

**REPORT – ORDINANCE COMMITTEE**  
**March 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 AS AMENDED by Motion of Councilor Lally, 2<sup>nd</sup> by Councilor Farwell.

**#2 on agenda**

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

**#3 on agenda**

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

**#4 on agenda**

having considered the same, report POSTPONED until the next Ordinance Meeting by Motion of Councilor Farwell, 2<sup>nd</sup> by Councilor Rodrigues.

**MINUTES – ORDINANCE COMMITTEE**  
**March 8, 2023**

The Standing Committee on Ordinances and Rules was called to order at 6:06 p.m. by Councilor Asack, Farwell, Lally, Minichiello and Rodrigues present.

Agenda read into the record.

The Committee first considered the following:

**#1 on agenda**

Comments by Councilor Asack  
(Mayor Sullivan unable to attend)

Letter from Mayor Sullivan read into the agenda

Comments by Councilor Farwell  
(gives background, filed in August 2022, hope to establish structure, technical working group to best benefit the city and in a cost effective way, met several times, to contribute to health and overall safety and welfare of residents, building, electrical, plumbing inspections, code enforcement system, education comes before enforcement, amendments through Attorney Resnick and Solicitor Bridges)

Comments by Solicitor Bridges  
(recommendations, spoke with department head on needs, based on original filing some amendments were suggested, original filing created ISD and position of chief of inspection, some of the amendments create two positions, charges with administering and controlling inspectors, head of department is Building Inspector, then there is the deputy, and chief of inspections, organizational change, building department to become ISD, need to decide how to create and who makes the hires, policy questions on these, term?,)

Motion by Councilor Lally to accept amendments read and summarized, 2<sup>nd</sup> by Councilor Farwell.

On the Motion:

Comments by Councilor Rodrigues  
(wants to make these positions subject to council approval)

Motion withdrawn.

Comments by Councilor Farwell  
(re adding councilor confirmation to the proposed amendments)

Motion by Councilor Lally to Amend to include all changes and to include provisions that the positions Deputy Inspector of Buildings and Chief of Inspections are subject to confirmation by the City Council, 2<sup>nd</sup> by Councilor Farwell. Motion carried unanimously.

Comments by Councilor Lally  
(re weights and measures department?)

Comments by Solicitor Bridges  
(license person reports to Solicitor Bridges, weights and measures to fall under ISD)

Comments by Councilor Rodrigues  
(public safety building, can this new department go in the building?)

Comments by Fire Chief Nardelli  
(one of the problem is the size, economic boundaries, cost to add more space)

Comments by Councilor Rodrigues  
(careful to keep an eye on it, keep it all under one roof or area to make it more approachable)

Comments by Fire Chief Nardelli  
(constant contact between Building Inspector and Deputy Fire Chief, task force, logistical and space issue potentially)

Comments by Councilor Rodrigues  
(not enough inspectors)

Comments by Inspector of Buildings James Plouffe  
(renovation of third floor of city hall, fits 16 people, 8 inspectors, 3-4 planning department, spaces for other spots, renovating work stations in planning department, reduced filing cabinets, does have space for the ISD)

Comments by Councilor Farwell  
(filing quarterly reports?)

Comments by Solicitor Bridges  
(does not see them)

Comments by Councilor Farwell  
(original version with the reports, felt strongly about this)

Comments by Solicitor Bridges  
(who would have the responsibility?, thinks reports are important)

Motion by Councilor Farwell include in the new section into 2-381 items #3 and #4 from the original ordinance draft relative to filing quarterly reports with the mayor and city council and an annual report to the city clerk and council with recommendation for any additions or amended to the city ordinances to improve recommendation, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Comments by Councilor Farwell  
(asks Mr. Plouffe and Deputy Williams to speak about what this structural change will do)

Comments by Inspector of Buildings James Plouffe  
(task force trip, numerous locations, constant contact with Deputy Williams, will be adding in Board of Health members into these conversations, board of health inspectors to report to him, one line of control to streamline process, tracking, one roof, one department will help to respond more efficiently)

Comments by Deputy Fire Chief Edward Williams  
(span of control, one person cannot do it all, creates two positions, make the city better)

Comments by Inspector of Buildings James Plouffe  
(intent is to educate and then enforcement after we educate)

Comments by Councilor Farwell  
(re health department, this structure will help the board of health)

Comments by Councilor Asack  
(thanks everyone who worked on this, education,

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

Comments by Councilor Lally and Councilor Asack re costs and public entry at the Public Safety Building.

Next the Committee considered the following:

## **#2 on agenda**

Comments by Chief Financial Officer, Troy Clarkson

(Deputies in most departments, more sense for this to fall in line with deputy/assistant type positions in the city based on pay plan, pay scale for consistency sake, range of \$106,917-\$116,831 on the four steps)

Comments by Councilor Farwell  
(re amounts?)

Comments by Inspector of Buildings James Plouffe  
(agrees)

Comments by Chief Financial Officer, Troy Clarkson  
(fits with assistant auditor, etc., four step scale that ranges from \$106,917-\$116,831, at top step up to 5% increase based on performance evaluation by mayor or designee)

Comments by Councilor Farwell  
(knowledge of building code and management, complex test)

Amendments:

Deputy Inspector of Building  
Min \$106,917 Yr2 \$110,125 Yr3. \$113,428 Yr4 \$116,831

Comments by Councilor Rodrigues  
(commission of buildings, change this to Deputy Commissioner of Buildings)

Motion by Councilor Rodrigues to title the position of Deputy Inspector of Buildings to be the Deputy Commissioner of Buildings, 2<sup>nd</sup> by Councilor Lally. Motion carried unanimously.

Motion by Councilor Rodrigues to adopt the following amendments for the PR-2 position, 2<sup>nd</sup> by Councilor Lally:

Deputy Commission of Building  
Min \$106,917 Yr2 \$110,125 Yr3. \$113,428 Yr4 \$116,831

Motion carried unanimously.

Motion by Councilor Farwell to adopt the following amendment for the PR-3 position, 2<sup>nd</sup> by Councilor Lally:

Chief of Inspections  
Min \$83,130 Yr2 \$87,287 Yr3. \$91,651 Yr4 \$96,233

Motion carried unanimously.

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

Next the Committee considered the following:

### **#3 on agenda**

Comments by Councilor Lally  
(re effective start)

Comments by Councilor Nicastro  
(next term, not to benefit from it, doing the job for 3 months, 5-10 additional hours a week on average doing administrative work, attending additional events, research by the Clerk, other communities do this additional payment, Salem on the low end is \$500, Revere is \$2k, Worcester is \$4k, Lowell and New Bedford is \$5k, good feedback on this)

Comments by Councilor Rodrigues  
(not in favor of this, prefers someone in the clerk's office to do this, keep this at status quo)

Comments by Councilor Nicastro  
(Diane at the clerk's office does a lot of the administrative work, thinks this is appropriate, reflected on Councilor Asack's year as council president in 2020)

Comments by Councilor Asack  
(more time, more events, merited)

Motion to recommend FAVORABLE by Councilor Farwell, 2<sup>nd</sup> by Councilor Lally. Motion carried 3-2 with Councilors Rodrigues and Councilor Minichiello voting in opposition.

Next the Committee considered the following:

### **#4 on agenda**

Comments by Councilor Asack  
(Mr. May unable to be here, looks for motion to postpone)

Comments by Councilor Nicastro  
(others to be invited, technical, vet this properly)

Motion to report POSTPONED until the next Ordinance Meeting by Councilor Farwell, 2<sup>nd</sup> by Councilor Rodrigues. Motion carried unanimously

Comments by Councilor Farwell  
(people in the community who engage in conversation work may be wanted to speak to engage in a fair discussion)

Comments by Councilor Asack  
(gives the opportunity to speak)

Motion to adjourn by Councilor Rodrigues, 2<sup>nd</sup> by Councilor Lally . Motion carried unanimously. at 7:12 p.m.

The meeting was adjourned at 7:12 p.m.