

Notice is hereby given that the regularly scheduled meeting of the City Council was held on Monday evening September 9, 2024 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA. The meeting was called to order at 7:05 PM with nine members present. Councilors Asack and Derenoncourt absent.

454.Acceptance of the Minutes of the August 26, 2024 City Council meeting.

Accepted and placed on file

APPOINTMENTS:

455.Appointment of Ms. Irene Giannopoulos, of Arlington, MA, 02476 to the role of Auditor for the City of Brockton for a three (3) year term.

Referred to Finance

HEARINGS:

Petition of Young Wang, of Trinity Solar LLC,133 Old Post Rd, Sharon, MA 02067, for a license to Solicit and Canvass.

Young Wang, of Trinity Solar LLC,133 Old Post Rd, Sharon, MA 02067 appeared in favor of the petition and was there to answer any questions.

Councilor Minichiello ask what other communities have you solicit and canvass?

Mr. Wang stated he has also done Quincy, Plymouth and Auburn.

Councilor Minichiello stated to be respectful of the residents. Is there a buy or lease agreements?

Mr. wang stated they have both options.

Councilor Lally stated are you the owner of the company or a representative?

Mr. Wang stated he is a representative.

No one was in opposition.

Granted by a hand vote. Councilors Asack and Derenoncourt absent.

Petition of Armando Vieira, of Live Well Nutrition LLC, 28 Richmond St. Apt. #1, Brockton, MA 02301, for a license to Solicit and Canvass.

Armando Vieira, of Live Well Nutrition LLC, 28 Richmond St. Apt. #1, Brockton, MA 02301 appeared in favor of the petition and was there to answer any questions.

Mr. Vieira had read in the presentation packet (available for viewing in the City Clerk's Office)

Councilor Minichiello stated to be respectful to the residents as well and he likes what he is selling and wishes him good luck.

Councilor Tavares thanks Mr. Vieira on a tremendous job and hopes he is very successful in his solicit to canvass and she hopes to join again one day.

165. (HEARINGS CONT.)

Councilor Griffin compliments Mr. Vieira and ask him what background education does he in Nutrition and Fitness?

Mr. Vieira stated he has a Master's in Education and he is a teacher. He actually got into this program because of his family, his son was obese.

Councilor Nicastro stated that that this was a lovely presentation and she might be the first client and this will help a lot of people.

Councilor Thompson stated he is in support of this as someone who himself has started his health and fitness journey after the age of 40. He stated Mr. Vieira also has a store and fitness club on 603 Centre St. Ste. 3 in Brockton. He is a user of his products and glad he is taking another step. He wishes him tremendous luck.

No one was in opposition.

Granted by a hand vote. Councilors Asack and Derenoncourt absent.

Petition of Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc to install one JO Pole on Westgate Drive. Beginning at a point approximately 40 feet Southwest of the centerline of the intersection of Westgate Drive. Installing new Riser Pole 41-50 to feed new underground transformer, located on 535 Westgate Drive Property.

No representative from National Grid appeared in favor. Councilor Lally motioned to postpone to end of the meeting and was properly seconded. The motion carried by a hand vote.

COMMUNICATIONS:

456.From the Mayor appointing Ms. Irene Giannopoulos, of Arlington, MA, 02476 to the role of Auditor for the City of Brockton for a three (3) year term.

Accepted and placed on file

457.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of prior year unpaid bills of \$31,889.50.

In order to pay for invoices from FY22 and FY23

FROM: DPW WATER- PURCHASE OF SERVICE \$31,889.50

TO: WEST GROUP LAW \$31,889.50

Accepted and placed on file

458.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support approval of prior year unpaid bill of \$31,889.50, without a detrimental impact on the continuous provision of the existing level of municipal services.

In order to pay for invoices from FY22 and FY23.

FROM: DPW WATER- PURCHASE OF SERVICE \$31,889.50

TO: WEST GROUP LAW \$31,889.50

166. (COMMUNICATIONS CONT.)

Accepted and placed on file

459.From the Executive Director of Brockton Parking Authority requesting approval to pay an invoice received after the Auditing deadline on July 22, 2024 with FY2024 funds. The invoice in question is from Yankee Sprinkler and the work was performed on May 10, 2024 with a total expense of \$860.00. There remain sufficient funds in the BPA budget to cover this expense.

Accepted and placed on file

460.From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of prior year unpaid bills of \$860.00.

In order to pay for an invoice from FY24.

FROM: PARKING AUTHORITY – PURCHASE OF SERVICE \$860.00

TO: YANKEE SPRINKLER \$860.00

Accepted and placed on file

461.From the CFO in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support approval of prior year unpaid bill of \$860.00, without a detrimental impact on the continuous provision of the existing level of municipal services.

In order to pay for an invoice from FY24.

FROM: PARKING AUTHORITY – PURCHASE OF SERVICE \$860.00

TO: YANKEE SPRINKLER \$860.00

Accepted and placed on file

UNFINISHED BUSINESS:

259.ORDINANCE: AN ORDINANCE AMENDING CHAPTER 23 SECTION 23-61-23-69 OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON

The following language

“Rate Block Quarterly Usage (per 100 cubic ft of water usage)

Rate Effective on all bills mailed on or after July 1, 2020

Shall be replaced from:

To:

- | | |
|-----------------|------|
| 1. 0-1250 | |
| 2. 1251-2500 | 6.20 |
| 3. 2501-5000 | 7.60 |
| 4. 5001-10000 | 8.60 |
| 5. 100001-25000 | 8.40 |
| 6. 25001-999999 | 9.00 |

167. (UNFINISHED BUSINESS CONT.)

USAGE in Cubic Feet	Sewer Rate per 100 Cubic Feet
0-750	\$2.93
751-1250	\$4.61
1251-2500	\$6.14
2501-5000	\$8.15
5001-10,000	\$11.06
10,001-25,000	\$14.80
Block 7 25,001-anything greater	\$19.67

Rate shall be effective on all bills mailed on or after July 1, 2024. Users shall be given the option to pay retroactive fees for 2024 Q1 and Q2 over Q3 and Q4 billing with no interest. (FAVORABLE AS AMENDED) (PASSED TO A THIRD READING AS AMENDED BY A HANDVOTE)

Ordained As Amended by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Asack and Derenoncourt absent.

ORDERS:

462.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$31,889.50.

FROM: DPW WATER- PURCHASE OF SERVICE	\$31,889.50
TO: WEST GROUP LAW	\$31,889.50

Referred to Finance

463.Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$860.00.

FROM: PARKING AUTHORITY – PURCHASE OF SERVICE	\$860.00
TO: YANKEE SPRINKLER	\$860.00

Councilor Farwell motioned to move under Suspension of rules and was properly seconded. The motion carried by a hand vote. Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and all voting in the affirmative. Councilors Asack and Derenoncourt.

Petition of Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc to install one JO Pole on Westgate Drive. Beginning at a point approximately 40 feet Southwest of the centerline of the intersection of Westgate Drive. Installing new Riser Pole 41-50 to feed new underground transformer, located on 535 Westgate Drive Property.

No representative from National Grid appeared in favor. Councilor Thompson motioned to postpone to next City Council Meeting and was properly seconded. The motion carried by a hand vote.

168. (LATE FILES CONT.)

LATE FILES

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

464.Resolve: WHEREAS, The city council will consider zoning changes for the area known as the Brockton Fairgrounds, and,

WHEREAS, This area constitutes 66 acres possibly with mixed-use development on the property, and,

WHEREAS, Fire safety is critical in areas where residential, commercial or other development projects take place;

NOW, THEREFORE, BE IT RESOLVED:

Brockton Fire Chief Brian Nardelli and such staff as he deems appropriate be invited to a meeting of the council to discuss the fire safety issues related to a large development project and surrounding residential and commercial properties, including issues affecting fire operations.

Referred to Finance

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

465.Resolve: Be it resolved by the Brockton City Council to invite City Solicitor Megan Bridges to appear before the Finance Committee to discuss the City conducted audit and investigation for the FY23 school department financial deficit.

Referred to Finance

Councilor's Recognition

Councilor Nicastro informed everyone that on Friday September 6, City Clerk Timothy J. Cruise welcomed his first grandchild Barry Cruise and Congratulations to him and his family.

President Rodrigues reminded everyone that next Monday September 16, a Public Hearing on the Fair Grounds Overlay Ordinance will be at 5:30PM.

Councilor Thompson is this a special meeting?

Clerk Cruise stated no this is just a Public Hearing.

Councilor Tavares asked is the public making the decision?

President Rodrigues No, we are just hearing the public. It is up to us to make the decision.

Councilor Minichiello shouldn't we do a community meeting first where the developer comes in?

President Rodrigues stated this is in Ordinance and we have to have a public Hearing for this zoning change.

Clerk Cruise stated that the laws require a zoning change to have a public hearing. Any councilor has the choice to have a community meeting.

169. (COUNCILOR'S RECOGNITION CONT.)

Councilor Minichiello can we discuss the specifics in Ordinance meeting?

Attorney Resnick the planning board will report favorable or unfavorable with comments back to City Council. The Ordinance meeting can send back to city council favorable or unfavorable with amendments.

Clerk Cruise this is just a reminder that there will be a public hearing this is not a agenda item and can not be discussed. This is required by Law to have a public Hearing.

Councilor Nicastro thinks it's a great idea to join to together with Councilor Minichiello and Tavares to have a ward community meeting.

Councilor Thompson will developers be at this hearing.

President Rodrigues No, this is just a hearing for the public to speak. This is not what's in front of council it's just the ordinance overlay district for the fair grounds.

Clerk Cruise when voted on it will just be on the zoning overlay district for the fair grounds not to talk about any specific projects.

Councilor Nicastro stated if this overlay passed we will have no say on what goes there. Its important people weigh in on it.

Meeting Adjourned: 7:45PM

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.