

**REPORT – ORDINANCE COMMITTEE**  
**February 8, 2023**

The Standing Committee on Ordinances and Rules to which was referred the following reports as follows:

**#1 on agenda**

having considered the same, report FAVORABLE by Motion of Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues.

**#2 on agenda**

having considered the same, report FAVORABLE by Motion of Councilor Minichiello, 2<sup>nd</sup> by Councilor Lally.

**#3 on agenda**

having considered the same, report FAVORABLE by Motion of Councilor Lally, 2<sup>nd</sup> by Councilor Minichiello.

**#4 on agenda**

having considered the same, report FAVORABLE by Motion of Councilor Lally, 2<sup>nd</sup> by Councilor Minichiello.

**#5 on agenda**

having considered the same, report FAVORABLE AS AMENDED by Motion of Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally.

**#6 on agenda**

having considered the same, report FAVORABLE AS AMENDED by Motion of Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally.

**#7 on agenda**

having considered the same, report FAVORABLE by Motion of Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues.

**MINUTES – ORDINANCE COMMITTEE**  
**February 9, 2023**

The Standing Committee on Ordinances and Rules was called to order at 6:08 p.m. by Councilor Asack, Lally, Minichiello and Rodrigues present.

Agenda read into the record.

Motion to take item # 5 out of order by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues. Motion carrier unanimously.

The Committee first considered the following:

**#5 on agenda**

Comments by Councilor Asack  
(Chief Perez unable to attend)

Comments by Captain Porcaro  
(working on this for a year, reached out to other communities, spoke with Taunton, had past their scrutiny, copy reviewed, Taunton ordinance on flammable fluids, modeled after Taunton Ordinance, Chief to bring some additional sections, adds red in)

Changes proposed read into the record.

Motion to amend to include the changes for Prohibited Acts, Impoundment and Applicability, by Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Comments by Councilor Rodrigues  
(penalties, should increase for 2<sup>nd</sup> offense to deter individuals from doing that, need to do a very good job to put this information out to the community to make sure this law is enforced)

Comments by Councilor Lally  
(agreed, need to look at cap for fines for the next meeting)

Attorney Resnick  
(will look into to fine cap by 21D)

Motion to amend to increase second offense in Penalties from \$300.00 to \$500.00 by Motion of Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Comments by Councilor Minichiello  
(under impoundment, wants to make sure all penalties are paid before vehicle is released)

Motion to amend to include language of “payment of all related assess penalties” under the Impoundment section by Councilor Minichiello, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously.

Comments by Councilor Thompson

(re gas station, discourage operation on the road, want to make sure it gets referred and we get the information out, campaign to inform the gas station owners of the new laws, date of enforcement, nonenforcement, warnings, mailing list, Assessor will send to Councilor Asack)

Comments by Councilor Asack

(goal has been to notify that departments for education and notice)

Comments by Councilor Lally

(hazardous operations, flammable fluids, why age at 18?)

Attorney Resnick

(to review age requirement)

Comments by Councilor Rodrigues

(operate machinery to be 18, pump is a piece of machinery)

Motion to recommend FAVORABLE AS AMENDED by Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Next the Committee considered the following:

**#1 on agenda**

Comments by Councilor Asack

(recognizes School Aldo Petronio, School Department Chief Financial Officer, research, and Judy Sullivan)

Comments by Aldo Petronio

(salaries vary from \$7,500 - \$18,000, Worcester is 50% of City Council salary, some are \$1,000 a month, Brockton is current \$5,000, when from \$3,000 to \$5,000 to be consider to PERAC, also includes a \$3,000 stipend which includes phone, etc., included in for W2 purpose)

Comments by Troy Clarkson, Chief Financial Officer

(this portion would be funded by school department but the City funds a good portion of that budget)

Motion to recommend FAVORABLE by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously.

Next the Committee considered the following:

**#2 on agenda**

Summary by Legislative Counsel

Comments by Councilor Rodrigues

(contacted by law department, law department did the background work to keep us current, looking to move this forward)

Comments by Councilor Thompson

(Councilor Farwell and Councilor Thompson working on revision, state changes which conflicted with Brockton ordinances, bringing our ordinances in line with state statute, no more inconsistencies)

Motion to recommend FAVORABLE by Councilor Minichiello, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Next the Committee considered the following:

**#3 on agenda**

Comments by Councilor Thompson

(two ordinances, on-going efforts on tax issues to veterans and seniors, work-off program for seniors, work up to 100 hours, reduction of their tax bill by \$1,500 hours, income limit in the current ordinances, beneficial to seniors and city to remove those caps, to allow any desirous senior to participate, 30 participant caps, \$45,000 for each program, money comes from overlay fund, drop in the bucket, City can afford max participation in the program, discussions with Mayor's office on what jobs can be done, flexibility,)

Comments by Troy Clarkson, Chief Financial Officer

(overlay fund comments)

Comments by Rod

(age of senior citizen, 60 or over)

Motion to recommend FAVORABLE by Councilor Lally, 2<sup>nd</sup> by Councilor Minichiello. Motion carried unanimously

Next the Committee considered the following:

**#4 on agenda**

Comments by Councilor Thompson

(same argument, hopes to offer this for veterans, thanks Assessor John O'Donnell and Director of Veterans Services Kelly Young)

Motion to recommend FAVORABLE by Councilor Lally, 2<sup>nd</sup> by Councilor Minichiello. Motion carried unanimously.

Next the Committee considered the following:

**#6 on agenda**

Comments by Councilor Asack

(similar proposal for other boards, conservation commission is one of the first boards a developer comes before, all of the boards are volunteers, residents, spend time training, education, adds the conservation commission to that ordinance)

Comments by Councilor Rodrigues

(agrees with compensation, not sure everyone who serves on a board should get a stipend, which boards are more important which are not, having a tough time to get volunteers, need to look at a few other committees)

Comments by Councilor Asack

(agreed back during the last review about doing this assessor the board)

Comments by Councilor Lally

(agrees this is difficult to do on a piecemeal)

Comments by Councilor Asack

(licensing and traffic were included, zoning board)

Comments by Rob May

(conservation commission operates under his department, down a conservation agent, regulatory body, required by state law to meet every 20 days, give or take, need to act on applications within a certain period of time, scientific and technical, resent by commissioners for not being commissions, chair to get an additional \$100)

Motion to recommend FAVORABLE by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues.

Comments by Councilor Rodrigues

(parking authority, regularly meets, let's include them)

Motion withdrawn by Councilor Lally.

Comments by Councilor Minichiello)  
(re adding parking authority to this ordinance)

Comments by Councilor Rodrigues  
(wants to add them to this)

Motion Amend to include Parking Authority and Chair at the same rates by Councilor Minichiello, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously.

Motion to recommend FAVORABLE AS AMENDED by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously.

Next the Committee considered the following:

**#7 on agenda**

Comments by Councilor Asack  
(thinks this is a great idea, which should have been done a long time ago)

Comments by Councilor Rodrigues  
(felt important to file, MMA board, other cities look into economic development, sends message that we take economic development seriously, investors learn about barriers and walls when they get before the Council on grants, etc, bad message to the community that we are not user friendly for business development proposals, looking to empower the City at an as need basis like the account committee, on a monthly basis, tax increases, grow the commercial tax space, asks for support to put this committee to work)

Comments by Councilor Lally  
(interested in hearing more about how the committee intends to function, learn from the director what is going on with plans and development, monthly or quarterly, function as an accounts committee as a place for discussion, not to be an audit on the department)

Comments by Councilor Rodrigues  
(director of planning and economic development to be a part of this committee to be the clerk, discussions to take place as needed)

Comments by Rob May, Director of Planning and Economic Development  
(encouraged to see Council want to become more involved in economic development, two concerns, discussed with mayor and city solicitor, review post deal or post application, not to diminish role of the mayor, timeliness)

Comments by Councilor Lally

(operate the same as account, review without extra steps, account committee meets at own pace, discusses warrants from last month, auditor provides information at next meeting, nothing is held up, no interruption in business, keep an eye, sounding board)

Comments by Rob May, Director of Planning and Economic Development  
(confidential information concerns)

Comments by Councilor Asack

(city to be business friendly, to be helpful, award winning chamber of commerce)

Comments by Councilor Lally

(discussions can happen through resolves)

Comments by Councilor Rodrigues

(important to have this committee in place to inform the city is open for business, not intended to create more barriers)

Comments by Councilor Thompson

(discussion has been fruitful, concerned about being duplicative and overly burdensome, last than a standing committee and more of a working group, where we designate the councilors to be sounding boards for economic development, define what this committee is going to do, jurisdictional issues to consider, finance committee reviews grants, not looking for a duplicative body, Ward 5 to be involved, downtown, opening meeting)

Comments by Councilor Lally

(we do not want to create a road block)

Comments by Councilor Thompson

(does this drafting reflect this?)

Comments by Councilor Lally

(subject to open meeting like accounts, nothing needs to be referred from the council)

Comments by Councilor Thompson

(does not need a clear line here)

Comments by Councilor Asack

(this is done by other cities and town, trying to do something good)

Comments by Councilor Rodrigues

(not interested in a working group, nothing gets referred from the council)

Comments by Councilor Thompson  
(auditor brought the warrants)

Comments by Councilor Rodrigues  
(important to do this, sounding board for development department, spread some paper, come up with some thoughts, the committee decides what comes before it)

Comments by Councilor Lally  
(it is only a matter to adjourn, background on accounts committee, reviews previous month's expenses)

Motion to recommend FAVORABLE by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously.

Motion to adjourn by Councilor Lally, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously. at 7:57 p.m.

The meeting was adjourned at 7:57 p.m.