

MINUTES – ORDINANCE COMMITTEE
October 23, 2019

The Standing Committee on Ordinances and Rules was called to order at 6:09 p.m. by Councilor Farwell with Councilors Monahan, Farwell, Eaniri and Cruise present.

Agenda read into the record.

The Committee first considered the following:

1. Acceptance of the minutes of the October 2, 2019 Ordinance Committee meeting.

Motion to ACCEPT Minutes and Report of the October 2, 2019 Ordinance Committee Meeting by Councilor Cruise, 2nd by Councilor Monahan. Motion carried unanimously.

Next the Committee considered the following:

2. Ordered: The Department of Public Works would like to request that the City Council consider implementing a new Ordinance to the Revised Ordinances of the City of Brockton: “Illicit Discharge and Connection Stormwater Ordinance”

Comments by Larry Rowley

(changes for enforcement, more teeth, fee increase for fee application, bring the old ordinance up to date)

Comments by Darlene

(re regulations, EPA best management practices allowed, allows for enforcement)

Comments re Items # 2 v. Item # 3, clarified for the record

Comments by Councilor Cruise

(re procedural what’s before the Ordinance Committee)

Comments by Legislative Council
(re submission as an ordinance)

Motion to report RECOMMENDATION TO DRAFT ORDINANCE by Councilor Cruise, 2nd by Councilor Monahan. Motion carried unanimously.

Next the Committee considered the following:

3. Ordinance: An Ordinance Amending the Revised Ordinances of the City of Brockton, Chapter 23-Water, Sewer and Sewage Disposal, Article III-Sewer and Sewerage Disposal to add reference to Best Management Practices and also to amend sections 23-38 through 23-92.

Comments by Larry Rowley
(industrial uses, best practices, warning letter, more teeth to take action)

Comments by Darlene
(spill control, storage)

Comments by Councilor Cruise
(re legal definitions re best management)

Comments by Darlene
(EPA, designated per uses, 18 in the City)

Comments by Councilor Farwell
(re financial implications)

Comments by Troy Clarkson
(no issues, no staff hired)

Comments by Councilor Farwell
(re testing and no additional staffing)

Motion to report FAVORABLE by Motion of Councilor Cruise, 2nd by Councilor Monahan. Motion carried unanimously.

Next the Committee considered the following:

4. Ordinance: An Ordinance amending Article II, Section 2-91 of the City Ordinances Be it Ordained by the City Council of the City of Brockton as follows: That Section 2-91 of Chapter II is hereby amended by striking out section "e" in its entirety and replacing it. (Relative to Committee on Real Estate)

Comments by Councilor Farwell

(re committees of City Council, narrow scope for Real Estate, expansion of what the Real Estate Committee can do, more opportunities for businesses to interact with council)

Comments by Councilor Nicastro

(real estate to consider matters related to matters of city owned land, expands jurisdiction, comparison to other cities like Newton, already see the expansion, doesn't have a problem with it, need for more involvement for city councilors to be more involved in economic development in the City)

Comments by Councilor Cruise

(re vague, no staff)

Comments by Councilor Farwell

(ex. 174 apartments in Brockton, ambushed at ZBA or Planning to flush out)

Comments by Councilor Cruise

(re what powers would the committee have)

Comments by Councilor Farwell

(re fact finding)

Comments by Councilor Eaniri

(that's the job of a Ward councilor, flushed it out during a ward meeting, that's when you work with the people)

Comments by Councilor Farwell

(Ward councilor doesn't represent the whole City, ward meetings are not public meetings, no minutes made)

Comments by Councilor Eaniri

(that's what a councilor is elected to do)

Comments by Councilor NiCastro

(okay with broadening the committee, but some of the examples belong with building dept. or planning, could do a Ad Hoc committee, not the decision-making body, but we do need a solution, no one called her about projects in her ward)

Comments by Councilor Monahan

(first few years of his term, he was notified of projects and met with the developers, Ward councilor should be involved and this hasn't been happening in the last 2 years, takes the Ward councilor job away)

Comments by Councilor Farwell

(doesn't see this as taking away Ward councilor's role)

Comments by Councilor Cruise

(concerned how the developer will respond to being in real estate committee, no teeth to it, understands what the ordinance proposes to do)

Comments by Councilor Farwell

(agrees Ward councilor gets involved, but doesn't speak for the full city council, concept was received well from businesses)

Comments by Councilor NiCastro

(can get at it a different way)

Comments by Councilor Cruise

(anti-development committee breaks, wishes more councilors would sit and listen about business development in the city, should be doing out-reach to the community)

Comments by Councilor Farwell

(not the intent, see fin com as being counterproductive)

Comments by Councilor Cruise

(resolve could do that as well)

Comments by Councilor Farwell

(re flushing out details, same at the state level, sale of land for purchase of land)

Comments by City Solicitor Nessralla

(re observations, merit to what was stated by Councilor Farwell, outdated zoning, needs overhaul, maze instead of seamless, concern, anti-business sense could inadvertently send out the wrong message, need an overhaul of code, more gridlock potential)

Comments by Councilor Farwell

(trying to reduce the fin-com issues to go to real estate instead)

Comments by Councilor Monahan

(re Ward councilors being involved)

Comments by Councilor Eaniri

(re vacant buildings re prior experience with economic development, need to communicate with the ward councilor)

Comments by Councilor Cruise

(re permitting process as well)

Motion to report TABLED by Motion of Councilor Cruise, 2nd by Councilor Monahan. Motion carried unanimously.

Next the Committee considered the following:

5. Ordinance: An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton: Be it ordained by the City Council of the City of Brockton Sec. 2-28. Compensation, is hereby amended.

Motion to report TABLED by Motion of Councilor Cruise, 2nd by Councilor Monahan. Motion carried unanimously.

Motion to adjourn by Councilor Cruise, 2nd by Councilor Monahan, all at 7:15pm.

The meeting was adjourned at 7:15 p.m.