

Notice is hereby given that the regularly scheduled meeting of the City Council was held on Monday evening July 22, 2024 at 7:00PM in the Basement level of City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:01 PM with nine members present. Councilors Farwell and Tavares absent.

353. Acceptance of the Minutes of the June 24, 2024 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

354. Appointment of the following two (2) candidates to the rank of Firefighter in the Brockton Fire Department:

Mr. Jelson Cardoso, of 29 Clifton Avenue, Brockton, MA, 02301

Mr. Sergio A. Gonzalez, of 81 Sophia Avenue, Brockton, MA, 02301

Councilor Lally motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote. Confirmed by a roll call vote nine members present and all voting in the affirmative. Councilors Farwell and Tavares absent. Councilor Lally motioned to file for reconsideration with the wish that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

Brief Recess

Back in session

355. Reappointment of Mr. Martin S. Brophy, of 15 Morse Avenue, Brockton, MA, 02301, to the position of Treasurer/Tax Collector for a three (3) year term, expiring August 2027.

Referred to Finance

REPORTS:

356. Of the Finance Committee for its meeting of July 15, 2024.

Accepted and placed on file

COMMUNICATIONS:

357. From the Fire Chief informing the City Council that they have selected two (2) candidates for appointments to the Brockton Fire Department. These candidates were found suitable for a Public Safety Position with the Brockton fire Department.

Jelson Cardoso of 29 Clifton Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

Sergio A. Gonzalez of 81 Sophia Avenue, Brockton, MA to the rank of Firefighter in the Brockton Fire Department.

Accepted and placed on file

358. From the Mayor appointing the following two (2) candidates to the rank of Firefighter in the Brockton Fire Department:

128. (COMMUNICATIONS)

Mr. Jelson Cardoso, of 29 Clifton Avenue, Brockton, MA, 02301
Mr. Sergio A. Gonzalez, of 81 Sophia Avenue, Brockton, MA, 02301

Accepted and placed on file

359.From the Mayor reappointing Mr. Martin S. Brophy, of 15 Morse Avenue, Brockton, MA, 02301, to the position of Treasurer/Tax Collector for a three (3) year term, expiring August 2027.

Accepted and placed on file

360.From Interim Auditor requesting a waiver to the residential requirement that her employment requires as Assistant Auditor for the City of Brockton. On November 7, 2022, she signed the residential requirement as stated in Section 2-110 of the City Ordinance, with the expectation to move to Brockton within a year as contractually stipulated. Unfortunately, due to unforeseen circumstances, it appears she will not be able to gain residence in Brockton.

Accepted and placed on file

361.From the Mayor requesting a waiver of the City of Brockton's residency requirement for Interim City Auditor Irene Giannopoulos. Ms. Giannopoulos has shown her dedication and commitment to the City of Brockton throughout her employment as Assistant City Auditor, and now through her tenure as Interim City Auditor and asks that you take this matter into consideration.

Accepted and placed on file

362.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 \$500 from the Eastern Bank Foundation to the City of Brockton Council on Aging.

FROM: EASTERN BANK FOUNDATION	\$500
TO: COUNCIL ON AGING	\$500

Accepted and placed on file

363.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 \$500 from the Eastern Bank Foundation to the City of Brockton Council on Aging, without detrimental impact on the continuous provision of the existing level of municipal services.

FROM: EASTERN BANK FOUNDATION	\$500
TO: COUNCIL ON AGING	\$500

These funds will be used on exercise equipment.

129. (COMMUNICATIONS)

Accepted and placed on file

364.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$63,473.91

FROM: FINANCE – PERSONAL SERVICES NON-OT \$63,473.91

TO: HUMAN RESOURCES – PERSONAL SERVICES NON-OT \$63,473.91

This transfer will be to cover the salary of an employee being moved from the Finance Department to the Human Resource Department.

Accepted and placed on file

365.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 \$63,473.91, without a detrimental impact on the continuous provision of the existing level of municipal services.

FROM: FINANCE – PERSONAL SERVICES NON-OT \$63,473.91

TO: HUMAN RESOURCES – PERSONAL SERVICES NON-OT \$63,473.91

This transfer will be to cover the salary of an employee being moved from the Finance Department to the Human Resource Department.

Accepted and placed on file

366.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the raise and appropriation of \$390,000.

TO: LAW – COURT JUDGEMENTS \$390,000

This appropriation will be to fund a court settlement for a recently settled lawsuit.

Accepted and placed on file

367.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 raise and appropriation of \$390,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

TO: LAW – COURT JUDGEMENTS \$390,000

This appropriation will be to fund a court settlement for a recently settled lawsuit.

Accepted and placed on file

130. (COMMUNICATIONS)

368.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the raise and appropriation of \$584,678.

TO: LIBRARY - PERSONAL SERVICES NON-OT	\$393,753
TO: LIBRARY – PURCHASE OF SERVICE	\$172,850
TO: LIBRARY – GOODS AND SUPPLIES	\$18,075

This appropriation will fully fund the Brockton Public Library for Fiscal Year 2025.

Accepted and placed on file

369.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 raise and appropriation of \$584,678, without a detrimental impact on the continuous provision of the existing level of municipal services.

TO: LIBRARY - PERSONAL SERVICES NON-OT	\$393,753
TO: LIBRARY – PURCHASE OF SERVICE	\$172,850
TO: LIBRARY – GOODS AND SUPPLIES	\$18,075

This appropriation will fully fund the Brockton Public Library for Fiscal Year 2025.

Accepted and placed on file

370.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the raise and appropriation of \$275,000.

TO: MAYOR – PERSONAL SERVICES NON-OT	\$275,000
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This appropriation will help fund the full-time salaries of employees in the Mayor’s Office for the entire fiscal year.

Accepted and placed on file

371.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 raise and appropriation of \$275,000, without a detrimental impact on the continuous provision of the existing level of municipal services.

TO: MAYOR – PERSONAL SERVICES NON-OT	\$275,000
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This appropriation will help fund the full-time salaries of employees in the Mayor’s Office for the entire fiscal year.

Accepted and placed on file

131. (COMMUNICATIONS)

372. 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 \$50,000 from the Estate of Francis X. McDonnell to the Brockton Parks and Recreation Department. These funds will be used for improvements at the DW Field Park and Golf Course.

Accepted and placed on file

373. 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 \$50,000 from the Estate of Francis X. McDonnell to the Brockton Parks and Recreation Department, without a detrimental impact on the continuous provision of the existing level of municipal services. These funds will be used for improvements at the DW Field Park and Golf Course.

Accepted and placed on file

374. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the total appropriation of \$48,000,000 using the attached form of order with language as recommended by Attorney Richard A. Manley, Jr. of Locke Lord, LLP, the City's bond counsel, in order to provide funding through borrowing said amount, completing the construction of the new Brockton Public Safety Building located at 175 Warren Ave.

Accepted and placed on file

375. 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 proposed appropriation of and borrowing authorization for \$48,000,000 for the purpose of completing the construction of the new Brockton Public Safety Building located at 175 Warren Ave, without a detrimental impact on the continuous provision of the existing level of municipal services.

Accepted and placed on file

376. From the Mayor In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the creation of the School Bus Charter Fee Revolving Fund, provided that no more than \$250,000 may be expended during Fiscal Year 2025. The creation of this fund will capture revenue from bus trips provided by the city so those costs can be paid for by the user.

Accepted and placed on file

377. 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 proposed authorization of the School Bus Charter Fee Revolving Fund, provided that no more than \$250,000 may be expended during Fiscal Year 2025, without a detrimental impact on the continuous provision of the existing level of municipal services. The creation of this fund will capture revenue from bus trips provided by the city so those costs can be paid for by the user.

132. (COMMUNICATIONS)

Accepted and placed on file

Councilor Griffin motioned to accept a late file and take it out of order and motioned to move under suspension of rules and was properly seconded. The motion carried by a hand vote.

LATE FILE

COMMUNICATION:

393. From the Mayor appointing Anthony Paull, of 134 Bouve Avenue, Brockton, MA 02301, to the position of Assessor for a three (3) year term, ending July 2027.

Accepted and placed on file

APPOINTMENT:

394. Appointment of Anthony Paull, of 134 Bouve Avenue, Brockton, MA 02301, to the position of Assessor for a three (3) year term, ending July 2027.

Councilor Derenoncourt on the motion asked Mr. Paull based on your resume you went to UMASS Boston you did a double major? He said very impressive.

Mr. Paull stated that is correct he has a double in Economics and Criminal Justice.

Confirmed by a roll call vote nine members present and all voting in the affirmative. Councilors Farwell and Tavares absent.

UNFINISHED BUSINESS:

116. Ordinance: Be it Ordained by the City Council of the City of Brockton to adopt a new Ordinance of the City of Brockton as follows:

Any Board or Commission that requires an independent outside consultant review for any project submitted by an applicant in which the payment of the fee for those consulting services are paid for by the applicant, the Board or Commission must solicit qualified consultants and maintain a list of those consultants who shall provide evidence of their qualifications and fee schedules.

In any project that requires a consultant review, the Board or Commission shall provide a copy of the application or make it available online to no less than three approved consultants requesting a scope of services for the particular project, anticipated timing of completion, and requiring a fee schedule be submitted to the Board or Commission within ten (10) business days.

The Board or Commission shall provide the proposed scope of services and proposed fee schedule to the Applicant and said Applicant may in its sole discretion select one of the consultants to perform the required review services.

The Board or Commission shall direct that all independent reviewers be required to consult with the Applicant and the Applicant's consultant(s) during the performance of their review in order to streamline and expedite the review process and to make it more cost effective.

Nothing herein shall conflict with M.G.L. ch. 44 section 55G. (FAVORABLE AS AMENDED) (PASSED TO A THIRD READING AS AMENDED BY A HANDVOTE)

Ordained by a roll call vote nine members present and eight voting in the affirmative. Councilor Derenoncourt voting in the negative. Councilors Farwell and Tavares absent.

133. (UNFINISHED BUSINESS)

260. Ordinance: AN ORDINANCE AMENDING CHAPTER 11 SECTION 11-144 OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON

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

The that language contained in sections (a), (b) and (c) be stricken in their entirety and the following language be inserted in its place, “Amusement or entertainment businesses. An establishment which has as its principal business activity amusement or entertainment shall be allowed up to two hundred (200) automatic amusement devices.” (FAVORABLE AS AMENDED) (PASSED TO A THIRD READING AS AMENDED BY A HANDVOTE)

Ordained by a roll call vote nine members present and eight voting in the affirmative. Councilor Derenoncourt voting in the negative. Councilors Farwell and Tavares absent.

293. Appointment of Retired Police Officer Daniel Leonard to the role of Special Police Officer. (FAVORABLE)

Confirmed by a roll call vote eight members present and all voting in the affirmative. Councilor Derenoncourt stepped out. Councilors Farwell and Tavares absent.

294. Appointment of Mr. Justin Talbot, of 25 Fairview Avenue, Brockton, MA, 02301, to serve on the Brockton Conservation Commission for a three (3) year term, ending July 2027. (FAVORABLE)

Confirmed by a roll call vote eight members present and all voting in the affirmative. Councilor Derenoncourt stepped out. Councilors Farwell and Tavares absent.

Resolve: From Finance Meeting June 10, 2024 Councilor Farewell motioned to amended Order # 287

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

To the amended appropriation \$900,000 and was properly seconded. The motion carried by a hand vote. Having considered the same, motion by Councilor Lally to report Favorable as amended and was properly seconded. The motion carried by a hand vote. The order passed in City Council June 24, 2024 as amended. At the meeting of the Finance Committee June 10, 2024 Councilor Farwell asked to have Aquaria come before the City Council and get more information about the Desal Contract from Aquaria before he would accept the Desal fixed charge of \$2,100,000. (FAVORABLE)

Adopted by a hand vote.

ORDINANCES:

Councilor Derenoncourt motioned to summarize the reading of item #31 and was properly seconded. The motion carried by a hand vote.

378. Ordinance: AN ORDINANCE AMENDING CHAPTER XXVII OF THE REVISED ORDINANCE OF THE CITY OF BROCKTON

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

Chapter 27. Zoning is hereby amended by adding the following new Section 27-[] after Section 27-[], as follows:

134. (ORDINANCES)

Sec. 27- Fair Grounds Overlay District.

The Fair Grounds Overlay District is created to provide for the flexible redevelopment of the Brockton Fair Grounds in order to promote a blended development of mixed-use residential, commercial, and light industrial uses. The Applicant shall have the option of applying for site plan approval pursuant to the zoning controls set forth in this section or complying with all applicable zoning controls set forth in the zoning ordinances of the city for the underlying zoning district. Development projects proceeding under this section shall be governed solely by the provisions of this section and shall be deemed exempt from the standards and/or procedures of the underlying zoning ordinance except for those of Article XV. – Site Plan Review, and any other sections as specifically set forth herein.

1. *Establishment and Delineation of the Fair Grounds Overlay District.* The Fair Grounds Overlay district is an overlay district that is superimposed over the underlying C-2 zoning district. The boundaries of the Fair Grounds Overlay are delineated as the “Fair Grounds Overlay District” on the official zoning map of the City on file in the office of the City Clerk, said map hereby made a part of the zoning ordinance.
2. *Waivers.* The permit granting authority shall have the authority to grant waivers as set forth in Sections 27-[].11 and 27-[].12, only upon a finding that (i) such waiver helps promote a blended development of residential, commercial, and light industrial uses within the City of Brockton, and (ii) any additional requirements set forth in specific waiver for that subsection, if any.
3. *Approvals.* The permit granting authority for Site Plan Review and the granting of waivers from the requirements of this section will be the Brockton Planning Board. Their approval shall be a written authorization which includes the (i) Criteria for Approval set forth at Section 27-89 subsections 1-6, insofar as such criteria ensure there will be reasonable use of the proposed site with the Fair Grounds Overlay District, and (ii) any waivers deemed necessary and appropriate by the Planning Board, acting as a permit granting authority and shall be recorded and enforced by the City of Brockton like special permits issued by the zoning board of appeals, but such a permit shall not be considered a special permit subject to the procedural requirements of M.G.L chapter 40A or chapter 27 of the Revised Ordinances of the City of Brockton. All pre-existing uses within the Fair Grounds Overlay District shall be grandfathered and not require any approvals except for an expansion of its existing buildings.
4. *Residential - Permitted as of right uses.* Any residential use, with any number of Dwelling Units, including but not limited to residential group development as defined in Section 27-61.
5. *Residential - Standards.* The following dimensional standards shall apply to Residential buildings within the Fair Grounds Overlay District:

Building Height (maximum)	Seven (7) stories or eighty-five (85) feet.
Lot area (minimum)	None
Lot frontage (minimum)	None
Lot depth (minimum)	None
Yards (minimum)	None
Front	None
Side	None
Rear	None
Floor area ratio	None
Green space (minimum)	15%

135. (ORDINANCES)

- a) *Green Space.* For purposes of this provision, Green Space may be satisfied with active or passive recreational use, and may be provided on the roof or balconies or buildings, or at grade, and may include, but not be limited to, ball courts; swimming pools; lawns or greens; walks; benches; balconies; decks; and other active or passive recreational facilities. For purposes of calculating Green Space, all of the land within the Fair Grounds Overlay District shall be considered one lot.
6. *Commercial - Permitted as of right uses.* Any principal permitted use, special permitted use, and accessory use permitted in a C-1, C-2, C-3, C-4, C-5, C-6, C-7, and C-8 zones, provided that the following uses shall be prohibited: undertaking establishments or mortuaries, gasoline stations, open air or drive-in theaters, car washing establishments, and tattoo parlors.
7. *Commercial - Standards.* The following dimensional standards shall apply to commercial buildings within the Fair Grounds Overlay District:

Building Height (maximum)	Seventy (70) feet
Lot area (minimum)	None
Lot frontage (minimum)	None
Lot depth (minimum)	None
Yards (minimum)	None
Front	None
Side	None
Rear	None
Floor area ratio	None
Green space (minimum)	10%

- a) *Green Space.* A maximum of fifty (50) percent of the green space may be provided through green roofs.
8. *Technology, Research Development, and Light Industrial - Permitted as of right uses.* Any principal permitted use, special permitted use, and accessory use permitted in an I-1, I-2 and I-3 zone, excluding prohibited uses set forth in an I-3 zone.
9. *Technology, Research Development, and Light Industrial - Standards.* The following dimensional standards shall apply to industrial buildings within the Fair Grounds Overlay District:

Building Height (maximum)	Eighty-Five (85) feet
Lot area (minimum)	None
Lot frontage (minimum)	None
Lot depth (minimum)	None
Yards (minimum)	None
Front	None
Side	None
Rear	None
Floor area ratio	None
Green space (minimum)	5%

- a) *Green Space.* A maximum of fifty (50) percent of the green space may be provided through green roofs.

136. (ORDINANCES)

10. *Mixed-Use Provisions*

- b) *Building Separation.* Multiple buildings shall be allowed on any site within the Fair Grounds Overlay District provided that if the buildings are not connected above-grade there is a minimum setback of (10) feet between each structure above-grade.
- d) *Mixed-Use Development.* Buildings may include a portion not to exceed fifty (50) percent of the total gross floor area to be used for any other allowed uses in the Fair Ground Overlay District.

11. *Parking*

- a) *Residential.* A minimum of one (1) parking space per residential unit.
- b) *Commercial.* As set forth in Section 27.54, provided that for office use the parking ratio shall be not less than 1 parking space for each 1,000 square feet of office space.
- c) *Technology, Research Development, and Light Industrial.* As set forth in Section 27.54, provided that for office use the parking ratio shall be not less than 1 parking space for each 1,000 square feet of office space.
- d) *Parking Waiver.* The Planning Board has the authority to grant a waiver from the parking ratio requirements of this section for up to a 50% reduction in required parking provided that the Planning Board finds, in addition to any requirements set forth in Section 27-[__].2, that the mixed-use nature of the development reduces overall vehicular demand, or that the project is implementing transportation demand measures to reduce vehicular demand and/or impacts from the project.
- e) *Off-Site Parking.* Any required parking, except required accessible parking spaces, may be provided on any other parcel located within the Fair Grounds Overlay District by a cross parking agreement.

12. *Loading*

- a) *Loading.* No loading shall be required for Residential, and loading for Commercial and Technology, Research Development, and Light Industrial shall be provided pursuant to Sec. 27-55.
- b) *Joint Facilities for Loading.* Loading facilities for separate uses may be provided jointly on the same lot by approval of the Planning Board provided that a waiver shall be required to reduce the total number of otherwise required loading facilities by more than one.
- c) The loading requirements for any project within the Fair Grounds Overlay District may be reduced pursuant to site plan review via a waiver from the Planning Board upon a finding that the required number of loading spaces exceeds the likely need for loading spaces with respect to a specific use.

137. (ORDINANCES)

Beginning at a point on the southerly sideline of Belmont Street at a point being S61°10'15"W, 1055.85' feet from the intersection of the westerly sideline of Thurber Avenue and the southerly sideline of said Belmont Street, thence;

Thence turning and running N 61°10'15" E, a distance of 964.96 feet to a point;
Thence turning and running S 09°16'18" E, a distance of 123.40 feet to a point;
Thence turning and running N 80°40'12" E, a distance of 85.93 feet to a point;
Thence turning and running S 09°22'49" E, a distance of 894.04 feet to a point;
Thence turning and running S 78°27'48" E, a distance of 89.73 feet to a point;
Thence turning and running S 11°34'55" W, a distance of 109.65 feet to a point;
Thence turning and running N 78°25'05" W, a distance of 19.37 feet to a point;
Thence turning and running S 11°17'55" W, a distance of 132.00 feet to a point;
Thence turning and running N 78°25'05" W, a distance of 4.00 feet to a point;
Thence turning and running S 11°17'55" W, a distance of 348.27 feet to a point;
Thence turning and running S 78°23'05" E, a distance of 66.45 feet to a point;
Thence turning and running S 12°05'56" W, a distance of 117.20 feet to a point;
Thence turning and running S 78°11'55" E, a distance of 67.60 feet to a point;
Thence turning and running S 11°32'43" W, a distance of 23.59 feet to a point;
Thence turning and running N 86°57'01" W, a distance of 55.00 feet to a point;
Thence turning and running S 11°18'25" W, a distance of 31.80 feet to a point;
Thence turning and running S 83°26'25" W, a distance of 87.50 feet to a point;
Thence turning and running S 11°59'25" W, a distance of 197.70 feet to a point;
Thence turning and running S 10°13'35" E, a distance of 118.50 feet to a point;
Thence turning and running S 79°46'25" W, a distance of 14.79 feet to a point;
Thence turning and running S 75°58'25" W, a distance of 30.00 feet to a point;
Thence turning and running S 14°01'35" E, a distance of 219.93 feet to a point;
Thence turning and running S 76°00'07" W, a distance of 438.62 feet to a point;
Thence turning and running N 81°28'19" W, a distance of 158.04 feet to a point;
Thence turning and running N 62°04'46" W, a distance of 986.37 feet to a point;
Thence turning and running N 27°38'16" W, a distance of 169.92 feet to a point;
Thence turning and running N 04°40'16" W, a distance of 533.46 feet to a point;
Thence turning and running N 85°19'49" E, a distance of 5.00 feet to a point;
Thence turning and running N 04°40'11" W, a distance of 6.84 feet to a point;
Thence running a curve to the right, having a radius of 127.28 feet, a delta angle of 43°40'16", an arc length of 97.01 feet, a chord bearing of N 17°09'57" E, and a chord length of 94.68 feet, to a point;
Thence turning and running N 38°59'49" E, a distance of 29.53 feet to a point;
Thence turning and running N 51°07'27" W, a distance of 5.00 feet to a point;
Thence turning and running N 38°59'48" E, a distance of 395.75 feet to a point;
Thence turning and running N 39°34'10" E, a distance of 148.31 feet to a point;
Thence turning and running N 38°04'23" E, a distance of 91.92 feet to a point;
Thence turning and running N 38°59'48" E, a distance of 222.92 feet to a point to the Point of Beginning.

Said Parcel having an Area of 2904803 Square Feet, or 66.685 Acres.

Referred to Ordinance and Planning

379.Ordinance: An Ordinance Creating a Revolving Fund pursuant to Massachusetts General Law, Chapter 44, Section 53E ½

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:

138. (ORDINANCES)

The School Bus Charter Fee Revolving Fund shall be created. Programs or activities for which the School Bus Charter Fee Revolving Fund may be used include transportation of students or other fee-based transportation services. Donations and fees shall be credited to School Bus Charter Fee Revolving Fund. Expenditures from the School Bus Charter Fee Revolving Fund shall be made on the authority and direction of the Chief Financial Officer, provided that no more than \$250,000 may be expended from School Bus Charter Fee Revolving Fund during fiscal year 2025. The Brockton Chief Financial Officer shall comply with the reporting requirements of M.G.L. ch. 44, Section 53E ½.

Referred to Ordinance

ORDERS:

380.Ordered: A waiver of the City of Brockton’s residency requirement under Section 2-110 of the City Ordinances for Interim City Auditor Irene Giannopoulos.

Referred to Finance

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

FROM: EASTERN BANK FOUNDATION	\$500
TO: COUNCIL ON AGING	\$500

Referred to Finance

382.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: \$63,473.91

FROM: FINANCE – PERSONAL SERVICES NON-OT	\$63,473.91
TO: HUMAN RESOURCES – PERSONAL SERVICES NON-OT	\$63,473.91

This transfer will be to cover the salary of an employee being moved from the Finance Department to the Human Resource Department.

Referred to Finance

383.Ordered: Raise and Appropriate the sum of \$390,000.

TO: LAW – COURT JUDGEMENTS	\$390,000
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This appropriation will be to fund a court settlement for a recently settled lawsuit.

Referred to Finance

139. (ORDERS)

384.Ordered: Raise and Appropriate the sum of \$584,678.

TO: LIBRARY - PERSONAL SERVICES NON-OT	\$393,753
TO: LIBRARY – PURCHASE OF SERVICE	\$172,850
TO: LIBRARY – GOODS AND SUPPLIES	\$18,075

This appropriation will fully fund the Brockton Public Library for Fiscal Year 2025.

Referred to Finance

385.Ordered: Raise and Appropriate the sum of \$275,000.

TO: MAYOR – PERSONAL SERVICES NON-OT	\$275,000
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This appropriation will help fund the full-time salaries of employees in the Mayor’s Office for the entire fiscal year.

Referred to Finance

386.Ordered: That the City Council authorizes the acceptance and expenditure of a donation in the amount of \$50,000.00

From: The Estate of Francis X. McDonnell

To: The Brockton Parks and Recreation Department

Referred to Finance

387.Ordered: That the City of Brockton appropriate the amount of Forty-Eight Million Dollars (\$48,000,000) for the purpose of paying additional costs of designing, constructing and equipping a public safety complex to house the Police, Fire, and Information Technology departments, as well as the Brockton Emergency Management Agency, including the payment of costs of designing and improving roadways and utilities in the vicinity of the public safety complex, making improvements to enhance traffic flow, and for the payment of all costs incidental or related thereto. To meet this appropriation the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts’ Municipal Finance Oversight Board to qualify under 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.

Referred to Finance

RESOLVES:

388.Resolve: WHEREAS, The police department provides vital public safety services to the city, and,

WHEREAS, Chapter 19, Section 19-29 of the Revised Ordinances of the City of Brockton provides that rules and regulations for the police department be established and approved by the mayor and city council;

140. (RESOLVES)

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 Public Safety Committee of the City Council to review current rules and regulations for all aspects of the administration, operations and enforcement procedures of the department.

Referred to Public Safety

389.Resolve: WHEREAS, The Supreme Court of the United States has ruled that municipalities may establish rules, regulations and controls for the use of public property;

NOW, THEREFORE, BE IT RESOLVED: City Solicitor Megan Bridges, Police Chief Brenda Perez, Mayor Robert Sullivan, and Director of Social Social Services be invited to a meeting of the Public Safety Committee of the City Council to initiate the discussion and creation of policies to ensure the safety and security of public and private properties

Referred to Public Safety

LATE FILE

Councilor Lally motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

COMMUNICATIONS:

390.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 \$151,670 from the Department of Energy to the Department of Public Works.

FROM: THE DEPARTMENT OF ENERGY \$151,670

TO: THE DEPARTMENT OF PUBLIC WORKS \$151,670

This funding allows the Department of Public Works to reduce the City's environmental footprint through the purchase of 3 electric trucks, which will meet the program's goals of comprehensively optimizing energy use, reducing greenhouse gas emissions, and fostering a culture of sustainability in the community.

Accepted and placed on file

391.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 \$151,670 from the Department of Energy to the Department of Public Works, without detrimental impact on the continuous provision of the existing level of municipal services.

FROM: THE DEPARTMENT OF ENERGY \$151,670

TO: THE DEPARTMENT OF PUBLIC WORKS \$151,670

This funding allows the Department of Public Works to reduce the City's environmental footprint through the purchase of 3 electric trucks, which will meet the program's goals

of comprehensively optimizing energy use, reducing greenhouse gas emissions, and fostering a culture of sustainability in the community.

141. (LATE FILES)

Accepted and placed on file

ORDERS:

392.ORDERED:

That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$151,670.

FROM: THE DEPARTMENT OF ENERGY \$151,670

TO: THE DEPARTMENT OF PUBLIC WORKS \$151,670

Referred to Finance

Councilor's Recognition

Councilor Nicastro announced that the Ordinance meeting that was schedule for tomorrow July 23 has been postponed.

Meeting Adjourned: 10:15PM

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.