

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening December 11, 2023 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the November 27, 2023 City Council meeting.

**REPORTS:**

2. Of the Real Estate Committee for its meeting of November 28, 2023.
3. Of the Finance Committee for its meeting of December 4, 2023.

**COMMUNICATIONS:**

4. From Philip Griffin of 19 Emory Street, Brockton, Massachusetts 02301 informing City Council that he is resigning as a member of the Brockton Redevelopment Authority Board of Directors as of December 13, 2023.
5. From the Mayor informing City Council that Philip Griffin of 19 Emory Street, Brockton, Massachusetts 02301 is resigning as a member of the Brockton Redevelopment Authority Board of Directors as of December 13, 2023.
6. From the Fire Chief informing the City Council that Brockton Fire Department has been awarded an SFY 2024 Massachusetts Municipal Public Safety Staffing grant in the amount of two hundred sixty-seven thousand, six hundred dollars and zero cents (\$267,600.00) from the Commonwealth of Massachusetts Executive Office of Public Safety and Security. This is a non-matching grant with no cost to the City. Brockton Fire Department is requesting to accept and expend the total grant, they intend to use these Grant funds for overtime necessary to maintain staffing levels.
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 \$267,600.00 from the Commonwealth of Massachusetts Executive Office of Public Safety to the Brockton Fire Department.  
FROM: The Commonwealth of Massachusetts Executive Office of Public Safety  
TO: The Brockton Fire Department
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 \$267,600.00 from the Commonwealth of Massachusetts Executive Office of Public Safety to the Brockton Fire Department, without detrimental impact on the continuous provision of the existing level of municipal services.  
FROM: The Commonwealth of Massachusetts Executive Office of Public Safety  
TO: The Brockton Fire Department  
This grant will be used to fund necessary overtime to maintain staffing levels.
9. From the Director of Veterans Services requesting the City Council accept and expend the donation of 25 winter care packages from the Coats4Vets program. They will be distributed to veterans who live in Brockton.
10. 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 25 winter care packages from Coats4Vets program to the Veterans' Services Department. The donation will be used for helping veterans who live in Brockton.

11. 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 25 winter care packages from the Coats4Vets program to the Veterans' Services Department, without a detrimental impact on the continuous provision of the existing level of municipal services. The donation will be used for helping veterans who live in Brockton.
12. 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 \$62,271.26 for purposes of funding the Brockton Association of Engineers, Technicians and Inspectors 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 –

CONTRACTUAL UNION COSTS

TO: BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME	\$23,270.91
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BOARD OF HEALTH- OVERTIME	\$384.61
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DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION- PERSONAL SERVICES OTHER THAN OVERTIME	\$4,728.40
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DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION- OVERTIME	\$193.62
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DEPARTMENT OF PUBLIC WORKS WATER ENTERPRISE- PERSONAL SERVICES OTHER THAN OVERTIME	\$8,163.45
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DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- PERSONAL SERVICES OTHER THAN OVERTIME	\$5,560.97
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DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT- OVERTIME	\$126.06
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PUBLIC PROPERTY- PERSONAL SERVICES OTHER THAN OVERTIME	\$19,258.20
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PUBLIC PROPERTY- OVERTIME	\$585.04
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This appropriation provides funding for the first year of a three (3) year contract (July 1, 2022-June 30, 2025).

13. 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 \$62,271.26, for purposes of funding the Brockton Association of Engineers, Technicians and Inspectors contract, without detrimental impact on the continuous provision of the existing level of municipal services.

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14. 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 \$363,581.23, for purposes of funding the Brockton City Hall Administrative Services Association 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 –

CONTRACTUAL UNION COSTS

TO:

ANIMAL CONTROL – PERSONAL SERVICES OTHER THAN OVER TIME

\$3,845.50

ANIMAL CONTROL – OVERTIME

\$3.38

ASSESORS – PERSONAL SERVICES OTHER THAN OVERTIME

\$14,615.57

ASSESORS – OVERTIME

\$27.34

AUDITING – PERSONAL SERVICES OTHRT THAN OVER TIME

\$18,168.55

AUDITING – OVERTIME

\$496.18

BOARD OF HEALTH – PERSONAL SERVICES OTHER THAN OVERTIME

\$4,353.84

BOARD OF HEALTH – OVERTIME

\$15.90

CEMETERY – PERSONAL SERVICES OTHER THAN OVERTIME

\$4,925.46

CEMETERY – OVERTIME

\$86.63

CITY CLERKS – PERSONAL SERVICES OTHER THAN OVERTIME

\$14,249.38

CITY CLERKS – OVERTIME

\$130.94

CITY COUNCIL – PERSONAL SERVICES OTHER THAN OVERTIME

\$25,069.81

CITY COUNCIL – OVERTIME

\$727.19

COUNCIL ON AGING – PERSONAL SERVICES OTHER THAN OVERTIME

\$4,564.56

COUNCIL ON AGING -

\$13.88

DEPT OF PLANNING & ECONOMIC DEVELOPMENT- PERSONAL SERVICES  
OTHER THAN OVERTIME

\$9,713.88

DEPT OF PLANNING & ECONOMIC DEVELOPMENT- OVERTIME

\$119.84

DPW ADMIN – PERSONAL SERVICES OTHER THAN OVERTIME

\$2,034.97

DPW ADMIN – OVERTIME

\$39.09

DPW ENGINEERING – PERSONAL SERVICES OTHER THAN OVERTIME

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DPW HIGHWAY – PERSONAL SERVICES OTHER THAN OVERTIME

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DPW HIGHWAY – OVERTIME

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DPW REFUSE – PERSONAL SERVICES OTHER THAN OVERTIME

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DPW REFUSE – OVERTIME

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DPW WATER – PERSONAL SERVICES OTHER THAN OVERTIME

\$27,911.49

DPW WATER – OVERTIME

\$315.47

ELECTIONS – PERSONAL SERVICES OTHER THAN OVERTIME

\$12,605.06

ELECTIONS – OVERTIME

\$333.78

FINANCE – PERSONAL SERVICES OTHER THAN OVERTIME

\$9,203.09

FIRE DEPARTMENT – PERSONAL SERVICES OTHER THAN OVERTIME

\$18,640.99

FIRE DEPARTMENT – OVERTIME  
\$2,712.50

HUMAN RESOURCES – PERSONAL SERVICES OTHER THAN OVERTIME  
\$7,091.91  
HUMAN RESOURCES – OVERTIME  
\$83.00

LAW DEPARTMENT – PERSONAL SERVICES OTHER THAN OVERTIME  
\$6,568.71  
LAW DEPARTMENT – OVERTIME  
\$57.58

PARKS AND RECREATION – PERSONAL SERVICES OTHER THAN OVERTIME  
\$22,785.17  
PARKS AND RECREATION – OVERTIME  
\$4,328.47

POLICE DEPARTMENT – PERSONAL SERVICES OTHER THAN OVERTIME  
\$33,309.69  
POLICE DEPARTMENT – OVERTIME  
\$2,121.27

PUBLIC PROPERTY – PERSONAL SERVICES OTHER THAN OVERTIME  
\$13,677.73  
PUBLIC PROPERTY – OVERTIME  
\$514.08

PROCUREMENT – PERSONAL SERVICES OTHER THAN OVERTIME  
\$7,388.81

TAX DEPARTMENT – PERSONAL SERVICES OTHER THAN OVERTIME  
\$28,395.39  
TAX DEPARTMENT – OVERTIME  
\$358.34

TREASURERS – PERSONAL SERVICES OTHER THAN OVERTIME  
\$15,774.88  
TREASURERS – OVERTIME  
\$.42

VETERANS – PERSONAL SERVICES OTHER THAN OVERTIME  
\$3,723.59  
VETERANS – OVERTIME  
\$125.09

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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 adequate to confirm the previously proposed FY23 appropriation of \$363,581.23, for purposes of funding the Brockton City Hall Administrative Services Association contract, without detrimental impact on the continuous provision of the existing level of municipal services.

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CONTRACTUAL UNION COSTS

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**UNFINISHED BUSINESS:**

16. Ordinance: Be it Ordained by the City Council of the City of Brockton to adopt a new section to Chapter 12, Section VI “Pedestrians” of the Revised Ordinances of the City of Brockton as follows:

**12-154.1 Purpose**

Every pedestrian shall have the right to use the public ways in the City of Brockton except where pedestrian travel is expressly or specifically prohibited by law, regulation, signage, road closure, or other safety or emergency factors.

Notwithstanding the right of pedestrians to use public ways within the City of Brockton, the City of Brockton has experienced an increase in public safety issues relating to pedestrian use of and entry into the public roadways identified herein, for which a significant public safety need has arisen requiring implementation of this median safety and pedestrian regulation ordinance.

**12-154.2 Roads Subject to the Provision of this Ordinance**

This ordinance shall apply to the following roadways within the City of Brockton:

Main St  
N Main St  
Warren Ave  
N Warren Ave  
Montello St  
N Montello St  
Belmont St  
Pleasant St  
Centre St  
Crescent St  
Oak St  
Pearl St  
N Pearl St  
Reynold's Memorial Hwy  
E Ashland St  
Spring St  
W Chestnut St  
School St  
Court St  
Forest Ave  
Richmond St  
Battles St  
North Quincy St

**12-154.3 Exemptions**

12-154.3.1 Nothing in this ordinance shall prohibit law enforcement officials and public safety officials from enforcement of statutory, regulatory and local regulations and requirements pertaining to use of public ways by pedestrians, travelers and motor vehicle operators within the City of Brockton.

12-154.3.2 These regulations shall not apply to municipal, state, federal or other public-service corporation individuals or their agents, servants and employees while in the performance of their public duties, including duties involving public safety, construction, maintenance, repair or cleaning work.



12-154.3.3 These regulations shall not apply to road closures for special events as deemed necessary by municipal, state, federal or other public-service corporation individuals or their agents, servants and employees.

12-154.3.4 These regulations do not apply to pedestrians entering into a roadway for purposes of acting in emergency circumstances.

#### **12-154.4 Definitions**

crosswalk: the specially paved and marked path for pedestrian crossing on a roadway

median: a section or reserved area separating opposing lanes of traffic on a roadway traffic between lanes on a roadway

center traffic island/safety island: An area provided for safety of pedestrians from vehicular

sidewalk: a paved walkway along the side of a roadway

shoulder: the area or strip of land immediately adjacent to a traffic lane of a roadway which does not contain a sidewalk

roadway: shall refer to the roadways identified in Section 12-154.2

#### **12-154.5 Regulations**

12-154.5.1 It shall be unlawful for any pedestrian to walk along and upon an adjacent roadway whenever a sidewalk, median, crosswalk, center traffic island, or safety island is available for pedestrian use.

12-154.5.2 It shall be unlawful for any pedestrian to leave an available sidewalk, median, crosswalk, center traffic island, or safety island and enter the path of any motor vehicle on a roadway.

12-154.5.3 Where sidewalks, medians, crosswalks, center traffic islands, or safety islands are unavailable, a pedestrian shall use an unfinished shoulder of a roadway and avoid traveling or entering into the roadway.

12-154.5.4 A pedestrian shall not enter a public way into the pathway of motor vehicles traveling on and along the roadway or approach within five (5) feet of a motor vehicle or vehicles using a roadway.

#### **12-154.6 Enforcement**

12-154.6.1 These median safety and pedestrian regulations shall be enforced by the City of Brockton Police Department.

12-154.6.2 Any individual who violates the provisions of this ordinance shall be cited and fined as follows: a fine not exceeding fifty dollars (\$50.00) for a first offense, one hundred dollars (\$100.00) for a second offense, and three hundred dollars (\$300.00) for a third and each subsequent offense thereafter, with each separate instance considered a distinct violation subjecting the violator to citations and fines. (FAVORABLE AS AMENDED)

17. Ordered: That the City Council hereby declare as surplus a City owned parcel of land located on Main Street, Parcel ID 091-079, being the premises of land described as "Parcel A" by deed to the City of Brockton recorded in the Plymouth County Registry of Deeds in Book 5313, Page 467, for the purposes of granting a no-build easement to John Merian and Alyce R. Merian, as Trustees of the John and Alyce R. Merian Irrevocable Trust u/d/t dated January 5, 1996, recorded with Plymouth County

Registry of Deeds at Book 14073, Page 220, owner of adjacent property located at 137 Main Street, Brockton. This Order further authorizes the Mayor to execute all documents necessary to facilitate the grant of the no-build easement. (FAVORABLE)

18. Re-Appointment of Mr. Robert Graham, 6 Alphonse Road, Brockton, MA 02302, to the Board of Directors of the Brockton Council on Aging pursuant to the City of Brockton Ordinances Sec. 2-414 for a term of three (3) years. (FAVORABLE)

19. Re-Appointment of Stephan Hooke, 31 Hammond Street, Brockton, MA 02302, to the Traffic Commission pursuant to City of Brockton Ordinance Sec. 466, for a term of three (3) years. (FAVORABLE)

20. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$935,657.31

FROM: DPW- SEWER DIVISION –	\$935,657.31
OTHER CONTRACTED SERVICES FY24	
TO: VEOLIA	\$213,560.97
	\$238,820.35
	\$483,275.99

In order to cover unanticipated expenses for the remainder of the Fiscal Year. (FAVORABLE)

21. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of 530,872.99

FROM: DPW WATER DIVISION- PURCHASE OF SERVICES FY24	\$530,152.78
DPW WATER DIVISION- GOODS AND SUPPLIES FY24	\$720.21
TO:	
BROCKTON POLICE DEPARTMENT	\$5,713.38
ABINGTON POLICE DEPARTMENT	\$825.00
PLYMOUTH COUNTY SHERIFF	\$440.00
EAST BRIDGEWATER POLICE DEPARTMENT	\$440.00
TOWN OF HOLBROOK POLICE DEPARTMENT	\$1,276.00
PLYMPTON POLICE DEPARTMENT	\$2,186.60
ADVANTAGE TRUCK RAYNHAM, LLC	\$1,540.15
BURKE, DENNIS K. INC	\$667.86
UNITED CONSTRUCTION & FORESTRY, LLC	\$920.74
WOODWARDS AUTO SPRING SHOP	\$22.39
ZEP	\$720.21
CONSTELLATION	\$248,817.85
BERTARELLI BROS.	\$2,520.00
VEOLIA	\$251,153.54
MODERN AUTO BODY	\$7,142.88
T.L. EDWARDS INC	\$6,486.39

(FAVORABLE)

22. ORDERED: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$60,000.

From: The Commonwealth of Massachusetts- Executive Office of Public Safety & Security \$60,000

To: The Police Department – FY24 Municipal Road Safety Program \$60,000 (FAVORABLE)

23. Ordered: The City Council hereby rescinds the Tax Increment Financing Agreement (TIF) between the City and Air Energy Group LLC approved October 24, 2023. (FAVORABLE)

24. Ordered: That the City Council authorizes and approves the Tax Increment Financing Agreement between the City, Brockton Industrial Property Owner LLC and Air Energy Group LLC regarding 105 Industrial Boulevard Brockton, Massachusetts. This agreement will contribute to the ongoing economic vitality of the city, and will commit to job creation and increased revenue. (FAVORABLE AS AMENDED)

**ORDERS:**

25. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$267,600.00.  
 From: The Commonwealth of Massachusetts Executive Office of Public Safety  
 To: The Brockton Fire Department.  
 This grant will be used to fund necessary overtime to maintain staffing levels.

26. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of 25 winter care packages.  
 From: Coats4Vets program  
 To: The Veterans’ Services Department  
 The donation will be used for helping veterans who live in Brockton.

27. Ordered: That the City Council confirm the previously approved FY23 appropriation of \$62,271.26 for purposes of funding the Brockton Association of Engineers, Technicians and Inspectors 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 –

CONTRACTUAL UNION COSTS

TO: BOARD OF HEALTH- PERSONAL SERVICES OTHER THAN OVERTIME	\$23,270.91
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28. Ordered: That the City Council confirm the previously approved FY23 appropriation of \$363,581.23, for purposes of funding the Brockton City Hall Administrative Services Association contract.  
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**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.