

FINANCE COMMITTEE MINUTES

Notice is hereby given that a meeting of the standing committee on Finance was held on Monday evening October 2, 2023 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:02 PM with eight members present. With Councilor Nicastro presiding, Councilors Asack, Minichiello and Rodrigues absent.

1. Acceptance of the minutes of the September 5, 2023 Finance Committee Meeting.

Accepted and Placed on File

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.

Invited: Jack D. Colombo

*Councilor Nicastro announced that Mr. Colombo had prior obligations and could not be in attendance.

Having considered the same, motion by Councilor D'Agostino to report POSTPONED and was properly seconded. Motion carried by a hand vote.

3. Appointment of Police Officer Joseph Cummings of 14 Cassidy Place Bridgewater, MA 02324 as a Special Police Officer.

Invited: Joseph Cummings

*Comments from Mayor Sullivan in support of the appointment.

Having considered the same, motion by Councilor Farwell to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

4. 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.

Invited: Troy Clarkson, Chief Financial Officer

Patrick Hill, DPW Commissioner

*CFO Clarkson explained the ordinance to the Committee and was there to answer any questions.

*Questions and comments from Councilor D'Agostino.

*Councilor Asack stepped in.

*Questions and comments from Councilor Farwell.

Having considered the same, motion by Councilor Lally to report FAVORABLE and was properly seconded. Motion FAILED by a hand vote.

5. 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

Invited: Brenda Perez, Chief of Police
 Troy Clarkson, Chief Financial Officer

*Chief Perez and Lt. Schlieman explained the grant to the Committee and were there to answer any questions.

*Questions and comments from Councilors Thompson and Tavares.

Having considered the same, motion by Councilor Thompson to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

6. 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
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

Invited: Paul Engle, Library Director
 Troy Clarkson, Chief Financial Officer

*Councilor Teixeira stepped out.

*CFO Clarkson introduced and explained the item to the committee and was there to answer any questions.

*Questions and comments from Councilors Farwell and Lally.

Having considered the same, motion by Councilor Lally to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

7. 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.

Invited: Timothy Carpenter, Superintendent of Parks
John O'Donnell, Chairman Board of Assessors

- *President Nicastro stated that Mr. Carpenter couldn't be in attendance tonight.
- *Mr. O'Donnell stated that the parcel read to be approximately 3,472 square feet is actually 1,121 square feet.
- *Questions and comments from Councilor Thompson answered by Commissioner Hill.
- *Councilor Minichiello stepped in.
- *Comments from Mayor Sullivan.
- *Councilor Lally stepped out.
- *Questions and comments from Councilor Farwell.

Having considered the same, motion by Councilor Farwell to amend the order to strike "3,472" and put "1,121" in its place and was properly seconded. Motion carried by a hand vote.

Having considered the same, motion by Councilor Thompson to report FAVORABLE AS AMENDED and was properly seconded. Motion carried by a hand vote.

8. 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.

Invited: Timothy Carpenter, Superintendent of Cemeteries
Troy Clarkson, Chief Financial Officer

- *Councilor Nicastro read a statement from Superintendent Carpenter into record in regard to this item.
- *CFO Clarkson introduced and explained the item to the committee and was there to answer any questions.
- *Councilor D'Agostino stepped out.

Having considered the same, motion by Councilor Farwell to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

9. 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

Invited: Troy Clarkson, Chief Financial Officer

Patrick Hill, DPW Commissioner

Rob May, Director of Planning and Economic Development

Captain Mark Porcaro, Traffic Commissioner

*Councilor Nicastro stated that Mr. May couldn't be in attendance tonight.

*Commissioner Hill introduced and explained the item to the committee and was there to answer any questions.

*Questions and comments from Councilors Asack and Thompson.

*Councilors Lally and Teixeira stepped back in.

*Questions from Councilor Nicastro answered by Captain Porcaro.

Having considered the same, motion by Councilor Thompson to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

10. 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.

Invited: Mayor Robert Sullivan

James Plouffe, ADA Coordinator

*Mayor Sullivan and Mr. Plouffe introduced and explained the item to the committee and were there to answer any questions.

*Councilor D'Agostino stepped back in.

*Questions and comments from Councilors Thompson and Nicastro answered by Mr. Plouffe.

Having considered the same, motion by Councilor Asack to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

11. 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 \$438,409.82
THEN OVERTIME

PUBLIC PROPERTY-OVERTIME \$20,000

Invited: Dr. Eno Mondesir, Executive Health Officer

James Plouffe, Building Superintendent

Troy Clarkson, Chief Financial Officer

*CFO Clarkson introduced and explained the item to the committee and was there to answer any questions.

*Questions and comments from Councilors Farwell and D'Agostino.

*Comments and answers from Dr. Mondesir and Mayor Sullivan.

*Comments from Councilor Tavares.

Having considered the same, motion by Councilor Farwell to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

12. Resolve: WHEREAS, there are continuing efforts to improve the business development opportunities in the city, and,

WHEREAS, in many areas, including the Downtown District, the issues of safety and security, and challenges presented by homeless persons are present;

NOW, THEREFORE, BE IT RESOLVED:

Legislative Counsel Shannon Resnick, City Solicitor Megan Bridges or designee, Director of Social Services Jazmine Bradsher, and Police Chief Brenda Perez be invited to a meeting of the council to address ongoing programs and services related to these issues, as well as federal court decisions affecting the city's efforts.

Invited: Shannon Resnick, Legislative Counsel
Megan Bridges, City Solicitor
Jazmine Bradsher, Director of Social Services
Brenda Perez, Chief of Police

*Chief Perez, Lt. Schlieman and Ms. Bradsher introduced and explained the item to the committee and was there to answer any questions.

*Questions and comments from Councilor Farwell answered by Ms. Bradsher, Attorney Resnick and Solicitor Bridges.

*Questions and comments from Councilors Thompson, Tavares and Asack.

*Comments and answers from Mayor Sullivan, Lt. Schlieman and Ms. Bradsher.

*Questions and comments from Councilors Minichiello, D'Agostino, Lally and Nicastro.

*Point of information from Councilor Thompson.

Having considered the same, motion by Councilor Farwell to report POSTPONED TO A FINANCE COMMITTEE MEETING IN NOVEMBER WITH RETAIL ORGANIZATIONS AS ADDED INVITEES and was properly seconded. Motion carried by a hand vote.

Brief Recess 9:20PM

Back in Session 9:29PM

13. Resolve: WHEREAS, Many Brockton Public School students walk to, and from school, and,

WHEREAS, Pedestrians use sidewalks and roadways for travel, and,

WHEREAS, Councilors receive periodic inquiries and complaints from residents regarding intersection, pedestrian and student safety, and,

WHEREAS, It is critically important to update and renew goals and objectives for the safety of residents through the efforts of our Traffic Commission and Department of Public Works (DPW);

NOW, THEREFORE, BE IT RESOLVED:

The Traffic Commissioner and the DPW Commissioner be invited to a meeting of the council to discuss the feasibility and implementation of a city-wide study to update regulatory signage, crosswalk markings, areas lacking sidewalks, and such other issues as may relate to the safety of school children and pedestrians.

Invited: Capt. Mark Porcaro, Brockton Police Department
Patrick Hill, DPW Commissioner

Having considered the same, motion by Councilor Farwell to report POSTPONED TO THE NEXT FINANCE COMMITTEE MEETING and was properly seconded. Motion carried by a hand vote.

14. 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.

Invited: Mayor Robert F. Sullivan, Chair of the School Committee
Kathleen Ehlers, Ward One School Committee Member & Vice Chair
Cynthia Rivas Mendes, Ward Two School Committee Member
Jared Homer, Ward Three School Committee Member
Tony Rodrigues, Ward Four School Committee Member
Judy Sullivan, Ward Five School Committee Member
Joyce Asack, Ward Six School Committee Member
Timothy Sullivan, Ward Seven School Committee Member

*Councilor Asack stepped out.

*Vice Chair Ehlers began with a brief statement to the Committee.

*Questions and comments from Councilor Farwell answered by Ms. Rivas Mendes, Vice Chair Ehlers and CFO Clarkson.

*Questions and comments from Councilor D'Agostino answered by Ms. Ehlers and CFO Clarkson.

*Questions and comments from Councilor Lally answered by Mayor Sullivan and CFO Clarkson.

*Questions and comments from Councilor Minichiello answered by CFO Clarkson.

*Questions and comments from Councilor Tavares answered by Sarah Spofford, School Department Attorney.

*Questions and comments from Councilor Mendes answered by Mayor Sullivan and CFO Clarkson.

*Questions and comments from Councilors Thompson and Farwell answered by CFO Clarkson.

Having considered the same, motion by Councilor Thompson to report FAVORABLE and was properly seconded. Motion carried by a hand vote.

*Councilor Asack stepped back in.

15. Resolve: WHEREAS, As requested and voted by the Brockton School Committee, appropriations were approved for the operation of the public schools for Fiscal Year 2023, and,
WHEREAS, Spending in excess of the appropriations occurred, the exact amount not yet confirmed and,
WHEREAS, The overspending has broad implications for other departments in the city and for future municipal budgets, and,
WHEREAS, To accurately identify all outstanding issues, it would be prudent to examine both Fiscal Year 2022 and Fiscal Year 2023 school department appropriations, including specific categories where funds were allotted but overspending occurred;
NOW, THEREFORE, BE IT ORDERED:
The City Solicitor, acting through an outside vendor with no prior relationships with the City of Brockton, conduct an audit of the appropriations for Fiscal Year 2022 and Fiscal Year 2023 provided to the Brockton Public Schools. If sufficient funds do not exist within the Law Department for this purpose, the Solicitor shall request a supplemental appropriation from the mayor and city council for said purpose.

Invited: Megan Bridges, City Solicitor

Troy Clarkson, Chief Financial Officer

Executive Session: To discuss matter relating to active litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares. M.G.L.c. 30A, Sec. 21(3).

*Councilor Nicastro states that the Chair has determined that discussion of this agenda item in open session may have a detrimental effect on the litigation position of the public body. Under MGL Chapter 30A, Section 21, the City Council may move to Executive Session. The purpose and subject of the executive session is with respect to the litigation position of the public body relative to the item before the Council.

Having considered the same, motion by Councilor Farwell to enter executive session and not return to public session, 2nd by Councilor Thompson. Motion carried by a roll call vote, 10 members present and all voting in the affirmative. Councilor Rodrigues absent.

*Council President Nicastro announced that following the end of Executive Session there will be no more public action taken.

Meeting Adjourned: 12:30AM Tuesday, October 3, 2023