

In City Council April 13th, 2026

Notice is hereby given that the regularly scheduled meeting of the City Council will be held on Monday evening April 13th, 2026 at 7:00PM in the Council Chambers, City Hall, 45 School St., Brockton, MA.

1. Acceptance of the Minutes of the October 14th, 2025 City Council Meeting.
2. Acceptance of the Minutes of the March 23rd, 2026 City Council Meeting.

APPOINTMENTS:

3. Reappointment of Joe Miranda, of 19 Wallace St., Brockton, MA 02302, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
4. Reappointment of Manuel Centeio, of 29 Kenneth Ave, Brockton, MA 02302, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
5. Reappointment of Laura Biechler, of 37 Fern Ave, Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
6. Reappointment of Larry D. Young, of 1111 North Main St., Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
7. Reappointment of Brian Madden, of 16 Ellis St., #3, Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
8. Appointment of Jorge Vega to the position of Chief Information Officer.
9. Appointment of Ron Gonsalves, of 7 Vermont Ave, Brockton, MA 02302, to the Commission on Human Rights, for a three-year term, ending in April 2026.
10. Appointment of Janice Johnson-Plumer, of 126 Peterson Ave, Brockton, MA 02302, to the Board of the Pilgrim Foundation, for a one-year term ending in March 2027.

HEARINGS:

11. Petition of National Grid to install 1 JO pole on Montello Street beginning at a point approximately 800 feet North of the centerline of the intersection of Perkins Ave and Montello Street. Installing new pole 69-5 across from existing pole 69 and also installing two anchors North and behind the pole.
12. Petition of LLC/Jean E. Gerilus of 440 East St., Brockton, MA 02302 for a Garage License located at 18 Perkins Avenue, Brockton, MA 02302.

On March 26, 2026 Councilor Teixeira filed for reconsideration on the following petition.

13. Petition of Verizon proposing to place new conduit along the Southwestern side of Summer Street, near 57 Summer St, running approximately 130ft in a Southerly direction from existing Manhole 91, located near the intersection of Summer Street and Grove street, to intercept an existing conduit bank on Summer street. The installation is requested by Version to provide service to the residents at 57 Summer street, as well as to provide the distribution of intelligence and telecommunications.

REPORTS:

14. Of the Ordinance Committee for its meeting of March 31st, 2026.
15. Of the Finance Committee for its meeting of April 6th, 2026.

COMMUNICATIONS:

16. From the Mayor reappointing Joe Miranda, of 19 Wallace St., Brockton, MA 02302, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
17. From the Mayor reappointing Manuel Centeio, of 29 Kenneth Ave, Brockton, MA 02302, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
18. From the Mayor reappointing Laura Biechler, of 37 Fern Ave, Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
19. From the Mayor reappointing Larry D. Young, of 1111 North Main St., Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
20. From the Mayor reappointing Brian Madden, of 16 Ellis St., #3, Brockton, MA 02301, to the Brockton Community Access Advisory Board, for a three-year term, ending in April 2029.
21. From the Mayor appointing Jorge Vega to the position of Chief Information Officer.
22. From the Mayor appointing Ron Gonsalves, of 7 Vermont Ave, Brockton, MA 02302, to the Commission on Human Rights, for a three-year term, ending in April 2026.
23. From the Mayor appointing Janice Johnson-Plumer, of 126 Peterson Ave, Brockton, MA 02302, to the Board of the Pilgrim Foundation, for a one-year term ending in March 2027.
24. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the adoption of the amendments to Article V. – Stormwater Management Ordinance.
25. From the Treasurer/Collector requesting the following transfer of \$20,000 this transfer is necessary to cover the extended City Hall hours through the remainder of the fiscal year.
26. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$20,000.00. This transfer is necessary to cover the extended City Hall hours through the remainder of the fiscal year.
27. 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 \$20,000.00, without a detrimental impact on the continuous provision of the existing level of municipal services. This transfer is necessary to cover the extended City Hall hours through the remainder of the fiscal year.
28. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the transfer of \$9,043,440.00. This

transfer is necessary to comply with the requirements of Ch. 324 of the Acts of 1990. We expect to ask you to transfer these funds again to support the FY27 operating budget.

- 29.** 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 \$9,043,440.00, without a detrimental impact on the continuous provision of the existing level of municipal services. This transfer is necessary to comply with the requirements of Ch. 324 of the Acts of 1990. We expect to ask you to transfer these funds again to support the FY27 operating budget.
- 30.** 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 \$125,000.00 from the Executive Office of Administration and Finance to the Department of Public Works. These funds are a part of the Municipal and Tribal Technical Assistance program.
- 31.** 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 \$125,000.00 from the Executive Office of Administration and Finance to the Department of Public Works, without detrimental impact on the continuous provision of the existing level of municipal services. These funds are a part of the Municipal and Tribal Technical Assistance program.
- 32.** From the Police Department Grant Writer requesting that the grant award be processed so that the City of Brockton may expend funds authorized under the FY 2026 Senator Charles E. Shannon Community Safety Initiative grant funding in the amount of \$647,185.48. The Shannon Grant provides wraparound services and gang-prevention services for Brockton youth. There is a 25% match for in-kind services.
- 33.** From the Chief of Police requesting authorization to expend \$647,185.48 in grant funds from the FY26 Senator Charles E. Shannon Community Safety Initiative, administered by the Executive Office of Public Safety and Security's Office of Grants and Research.
- 34.** 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 \$647,185.48 from the Executive Office of Public Safety and Security to the Police Department. These funds are part of FY26 Senator Charles E. Shannon Community Safety Initiative Grant and will provide wraparound services and gang-prevention services for Brockton Youth. There is a 25% match for in-kind services.
- 35.** 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 \$647,185.48 from the Executive Office of Public Safety and Security to the Police Department, without detrimental impact on the continuous provision of the existing level of municipal services. These funds are part of FY26 Senator Charles E. Shannon Community Safety Initiative Grant and will provide wraparound services and gang-prevention services for Brockton Youth. There is a 25% match for in-kind services.
- 36.** 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 \$175,000.00 from the Massachusetts Office of Travel and Tourism to the Mayor's Office. These funds are a part of the FY26 Sport and

Entertainment Grant and will be used to host watch parties for the upcoming FIFA World Cup.

- 37.** 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 \$175,000.00 from the Massachusetts Office of Travel and Tourism to the Mayor's Office, without detrimental impact on the continuous provision of the existing level of municipal services. These funds are a part of the FY26 Sport and Entertainment Grant and will be used to host watch parties for the upcoming FIFA World Cup.
- 38.** From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council authorize the approval of prior year's unpaid bill of \$1,401.60. These funds will be used to pay invoices from FY25.
- 39.** 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's unpaid bills of \$1,401.60, without a detrimental impact on the continuous provision of the existing level of municipal services. These funds will be used to pay invoices from FY25.
- 40.** From the Police Department Grant Writer requesting that the grant award be processed so that the City of Brockton may expend funds authorized under the FY 2026 JAG-LE in the amount of \$19,800.00. The JAG-LE grant provides funding for the police departments to purchase Ballistic Vest for our Officers. There is no match required.
- 41.** From the Chief of Police requesting authorization to expend \$19,800.00 in grant funds from the FY26 Edward J. Byrne Memorial Justice Assistance Grant, Law Enforcement (JAG-LE). For the purchase of Ballistic Vests.
- 42.** 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 \$19,800.00 from the Executive Office of Public Safety and Security to the Police Department. These funds are part of the FY JAG-LE grant and will be used to purchase Ballistic Vests for officers.
- 43.** 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 \$19,800.00 from the Executive Office of Public Safety and Security to the Police Department, without detrimental impact on the continuous provision of the existing level of municipal services. These funds are part of the FY JAG-LE grant and will be used to purchase Ballistic Vests for officers.
- 44.** 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 \$100,000.00 from the Executive Office of Education to the Department of Public Works. These funds will be used to repair the sidewalk in front of New Heights Charter School.
- 45.** 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 \$100,000.00 from the Executive Office of Education to the Department of Public Works, without detrimental impact on the continuous provision of the existing

level of municipal services. These funds will be used to repair the sidewalk in front of New Heights Charter School.

UNFINISHED BUSINESS:

46. Ordinance: Ordinance Amending Chapter 17 Planning and Development, Article V – Department of Planning and Economic Development to amend the term of the Director of Planning and Economic Development for a three-year term. (FAVORABLE)

47. Ordinance: An Ordinance to adopt a new ordinance regarding the release of towed motor vehicles. (FAVORABLE)

48. Ordinance: Ordinance relative to Short-Term Rental regulations and uses in the City of Brockton during the World Cup events applicable April 1, 2026 to July 31, 2026. (FAVORABLE)

49. Ordinance: Ordinance increasing the refuse trash bill to quarterly payments of \$130.00 bill four times a year. (FAVORABLE)

50. Ordinance: An Ordinance amending Article III – Problem Properties Task Force and Article IV Regulation of Vacant and Abandoned Properties. (FAVORABLE)

51. Appointment of Steven Clay of 106 Main St., Apt. #101, Brockton, MA 02301, to the Commission on Human Rights. (FAVORABLE)

52. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$175,688.00.

FROM: EXECUTIVE OFFICE OF ELDER AFFAIRS \$175,688.00

TO: COUNCIL ON AGING \$175,688.00

(FAVORABLE)

53. 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: \$30,000.00

FROM: COUNCIL ON AGING – PERSONAL SERVICES NON-OT \$30,000.00

TO: COUNCIL ON AGING – PURCHASE OF SERVICE \$30,000.00

(FAVORABLE)

54. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$25,000.00.

FROM: DEPARTMENT OF CONSERVATION AND RECREATION \$25,000.00

TO: PARKS AND RECREATION \$25,000.00

(FAVORABLE)

55. Resolve: WHEREAS, The City recently conducted its municipal election, and,

WHEREAS, It is important to constantly seek improvements in the election process so as to ensure support from the voters for the integrity and results of any election;

Now, Therefore, be it Resolved:

The four (4) elections commissioners for the City of Brockton be invited to a meeting of the Council to discuss election procedures and to identify improvements which may be initiated for the conduct of future elections. (FAVORABLE)

56. Resolve: Be it resolved by the Brockton City Council to invite James O'Brien, City Solicitor, to appear before the Finance Committee for an introduction and greeting before the Council as the newly appointed City Solicitor. (FAVORABLE)

ORDINANCE:

57. ORDINANCE: AN ORDINANCE RELATIVE TO NEEDLE EXCHANGE PROGRAM

Be it ordained by the City Council of the City of Brockton to adopt a new ordinance where appropriate as follows:

Section 1. Purpose

The purpose of this Ordinance is to protect the health, safety, and welfare of the public and of the use of the environment by providing regulation of Needle Exchange Programs and needle disposal sites.

Section 2. Definitions

Drug Paraphernalia. All equipment, products, devices and materials of any kind which are used, or intended for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repacking, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body any controlled substance defined in MGL c. 94C. This definition shall not apply to any business or organization regulated by Massachusetts General Laws Chapters 94G and/or 94I.

Facility. A building or area within a building, which is a permanent structure, having one or more floors and a roof, which is used for the housing or enclosure of persons or property.

Needle Disposal Container. Any rigid puncture-resistant container used for the collection of discarded needles or other sharps.

Needle Exchange Program (NEP). A sterile Needle exchange program authorized by the Massachusetts Department of Public Health and MGL c. 111 § 215.

Mobile Exchange. Needle and Syringe programs conducted through a variety of delivery methods to include but not limited to: Mobile Vans, Cars, Motorcycles or Scooters, Bicycles and Backpackped Pedestrians. The delivery of services in any way except in a fixed facility.

Needle Exchange Program Participant. A person eighteen (18) years of age or older who has enrolled in a Needle Exchange Program.

Operator. The contracted provider of the Needle Exchange Program or Mobile Exchange.

Section 3. Needle Exchange Program Operations

(1) Needles shall not be exchanged, distributed, or collected within One Thousand (1,000) feet of any school, park, or on city property. For purposes of this Ordinance,

distances shall be measured in a straight line from the nearest property line of the Syringe Services Program to the nearest property line of the school.

(2) The Needle Exchange Program or Mobile Exchange shall only distribute, collect, and dispose of needles.

(3) No Needle Exchange Program or Mobile Exchange shall knowingly distribute needles to persons less than 18 years of age.

Section 4. Data and Reporting Requirements for Needle Exchange Program

All Needle Exchange Program and Mobile Exchange operators shall prepare and submit quarterly reports to the Chief of Police and Health and Human Services. The Operator shall collect and monitor, at a minimum, the following data elements to be included in the quarterly report:

- a. The number of participants served;
- b. The number of used needles received and the number of clean, unused needles distributed through exchange with participants;
- c. The number of participants entering drug counseling and treatment;
- d. The number of participants who received testing for HIV, AIDS, viral hepatitis, or other blood-borne diseases; and
- e. The demographic profiles of the participants served.

The personal identifying information of a Needle Exchange Program Participant shall not be collected for any purpose.

Section 5. Penalties

- a. Any Needle Exchange Program or Mobile Exchange found in violation of this section shall be fined Five Hundred Dollars (\$500.00) for the first and each subsequent offense. Each act and/or day in violation of this section shall constitute a separate offense.
- b. Any penalty provided for under this section may be imposed in conjunction with any other charges or penalties that can be imposed for violation of any other criminal or civil offenses committed.
- c. Violations of this section shall be disposed of in accordance with MGL c. 40, § 21D.

Section 6. Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

58. ORDINANCE: An ordinance amending the following sections of Article V. Stormwater Management Ordinance to reflect the following.

Sec. 23-131. Purpose and objective.

This Stormwater Ordinance is adopted to protect the public health, safety, welfare, and the environment by establishing minimum requirements and procedures to manage stormwater runoff, and to comply with applicable state and federal requirements, including the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit.

Proper management of stormwater runoff will minimize damage to public and private property and infrastructure; safeguard public health, safety, and welfare; protect water and

aquatic resources; and promote groundwater recharge to protect surface water and groundwater drinking supplies.

This Ordinance is adopted to accomplish the following objectives:

- (1) Protect health, safety, welfare and the environment by reducing the adverse impacts of stormwater runoff associated with land-disturbing activities;
- (2) Prevent and mitigate flooding, erosion, sedimentation, and other drainage-related hazards resulting from land-disturbing activities, including development and redevelopment;
- (3) Protect and improve surface water and groundwater quality by reducing the discharge of pollutants to the City's Municipal Separate Storm Sewer System (MS4) and to waters of the Commonwealth;
- (4) Ensure compliance with applicable state and federal statutes, regulations, and permits relating to stormwater management, including the National Pollutant Discharge Elimination System (NPDES) MS4 permit and total maximum daily load (TMDL) requirements;
- (5) Promote stormwater management practices that maintain natural hydrologic conditions, including groundwater recharge where feasible, protect wetlands, watercourses, floodplains, and other sensitive resources, and encourage low-impact development (LID) and non-structural controls to the maximum extent practicable (MEP);
- (6) Establish clear legal authority for the review, approval, inspection, enforcement, and long-term maintenance of stormwater management requirements associated with land-disturbing activities; and
- (7) Ensure that stormwater management systems are properly operated and maintained so that they continue to function as designed and do not pose a threat to public safety or water resources.

Sec. 23-132. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings set forth below. Words and phrases not defined herein shall be interpreted according to their ordinary meaning and consistent with applicable state and federal stormwater regulations.

Abutter: The owner(s) of land abutting the site on which land-disturbing activity occurs.

Agriculture: The normal maintenance or improvement of land in agricultural or aquaculture use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations.

Alteration of drainage characteristics: Any activity that changes the rate, volume, direction, timing or location of stormwater leaving a site. Such changes include change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater in the area.

Applicant: Any person, entity, corporation, partnership, trust, authority or governmental body submitting an application, request, or plan for approval under this article.

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PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. - STORMWATER MANAGEMENT ORDINANCE

Best management practice (BMP): A structural, non-structural, or operational practice, measure, or system designed to prevent, reduce, or control the quantity or quality of stormwater runoff, or otherwise protect water resources, consistent with the Massachusetts Stormwater Management Standards and applicable state and federal requirements.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

Clearing: Any activity that removes the existing vegetative surface cover

Development: The modification of land to accommodate a new use or expansion of and existing use, typically involving construction or land disturbance.

Erosion: The wearing away of the land surface by wind, water, ice, gravity, or human activity and the detachment and transport of soil particles.

Erosion and sedimentation control plan: A plan that identifies measures to prevent sediment and control sediment land-disturbing activities, including during site preparation, construction, and stabilization, in order to prevent discharge of sediment to the municipal separate storm sewer system (MS4) or to waters of the Commonwealth.

Erosion control: Measure intended to prevent or reduce the detachment and transport of soil by stormwater runoff or other forces.

Flooding: A temporary inundation or rise in the surface of water that covers land not normally covered by water.

Grading: Any activity that changes the level, contour, or shape of the ground surface.

Groundwater: Water beneath the surface of the ground.

Grubbing: The removal of roots, stumps, and other vegetative materials from the land surface.

Impervious surface: Any material or structure on or above the ground that prevents or significantly reduces the infiltration of water into the underlying soil, including but not limited to buildings, pavements, roads, parking areas, sidewalks, and compacted surfaces.

Infiltration: The process by which stormwater is conveyed into the ground to promote groundwater recharge and the reduce stormwater runoff.

Land-disturbing activity: Any activity that alters the land surface or subsurface in a manner that may change the volume, rate or quality of stormwater runoff, including but not limited to, clearing, grading, excavation, soil disturbance, removal of vegetation, or construction-related activities.

Load allocation: The portion of a TMDL assigned to non-point sources of pollution.

Massachusetts Endangered Species Act: Massachusetts General Laws Chapter 131A and its implementing regulations at 321 CMR 10.00 as amended.

Massachusetts Stormwater Management Standards: The stormwater management standards established by the Massachusetts Department of Environmental Protection, including those established by the Massachusetts Stormwater Handbook, as amended.

Municipal separate storm sewer system (MS4) or municipal storm drain system: The system of conveyances owned or operated by the City and designed or used for collecting or conveying stormwater, including roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention or detention basins, natural or man-made or altered drainage channels, reservoirs, and other drainage structures that together comprise the municipal storm drainage system.

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PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. - STORMWATER MANAGEMENT ORDINANCE

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the

Commonwealth of Massachusetts that authorizes the discharge of stormwater under specified conditions.

Operation and maintenance plan: A plan that identifies the responsible party and describes the ongoing operation, inspection, and maintenance activities necessary to ensure that stormwater management practices continue to function as designed.

Outfall: The point at which stormwater is discharged from a discernible, confined, and discrete conveyance into waters of the Commonwealth.

Outstanding resource waters (ORWS): Waters designated by Massachusetts Department of Environmental Protection as Outstanding Resource Waters, including waters subject to more stringent protection under the Massachusetts Water Quality Standards.

Owner: A person or entity holding legal or equitable title to real property.

Person: Any individual, partnership, association, firm, company, trust, corporation, agency, authority, governmental agency, and any officer, employee, or agent thereof.

Point source: Any discernible, confined, and discrete conveyance from which pollutants are or may be discharged.

Pollutant: Any substance that may contaminate stormwater or adversely affect water quality, including but not limited to materials regulated under the Clean Water Act and applicable state regulations.

Pre-construction: All activities undertaken in preparation for construction, including but not limited to site preparation, clearing, grubbing, and grading.

Process wastewater: Water that comes into direct contact with raw materials, intermediate products, finished products, or waste products during manufacturing or processing.

Recharge: The process by which groundwater is replenished by precipitation through the percolation of stormwater through the soil.

Redevelopment: Any construction, land disturbance, or modification of previously developed land that results in a change to existing impervious surfaces or stormwater runoff characteristics, including but not limited to expansion, alteration, or replacement of existing development.

Runoff: Water from rainfall, snowmelt, or other precipitation that flows over the ground surface.

Sediment: Mineral or organic soil material transported from its origin by wind or water.

Sedimentation: The process or act of deposition of sediment.

Site: Any lot, parcel of land, or area of property where land-disturbing activities are conducted, have been conducted, or are proposed.

Soil: Any earth, sand, rock, gravel, or similar natural material.

Stabilization: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or reduce erosion.

Stormwater authority: The Stormwater Management Authority established by § 23-133 of this article, or its authorized designee.

Stormwater: Runoff from precipitation or snowmelt.

Stormwater management plan: A plan submitted for approval under this article that demonstrates how stormwater runoff from a site will be managed to meet applicable local, state, and federal stormwater requirements, as further specified in the Stormwater Rules and Regulations.

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. -
STORMWATER MANAGEMENT ORDINANCE

Total maximum daily load or TMDL: The maximum amount of a pollutant that a water body can receive and still meet applicable water quality standards, as established under the Clean Water Act

Toxic or hazardous material or waste: Any material or waste that, because of its quantity, concentration, or physical, chemical, infectious or radioactive characteristics, poses a present or potential threat to human health safety, welfare, or the environment, including materials defined as "toxic" or "hazardous" under applicable state or federal law.

Vernal pools: Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species.

Waste load allocation: The portion of TMDL assigned to point sources of pollution.

Wastewater: Any sanitary waste, sludge, or water that comes into direct contact with raw materials, intermediate products, finished products, by-products, or waste products during domestic, commercial, or industrial activities.

Watercourse: A natural or man-made channel through which water flows including a river, stream, brook, or underground stream.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including but not limited to rivers, streams, lakes, ponds, wetlands, coastal waters, estuaries and groundwater.

Wetland resource area: Areas protected under the Massachusetts Wetlands Protection Act M.G.L. c. 131, § 40 and in the City of Brockton Wetlands Protection Bylaw.

Wetlands: Tidal and non-tidal areas characterized by saturated or nearly saturated soils for a significant portion of the year, located between terrestrial (land-based) and aquatic (water-based) environments, including marshes, swamps, bogs, and similar areas.

Sec. 23-133. Stormwater management authority.

- (a) The stormwater management authority for purposes of this article shall be the Commissioner of the Department of Public Works, or the Commissioner's designee. The Commissioner of the Department of Public Works, or designee, shall be responsible for administering, implementing, and enforcing the provisions of this article.
- (b) This article is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and the regulations of the Federal Clean Water Act, including 40 C.F.R. § 122.34, as amended. .
- (c) The stormwater management authority shall have the power to administer and enforce this article and any stormwater rules and regulations adopted hereunder, including the authority to review applications, require submittals, conduct inspections, issue approvals or denials, and take enforcement actions as authorized by this article and applicable law.
- (d) The Commissioner of the Department of Public Works may delegate in writing to a Department of Public Works employee, or to another city department, board, commission, or official, the authority to conduct stormwater review, inspections, or other administrative functions under this article for projects and activities within that entity's jurisdiction, provided that such delegation identifies the scope of the delegated authority and is consistent with this article.
- (e) Nothing in this article is intended to replace or limit the authority of other city boards, commissions, or officials with jurisdiction under applicable laws or ordinances, including but not limited to the Conservation Commission, Planning Board, Zoning Board of Appeals, and Building Department. The stormwater management authority shall coordinate implementation of this article with such entities to minimize duplication and to promote consistent administration and enforcement of stormwater requirements across applicable city approvals.

PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. -
STORMWATER MANAGEMENT ORDINANCE

Sec. 23-134. Responsibility for administration.

(a) The Commissioner of the Department of Public Works, or the Commissioner's designee, shall be responsible for the administration, implementation, and enforcement of this article.

(b) The stormwater management authority may adopt, amend, and enforce Stormwater Rules and Regulations to implement the provisions of this article. Such rules and regulations may include, but are not limited to application requirements, submittal standards, review procedures, design criteria, inspection requirements, operation and maintenance requirements, and enforcement procedures, provided that such rules and regulations are consistent with this article and applicable state and federal law.

(c) The stormwater management authority may require the submission of plans, reports, calculations, certifications, and other information necessary to determine compliance with this article and any Stormwater Rules and Regulations adopted hereunder.

(d) The stormwater management authority may coordinate review and enforcement of this article with other city departments, boards, commissions, or officials with jurisdiction over land use, construction, environmental protection, or public infrastructure, including but not limited to the Conservation Commission, Planning Board, Zoning Board of Appeals, Building Department, and Engineering Division, to promote consistency and avoid duplication

(e) Compliance with this article shall not relieve any person from the obligation to comply with any other applicable city ordinance, bylaw, regulation, or permit requirement, including but not limited to those administered under the Wetlands Protection Act, Site Plan Review, Subdivision Regulations, or building and zoning codes.

Sec. 23-135. Severability.

The provisions of this ordinance are severable, and if any provision, sentence, or paragraph is found to be invalid, this shall not affect the other provisions contained herein.

Secs. 23-136—23-139. Reserved.

PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. -
STORMWATER MANAGEMENT ORDINANCE

*DIVISION 2. STORMWATER MANAGEMENT APPLICABILITY AND GENERAL
REQUIREMENTS*

Sec. 23-140. Applicability.

Division 2 of this article shall apply to stormwater runoff generated from land-disturbing activities and other activities regulated under this article that discharge, directly or indirectly, to the municipal separate storm sewer system (MS4) or to a watercourse or waters of the Commonwealth, except as otherwise provided herein.

Sec. 23-141. Prohibited activities; exemptions.

(a) Interference with stormwater management systems. No person shall obstruct, damage, alter, or interfere with any component of the municipal storm drainage system or any stormwater management practice required or approved under this article, except as authorized by the stormwater management authority.

(b) Unauthorized alteration of approved stormwater controls. No person shall modify, remove, or render ineffective any stormwater management practice required or approved under this article without prior approval from the stormwater management authority.

(c) Adverse stormwater impacts. No person undertaking an activity regulated under this article shall manage stormwater in a manner that causes flooding, erosion, sedimentation, or other adverse impacts to the municipal storm drainage system or to a watercourse or waters of the Commonwealth.

(d) Exemptions. The provisions of this section shall not apply to activities expressly exempted under this article or otherwise authorized by applicable law

Secs. 23-142—23-146. Reserved.

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PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. -
STORMWATER MANAGEMENT ORDINANCE

DIVISION 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

Sec. 23-147. Applicability.

(a) This division shall apply to land-disturbing activities subject to this article, including construction activities that may increase stormwater runoff, erosion, sedimentation, or pollutant discharges to the municipal separate storm sewer system or to a watercourse or waters of the Commonwealth.

(b) The stormwater management authority may establish applicability thresholds, exemptions, and administrative review categories in the Stormwater Rules and Regulations.

Sec. 23-148. Construction site stormwater controls required.

(a) No person shall commence or continue a land-disturbing activity subject to this division without implementing erosion and sediment control measures and other construction site stormwater controls as required by this article and the Stormwater Rules and Regulations.

(b) The stormwater management authority may require the submission and approval of an erosion and sedimentation control plan, stormwater management plan, and related documentation as necessary to demonstrate compliance with this article and applicable state and federal requirements.

(c) Where applicable, the operator shall comply with the requirements of the federal NPDES Construction General Permit and any state authorizations and shall implement required controls to minimize the discharge of pollutants from construction activities.

Sec. 23-149. Inspections; right of entry; corrective actions.

(a) To the extent permitted by law, the stormwater management authority may enter upon property to inspect regulated activities and stormwater controls, to determine compliance with this article and the Stormwater Rules and Regulations.

(b) If the stormwater management authority determines that stormwater controls are inadequate, improperly installed, not maintained, or failing, the stormwater management authority may require corrective actions, including the installation of additional controls, stabilization, repair, replacement, or cessation of land-disturbing activities until compliance is achieved.

Sec. 23-150. Enforcement.

(a) The stormwater management authority may enforce this division through written notices of violation, orders to correct, stop work orders, and other remedies authorized by this article and applicable law.

(b) Failure to comply with an enforcement order issued under this division shall constitute a violation of this article.

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PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. - STORMWATER MANAGEMENT ORDINANCE

DIVISION 4. POST-CONSTRUCTION STORMWATER MANAGEMENT

Sec. 23-151. Applicability.

(a) This division shall apply to new development and redevelopment projects that are subject to this article and that may result in changes to stormwater runoff characteristics after construction is complete.

(b) The stormwater management authority may establish applicability thresholds, exemptions, and administrative review categories for post-construction stormwater management in the Stormwater Rules and Regulations

Sec. 23-152. Post-construction stormwater management required.

(a) New development and redevelopment projects subject to this division shall provide for the management of stormwater runoff after construction is complete in a manner that protects public health, safety, welfare, and the environment.

(b) Post-construction stormwater management practices shall be designed to control stormwater runoff quantity and quality and to minimize adverse impacts to the municipal separate storm sewer system and to a watercourse or waters of the Commonwealth, in accordance with the Massachusetts Stormwater Management Standards and the Massachusetts Water Quality Standards at 314 CMR 4.00, as further specified in the Stormwater Rules and Regulations.

(c) The stormwater management authority may require the submission and approval of a stormwater management plan and supporting documentation to demonstrate compliance with this article and the Stormwater Rules and Regulations.

Sec. 23-153. Operation and maintenance of stormwater management practices.

(a) Stormwater management practices installed or required pursuant to this division shall be properly operated and maintained to ensure continued function as designed.

(b) The owner of the property on which such practices are located shall be responsible for the operation and maintenance of all stormwater management practices, unless otherwise approved by the stormwater management authority.

(c) The stormwater management authority may require the submission, approval, and recording of an operation and maintenance plan, agreement, or other legal instrument to ensure long-term responsibility for stormwater management practices.

(d) The stormwater management authority may require financial security, including but not limited to a performance bond, letter of credit, cash deposit, or other form of surety acceptable to the stormwater management authority, to ensure the proper installation, operation, and long-term maintenance of stormwater management practices, as provided in the Stormwater Rules and Regulations.

Sec. 23-154. Inspections; right of entry; corrective actions.

(a) To the extent permitted by law, the stormwater management authority may enter upon property to inspect post-construction stormwater management practices to determine compliance with this article and the Stormwater Rules and Regulations.

(b) If the stormwater management authority determines that a stormwater management practice is not being properly operated or maintained, the stormwater management authority

may require corrective actions, including repair, replacement, modification, or other measures necessary to restore proper function.

Sec. 23-155. Enforcement.

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PART II - REVISED ORDINANCES

Chapter 23 - WATER, SEWERS AND SEWAGE DISPOSAL ARTICLE V. -
STORMWATER MANAGEMENT ORDINANCE

(a) The stormwater management authority may enforce this division through written notices of violation, orders to correct, and other remedies authorized by this article and applicable law.

(b) Failure to comply with an enforcement order issued pursuant to this division shall constitute a violation of this article.

ORDERS:

59. 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: \$20,000.00

FROM: TREASURER - PERSONAL SERVICES NON OVERTIME \$20,000.00

TO: TREASURER - PERSONAL SERVICES OVERTIME \$20,000.00

60. 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: \$9,043,440.00

FROM: CERTIFIED FREE CASH \$9,043,440.00

TO: CHAPTER 324 SUPPLEMENTAL RESERVE \$9,043,440.00

61. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$125,000.00.

FROM: EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE \$125,000.00

TO: DEPARTMENT OF PUBLIC WORKS – WATER \$125,000.00

62. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$647,185.48.

FROM: EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY \$647,185.48

TO: POLICE DEPARTMENT \$647,185.48

63. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$175,000.00.

FROM: MASSACHUSETTS OFFICE OF TRAVEL AND TOURISM \$175,000.00

TO: MAYOR'S OFFICE \$175,000.00

64. Ordered: In accordance with the General Laws of Massachusetts, Chapter 44, recommending that the City Council approve the expenditure of \$1,401.60

FROM: HUMAN RESOURCES – EMPLOYEE BENEFITS \$1,401.60

TO: WORKCARE INC. \$1,401.60

65. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$19,800.00.

FROM: EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY \$19,800.00

TO: POLICE DEPARTMENT \$19,800.00

66. Ordered: That the City Council authorizes the acceptance and expenditure of the total grant funds in the amount of \$100,000.00.

FROM: EXECUTIVE OFFICE OF EDUCATION \$100,000.00

TO: DEPARTMENT OF PUBLIC WORKS – HIGHWAY \$100,000.00

RESOLVES:

67. Resolve: Pursuant to Chapter 12, Section 24 and Chapter 19, Section 26 of the Brockton City Ordinances, the Chief of Police shall make an annual report to the City Council concerning traffic accident situations in the City, accompanied by recommendations, and shall report to the City Council the condition and organization of the police department, including a synopsis of the business of the preceding year with remarks and recommendations;

Pursuant to Chapter 6, Section 33 of the Brockton City Ordinances, the Fire Chief shall make an annual report to the City Council of the condition of the fire department, including a synopsis of all losses and accidents by fire; and

Pursuant to Chapter 3, Section 21 of the Brockton City Ordinances, the Animal Control officer shall make a bi-annual report to the City Council stating opinions as to the maintenance and conditions of every premises holding a kennel license in the City.

WHEREFORE, be it resolved by the Brockton City Council to invite Brockton Police Chief Brenda Perez, Brockton Fire Chief Brian Nardelli, and Animal Control Officer Thomas Dechellis to appear before the Public Safety Committee to discuss and provide annual reports in accordance with the Brockton City Ordinances.

68. Resolve: Whereas: The Office of the Inspector General for the Commonwealth of Massachusetts has undertaken and delivered a review of the “Brockton Public Schools FY23 \$18 Million Budget Deficit”.

And Whereas: The Inspector General, Jeffrey Shapiro looks forward to a discussion of the findings and recommendations in the review, be it resolved to invite Jeffrey Shapiro and any personnel that he deems appropriate to a meeting of the Standing Committee on Finance of the Brockton City Council for a discussion of the report.

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.