

CITY OF BROCKTON

1. In City Council April 24, 2023,
ORDINANCE: AN ORDINANCE
AMENDING ARTICLE V, DIVISION
1 – STORMWATER AUTHORITY
**Be it Ordained by the City Council of
the City of Brockton, Article V,
Division 1 is hereby amended as
follows:** Section 23-132 “Definitions”
shall be amended to include the
following definitions: *Dwelling unit*: A
structure or the part of a structure that is
used as a home, residence, or sleeping
place by one person who maintains a
household or by two or more persons
who maintain a common household
Places of Worship: a building wherein
the primary purpose is for persons to
regularly assemble for religious worship
and which is maintained and controlled
by a religious body organized to sustain
public worship. Includes church,
synagogue, temple, mosque or other
such place for worship. Sections 23-
133, 23-134, 23-135, 23-136, 23-137,
23-138 and 23-139 relating to
stormwater management policies,
procedures and fees are hereby repealed
in their entirety. In place of said
sections the following new sections are
inserted: Section 23-133. – Stormwater
Management Authority. (a) Stormwater
Authority (Authority) is the agency
established by this Ordinance, by the
City of Brockton to oversee the proper
execution of regulations contained in
this article. The article is adopted under
the authority granted by the Home Rule
Amendment of the Massachusetts
Constitution, the Home Rule Status,
M.G.L. Chapter 40, Section 21, M.G.L.
Chapter 43B, the regulations of the
Federal Clean Water Act found at 40
CFR 122.34 (b) There is hereby
established a Stormwater Management
Authority (the “Authority”) composed
of six (6) members. The commissioner
of the department of public works shall
be an ex-officio, non-voting member
and chair of the Authority. The
remaining five (5) members of the

Authority shall be as follows: the chief financial officer or their designee, the conservation commission agent, and three (3) residents of the city. One (1) resident shall be appointed by the mayor and two (2) residents shall be appointed by the city council. Each resident shall be appointed for a term of one (1) year and may be reappointed for successive years. (c) The purpose of the Authority shall be to ensure that property owners comply with the requirements laid out by the Authority and the City of Brockton Ordinances, and to ensure the city complies with requirements of the United States Environmental Protection Agency (EPA), the Massachusetts Department of Environmental Protection (DEP) or any other regulatory agency having authority over stormwater management within the city. The Authority and the city shall have the power to enforce all provisions contained herein, and within the Stormwater Authority Manual, as well as all regulations and orders pertaining to the management of stormwater. Section 23-134. – Responsibility for administration. (a) The Authority shall be required to publish a stormwater management guide. The guide shall contain summaries of regulations, policies and requirements for the management of stormwater and for any permits issued by the Authority. The contents of the guide shall be determined by vote of the members. The guide shall be reviewed by the Authority on an annual basis not later than April 15th, and updated as needed. After approval by the Authority, the requirements contained in the guide shall be effective for the following fiscal year beginning July 1st and incorporated by reference within this ordinance. (b) The Authority shall establish fees relative to stormwater management for various types of properties. The fee schedule is intended only to support stormwater management staffing, operations, and mitigation. The following properties shall be exempted

from fees: (1) Owner-occupied residential properties of not more than three (3) dwelling units; (2) properties owned by places of worship and cemeteries; and (3) properties owned by the City of Brockton. (c) The fee schedule shall be submitted annually by the Authority to the city council not later than March 1st. The fee schedule shall be subject to city council approval. The fee schedule shall be effective July 1st of the next fiscal year. (d) The Authority shall submit to the mayor, chief financial officer, and city council, not later than March 1st, the projected costs for stormwater management for the next fiscal year, including, but not limited to, staffing costs, operational expenses, expenses for consultants, and purchase of goods and services. Further, documentation shall be submitted for salary costs which shall include job title, anticipated salary, job description, and minimum qualifications for each position.

Section 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.

Section 23-136. –Meetings.

Meetings of the Authority shall comply with the requirements of the Open Meeting Law. No meeting shall be held prior to 6:00PM on the date scheduled so as to accommodate attendance by residents and other interested persons, except for the case of an emergency meeting.

In City Council August 28, 2023, passed to a third reading As Amended by a hand vote. Councilors Mendes, Minichiello, and Rodrigues absent. In City Council September 11, 2023, Ordained as Amended by a roll call vote taken by “yeas” and “nays” ten members present and all voting in the affirmative. Councilor D’Agostino absent. Councilor Farwell motioned to file for reconsideration with the wish that it not prevail and was properly

seconded. Reconsideration failed by a hand vote.

2. In City Council June 26, 2023
 ORDINANCE: **AN ORDINANCE
 AMENDING ARTICLE III,
 DIVISION 2, SECTION 2-127 – PAY
 PLAN**

Be it ordained by the City Council of the City of Brockton, Article III, Section 2-127 is hereby amended as follows: Article III, Section 2-127 is amended by adding the following categories:

<i>DPW Financial Business Manager</i>	<i>F</i>
<i>Grant Writer</i>	<i>F</i>

Article III, Section 2-127 is further amended by adding the following wage scale:

Category	Position	Min.	2	3	4
<i>F-10</i>	<i>DPW Financial Business Manager</i>	<i>\$106,917</i>	<i>\$110,125</i>	<i>\$113,428</i>	<i>\$116,831</i>
<i>F-11</i>	<i>Grant Writer</i>	<i>\$79,172</i>	<i>\$81,547</i>	<i>\$83,994</i>	<i>\$86,513</i>

Be it further ordained by the City Council of the City of Brockton that Article III, Section 2-127A is amended to include the F category by replacing the first sentence of Section 2-127A, subsection (2) with the following: *After completion of one (1) year of service at the highest salary step for an F, HR, PL, L 1-3, PW, PK, PR, CC, LB, TC, EM, BH, IT, or IM position, the employee shall receive an increase up to five percent (5%) of the annual salary at the discretion of the Mayor, and without further approval of the City Council.*

In City Council August 28, 2023, passed to a third reading by a hand vote. Councilors Mendes, Minichiello, and Rodrigues absent.

In City Council September 11, 2023, Councilor Farwell motioned to refer to the standing Committee on Finance and was properly seconded. The motion carried by a hand vote. Councilor D'Agostino absent. In City Council October 10, 2023, Ordained by a roll call vote taken by "yeas" and "nays"; six members present and five voting in the affirmative. Councilor D'Agostino voting in the negative. Councilors Farwell, Mendes, Rodrigues, Tavares, and Teixeira absent.

The foregoing Ordinances are on file in the City Clerk's Office and on the City's website in their entirety for review by interested parties.

Timothy J. Cruise, City Clerk

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