of Public Health's Bureau of Substance Addiction Services, to cover a full year FY24 contract and a 3-month contract extension.
14. 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 \$187,500.00 from the Department of Public Health- Bureau of Substance Addiction Services to the City of Brockton.
FROM: THE DEPARTMENT OF PUBLIC HEALTH- BUREAU OF SUBSTANCE ADDICTION SERVICES \$187,500.00
TO: MAYOR'S OFFICE- FY24 PREVENTION IN EARLY CHILDHOOD SOR GRANT FUND \$187,500.00
15. 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 \$187,500.00 from the Department of Public Health- Bureau of Substance Addiction Services to the City of Brockton, without detrimental impact on the continuous provision of the existing level of municipal services. This grant will be funded in two sections \$150,000 July 1,2023 through July 1,2024. \$37,500 July 1,2024 through September 29,2024 to cover a full year FY24 contract and a 3-month contract extension, and will be used to support and continue multi-faceted prevention services. This grant does not require a match.
FROM: THE DEPARTMENT OF PUBLIC HEALTH- BUREAU OF SUBSTANCE ADDICTION SERVICES \$187,500.00
TO: MAYOR'S OFFICE- FY24 PREVENTION IN EARLY CHILDHOOD SOR GRANT FUND \$187,500.00
16. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of prior year unpaid bills of \$176,328.00
FROM: FINANCE- PURCHASE OF SERVICE FY24
\$176,328.00
TO: NUGEN CAPITAL MANAGEMENT, LLC
\$176,328.00
In order to pay for the attached bills, the Finance Department will need to take the funds out of our FY24 budget. Money was encumbered at the end of Fiscal Year 23, but the final bills were more than the anticipated amount.

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 approval of prior year unpaid bills \$176,328.00, without a detrimental impact on the continuous provision of the existing level of municipal services. In order to pay for the attached bills, the Finance Department will need to take the funds out of our FY24 budget. Money was encumbered at the end of Fiscal Year 23, but the final bills were more than the anticipated amount.
 FROM: FINANCE- PURCHASE OF SERVICE FY24
 \$176,328.00
 TO: NUGEN CAPITAL MANAGEMENT, LLC
 \$176,328.00
18. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of an unpaid bill of \$2,920.60.
 FROM: AUDITING – PURCHASE OF SERVICE \$2,920.60
 TO: DOMENICK J. COPPOLA, CPA \$2,920.60
 In order to cover the attached bill.
19. 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 approval of prior year unpaid bill \$2,920.60, without a detrimental impact on the continuous provision of the existing level of municipal services. In order to cover the attached bill, the City Auditor’s office will have to take funds from their FY24 budget.
 FROM: AUDITING – PURCHASE OF SERVICE \$2,920.60
 TO: DOMENICK J. COPPOLA, CPA \$2,920.60
20. From the Director of Veterans Services requesting acceptance and expenditure of the following donations from Stop& Shop in the total amount of \$73.00.
21. 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 \$73.00 from Stop & Shop Brockton Veterans Services. The donation will be used for flowers.
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 a donation in the amount of \$73.00 from Stop & Shop to Brockton Veterans Services, without a detrimental impact on the continuous provision of the existing level of municipal services. The donation will be used for flowers.
23. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council confirm the previously proposed FY23 appropriation of \$207,570.68 for purposes of funding the Brockton City Employees Union’s (B.C.E.U) contract.
 This provides funding for the first year of a three (3) year contract (July 1, 2022-June 30, 2025).
 FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-
 \$207,570.68
 CONTRACTUAL UNION COSTS
- TO: ANIMAL CONTROL- PERSONAL SERVICES OTHER THAN
 OVERTIME \$21,189.02
- ASSESSOR’S OFFICE- PERSONAL SERVICES OTHER THAN
 OVERTIME \$4,993.16
- AUDITOR’S OFFICE-PERSONAL SERVICES OTHER THAN

OVERTIME	\$3,783.59
BOARD OF HEALTH-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,232.16
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME	\$2,988.97
DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,030.29
DPW-REFUSE DIVISION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,731.01
ELECTIONS COMMISSION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,769.46
INFORMATION TECHNOLOGY CENTER- PERSONAL SERVICES OTHER THAN OVERTIME	\$38,285.50
LAW OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,950.23
LICENSE COMMISSION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,457.46
PARKING AUTHORITY- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,441.62
PARKS & RECREATION DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$5,407.76
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$92,879.56
PUBLIC PROPERTY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,806.02
VETERANS OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$1,187.85
WEIGHTS & MEASURES DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$7,437.02

24. 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 confirm the previously proposed FY23 appropriation of \$207,570.68 for purposes of funding the Brockton City Employees Union's (B.C.E.U) contract, without detrimental impact on the continuous provision of the existing level of municipal services.

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-
\$207,570.68

CONTRACTUAL UNION COSTS

TO: ANIMAL CONTROL- PERSONAL SERVICES OTHER THAN OVERTIME	\$21,189.02
ASSESSOR'S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,993.16
AUDITOR'S OFFICE-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,783.59

BOARD OF HEALTH-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,232.16
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME	\$2,988.97
DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,030.29
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PARKS & RECREATION DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$5,407.76
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$92,879.56
PUBLIC PROPERTY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,806.02
VETERANS OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$1,187.85
WEIGHTS & MEASURES DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$7,437.02

This appropriation 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.

25. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize and approve the Tax Increment Financing Agreement between the City and Air Energy Group LLC. This agreement will contribute to the ongoing economic vitality of the city, and will commit to job creation and increased revenue.
26. 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 proposed Tax Increment Financing Agreement between the City and Air Energy Group LLC, without a detrimental impact on the continuous provision of the existing level of municipal services. This agreement will contribute to the ongoing economic vitality of the city, and will commit to job creation and increased revenue.
27. From the Police Chief requesting authorization to expend grant monies related to the FY24 Address Verification Program of \$6,500.00 from the Sex Offender Registry Board.

28. From the Brockton Police Dept. Grant Writer requesting that the attached grant award documents be processed to allow the Brockton Police Department to expend \$6,500.00 for the 2023 Address Verification Program (AVP) Application form from a subgrant from the Executive Office of Public Safety and Security (EOPSS). This award will fund overtime for Brockton Police Officer Michael Cesarini as he verifies the address/investigates the location of registered sex offenders in Brockton.

29. 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 \$6,500.00 from the Commonwealth of Massachusetts- Sex Offender Registry Board to the Police Department.

FROM: THE COMMONWEALTH OF MASS- SEX OFFENDER REGISTRY BOARD
\$6,500
TO: THE POLICE DEPARTMENT \$6,500

30. 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 \$6,500.00 from The Commonwealth of Massachusetts- Sex Offender Registry Board to the Police Department, without detrimental impact on the continuous provision of the existing level of municipal services.

FROM: THE COMMONWEALTH OF MASS- SEX OFFENDER REGISTRY BOARD
\$6,500
TO: THE POLICE DEPARTMENT \$6,500

UNFINISHED BUSINESS:

31. Appointment of Police Officer Joseph Cummings of 14 Cassidy Place Bridgewater, MA 02324 as a Special Police Officer. (FAVORABLE)

32. Ordinance: An Ordinance Amending Article III, Division 2, Section 2-127 – Pay Plan to establish pay plan provisions for the positions of DPW Financial Business Manager and Grant Writer. (UNFAVORABLE)

33. 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 \$341,700.00

FROM: THE DEPARTMENT OF MENTAL HEALTH \$341,700.00
TO: THE POLICE DEPARTMENT- FY 24 JAIL ARREST DIVERSION PROGRAM
\$341,700.00 (FAVORABLE)

34. 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 SAFETY \$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
(FAVORABLE)

35. 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 1,121 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. (FAVORABLE AS AMENDED)
36. 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. (FAVORABLE)
37. 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 (FAVORABLE)
38. 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. (FAVORABLE)
39. Ordered: That the following named sum be and the same is hereby appropriated as the same was submitted by the Mayor as follows:
APPROPRIATION OF: \$458,409.82
FROM: UNAPPROPRIATED ESTIMATED RECEIPTS \$438,409.82
AND
FROM: BOARD OF HEALTH-OVERTIME \$20,000
TO: PUBLIC PROPERTY- PERSONAL SERVICES OTHER
THEN OVERTIME \$438,409.82
PUBLIC PROPERTY-OVERTIME \$20,000
(FAVORABLE)
40. Resolve: That the City Council request all members of the Brockton School Committee appear at a meeting of the council for the purpose of an inquiry into the recent announcement of a fourteen million-dollar (\$14,000,000) deficit because of overspending of appropriations and other revenues in Fiscal Year 2023. (FAVORABLE)

ORDERS:

41. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$648,038.00.
From: The Executive Office of Public Safety and Security
To: The Police Department
This grant will be used towards the salary and overtime of certified enhanced 911 telecommunicators and dispatchers.
42. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$304,766.48.
This grant 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.
From: The Executive Office of Public Safety and Security
To: The Police Department
43. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$187,500.
From: The Department of Public Health- Bureau of Substance Addiction Services
To: Mayor’s Office- FY24 Prevention in Early Childhood SOR Grant Fund

This grant will be funded in two sections \$150,000 July 1,2023 through July 1,2024.
 \$37,500 July 1,2024 through September 29,2024 to cover a full year FY24 contract and a
 3-month contract extension

- 44. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$176,328.0 from Finance- Electricity to Nugen Capital.
- 45. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$2,920.60 from Auditing to Domenick J. Coppola, CPA.
- 46. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$73.00.
 From: Stop & Shop
 To: Brockton Veterans Services
 The donation will be used for flowers.

- 47. Ordered: That the City Council confirms the previously approved FY23 appropriation of \$207,570.68 for purposes of funding the Brockton City Employees Union’s (B.C.E.U) contract. This provides funding for the first year of a three (3) year contract (July 1, 2022- June 30, 2025).
 FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS-
 \$207,570.68
 CONTRACTUAL UNION COSTS

TO: ANIMAL CONTROL- PERSONAL SERVICES OTHER THAN OVERTIME	\$21,189.02
ASSESSOR’S OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,993.16
AUDITOR’S OFFICE-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,783.59
BOARD OF HEALTH-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,232.16
COUNCIL ON AGING- PERSONAL SERVICES OTHER THAN OVERTIME	\$2,988.97
DPW-ADMINISTRATION-PERSONAL SERVICES OTHER THAN OVERTIME	\$3,030.29
DPW-REFUSE DIVISION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,731.01
ELECTIONS COMMISSION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,769.46
INFORMATION TECHNOLOGY CENTER- PERSONAL SERVICES OTHER THAN OVERTIME	\$38,285.50
LAW OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,950.23
LICENSE COMMISSION- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,457.46
PARKING AUTHORITY- PERSONAL SERVICES OTHER THAN OVERTIME	\$3,441.62

PARKS & RECREATION DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$5,407.76
POLICE DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$92,879.56
PUBLIC PROPERTY DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,806.02
VETERANS OFFICE- PERSONAL SERVICES OTHER THAN OVERTIME	\$1,187.85
WEIGHTS & MEASURES DEPARTMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$7,437.02

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

49. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$6,500.
From: The Commonwealth of Massachusetts- Sex Offender Registry Board
To: The Police Department

RESOLVES:

50. Resolve: Be it resolved by the Brockton City Council to invite the Chief Financial Officer Troy Clarkson to provide information and a detailed review on the City's and School Department's FY23 final expenditures and FY24 year to date expenditures.

51. Resolve: WHEREAS, For Fiscal Year 2024, beginning on July 1, 2023, there are vacant but funded positions within city government, including the school department, and,

WHEREAS, It is prudent to identify those positions which will not be filled for several months because of recruitment, background checks, required training programs and other related factors, and,

WHEREAS, The deficit caused by overspending of school appropriations for Fiscal Year 2023 creates a need to identify financial resources to address outstanding obligations;

BE IT RESOLVED:

The Chief Financial Officer attend a meeting of the City Council to discuss the potential transfer of funds currently allocated to vacant positions. Such funds to be transferred to a "School Deficit Reserve Fund," or fund by similar title.

Example: Police Department, multiple entry-level vacant positions which are fully funded from July 1, 2023, but which will likely not be filled until after January 1, 2024, because of background checks, physical and mental testing, criminal record checks and available police training academy classes. Such unused funds provide at least six (6) months of potential revenue to be assigned to the school department deficit.

52. Resolve: Be it resolved by the Brockton City Council to invite to Jazmine Bradsher, Director of Social Services, and designees of organizations that partner with the City and offer services to the City's unhoused population to appear before the Finance Committee

of the Brockton City Council to discuss resources and social services in the City of Brockton.

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.