

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening April 28, 2025 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:02PM with 8 members present. Councilors Asack, Lally, and Tavares absent.

APPOINTMENTS:**924.** Appointment of Candidate Donte Anderson to the Brockton Fire Department.

Councilor Farwell motioned to move under suspension of the rules and act on it this evening and was properly seconded the motion carried by a hand vote.

Fire Chief Nardelli stated that unfortunate a situation where they had a member in the last class resign which opened up this position and Donte is a proud Brockton resident lifelong graduated from Southeastern regional and are excited to get him started moving along in the Fire Department.

Confirmed by a roll call vote taken by “yeas” and “nays”, eight members present and all voting in the affirmative. Councilors Asack, Lally, and Tavares absent. Councilor Farwell motioned to file for reconsideration with the hopes it does not prevail and was properly seconded. Reconsideration failed by a had vote.

Brief Recess.

Back in Session.

925. Reappointment of Lisa O’Donnell of 30 Rock Meadow Drive, Brockton, MA 02301 to the Brockton Public Library Board of Trustees for a three-year term ending in April 2028.

Referred to Finance

HEARINGS:

Councilor Asack stepped in.

Councilor Tavares stepped in.

Councilor Lally stepped in.

Petition of David Lynch /DBA Campello Autobody and Repair, of 30 Quincy Street, Brockton, MA 02301 for a Motor Vehicle Mechanical Repair License Transfer located at 1114 Montello Street, Brockton, MA 02301.

President Thompson opened the Hearing.

Attorney John Creedon and David Lynch appeared in favor of the petition and was there to answer any questions.

Matthew Stanton is in favor and stated that Mr. Lynch businesses are immaculate and he takes pride in this city and everyone he deals with.

No one was in opposition.

Councilor Nicastro this is in ward 4 is very familiar with property and no conditions on either license?

342. (HEARINGS CONT.)

Attorney John Creedon and David Lynch that is correct.

Councilor Nicastro agrees with Mr. Stanton statement and is in support of this as well.

Councilor Minichiello also in support of this and stated that Mr. Lunch runs a very clean and organized shop. He lives and works in Brockton and is a great friend and citizen.

Councilor Tavares stated he does a tremendous job and a lot of people say you are on top of things and agrees with all said by others and is in support of this.

President Thompson closed the hearing.

Granted by a hand vote.

Petition of David Lynch /DBA Campello Autobody and Repair, of 30 Quincy Street, Brockton, MA 02301 for a Motor Vehicle Auto Repair Body License Transfer located at 1114 Montello Street, Brockton, MA 02301.

President Thompson opened the Hearing.

Attorney John Creedon and David Lynch appeared in favor of the petition and was there to answer any questions.

No one was in opposition.

Councilor Nicastro is in favor just wants to confirm no conditions on the license?

Attorney John Creedon and David Lynch stated there are none.

Councilor Minichiello is in favor.

President Thompson closed the hearing.

Granted by a hand vote.

Petition of Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc to install 1 JO pole on 750 Pleasant Street beginning at a point approximately 173 feet West of the centerline of the intersection of Troy Street. National Grid petitions to install new sidewalk anchor and new stub pole, in order to support pole 87 due to leaning issues.

President Thompson opened the Hearing.

Muhammad Jamous appeared in favor of the petition and was there to answer any questions.

No one was in opposition.

President Thompson closed the hearing.

Granted by a hand vote.

Petition of Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc to install 1 JO pole on Carleton Ave beginning at a point approximately 5 feet West of the centerline of the intersection of Hoover Ave and continuing approximately 50 feet in a Northwest direction. National grid is installing pole 6-84 to guy pole 6 on Carleton Ave.

President Thompson opened the Hearing.

Muhammad Jamous appeared in favor of the petition and was there to answer any questions.

343. (HEARINGS CONT.)

No one was in opposition.

President Thompson closed the hearing.

Granted by a hand vote.

COMMUNICATIONS:

926.From the Fire Chief informing Probationary Firefighter Yasmine Estrella has resigned from drill school. Requesting to fill this position with candidate Donte Anderson.

Accepted and placed on file.

927.From the Mayor informing the City Council probationary Firefighter Yasmine Estrella has resigned from the Brockton Fire Department. Her departure leaves a vacancy within the current class of Fire Department Drill School candidates. Recommending candidate Donte Anderson to the vacant position.

Accepted and placed on file.

928.From the Mayor reappointing Lisa O’Donnell of 30 Rock Meadow Drive, Brockton, MA 02301 to the Brockton Public Library Board of Trustees for a three-year term ending in April 2028.

Accepted and placed on file.

929.From Director of Planning and Economic Development informing the City Council that recently passed MBTA Communities Overlay District text has an error that needs to be corrected. The Ordinance does not establish a minimum number of off-street (on-site) parking spaces for new development under this overlay. Subparagraph F should have established a minimum, not a maximum number of spaces. The Director of Planning and Economic Development requesting that you amend Subparagraph F as follows:

F. Off-Street Parking

These parking requirements are applicable to development in the MCMOD.

- 1. **Number of parking spaces.** The following *minimum* numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	2 spaces per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 300 sf (See 4, below.)

Accepted and placed on file.

930.From the Mayor requesting an amendment to the Massachusetts Bay Transportation Authority (MBTA) Communities Overlay District Ordinance. Specifically, this amendment applies to Subparagraph F. The original text used the term “maximum” as a descriptor for parking spaces. The correct term should be minimum, as reflected by the bold and italicized placement below:

G. Off-Street Parking

These parking requirements are applicable to development in the MCMOD.

344. (COMMUNICATIONS CONT.)

1. **Number of parking spaces.** The following *minimum* numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	2 spaces per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 300 sf (See 4, below.)

Accepted and placed on file.

931.From the Fire Chief requesting to accept and expend a total of thirteen thousand two hundred ninety-eight dollars and five cents (\$13,298.05) from the Commonwealth of Massachusetts Executive Office of Public Safety. The Fire Department intends to use Grant funds for our Fire Safety Education Program.

Accepted and placed on file.

932.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 \$13,298.05 from the Massachusetts Executive Office of Public Safety to the Brockton Fire Department. These funds have been awarded as a FY2025 Student Awareness of Fire Education (S.A.F.E.) Grant Program.

Accepted and placed on file.

933.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 \$13,298.05 from the 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. These funds have been awarded as a FY2025 Student Awareness of Fire Education (S.A.F.E.) Grant Program.

Accepted and placed on file.

934.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 in the amount of \$286.16. In order to pay for unpaid invoices from FY24.

Accepted and placed on file.

935.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that it is my professional opinion, after an evaluation of all pertinent financial information reasonably available, 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 in the amount of \$286.16, without a detrimental impact on the continuous provision of the existing level of municipal services. In order to pay for unpaid invoices from FY24.

Accepted and placed on file.

936.From the Director of Veterans Services requesting to accept and expend a \$18 donation from the Shaw’s Give Back Where It Counts Bag Program to the Veterans’ Services Department for the spring-cleaning projects at the veteran parks and monuments around the City.

345. (COMMUNICATIONS CONT.)

Accepted and placed on file.

937.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 \$18.00 from Shaw's Give Back Program to the Veterans' Services Department. These funds will be used towards spring-cleaning projects at the veteran parks and monuments around the city.

Accepted and placed on file.

938.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 \$18.00 from Shaw's Give Back Program to the Veterans' Services Department, without a detrimental impact on the continuous provision of the existing level of municipal services. These funds will be used towards spring-cleaning projects at the veteran parks and monuments around the city.

Accepted and placed on file.

939.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the adoption of an amendment to Article III, Division 2, Sec.2-137 pertaining to vacation leave.

Accepted and placed on file.

940.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 adoption of an amendment to Article III, Division 2, Sec.2-137 pertaining to vacation leave without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file.

Councilor Thompson wanted to recognize some members of the Cape Verdean Association ESL program in the chambers and wanted to welcome them.

UNFINISHED BUSINESS:

597.Ordinance: An Ordinance to establish the Immunization Revolving Fund in accordance with M.G.L. c. 44 Section 53E ½ relative to reimbursements and expenditures for the administration of vaccines. (FAVORABLE) (PASSED TO A THIRD READING)

Councilor Derenoncourt stepped out.

Ordained by a roll call vote taken by "yeas" and "nays" ten members present and all voting in the affirmative. Councilor Derenoncourt not present.

743.Ordinance: An Ordinance Amending the Ordinance Prohibiting Camping on Public Property to amend Section 6 "Removal Process and Enforcement", Section 2 "Definitions" and Section 8 "penalty for violations." (FAVORABLE AS AMENDED) (PASSED TO A THIRD READING AS AMENDED)

Councilor Griffin motion to amend and was properly seconded. The motion carried by a hand vote.

Attorney Resnick read in the amendment to Ordinance.

346. (ORDINANCES CONT.)

Ordained as amended by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor Derenoncourt not present.
(see attached Ordained as Amended Ordinance)

ORDINANCES:

941. Ordinance: Be it ordained by the City Council of the City of Brockton to delete Section 27-X, Paragraph F, and replace it as follows:

F. Off-Street Parking

These parking requirements are applicable to development in the MCMOD.

1. **Number of parking spaces.** The following **minimum** numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Minimum Spaces
Multi-family	2 spaces per Residential Dwelling Unit
Mixed-Use (Non-residential)/ Commercial	1 space per 300 sf (See 4, below.)

Referred to Ordinance

942.Ordinance:
An Ordinance Amending Article III, Division 2, Sec. 2-137. - Vacation Leave.

Be it ordained by the City Council of the City of Brockton as follows:

Article III, Section 2-137 – Vacation Leave is hereby amended by changing the title from “Vacation Leave” to “Vacation Leave and Personal Days.”

And further,

Article III, Section 2-137 – Vacation Leave is hereby amended by replacing subsection (a) with the following:

- (a) Every employee occupying a full-time position subject to the classification and pay plans shall be granted two (2) weeks' vacation with pay and four (4) personal days with pay after completion of ninety (90) days in a paid status. Thereafter, every employee shall receive two (2) weeks' vacation with pay and (4) personal days with pay annually, which shall be granted on the anniversary date of their original hire date. Any employee terminated within the first 90 days of employment shall receive no compensation for vacation leave or personal days granted under this ordinance.

And further,

Article III, Section 2-137 – Vacation Leave is hereby amended by adding the following subsection:

- (k) Vacation Credit for Prior Experience. Notwithstanding the foregoing, the Mayor shall have the authority to credit an employee with all or part of the time that employee served in prior municipal employment, or in any other relevant prior employment as determined by the Mayor, when calculating the number of weeks of vacation leave granted by this ordinance. The authority granted by this section may be exercised annually or permanently and, in the case of employees under the

347. (ORDINANCES CONT.)

jurisdiction of the city council, by the city council, and in no event shall result in any employee receiving vacation leave in excess of the maximum amount of vacation leave granted by this ordinance.

And further,

Article III, Section 2-137 – Vacation Leave is hereby amended by adding the following subsection:

(l) Any personal days unused in the twelve (12) months after they were obtained will not accumulate. Personal days granted pursuant to this ordinance are intended solely as a benefit to promote employee wellness and work-life balance. These personal days shall not be considered wages, compensation, or remuneration for purposes of the Massachusetts Wage Act, as codified in Massachusetts General Laws Chapter 149, Section 148. Accordingly, employees shall not be entitled to payment for any unused personal days upon separation from employment or at any other time unless otherwise required by applicable state or federal law.

Referred to Ordinance

Councilor Farwell stated that this applies to department heads who are appointed by the Mayor and confirmed by City Council so this does not add to any employees’ benefits covered by collective bargaining agreement, just important for the public to know.

Councilor Derenoncourt stepped back in.

ORDERS:

943.Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the City Preliminary will be held on Tuesday, September 16, 2025 and that the City Election will be held on Tuesday, November 4, 2025 in the following designated Polling Places:

Ward One	Precinct A	Housing Authority, Community Room, 70 Hawley Street
Ward One	Precinct B	West Junior High 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	Barrett Russell School, 45 Oakdale St
Ward Two	Precinct B	Manning Towers, 45 Goddard Road
Ward Two	Precinct C	Senior Center, 10 Father Kenney Way
Ward Two	Precinct D	War Memorial Building, 156 West Elm Street
Ward Three	Precinct A	South Junior High School, 105 Keith Avenue
Ward Three	Precinct B	South Junior High School, 105 Keith Ave
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 Junior High 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 Junior High 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

348. (ORDERS CONT.)

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: Mayor, Councillors At Large, Councillors in each ward, and members of the School Committee in each ward.

Referred to Finance

944.Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$13,298.05.

FROM: MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY \$13,298.05

TO: BROCKTON FIRE DEPARTMENT \$13,298.05

Referred to Finance

945.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$286.16.

FROM: POLICE DEPARTMENT – PURCHASE OF SERVICE \$286.16

TO: TRITECH SOFTWARE SYSTEMS \$286.16

Councilor Teixeira motioned to suspend the rules and act on it this evening and was properly seconded. the motion carried by a hand vote. Councilor Teixeira motioned to amend order to insert language at the end for payment of unpaid invoices from FY24 and was properly seconded. The motion carried by a hand vote. Adopted as Amended by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

946.Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$18.00

From: SHAW’S GIVE BACK PROGRAM

To: VETERANS’ SERVICES DEPARTMENT

Councilor Minichiello motioned to suspend the rules and act on it this evening and was properly seconded. the motion carried by a hand vote. Adopted by a roll call vote taken by “yeas” and “nays” eleven members present and all voting in the affirmative.

RESOLVES:

947.Resolve: WHEREAS: Heart disease is the number one cause of death in the United States and second leading cause of death in Massachusetts; and

WHEREAS: Heart disease, including coronary artery disease, heart failure, and arrhythmias, significantly increases the risk of cardiac arrest, a condition in which the heart suddenly stops beating due to an electrical malfunction; and

WHEREAS: Cardiopulmonary resuscitation (CPR), together with an automated external defibrillator (AED), is the most effective way for bystanders to help someone in cardiac arrest. CPR keeps blood flowing to vital organs, while an AED can restart the heart by restoring its normal rhythm; and

349. (RESOLVES CONT.)

WHEREAS: According to the American Heart Association (AHA), immediate CPR can double or triple a person's chances of survival after cardiac arrest, yet only about 40% of people who experience an out-of-hospital cardiac arrest receive the immediate help that they need before professional help arrives; and

WHEREAS: CPR classes can be taught in just 30 to 45 minutes, making them a quick and accessible way to equip students with lifesaving skills; and

WHEREAS: 41 states have recognized the importance of CPR training by mandating it for high school students, making Massachusetts one of only nine states that does not require it for high school graduation; and

WHEREAS: Massachusetts legislators have introduced five bills that seek to make CPR and

AED training a requirement in high schools across the commonwealth:

- S.447, An Act providing hands only CPR training and the use of defibrillators
- S.456, An Act requiring instruction in CPR and the use of defibrillators for high school graduation
- H.556, An Act providing CPR and AED Education for All, AKA The CPR and AED Education for All Act
- H.572, An Act relative to cardiopulmonary resuscitation and automatic defibrillator education in public schools;
- H.750, An Act providing hands only CPR training and the use of defibrillators now therefore be it

ORDERED: That this City Council go on record in support of S.447, S.456, H.556, H.572, and H.750 to ensure high school students receive CPR and AED training, equipping the next generation with life-saving skills; and be it further ordered

That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this Policy Order to the Brockton State House delegation on behalf of the entire City Council.

Referred to Finance

Councilor's Recognition

Councilor Lally reminded everyone that there is an Accounts Committee Meeting this Wednesday at 6PM.

Councilor Nicastro stated that there will be a Ward 4 Meeting tomorrow evening at the Davis School on Plain Street from 6:30PM-8PM and all are welcomed.

President Thompson stated Saturday May 3 is Keep Brockton Beautiful Day they are meeting at Heights Crossing that is 30 Christy Drive registration begins at 7:30AM-9:30AM. At 12 noon ask everyone to return back for a barbecue and raffle. Please join it's always a fun day.

Meeting Adjourned: 7:39PM

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.

As Amended Final

ORDINANCE

Be it Ordained by the City Council of the City of Brockton to adopt an Amendment to the Ordinance Prohibiting Camping of Public Property as follows:

Strike the language of Section 6 “Removal Process and Enforcement” in its entirety and insert in its place:

The Department of Inspectional Services, Parks Commission, Department of Public Works, Brockton Fire Department or their designees, and the Mayor’s designee may be present at the time of removal in order to provide resource information, picking up sharps, and removing camping materials. The Mayor’s designee shall be responsible for maintaining any data and/or records relating to resources and notice provided prior to any removal. The Department of Inspectional Services and the Mayor’s designee shall coordinate the removal process. During any notice and/or removal, there shall always be at least two representatives/agents of the City of Brockton present.

The Brockton Police Department and/or the Department of Inspectional Services shall be responsible for enforcement of this Ordinance.

Insert the following definition to Section 2 “Definitions”:

“48-Hour Notice” means the first written notice of violation of the ordinance as described in the Penalty for Violation section of this ordinance. The contents of the 48-Hour Notice shall include the date and time the campsite, any camping materials and personal belongings must be removed by, which shall be forty-eight (48) hours from the date and time of issuance of the notice.

Strike the following language in Section 8 “penalty for violations”:

Any person who violates any of the provisions of this Ordinance following the 24-Hour Notice shall be subject to immediate removal and may be fined two hundred dollars (\$200.00) for the second and any subsequent offense. Each day the person is in violation of the ordinance shall constitute a separate offense.

Further, revise the first sentence of the first paragraph of Section 8 “penalty for violations” so that the language states, “Any person who violations any provision of this Ordinance shall be given a written warning for the first offense.”

Further, revise the third paragraph of Section 8 “penalty for violations” so that the language states, “The City shall seek a criminal complaint for any subsequent violation of this ordinance”

Further, amend the ordinance so that any reference to 24-hour notice shall be amended to state 48-hour notice.

Councilor Maria Tavares