

FINANCE COMMITTEE AGENDA

The Standing Committee on Finance will meet on *Monday, October 21st, 2024 at 7:00 PM* in the *Council Chambers, Brockton City Hall, 45 School Street*, to consider the following:

1. Appointment of Mr. Robert “Bob” Beaudesne, of 59 Camden Ave, Brockton, MA, 02301, to the Brockton Council on Aging as an alternate member for a three (3) year term, ending October 2027.

Invited: Mr. Robert “Bob” Beaudesne

2. Appointment of Mr. Robert “Bob” Beaudesne, of 59 Camden Ave, Brockton, MA, 02301, to the Brockton Beautification Committee for a one (1) year term, ending October 2025.

Invited: Mr. Robert “Bob” Beaudesne

3. Ordered: In compliance with the provisions of the Election Laws, notice is hereby given that the State Election will be held on Tuesday, November 5, 2024 in the following designated Polling Places:

Ward One	Precinct A	Housing Authority Community Room, Hawley St
Ward One	Precinct B	West Junior High School Building, West Street
Ward One	Precinct C	Hancock School, Pearl Street
Ward One	Precinct D	Hancock School, 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	Brockton Public Library, Main Branch, 304 Main St
Ward Two	Precinct D	War Memorial Building, 156 West Elm Street
Ward Three	Precinct A	South Junior High School Building, Keith Avenue
Ward Three	Precinct B	South Junior High School Building, Keith Avenue
Ward Three	Precinct C	John F. Kennedy School Building, 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 Apartments, 1380 Main Street
Ward Five	Precinct A	East Side Library, 54 Kingman Street
Ward Five	Precinct B	East Junior High School Building, 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 Building, Oak Street
Ward Seven	Precinct B	Belair Street High Rise, 105 Belair Street
Ward Seven	Precinct C	Sullivan Towers, 140 Colonel Bell Drive
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 office, viz: Electors of President and Vice President, United States Senator in Congress, United States Representative in Congress, Councillor Second District, Senator in General Court Second Plymouth & Norfolk District, Representative in General Court 9th, 10th and 11th Plymouth District, Clerk of Courts Plymouth County, Register of Deeds Plymouth District, County Commissioner Plymouth County, Southeastern Regional Vocational Technical School Committee, and the following questions:

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 1, 2024?

SUMMARY

This proposed law would specify that the State auditor has the authority to audit the legislature.

A YES VOTE would specify that the State auditor has the authority to audit the legislature.

A NO VOTE would make no change in the law relative to the State Auditor’s authority.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 1, 2024?

SUMMARY

This proposed law would eliminate the requirement that a student pass the Massachusetts Comprehensive Assessment System (MCAS) tests (or other statewide or district-wide assessments) in mathematics, science and technology, and English in order to receive a high school diploma. Instead, in order for a student to receive a high school diploma, the proposed law would require the student to complete coursework certified by the student’s district as demonstrating mastery of the competencies contained in the state academic standards in mathematics, science and technology, and English, as well as any additional areas determined by the Board of Elementary and Secondary Education.

A YES VOTE would eliminate the requirement that students pass the Massachusetts Comprehensive Assessment System (MCAS) in order to graduate high school but still require students to complete coursework that meets state standards.

A **NO VOTE** would make no change in the law relative to the requirement that a student pass the MCAS in order to graduate high school.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 1, 2024?

SUMMARY

The proposed law would provide Transportation Network Drivers (“Drivers”) with the right to form unions (“Driver Organizations”) to collectively bargain with Transportation Network Companies (“Companies”)-which are companies that use a digital network to connect riders to drivers for pre-arranged transportation-to create negotiated recommendations concerning wages, benefits and terms and conditions of work. Drivers would not be required to engage in any union activities. Companies would be allowed to form multi-Company associations to represent them when negotiating with Driver Organizations. The state would supervise the labor activities permitted by the proposed law and would have responsibility for approving or disapproving the negotiated recommendations. The proposed law would define certain activities by a Company or a Driver Organization to be unfair work practices. The proposed law would establish a hearing process for the state Employment Relations Board (“Board”) to follow when a Company or Driver Organization is charged with an unfair work practice. The proposed law would permit the Board to take action, including awarding compensation to adversely affected Drivers, if it found that an unfair work practice had been committed. The proposed law would provide for an appeal of a Board decision to the state Appeals Court. This proposed law also would establish a procedure for determining which Drivers are Active Drivers, meaning that they completed more than the median number of rides in the previous six months. The proposed law would establish procedures for the Board to determine that a Driver Organization has signed authorizations from at least five percent of Active Drivers, entitling the Driver Organization to a list of Active Drivers; to designate a Driver Organization as the exclusive bargaining representative for all Drivers based on signed authorizations from at least twenty-five percent of Active Drivers; to resolve disputes over exclusive bargaining status, including through elections; and to decertify a Driver Organization from exclusive bargaining status. A Driver Organization that has been designated the exclusive bargaining representative would have the exclusive right to represent the Drivers and to receive voluntary membership dues deductions. Once the Board determined that a Driver Organization was the exclusive bargaining representative for all Drivers, the Companies would be required to bargain with that Driver Organization concerning wages, benefits and terms and conditions of work. Once the Driver Organization and Companies reached agreement on wages, benefits, and the terms and conditions of work, that agreement would be voted upon by all Drivers who has completed at least 100 trips the previous quarter. If approved by a majority of votes cast, the recommendations would be submitted to the state Secretary of Labor for approval and if approved, would be effective

for three years. The proposed law would establish procedures for the mediation and arbitration if the Driver Organization and Companies failed to reach agreement within a certain period of time. An arbitrator would consider factors set forth in the proposed law, including whether the wages of Drivers would be enough so that Drivers would not need to rely upon any public benefits. The proposed law also sets out procedures for the Secretary of Labor's review and approval of recommendations negotiated by a Driver Organization and the Companies and for judicial review of the Secretary's decision. The proposed law states that neither its provisions, an agreement nor a determination by the Secretary would be able to lessen labor standards established by other laws. If there were any conflict between the proposed law and existing Massachusetts labor relations law, the proposed law would prevail. The Board would make rules and regulations as appropriate to effectuate the proposed law. The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would provide transportation network drivers the option to form unions to collectively bargain with transportation network companies regarding wages, benefits, and terms and conditions of work

A NO VOTE would make no change in the law relative to the ability of transportation network drivers to form unions.

QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 1, 2024?

SUMMARY

This proposed law would allow persons aged 21 and older to grow, possess, and use certain natural psychedelic substances in certain circumstances. The psychedelic substances allowed would be two substances found in mushrooms (psilocybin and psilocyn) and three substances found in plants (dimethyltryptamine, mescaline, and ibogaine). These substances could be purchased at an approved location for use under the supervision of a licensed facilitator. This proposed law would otherwise prohibit any retail sale of natural psychedelic substances. This proposed law would also provide for the regulation and taxation of these psychedelic substances. This proposed law would license and regulate facilities offering supervised use of these psychedelic substances and provide for the taxation of proceeds from those facilities' sales of psychedelic substances. It would also allow persons aged 21 and older to grow these psychedelic substances in a 12-foot by 12-foot area at their home and use these psychedelic substances at their home. This proposed law would authorize persons aged 21 or older to possess up to one gram of psilocybin, one gram of psilocyn, one gram of dimethyltryptamine, 18 grams of mescaline, and 30 grams of ibogaine ("personal use amount"), in addition to whatever they might grow at their home, and to give away up to the personal use amount to a person aged 21 or over. This proposed law would create a Natural Psychedelic

Substances Commission of five members appointed by the Governor, Attorney General, and Treasurer which would administer the law governing the use and distribution of these psychedelic substances. The Commission would adopt regulations governing licensing qualifications, security, recordkeeping, education and training, health and safety requirements, testing, and age verification. This proposed law would also create a Natural Psychedelic Substances Advisory Board of 20 members appointed by the Governor, Attorney General, and Treasurer which would study and make recommendations to the Commission on the regulation and taxation of these psychedelic substances. This proposed law would allow cities and towns to reasonably restrict the time, place, and manner of the operation of licensed facilities offering psychedelic substances, but cities and towns could not ban those facilities or their provision of these substances. The proceeds of sales of psychedelic substances at licensed facilities would be subject to the state sales tax and an additional excise tax of 15 percent. In addition, a city or town could impose a separate tax of up to two percent. Revenue received from the additional state excise tax, license application fees, and civil penalties for violations of this proposed law would be deposited in a Natural Psychedelic Substances Regulation Fund and would be used, subject to appropriation, for administration of this proposed law. Using the psychedelic substances as permitted by this proposed law could not be a basis to deny a person medical care or public assistance, impose discipline by a professional licensing board, or enter adverse orders in child custody cases absent clear and convincing evidence that the activities created an unreasonable danger to the safety of a minor child. This proposed law would not affect existing laws regarding the operation of motor vehicles while under the influence, or the ability of employers to enforce workplace policies restricting the consumption of these psychedelic substances by employees. This proposed law would allow property owners to prohibit the use, display, growing, processing, or sale of these psychedelic substances on their premises. State and local governments could continue to restrict the possession and use of these psychedelic substances in public buildings or at schools. This proposed law would take effect on December 15, 2024.

A YES VOTE would allow persons over age 21 to use certain natural psychedelic substances under licensed supervision and to grow and possess limited quantities of those substances in their home and would create a commission to regulate those substances.

A NO VOTE would make no change in the law regarding natural psychedelic substances.

QUESTION 5: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 1, 2024?

SUMMARY

The proposed law would gradually increase the minimum hourly wage an employer must pay a tipped worker, over the course of five years, on the following schedule:

- To 64% of the state minimum wage on January 1, 2025;
- To 73% of the state minimum wage on January 1, 2026;
- To 82% of the state minimum wage on January 1, 2027;
- To 91% of the state minimum wage on January 1, 2028; and
- To 100% of the state minimum wage on January 1, 2029

The proposed law would require employers to continue to pay tipped workers the difference between the state minimum wage and the total amount a tipped worker receives in hourly wages plus tips through the end of 2028. The proposed law would also permit employers to calculate this difference over the entire weekly or bi-weekly payroll period. The requirement to pay this difference would cease when the required hourly wage for tipped workers would become 100% of the state minimum wage on January 1, 2029.

Under the proposed law, if an employer pays its workers an hourly wage that is at least the state minimum wage, the employer would be permitted to administer a “tip pool” that combines all the tips given by customers to tipped workers and distributes them among all the workers, including non-tipped workers.

A YES VOTE would increase the minimum hourly wage an employer must pay a tipped worker to the full state minimum wage implemented over five years, at which point employers could pool all tips and distribute them to all non-management workers.

A NO VOTE would make no change in the law governing tip pooling or the minimum wage for tipped workers.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Invited: Cynthia Scrivani

4. Ordered: Requesting a waiver of the City of Brockton’s residency requirement under Section 2-110 of the City Ordinances for the Electrical Inspector Chester Anderson.

Invited: Electrical Inspector Chester Anderson
Building Commissioner James Plouffe

5. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$150,000.00.

FROM: OFFICE OF JUSTICE PROGRAMS \$150,000.00

TO: POLICE DEPARTMENT \$150,000.00

Invited: Police Chief Brenda Perez
BPD Grant Writer Lugenia Lopes
Chief Financial Officer Troy Clarkson

6. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$145,574.66.

FROM: HUMAN RESOURCE – BENEFITS \$145,574.66

TO: BOSTON MUTUAL LIFE INSURANCE \$145,574.66

Invited: Interim Human Resources Director Rob Fennessy
Chief Financial Officer Troy Clarkson

7. Resolve: Be it resolved, that the Brockton City Council condemns recent remarks targeting the Haitian immigrant community in Springfield, Ohio made by members of Congress, certain political campaigns and other public figures. Haitian immigrants have long faced harmful stereotypes from false accusations of spreading disease to xenophobic portrayals in the media. These damaging tropes help perpetuate discrimination and violence against an already marginalized group.
8. Resolved: To have Superintendent of Schools, Dr. Priya Tahiliani appear before a committee of the Brockton City Council to discuss the methods and policies of the Brockton School Department regarding CORI checks on employees that may have direct contact with the students of the Brockton Public Schools.

Invited: Superintendent of Schools Priya Tahiliani and any staff members as needed

9. Resolve: Be it resolved by the Brockton City Council to invite Troy Clarkson, Chief Financial Officer, Priya Tahiliani, Superintendent of the School Department, and Jennifer Perez, Director of Transportation for Brockton Public Schools to appear before the Finance Committee to discuss and provide an update on the current status of the transportation budget and general update for the transportation department.

Invited: Chief Financial Officer Troy Clarkson
Superintendent Priya Tahiliani
Director of Transportation Jennifer Perez

10. Resolve: Be it resolved by the Brockton City Council to invite Megan Bridges, City Solicitor, to appear before the Finance Committee to discuss and schedule an Executive Session as permitted by MGL Chapter 30A, Section 21 to discuss strategy with respect to litigation (McNulty v. City of Brockton, et al).

Invited: City Solicitor Megan Bridges

Sincerely,

Timothy J. Cruise
City Clerk

TJC/nf