

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening February 12, 2024 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the January 22, 2024 City Council meeting.

APPOINTMENTS:

2. Promotion of Firefighter Christian D. Bugbee, of 17 Conant Drive, Brockton, MA 02301, to the rank of Fire Lieutenant in the Brockton Fire Department.
3. Re-appointment of Ms. Carole Delorey of 19 North Bassett Road, Brockton, MA 02301, to the Council on Aging as a member for a three (3) year term, ending January 2027.
4. Re-appointment of Mr. Clayton Reichenberg of 115 Darren Drive, Brockton, MA 02301, to the Council on Aging as a member for a three (3) year term, ending January 2027.
5. Appointment of Anne Callahan, of 22 Circle Drive, Brockton, MA 02301, to serve on the Beautification Committee for a one (1) year term ending January 2025.

HEARINGS:

6. Petition of National Grid and Verizon New England, Inc to install one SO Pole on Main Street. Beginning at a point approximately 83 feet Southeast of the centerline of the intersection of Florence Street and Main Street and continuing approximately 46 feet in a Northwest direction. Installing new Pole, P43-50 ~46' Northwest of existing P44 on Main Street.
7. Petition of Oscar Mendoza of 10 Wyers Court, Lynn, MA 01904 for a Garage License Transfer located at 71 Plain Street, Brockton, MA 02302.

REPORTS:

8. Of the Finance Committee for its meeting of January 16, 2024.
9. Of the Finance Committee for its meeting of February 5, 2024.

COMMUNICATIONS:

10. From the Fire Chief recommending the promotion of Firefighter Christian D. Bugbee, of 17 Conant Drive, Brockton, MA 02301, to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the retirement of Fire Lieutenant Paul J. Wisocky. Firefighter Christian D. Bugbee is the number one candidate on the current Human Resources Fire Lieutenant List.
11. From the Mayor promoting Firefighter Christian D. Bugbee, of 17 Conant Drive, Brockton, MA 02301, to the rank of Fire Lieutenant in the Brockton Fire Department. This promotion is due to the retirement of Fire Lieutenant Paul J. Wisocky. Firefighter Christian D. Bugbee is the number one candidate on the current Human Resources Fire Lieutenant List.
12. From the Mayor re-appointing Ms. Carole Delorey of 19 North Bassett Road, Brockton, MA 02301, to the Council on Aging as a member for a three (3) year term, ending January 2027.
13. From the Mayor re-appointing Mr. Clayton Reichenberg of 115 Darren Drive, Brockton, MA 02301, to the Council on Aging as a member for a three (3) year term, ending January 2027.

14. From the Mayor appointing Anne Callahan, of 22 Circle Drive, Brockton, MA 02301, to serve on the Beautification Committee for a one (1) year term ending January 2025
15. From the Fire Chief requesting a transfer of \$500,000.00 from Education Incentive, \$150,000.00 from Holiday Premium and \$100,000.00 from Vacation Buyback for a total of \$750,000.00 to the regular overtime account to maintain all companies through the remainder of fiscal year 2024.
16. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$750,000
FROM: FIRE DEPARTMENT – EDUCATION INCENTIVE \$500,000
FIRE DEPARTMENT – HOLIDAY PREMIUM \$150,000
FIRE DEPARTMENT- VACATION BUYBACK \$100,000
TO: FIRE DEPARTMENT- REGULAR OVERTIME \$750,000
In order to maintain all companies through the remainder of Fiscal Year 2024.
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 transfer of \$750,000, without a detrimental impact on the continuous provision of the existing level of municipal services.
FROM: FIRE DEPARTMENT – EDUCATION INCENTIVE \$500,000
FIRE DEPARTMENT – HOLIDAY PREMIUM \$150,000
FIRE DEPARTMENT- VACATION BUYBACK \$100,000
TO: FIRE DEPARTMENT- REGULAR OVERTIME \$750,000
In order to maintain all companies through the remainder of Fiscal Year 2024.
18. From the HR Director requesting permission to pay the following invoice from FY23 out of the FY24 budget: Invoice from the Commonwealth of Massachusetts Department of Unemployment Assistance in the amount of \$21,106.00 (for charges occurred in June 2023).
19. 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 \$21,106.00
FROM: HUMAN RESOURCES- UNEMPLOYMENT INSURANCE \$21,106.00
TO: THE COMMONWEALTH OF MASSACHUSETTS \$21,106.00
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE
In order to pay for the attached bill, the Human Resources Department will need to take the funds out of our FY24 budget. The bill was received after Fiscal Year 2023 ended.
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 approval of prior year unpaid bills \$21,106.00, without a detrimental impact on the continuous provision of the existing level of municipal services. In order to pay for the attached bill, the Human Resources Department will need to take the funds out of our FY24 budget. The bill was received after Fiscal Year 2023 ended.
FROM: HUMAN RESOURCES- UNEMPLOYMENT INSURANCE \$21,106.00
TO: THE COMMONWEALTH OF MASSACHUSETTS \$21,106.00
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE
21. From the Chief of Police requesting authorization to expend grant monies related to the FY 2024 Senator Charles E. Shannon Community Safety Initiative Grant funding from the Executive Office of Public Safety and Security's Office of Grants and Research for \$745,842.88.
22. From the BPD Grant Writer requesting that the grant award documents be processed to allow the City of Brockton to expend funds authorized under the FY 2024 Senator Charles E. Shannon Community Safety Initiative grant funding for \$745,842.88.

23. 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 \$745,842.88 from the Executive Office of Public Safety and Security to the City of Brockton. These funds will provide wrap-around services and gang prevention for Brockton Youth through services such as camperships, youth employment and the Brockton Police Department's Junior Cadet and Youth Academy programs. There is a 25% match of in-kind services.
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 and will continue to be adequate to support the acceptance and expenditure of the grant award in the amount of \$745,842.88 from the Executive Office of Public Safety and Security to the City of Brockton, without detrimental impact on the continuous provision of the existing level of municipal services. These funds will provide wrap-around services and gang prevention for Brockton Youth through services such as camperships, youth employment and the Brockton Police Department's Junior Cadet and Youth Academy programs. There is a 25% match of in-kind services.
25. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council accepts the Lease Agreement entered into with Brockton Commons Associates II, LLC for approximately 5,122 square feet of certain real property located at 55 VFW Parkway, Brockton, MA 02571. Said lease agreement shall run for a three-year term beginning November 1, 2023 and ending October 31, 2026 with ten consecutive one-year options to extend. The Mayor is authorized to execute any and all documents necessary in connection with said Lease Agreement.
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 Lease Agreement entered into with Brockton Commons Associates II, LLC for approximately 5,122 square feet of certain real property located at 55 VFW Parkway, Brockton, MA 02571, without detrimental impact on the continuous provision of the existing level of municipal services. This lease will support the city hall renovation project by providing temporary space for office relocations.
27. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the creation of the Transportation Program Revolving Fund, provided that no more than \$500,000 may be expended during Fiscal Year 2024.
28. From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the proposed authorization of the Transportation Program Revolving Fund, provided that no more than \$500,000 may be expended during Fiscal Year 2024, without a detrimental impact on the continuous provision of the existing level of municipal services.

UNFINISHED BUSINESS:

29. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$1000.00
 From: Mount Sinai Corporation DBA K-Beauty and Hair
 To: The Brockton Police Department (FAVORABLE)
30. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:
 Transfer of: \$16,000
 FROM: LIBRARY- SHIFT DIFFERENTIAL \$16,000
 TO: LIBRARY- OVERTIME \$16,000
 In order to cover unanticipated expenses for the remainder of the Fiscal Year.
 (FAVORABLE)

31. Appointment of Paul Beckner, of 92 Quincy Street, Brockton, MA 02302 to the Council on Aging as a member for a three (3) year term ending January 2027. (FAVORABLE)
32. Appointment of Gerald D. Koelsch, of 35 Taft Avenue, Brockton, MA 02301 to the Council on Aging as a member for a three (3) year term ending January 2027. (FAVORABLE)
33. Appointment of Anne McCormack, of 25 Mayotte Circle, Brockton, MA 02301 to the Council on Aging as a member for a three (3) year term ending January 2027. (FAVORABLE)
34. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:
- Transfer of: \$5,000
- | | |
|--------------------------|---------|
| FROM: AUDITORS – POSTAGE | \$5,000 |
| TO: AUDITORS- OVERTIME | \$5,000 |
- In order to cover unanticipated expenses for the remainder of the Fiscal Year. (FAVORABLE)
35. Ordered: That the following named sum be and the same is hereby transferred as the same was submitted by the Mayor as follows:
- Transfer of: \$360,000
- | | |
|--|-----------|
| FROM: POLICE DEPARTMENT – FULL TIME SALARIES | \$360,000 |
| TO: POLICE DEPARTMENT – DEPARTMENTAL EQUIPMENT | \$360,000 |
- This transfer will be used for the purchase of six police cruisers. (FAVORABLE)
36. 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 \$293,850
- | | |
|--|-----------|
| FROM: THE EXECUTIVE OFFICE OF PUBLIC SAFTEY & SECURITY | \$293,850 |
| SFY2024 MASSACHUSETTS MUNICIPAL PUBLIC SAFETY STAFFING PROGRAM | |
| TO: THE POLICE DEPARTMENT | \$293,850 |
- (FAVORABLE)
37. 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 \$50,000
- | | |
|--|-----------|
| FROM: THE EXECUTIVE OFFICE OF PUBLIC SAFTEY & SECURITY | -\$50,000 |
| FY24 EDWARD BRYNE MEMORIAL JUSTICE ASSISTANCE GRANT | |
| TO: THE POLICE DEPARTMENT | \$50,000 |
- (FAVORABLE)
38. Resolve: Be it resolved by the Brockton City Council to invite Mayor Robert Sullivan, CHA Consulting, Inc. (City’s consultant), Kaestle Boos Associates, Inc. (KBA) (project architects) and designated City officials to appear before the Finance Committee of the Brockton City Council to provide information and update the City Council on the Public Safety Building Development project. (FAVORABLE)

39. Resolve: WHEREAS, American Rescue Plan Act (ARPA) funding allows for critical capital projects to be completed;

NOW, THEREFORE, BE IT RESOLVED: The chief financial officer, ARPA consultant and building commissioner be invited to a meeting of the city council to provide a progress report on ARPA funded projects and continuation of city services during project work. (FAVORABLE)

40. Resolve: WHEREAS, The safety and security of city residents is a moral and legal imperative; NOW, THEREFORE, BE IT RESOLVED: The police chief and such members of the command staff as may be determined appropriate be invited to a meeting of the city council, such meeting to be held in executive session for the following purpose, as specifically permitted by MGL Chapter 30A, Section 21 (a) (4): “To discuss the deployment of security personnel or devices, or strategies with respect thereto.” (FAVORABLE)

ORDINANCES:

41. Ordinance: Be it Ordained by the City Council of the City of Brockton to adopt a new section to Chapter 12, Section VII “Bridge and Park Cleaning Ordinance” of the Revised Ordinances of the City of Brockton as follows:

12-155.1 - Designation of Bridge/Park Cleaning Program

- a. The City of Brockton desires to conduct cleanings under the all bridges owned by the Massachusetts Bay Transportation Authority and parks owned by the City.
- b. The purpose of the scheduled cleanings is to improve the public health conditions within the City.

12-155.2 - Locations subject to this Ordinance

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

All MBTA owned bridges

D.W. Field Park

Perkins Park

Salisbury River Plain Park aka Finnegan Park

12-155.3 - Cleaning Program Regulations

- a. The Commissioner of the Department of Public Works shall oversee the cleaning program for the bridges, and the Superintendent of Parks shall oversee the cleaning program for the parks.
- b. The cleanings under the bridges shall occur on Mondays, Wednesdays, and Fridays between 6:30 a.m. and 6:00 p.m., or when a biological contamination has been identified.
- c. The cleanings at the parks shall occur on the first and third Monday of each month between 6:00 a.m. and 3:00 p.m., or when a biological contamination has been identified.
- d. If the scheduled cleaning falls on a state holiday, then the scheduled cleaning will not occur and will continue on the next normally scheduled day.

- e. At each location subject to this ordinance, notice shall be posted at least forty-eight (48) hours prior to the scheduled cleaning. *See* attached Notice.
- f. On the day of each scheduled cleaning, the Brockton Police Department will visit the designated location at least thirty (30) minutes prior to the scheduled cleaning to respectfully notify any persons at the location of the cleaning. Such persons shall specifically be informed that they should collect their personal belongings and leave the location during the cleaning.
- g. At the time of the cleaning, the Director of Social Services and/or designee shall accompany the Department of Public Works staff in order to provide any persons at the location with additional information regarding the cleanings and other services available to the residents of the City of Brockton.

12-155.4 – Non-conflict with other Laws

Nothing in this ordinance shall prohibit law enforcement officials and public safety officials from enforcement of statutory, regulatory, and local regulations within the City of Brockton.

42. Ordinance: An Ordinance Creating a Revolving Fund pursuant to Massachusetts General Law, Chapter 44, Section 53E 1/2

Be it ordained by the City Council of the City of Brockton pursuant to the Massachusetts General Law, Chapter 44, Section 53E ½, that the following language be adopted as a City of Brockton Ordinance:

The Transportation Program Revolving Fund shall be created. Programs or activities for which the Transportation Program Revolving Fund may be expended shall be consistent with purposes for transportation of residents ages 60 and older in the City of Brockton. Donations and fees shall be credited to Transportation Program Revolving Fund. Expenditures from the Transportation Program Revolving Fund shall be made on the authority and direction of the Chief Financial Officer, provided that no more than \$500,000 may be expended from Transportation Program Revolving Fund during fiscal year 2024. The Brockton Chief Financial Officer shall comply with the reporting requirements of M.G.L. ch. 44, Section 53E ½.

ORDERS:

43. Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the Presidential Primary will be held on Tuesday, March 5, 2024 in the following designated Polling Places:

Ward One	Precinct A	Housing Authority, 70 Hawley St
Ward One	Precinct B	West Middle School, 271 West Street
Ward One	Precinct C	Hancock School, 125 Pearl Street
Ward One	Precinct D	Hancock School, 125 Pearl Street
Ward Two	Precinct A	Barret Russell School, 45 Oakdale Street
Ward Two	Precinct B	Manning Towers, 45 Goddard Road
Ward Two	Precinct C	Brockton Public Library, 304 Main Street
Ward Two	Precinct D	War Memorial Building, 156 West Elm Street
Ward Three	Precinct A	South Middle School, 105 Keith Avenue Ext
Ward Three	Precinct B	South Middle School, 105 Keith Avenue Ext
Ward Three	Precinct C	John F. Kennedy School, 900 Ash Street
Ward Three	Precinct D	West Side Library, 540 Forest Avenue

Ward Four	Precinct A	Gilmore School, 150 Clinton Street
Ward Four	Precinct B	Gilmore School, 150 Clinton Street
Ward Four	Precinct C	Davis Elementary School, 380 Plain Street
Ward Four	Precinct D	Campello High Rise Apts, 1380 Main Street
Ward Five	Precinct A	East Side Library, 54 Kingman Street
Ward Five	Precinct B	East Middle School, 464 Centre Street
Ward Five	Precinct C	Downey School, 55 Electric Avenue
Ward Five	Precinct D	Caffrey Towers, 755 Crescent Street
Ward Six	Precinct A	Brookfield School, 135 Jon Drive
Ward Six	Precinct B	Ashfield School Gymnasium, 225 Coe Road
Ward Six	Precinct C	Brookfield School, 135 Jon Drive
Ward Six	Precinct D	Brookfield School, 135 Jon Drive
Ward Seven	Precinct A	North Middle School, 108 Oak Street
Ward Seven	Precinct B	Belair Street High Rise, 105 Belair Street
Ward Seven	Precinct C	Sullivan Towers, 140 Colonel Bell Drive
Ward Seven	Precinct D	Raymond School, 125 Oak Street

The polls will be open at 7:00 A.M., and will be closed at 8:00 P.M.

Said voters will then in their respective polling places give in their votes each on one piece of paper to the Warden for the election of candidates for the following named offices, viz: Presidential Preference, State Committee Man, State Committee Woman, and Ward Committees.

44. ORDERED: That the following named sum be and the same is hereby transferred as the same

was submitted by the Mayor as follows:

Transfer of: \$750,000

FROM: FIRE DEPARTMENT – EDUCATION INCENTIVE \$500,000

FIRE DEPARTMENT – HOLIDAY PREMIUM \$150,000

FIRE DEPARTMENT- VACATION BUYBACK \$100,000

TO: FIRE DEPARTMENT- REGULAR OVERTIME \$750,000

In order to maintain all companies through the remainder of Fiscal Year 2024.

45. ORDERED: In accordance with the General Laws of Massachusetts, Chapter 44, recommending

that the City Council approve the expenditure of \$21,106.00 from Human Resources- Unemployment Insurance.

In order to pay for an FY23 Unemployment Invoice, the Human Resources Department will need to take the funds out of their FY24 budget.

FROM: HUMAN RESOURCES- UNEMPLOYMENT INSURANCE \$21,106.00

TO: THE COMMONWEALTH OF MASSACHUSETTS \$21,106.00
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

46. 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 \$745,842.88

FROM: Executive Office of Public Safety and Security \$745,842.88

TO: City of Brockton \$745,842.88

FY 2024 Senator Charles E. Shannon Community Safety Initiative Grant

These funds will provide wrap-around services and gang prevention for Brockton Youth through services such as camperships, youth employment and the Brockton Police Department's Junior Cadet and Youth Academy programs.

There is a 25% match of in-kind services.

47. ORDERED: That pursuant to M.G.L. c. 40, § 14 and the City of Brockton's Ordinance 2-157, the City of Brockton hereby accepts the Lease Agreement entered into with Brockton Commons Associates II, LLC for approximately 5,122 square feet of certain real property located at 55 VFW Parkway, Brockton, MA 02571. Said lease agreement shall run for a three-year term beginning November 1, 2023 and ending October 31, 2026 with ten consecutive one-year options to extend. The Mayor is authorized to execute any and all documents necessary in connection with said Lease Agreement.

RESOLVES:

48. Resolve: To invite Mr. Thomas Thibeault, executive director, and Atty Thomas Plouffe, Division Director of Housing Administration, of Brockton Housing Authority, to appear before the Finance Committee of the Brockton City Council to discuss the rehabilitation of the Campello High Rise buildings, located on South Main Street, including without limitation, project design, costs, financing, and such other related issues as appropriate.

49. Resolve: WHEREAS, In 2023, the city created an Inspectional Services Department (ISD) to bring greater attention to, and enforcement of, local and state code requirements;

NOW, THEREFORE, BE IT RESOLVED:

That Assistant Building Commissioner William Forte and Code Enforcement Director George DePina be invited to a meeting of the council to provide a report and update on the progress and success of the program, as well as any recommendations for improvements in city code enforcement.

50. Resolve: WHEREAS, Clean streets and sidewalks enhance the appearance of business and neighborhood areas, and,
WHEREAS, The Department of Public Works is specifically charged with maintenance and upkeep of these areas;

NOW, THEREFORE, BE IT RESOLVED:

That Commissioner Patrick Hill be invited to a meeting of the council to discuss the maintenance and cleaning of streets and sidewalks, and programs to enhance the attractiveness of neighborhood and commercial areas in the city.

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.