

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Tuesday evening May 28, 2024 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the May 13, 2024 City Council meeting.

**APPOINTMENTS:**

2. Reappointment of Ms. Kelly M. Hanlon, of 96 Westfield Drive, Brockton, MA, 02301, to the Brockton Beautification Committee for a three (3) year term, ending in June 2027.
3. Reappointment of Ms. Linda Pietrantonio, of 55 John Berman Drive, Brockton, MA, 02302, to the Brockton Beautification Committee for a three (3) year term, ending in June 2027.
4. Reappointment of Ms. Margaret “Peg” Kearney, of 200 Country Club Lane, Brockton, MA, 02301, to the Brockton Beautification Committee for a three (3) year term, ending in May 2027.
5. Reappointment of Ms. Shareefah K. Mapp, of 45 Hillberg Avenue, Brockton, MA, 02301, to the Brockton Beautification Committee for a one (1) year term, ending in May 2025.

**HEARINGS:**

6. Petition of Capitol Waste Services, Inc. of 1222 Bennington Street, East Boston, MA 02128, for the Junk Collectors License located at 45 Freight Street, Brockton, MA 02301.
7. Petition of 50 Meadowbrook Realty LLC/Alvide Anildo Depina of 94 Prospect Street, Brockton, MA 02301 for a Garage License Transfer located at 50 Meadowbrook Rd. Unit 3, Brockton, MA02301, Brockton, MA 02302.
8. Petition of National Grid and Verizon New England, Inc to install one JO Pole on Commercial street. Relocate one SO Pole on Centre Street. Beginning at a point approximately 70 feet Southwest of the centerline of the intersection of Commercial and Centre Street, Brockton. Install underground facilities on Commercial and Center Street. Installing one new pole along Commercial Street and relocating Pole 2 on Centre Street. This is due to overhead pole line clearance issues to the new building located at 127 Centre Street. New underground conduit/cables to be installed in the sidewalk between poles.
9. Petition of Massachusetts Electric Company d/b/a National Grid to install SO Pole on Albany Street. Beginning at a point approximately 300 feet Northeast of the centerline of the intersection of Pleasant Street and continuing approximately 80 feet in an East direction. Installing one anchor and guy.
10. Petition of Massachusetts Electric Company d/b/a National Grid to install JO Pole on Hovendon Avenue. Beginning at a point approximately 169 feet Northeast of the centerline of the intersection of Angerer Avenue. Install 45ft class 2 pole, between Pole 1 and Pole 2 Hovendon Avenue, Brockton. Install sidewalk guy and anchor at Pole 1 Hovendon Avenue. The pole and anchor will be located on town property on the South side of Hovendon Avenue. The pole will be labeled 1-50.

**REPORTS:**

11. Of the Ordinance Committee for its meeting of May 7, 2024.
12. Of the Finance Committee for its meeting of May 20, 2024.

**COMMUNICATIONS:**

13. From the Mayor reappointing Ms. Kelly M. Hanlon, of 96 Westfield Drive, Brockton, MA, 02301, to the Brockton Beautification Committee for a three (3) year term, ending in June 2027.
14. From the Mayor reappointing Ms. Linda Pietrantonio, of 55 John Berman Drive, Brockton, MA, 02302, to the Brockton Beautification Committee for a three (3) year term, ending in June 2027.
15. From the Mayor reappointing Ms. Margaret “Peg” Kearney, of 200 Country Club Lane, Brockton, MA, 02301, to the Brockton Beautification Committee for a three (3) year term, ending in May 2027.
16. From the Mayor reappointing Ms. Shareefah K. Mapp, of 45 Hillberg Avenue, Brockton, MA, 02301, to the Brockton Beautification Committee for a one (1) year term, ending in May 2025.
17. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the acceptance of a gift from Suffolk Construction of 250-foot sections of scrim with a value of one thousand dollars to the Department of Public Works.
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 acceptance of a gift from Suffolk Construction of 250-foot sections of scrim with a value of one thousand dollars to the Department of Public Works, without a detrimental impact on the continuous provision of the existing level of municipal services.
19. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the total appropriation of \$3,000,000

FROM: WATER REVENUES – RAISE AND APPROPRIATE	\$3,000,000
TO: DPW WATER – DESAL FIXED CHARGED	\$2,100,000
DPW WATER – CAPITAL	\$900,000

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 the total proposed appropriation of \$3,000,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: WATER REVENUES – RAISE AND APPROPRIATE	\$3,000,000
TO: DPW WATER – DESAL FIXED CHARGED	\$2,100,000
DPW WATER – CAPITAL	\$900,000

21. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$1,606,805

FROM: SEWER RETAINED EARNINGS	\$778,059
PERSONAL SERVICES NON-OT	\$141,146
GOODS AND SUPPLIES	\$383,000
DEBT SERVICE	\$154,600
TRTMT R & M PER K	\$150,000
TO: SEWER- PURCHASE OF SERVICE	\$1,606,805

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 total proposed transfer of \$1,606,805, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: SEWER RETAINED EARNINGS	\$778,059
PERSONAL SERVICES NON-OT	\$141,146
GOODS AND SUPPLIES	\$383,000
DEBT SERVICE	\$154,600
TRTMT R & M PER K	\$150,000
TO: SEWER- PURCHASE OF SERVICE	\$1,606,805

23. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$400,000

FROM: REFUSE RETAINED EARNINGS	\$400,000
TO: DPW REFUSE – PURCHASE OF SERVICE	\$400,000

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 total proposed transfer of \$400,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: REFUSE RETAINED EARNINGS	\$400,000
TO: DPW REFUSE – PURCHASE OF SERVICE	\$400,000

25. From the Mayor in accordance with the General Laws of the Commonwealth of Massachusetts, Chapter 44, Section 32, recommending that the City Council adopt the FY25 budget for the City as recommended in the attached budget order. I have recommended total appropriations in the amount of \$580,274,987. This total reflects an increase of \$26,096,725 over last year’s budget.

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 adequate to support the adoption of the Mayor's proposed budget for Fiscal Year (FY) 2025.

**UNFINISHED BUSINESS:**

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

12-155.1 - Cleaning Program

- a. The City of Brockton desires to conduct coordinated cleanings throughout the City of Brockton.
- b. The purpose of the coordinated cleanings is to improve the public health conditions within the City.

12-155.2 - Locations subject to this Ordinance

This ordinance shall apply to any public property within the City of Brockton.

12-155.3 - Cleaning Program Regulations

- a. The Commissioner of the Department of Public Works, and the Superintendent of Parks shall oversee the cleaning program.
- b. The cleanings shall occur between 6:30 a.m. and 6:00 p.m. on days and locations determined by the Commissioner of the Department of Public Works, the Superintendent of Parks, Director of Social Services, and the Chief of Police, or when a biological contamination has been identified.
- c. At each location subject to this ordinance, notice may be posted at least forty-eight (48) hours prior to the scheduled cleaning. *See* attached Notice.
- d. On the day of each scheduled cleaning, the Brockton Police Department will visit the designated location prior to the scheduled cleaning to respectfully notify any persons at the location of the cleaning unless the Police Department is unavailable due to emergency circumstances. Such persons shall specifically be informed that they should collect their personal belongings and leave the location during the cleaning.
- e. At the time of the cleaning, the Director of Social Services and/or designee, if available, shall accompany the Department of Public Works and/or Parks Department staff in order to provide any persons at the location with 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. (FAVORABLE AS AMENDED)

- 28. Ordinance: An Ordinance amending Article IV-Division 2 “City Auditor” to create a new position for Assistant City Auditor for School Finance to supervise, conduct and coordinate audit assignments relative to school finance. (FAVORABLE)
- 29. Ordinance: An Ordinance amending Article IV – Division 4 “Chief Financial Officer” to create a new position for Assistant Chief Financial Officer for School Finance to assist in policies and procedures affecting the school department budget and procurement and to monitor the performance of the school department budget. (FAVORABLE)
- 30. Ordinance: An Ordinance Amending Article III, Division 2, Section 2-127 – Pay Plan  
Be it ordained by the City Council of the City of Brockton, Article III, Section 2-127 is hereby amended by inserting “Assistant Auditor for School Finance” to the categories of pay plan positions with the initial use of “F-4(SD)” to designate the position and by inserting “Assistant Chief Financial Officer for School Finance/Procurement” with the initial use of “F-1 (S)” to designate the position. Be it further amended that the pay plan reflects the following for compensation:

<i>F-4 (SD)</i>	<i>Assistant Auditor for School Finance</i>	<i>\$106,917</i>	<i>\$110,125</i>	<i>\$113,428</i>	<i>\$116,831</i>
<i>F-1 (S)</i>	<i>Assistant Chief Financial Officer for School Finance/Procurement</i>	<i>\$137,465</i>	<i>\$141,558</i>	<i>\$145,805</i>	<i>\$150,179</i>

Salaries for these positions are to be paid through Schedule 19 with the discretion of the Mayor and Chief Financial Officer. (FAVORABLE AS AMENDED)

31. 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 chief 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 or his or her designee shall cause to be published on the city website the names of all successful bidders and the fees charged for special education transportation services. (FAVORABLE AS AMENDED)

32. Ordinance: AN ORDINANCE AMENDING CHAPTER 8 SECTION 8-9 OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON

The following language “the fee shall be increased to two hundred eighty dollars (\$280.00), billed at seventy dollars (\$70.00) four (4) times per year” shall be replaced with the “fee shall be increased to three hundred sixty dollars (\$360.00), billed at ninety dollars (\$90.00) four (4) times per year.” (FAVORABLE AS AMENDED)

33. Appointment of the following retired officers as Special Police Officers:

Charles J. Cassiani, Jr.  
Andrew Cesarini  
Hermer E. Cole  
William Healy  
Thomas Keating  
Kenneth Lofstrom  
Donald J. Mills, Jr.  
Callie H. Royster, Jr.  
Robert Smith  
Scott D. Uhlman  
(FAVORABLE)

34. Reappointment of Mr. Steve Lainas, of 5 Rock Meadow Drive, Brockton, MA 02301, to the Brockton Zoning Board of Appeals for a three (3) year term, ending May 2027. (FAVORABLE)

35. Reappointment of Mr. Matthew Stanton, of 160 Tribou Street, Brockton, MA 02301, as a member of the Brockton Beautification Committee for a three (3) year term, ending May 2027. (FAVORABLE)

36. Appointment of Mr. Matthew Gallagher, of 15 Vinedale Road, Brockton, MA 02301, to the Brockton Planning Board for a five (5) year term, ending May 2029. (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:

Transfer of: \$337,500  
FROM: CABLE REVOLVING FUND \$337,500  
TO: MAYOR- CABLE ACCESS \$337,500

This transfer will be used restore funds to cover city obligated expenses. (FAVORABLE)

38. Ordered: That the City Council re-authorize the Comcast Revolving Fund for FY25, from all cash receipts from Comcast franchise fees, in excess of six hundred and seventy-five thousand (\$675,000), pursuant to the cable license contract, and that further, that the expenditure from this fund shall not exceed seven hundred and fifty (\$750,000) without further appropriation, during Fiscal Year 2025. (FAVORABLE)

39. Ordered: That the City Council re-authorize the Demolition Revolving Fund for the purpose of helping to fund costs in connection with demolition of buildings in the City of Brockton. The fund shall receive the receipts of payments of all demolition charges of the City of Brockton. Expenditures from the Demolition Revolving fund shall be made on the authority and direction of the Building Superintendent, with the written approval of the Mayor, provided that no more than one hundred and ten thousand (\$110,000) may be so expended without further appropriation from the Demolition Revolving Fund during FY25. The Building Superintendent shall comply with the reporting requirements of M.G.L., Ch 44. Section 53E ½. (FAVORABLE)
40. Ordered: That the City Council re-authorize the Vacant and Abandoned Buildings Revolving Fund for the purpose of maintaining the Abandoned Building Registry, as well as the closing, boarding up and care of vacant and abandoned buildings. The Vacant and Abandoned Building Revolving Fund shall receive the receipts of payments of fines and fees for the registration of vacant and abandoned buildings. Expenditures from the Vacant and Abandoned Buildings Revolving Fund shall be made on the authority and direction of the Building Superintendent, provided that no more than two hundred and fifty thousand dollars (\$250,000) may be so expended without further appropriation from the Vacant and Abandoned Building Revolving Fund during the FY25. The Building Superintendent shall comply with the reporting requirements of M.G.L., Ch 44. Section 53E ½. (FAVORABLE)
41. Ordered: That the City Council re-authorize the Roadway Design and Construction Revolving Fund for the purpose of maintaining said fund. The fund shall receive the receipts of payments of fines and fees for engineering, design, construction and paving of projects. Expenditures from the Roadway Design and Construction Revolving fund shall be made on the authority and direction of the Brockton Department of Public Works Commissioner, provided that no more than one million dollars (\$1,000,000) may be so expended without further appropriation from the Roadway Design and Construction Revolving Fund during FY25. The Brockton Department of Public Works Commissioner shall comply with the reporting requirements of M.G.L., Ch 44. Section 53E ½. (FAVORABLE)
42. Ordered: That the City Council re-authorize the Transportation Program Revolving Fund for FY25, for the purpose of maintaining the transportation of residents ages 60 and older in the City of Brockton. The Transportation Program Revolving Fund shall receive the receipts of payments of donations and fees for transportation. Expenditures from the Transportation Revolving Fund shall be made on the authority and direction of the Director of the Council on Aging, provided that no more than five hundred thousand (\$500,000) may be so expended without further appropriation from the Transportation Revolving Fund during the FY25. The Director of the Council on Aging shall comply with the reporting requirements of M.G.L., Ch 44. Section 53E ½. (FAVORABLE)
43. 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: \$7,947,925

FROM: CERTIFIED FREE CASH \$7,947,925

TO: THE CHAPTER 324 SUPPLEMENTAL RESERVE \$7,947,925

This transfer will replenish the Chapter 324 Reserve after it was depleted in order to cover the school deficit. (FAVORABLE)

44. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$4,932

FROM: THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY \$4,932  
HOMELAND SECURITY GRANT PROGRAM

TO: THE BROCKTON EMERGENCY MANAGEMENT AGENCY \$4,932  
(FAVORABLE)

45. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$51,480

FROM: THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY \$51,480  
EMERGENCY MANAGEMENT PERFORMANCE GRANT

TO: THE BROCKTON EMERGENCY MANAGEMENT AGENCY \$51,480  
(FAVORABLE)

46. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$147,500

FROM: THE EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES  
\$147,500

TO: THE CITY OF BROCKTON PLANNING DEPARTMENT \$147,500  
(FAVORABLE)

47. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$50,000. The funds will be used for the renovation of tennis courts into basketball courts at the Davis Elementary School park area.

FROM: THE DEPARTMENT OF CONSERVATION AND RECREATION \$50,000

TO: BROCKTON PUBLIC SCHOOLS \$50,000  
(FAVORABLE)

**ORDERS:**

48. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 1,972 square feet, located and known as Plot 45-1 Montello Street, Parcel ID: 114-058 to Miguel M. Gomes, 737 Montello Street, Brockton, MA 02301 for the purchase price of One Thousand Four Hundred Dollars (\$1,400.00). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser within 6 months of purchase. The 6 months begins at the time the deed is executed. If the Grantee fails to merge the premises as stated the City of Brockton reserves the right to revert the premises back to the City ownership at no cost and for no consideration. At closing, the Grantee shall execute a reverter deed to the City of Brockton which shall be held in escrow by the City pending satisfaction of the condition stated above. If the reverter deed has not been recorded within nine (9) months from the date of recording this deed, the City of Brockton's right of reverter shall be deemed to have lapsed.

49. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 3,769 square feet, located and known as Plot 218 Warren Avenue, Parcel ID: 088-040 to 574 Warren Ave Investment LLC, 111 Bay Street, Taunton, MA 02780 for the purchase price of One Thousand Four Hundred Dollars (\$1,400.00). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser within 6 months of purchase. The 6 months begins at the time the deed is executed. If the Grantee fails to merge the premises as stated the City of Brockton reserves the right to revert the premises back to the City ownership at no cost and for no consideration. At closing, the Grantee shall execute a reverter deed to the City

of Brockton which shall be held in escrow by the City pending satisfaction of the condition stated above. If the reverter deed has not been recorded within nine (9) months from the date of recording this deed, the City of Brockton's right of reverter shall be deemed to have lapsed.

50. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 2,667 square feet, located and known as Plot 6-1 Hervey Street, Parcel ID: 088-069 to 574 Warren Ave Investment LLC, 111 Bay Street, Taunton, MA 02780 for the purchase price of One Thousand Four Hundred Dollars (\$1,400.00). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser within 6 months of purchase. The 6 months begins at the time the deed is executed. If the Grantee fails to merge the premises as stated the City of Brockton reserves the right to revert the premises back to the City ownership at no cost and for no consideration. At closing, the Grantee shall execute a reverter deed to the City of Brockton which shall be held in escrow by the City pending satisfaction of the condition stated above. If the reverter deed has not been recorded within nine (9) months from the date of recording this deed, the City of Brockton's right of reverter shall be deemed to have lapsed.

51. Ordered: That the Mayor and/or Treasurer/Collector be authorized to execute any and all documents necessary to convey the property consisting of 2,151 square feet, located and known as Plot 43 Main Street, Parcel ID: 084-107R to 1049 Main LLC, 9B Caller Street, Peabody, MA 01960 for the purchase price of One Thousand Five Hundred Dollars (\$ 1,500.00). Said property to be sold under the Abutter Lot Program and to be sold with a permanent non-buildable restriction. Said property shall also merge with abutting lot of the purchaser within 6 months of purchase. The 6 months begins at the time the deed is executed. If the Grantee fails to merge the premises as stated the City of Brockton reserves the right to revert the premises back to the City ownership at no cost and for no consideration. At closing, the Grantee shall execute a reverter deed to the City of Brockton which shall be held in escrow by the City pending satisfaction of the condition stated above. If the reverter deed has not been recorded within nine (9) months from the date of recording this deed, the City of Brockton's right of reverter shall be deemed to have lapsed.

52. Ordered: That the City Council authorizes the acceptance of a gift from Suffolk Construction of 250-foot sections of scrim with a value of one thousand dollars to the Department of Public Works.

53. 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: \$3,000,000	
FROM: WATER REVENUES – RAISE AND APPROPRIATE	\$3,000,000
TO: DPW WATER – DESAL FIXED CHARGED	\$2,100,000
DPW WATER – CAPITAL	\$900,000

54. 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: \$1,606,805	
FROM: SEWER RETAINED EARNINGS	\$778,059
PERSONAL SERVICES NON-OT	\$141,146
GOODS AND SUPPLIES	\$383,000
DEBT SERVICE	\$154,600
TRTMT R & M PER K	\$150,000
TO: SEWER- PURCHASE OF SERVICE	\$1,606,805

55. 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: \$400,000



FROM: REFUSE RETAINED EARNINGS	\$400,000
TO: DPW REFUSE – PURCHASE OF SERVICE	\$400,000

56. ORDER: Ordered: Receipt of the proposed Fiscal Year 2025 Budget Appropriations.

**RESOLVES:**

57. Resolve: WHEREAS, Fiscal Year 2025 budget review meetings will occur within several weeks, and,  
WHEREAS, The Fiscal Year 2025 city appropriation for the operation of the school department will likely be in excess of two hundred and thirty million dollars (\$230,000,000) with financial issues carrying over from Fiscal Year 2024;

NOW, THEREFORE, BE IT RESOLVED:

Chief Financial Officer Troy Clarkson and Mr. T. J. Plante from the Open Architects Group be invited to a meeting of the City Council to provide information and commentary on the status of the Fiscal Year 2024 school budget and financial projections for the Fiscal Year 2025 school appropriations and budget requirements.

**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.