

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening April 8, 2024 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the March 25, 2024 City Council meeting.

APPOINTMENTS:

2. Appointment of Mr. Nicholas Palantzas, of 80 Weston Street, Brockton, MA 02301, to serve as a member of the Brockton Parking Authority for a five (5) year term, March 2029.

HEARINGS:

3. Petition of LV14 Autobody/Silvestre Vaz of 34 Blue Hill Avenue, Roxbury, MA 02119 for a Motor Vehicle Repair Mechanical License and Motor Vehicle Repair Body License transfer located at 71 Plain Street, Brockton, MA 02301. (POSTPONED FROM MARCH 25,2024 CITY COUNCIL MEETING)
4. Petition of George Hannoush Jewelers of Mass, Inc. DBA Romm Diamonds of 170 Quarry Rd, W. Springfield, MA 01089, for a Second-Hand Precious Metals & Gems License located at 1280 Belmont Street, Brockton, MA 02301.
5. Petition of Attaulwahab Mian, of Trinity Solar, 587 Bridge St. Apt. 25, North Weymouth, MA 02191, for a license to Solicit and Canvass.

REPORTS:

6. Of the Ordinance Committee for its meeting of March 27,2024.
7. Of the Finance Committee for its meeting of April 1, 2024.

COMMUNICATIONS:

8. From the Mayor appointing Mr. Nicholas Palantzas, of 80 Weston Street, Brockton, MA 02301, to serve as a member of the Brockton Parking Authority for a five (5) year term, March 2029.
9. From the Mayor Pursuant to Section 2-301 of the Revised Ordinances of the City of Brockton and M.G.L. c. 60 §77B, designating Martin Brophy, Treasurer/Tax Collector, as the Real Estate Custodian on behalf of the City of Brockton, effective immediately. Accordingly, Mr. Brophy shall have the authority, in accordance with M.G.L. chapter 60 section 77B, to act on behalf of the city in regards to the care, custody, management and control of all property acquired by the city through tax title foreclosure process. Additionally, the real estate custodian shall submit in writing a list of properties proposed for sale, to the mayor and city council for approval. After written approval by the city council, the real estate custodian is then authorized to take all necessary measures to sell said properties in conformance with M.G.L. chapter 60, section 77B. The City is very appreciative of Mr. Brophy's willingness to serve in this capacity.
10. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$20,000.

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS- \$20,000
CONTRACTUAL UNION COSTS

TO: ANIMAL CONTROL – PERSONAL SERVICES NON-OT \$20,000

This transfer will be used to cover union contractual agreements.

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 total proposed transfer of \$20,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS- CONTRACTUAL UNION COSTS \$20,000

TO: ANIMAL CONTROL – PERSONAL SERVICES NON-OT \$20,000

This transfer will be used to cover union contractual agreements.

12. From the Executive Director of Parking Authority respectfully requesting the transfer of \$100,000.00 from Brockton Parking Authority’s retained earnings to a Brockton Parking Authority Capital Project fund, that will need to be created. These funds will be used for two expenses. The first is the purchase of a new vehicle for the department. We are currently searching the State bid list for a suitable vehicle. The second is for the purchase of new parking meters that have been damaged over the course of the last year and can no longer be repaired. The Brockton Parking Authority board approved this spending by a unanimous vote at the board meeting held on January 24, 2024.

13. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$100,000

FROM: PARKING AUTHORITY – RETAINED EARNINGS \$100,000

TO: PARKING AUTHORITY – CAPITAL PROJECT FUND \$100,000

These funds will be used for the purchase of a new vehicle for the department as well as new parking meters that have been damaged over the past year.

14. 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 \$100,000.00, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: PARKING AUTHORITY – RETAINED EARNINGS \$100,000

TO: PARKING AUTHORITY – CAPITAL PROJECT FUND \$100,000

These funds will be used for the purchase of a new vehicle for the department as well as new parking meters that have been damaged over the past year.

15. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$50,000

FROM: PUBLIC PROPERTY- NET SCHOOL SPENDING \$50,000

TO: PUBLIC PROPERTY- OTHER CONTRACT SERVICES \$50,000

This transfer will be to cover anticipated expenses for the Campanelli Stadium.

16. 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 \$50,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: PUBLIC PROPERTY- NET SCHOOL SPENDING	\$50,000
TO: PUBLIC PROPERTY- OTHER CONTRACT SERVICES	\$50,000

This transfer will be to cover anticipated expenses for the Campanelli Stadium.

17. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$1,000,000.

FROM: POLICE DEPARTMENT – PERSONAL SERVICES NON-OT	\$200,000
FIRE DEPARTMENT – PERSONAL SERVICES NON-OT	\$200,000
DPW HIGHWAY- PURCHASE OF SERVICE	\$200,000
MAYOR- PURCHASE OF SERVICE	\$200,000
CITY CLERK- PERSONAL SERVICE NON-OT	\$100,000
DPW MAINTENANCE – GOODS AND SUPPLIES	\$100,000
TO: LAW DEPARTMENT - PURCHASE OF SERVICE	\$400,000
LAW DEPARTMENT - PROPERTY INSURANCE	\$225,000
LAW DEPARTMENT - COURT JUDGEMENTS	\$375,000

18. 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 \$1,000,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: POLICE DEPARTMENT – PERSONAL SERVICES NON-OT	\$200,000
FIRE DEPARTMENT – PERSONAL SERVICES NON-OT	\$200,000
DPW HIGHWAY- PURCHASE OF SERVICE	\$200,000
MAYOR- PURCHASE OF SERVICE	\$200,000
CITY CLERK- PERSONAL SERVICE NON-OT	\$100,000
DPW MAINTENANCE – GOODS AND SUPPLIES	\$100,000
TO: LAW DEPARTMENT - PURCHASE OF SERVICE	\$400,000
LAW DEPARTMENT - PROPERTY INSURANCE	\$225,000
LAW DEPARTMENT - COURT JUDGEMENTS	\$375,000

UNFINISHED BUSINESS:

19. Reappointment of Ms. Jeanne Fuller-Jones, of 54 Cushing Avenue, Brockton, MA 02301, to serve on the Council on Aging as a member for a three (3) year term, expiring April 2027. (FAVORABLE)

20. Reappointment of Ms. Joyce Forand-Voorhis, of 1366 Pleasant Street, Brockton, MA 02301, to the Conservation Commission as a member for a three (3) year term, ending March 2027. (FAVORABLE)

21. Ordered: That the City of Brockton appropriates the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to pay costs of a feasibility study related to

options for reconstructing the existing Brockton High School, and/or construction of a new Brockton High School, at 470 Forest Avenue, in Brockton, including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of School Building Committee. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that the amount of borrowing authorized pursuant to this order shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the City and the MSBA. Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts’ Municipal Finance Oversight Board to qualify under M.G.L. c. 44A any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require.

(FAVORABLE) (PASSED TO A THIRD READING BY A HAND VOTE)

22. Ordinance: An Ordinance Creating a Revolving Fund pursuant to Massachusetts General Law, Chapter 44, Section 53E ½ for the Transportation Program Revolving Fund permitting funds to be expended consistent with purposes for transportation of residents ages 60 and older in the City of Brockton. (FAVORABLE)

23. Ordered: That the following petition be approved and submitted to the Great and General Court for approval under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, and to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only.

AN ACT RELATIVE TO THE ELECTION OF THE MAYOR, CITY COUNCIL AND SCHOOL COMMITTEE IN THE CITY OF BROCKTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Every mayor, city councilor and school committee member who is elected to represent an individual ward, or at-large, as the case may be, shall have been an inhabitant of a place within the ward, or for the positions of mayor or councilor-at-large shall have been an inhabitant of a place within the city of Brockton, for which he is chosen for election for at least one year immediately preceding his election, and shall cease to represent such ward or city for the positions of mayor or councilor-at-large when he shall cease to be an inhabitant thereof.

SECTION 2- This act shall take effect upon its passage.

(FAVORABLE)

24. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$31,000

FROM: THE EXECUTIVE OFFICE OF PUBLIC SAFETY & SECURITY \$31,000
FY2024 COMMONWEALTH CRITICAL INCIDENT STRESS MANAGEMENT PROGRAM

TO: THE POLICE DEPARTMENT

\$31,000

(FAVORABLE)

25. Ordered: That the City Council authorizes the acceptance and expenditure of the Earmark in the amount of \$100,000.00.

From: Massachusetts Department of Public Health

To: The City of Brockton

(The earmark funds will be used to fund substance use and harm reduction services. There is no matched required.) (FAVORABLE)

26. Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$25.00

From: Tonea DeAndrade

To: The Brockton Police Department
(FAVORABLE)

27. RESOLVE: WHEREAS, on March 8, 2024, Brockton Public Schools (“BPS”)released to the public the findings of a third party audit of the District dated February 2024 which was commissioned by the Massachusetts Department of Elementary and Secondary Education (“DESE”); and

WHEREAS, said findings disclosed, in part, deficiencies in the BPS FY23 budget in that the District spent in excess of its FY23 budgeted amount; and

WHEREAS, said findings also disclosed, in part, expected deficiencies in the BPS FY24 budget, and projected deficiencies in the BPS FY25 budget.

NOW THEREFORE, Be It Resolved,

to invite Acting Superintendent Dr. James Cobbs to appear before the Finance Committee of the Brockton City Council to discuss his concerns and planned actions to address said deficiencies, in light of his March 8, 2024 comments, “What this report makes clear is that, while there are numerous significant and growing costs associated with providing students with a holistic education, we have not done a good enough job to plan for and mitigate those costs, nor have we taken enough care to adhere to budgeting best practices,” Acting Superintendent Cobbs said. “We owe it to the Brockton community to do better, and we are steadfast in our commitment to work with our city and state partners to ensure that our budget and spending processes are rebuilt from the ground up in a way that’s sustainable and – most importantly – keeps us moving toward our goal of providing Brockton’s students with the best possible education.” (FAVORABLE)

ORDINANCES:

28. Ordinance: AN ORDINANCE AMENDING ARTICLE II OF THE REVISED ORDINANCES Article II, Section 13-4 is hereby amended by inserting the following section “A.”Notwithstanding the provisions of General Laws, Chapter 30B as it relates to special education services, no contract for the transportation of special education students shall be paid unless the vendor was selected after open, competitive bidding conducted by the city’s procurement officer. The purpose of this section is to ensure the lowest, most responsible bidder is selected. After a bid is awarded, the chief procurement officer shall cause to be published on the city website the names of all successful bidders and the fees charged for special education transportation services.

ORDERS:

29. Ordered: That the following petition be approved and submitted to the Great and General Court for approval under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, and to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only.

AN ACT ESTABLISHING FINANCIAL OVERSIGHT OF THE BROCKTON SCHOOL DEPARTMENT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, city charter provision, or local ordinance to the contrary, the Chief Financial Officer of the City of Brockton shall have general oversight over budget preparation by the Brockton Public School Department. The budget of the Brockton Public School Department presented annually shall specify the amounts of each budget category as recommended by the Chief Financial Officer and the mayor for each school building, including administrative offices, staffing and all related spending. The budget shall include itemization of grant funds received by the school department or reimbursed to the school department from any source and indicating the expenditure of all such grant funding in the specific categories within the budget. The city council may separately appropriate any recommended amount in specific categories so as to track expenditures from specific categories and remaining balances within categories of spending.

SECTION 2. Notwithstanding the provisions of any general or special law, city charter provision, or local ordinance to the contrary, there shall be in the City of Brockton the positions of Assistant Chief Financial Officer and Assistant City Auditor under the charge and control of the Chief Financial Officer. The positions will be dedicated to the school department and the salaries and benefits for these positions will be derived from the annual appropriation for the Brockton Public Schools.

SECTION 3. For each and every proposed creation of a new employment position, promotion, or transfer to a higher salary level of any employee, all collective bargaining agreements, all employment contracts, orders or mandates which may require the expenditure of funds or otherwise financially obligate the City of Brockton or the Brockton Public School Department, the Chief Financial Officer shall, if it be the case, submit in writing to the Superintendent and School Committee a certification that it is his professional opinion, after an evaluation of all pertinent financial information reasonably available, that the city's financial resources and revenues are and will continue to be adequate to support such proposed expenditures or obligations without a detrimental impact on the continuous provisions of the existing level of municipal services.

Except with respect to any collective bargaining agreement, if the chief financial officer fails to provide a certification, such financial action, financial transfer, appropriation order, ordinance revisions, special legislation, or borrowing authorization may nonetheless be approved, provided the School Committee votes its support of said action. The vote shall be forthwith forwarded to the city clerk.

With respect to any collective bargaining agreement, if the chief financial officer fails to provide a certification as aforementioned, as the case may be, such collective bargaining agreement may nonetheless be approved by the school committee, provided the committee votes to approve the matter. The Mayor may veto the vote of the School Committee if, in his professional judgement any such agreement would have a detrimental effect on the present or future finances of city and if exercising his veto, he shall return the veto to the School Committee with his specific objections for further action not inconsistent with reaching an agreement.

SECTION 4. The city auditor shall, in addition to his other duties, retain oversight over all account payable policies and procedures of the School Department. The city auditor shall ensure consistent application of information technology software, payment

procedures, and related matters for the School Department. The city auditor shall ensure proper training for any School department accounting staff.

SECTION 5. The School Committee shall promptly notify the City Solicitor of any litigation commenced, legal claims, or demand made upon the School Department by any party.

SECTION 6. Nothing in this Act shall be construed to conflict with or supersede the provisions of Chapter 324 of the Acts of 1990.

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: \$20,000

FROM: HUMAN RESOURCES- EMPLOYEE BENEFITS- \$20,000
CONTRACTUAL UNION COSTS

TO: ANIMAL CONTROL – PERSONAL SERVICES NON-OT \$20,000

This transfer will be used to cover union contractual agreements.

31. 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: \$100,000

FROM: PARKING AUTHORITY – RETAINED EARNINGS \$100,000

TO: PARKING AUTHORITY – CAPITAL PROJECT FUND \$100,000

These funds will be used for the purchase of a new vehicle for the department as well as new parking meters that have been damaged over the past year.

32. 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: \$50,000

FROM: PUBLIC PROPERTY- NET SCHOOL SPENDING \$50,000

TO: PUBLIC PROPERTY- OTHER CONTRACT SERVICES
\$50,000

This transfer will be to cover anticipated expenses for the Campanelli Stadium.

33. 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: \$1,000,000

FROM: POLICE DEPARTMENT – PERSONAL SERVICES NON-OT \$200,000
FIRE DEPARTMENT – PERSONAL SERVICES NON-OT \$200,000
DPW HIGHWAY- PURCHASE OF SERVICE \$200,000
MAYOR- PURCHASE OF SERVICE \$200,000
CITY CLERK- PERSONAL SERVICE NON-OT \$100,000
DPW MAINTENANCE – GOODS AND SUPPLIES \$100,000

TO: LAW DEPARTMENT - PURCHASE OF SERVICE	\$400,000
LAW DEPARTMENT - PROPERTY INSURANCE	\$225,000
LAW DEPARTMENT - COURT JUDGEMENTS	\$375,000

RESOLVES:

34. Resolve: To invite Ms. Jazmine Bradsher, MSW, with any designees she may choose to accompany her, to appear at a meeting of the Finance Committee to discuss trauma in city youth that arises from being unhoused, mental health issues, substance abuse, family disfunction, sex trafficking and other related reasons, and existing opportunities for addressing such underlying issues.

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.