

**BYLAW REVIEW COMMITTEE
MEETING MINUTES
20 MARCH 2019
1st Floor Conference Room – Wakefield Town Hall**

The meeting was called to order at 5:03 p.m. by Chairman Lieber who presided throughout.

Members present:

- Dan Lieber, Chair
- Michelle Licciardi (arrived at 5:12 p.m. during Smith discussion; no votes had been taken)
- Brian McCoubrey
- Cindy Schatz
- Jeff Stikeman

Members absent:

- Keith LaGraves
- Bob Vincent

Members of the Public:

- Rick Smith – Wakefield Chief of Police
- Eric Reid

Mr. Reid thanked the Committee for their willingness to listen to public comments. He has been a regular attendee at our meetings and appreciates the courtesies afforded him over the past 16 months.

Chief Smith met with the Committee to discuss agenda item IV-B “Fingerprinting” (Chapter 143) as a follow-up to his discussion with the Committee on March 11. As promised, he had sent information to the Committee prior to the meeting (through Chairperson Lieber) that reported the following information:

- The WPD issues permits for door-to-door solicitors, ice cream vendors, and firearms. The Town Council does not get involved with these permits.
- During 2018 the WPD processed 75 “town hall” licenses:
 - 38 liquor licenses
 - 37 Class 2 auto dealers (used cars on a physical lot)

Chief Smith reiterated that there were limits as to what the WPD could “share” from CORI reports and that, in some cases, FBI reports were used (but these only reference bank robberies). He also reminded the Committee that the WPD should not use the I-CORI reports and that I-CORI is only for State (i.e. Massachusetts) matters and does not cover the United States (i.e. federal matters).

After considerable discussion regarding the best way to insure citizen safety while accomplishing the goals (and limits) of Chapter 143 it was decided by the Committee, with Chief Smith’s concurrence, to do the following:

Upon motion made by Ms. Schatz and seconded by Ms. Licciardi it was unanimously:

VOTED: To approve Chapter 143-4 with the previously discussed language that says: "...criminal record background check and the Police Department's own evaluation of the applicant's suitability..." for purposes of a Warrant Article for Town Meeting.

After agreeing that Chapter 143 – "Fingerprint-based Criminal Record Background Checks" was approved originally on May 14, 2012 at the Annual Town Meeting (i.e. prior to restrictions on "sharing" being put into place) and with Chief Smith's concurrence and upon motion made by Ms. Schatz and seconded by Mr. Stikeman it was unanimously:

VOTED: To remove the first sentence from Chapter 143-3-C which reads: "*The Police Department shall communicate the results of fingerprint-based criminal record background checks to the applicable licensing authority within the Town*" and to also remove the words "*in addition*" from the following sentence so that it reads "The Police Department shall [deleted words] render to the licensing authority its evaluation..."

Following these votes the Committee thanked Chief Smith for his attendance, his comments, and his insights. Chief Smith was excused from the meeting at 5:40 p.m.

Regarding agenda item IV-A (Permanent Building Committee [Chapter 9]), Mr. Lieber informed the Committee that Town Counsel Mullen had made some wording changes to §9-10 in order to adhere to language contained throughout the bylaws. Mr. Mullen has sent the revised language to Mr. Lieber (which he shared with the Committee) and to Mr. Bertrand, Chair of the Permanent Building Committee.

The Committee next addressed agenda item IV-C – Chapter 155 "Vacant Storefronts." Mr. Lieber shared the contents of an email from Paul Reavis, Town Planner, dated March 15, 2019 outlining Mr. Reavis' input. A brief discussion ensued with all members participating. Among other items discussed it was noted that Mr. Lieber had reached out to Mr. Maio (Town Administrator), Mr. Reavis, Mr. Roberto (Building Inspector), Mr. May (Chair, Town Council), Ms. Santos (Town Council member) and Ms. Lieber (Cultural Council) via email entitled "Feedback Requested: New Proposed Bylaw – Vacant Commercial Spaces" on September 15, 2018. The only feedback received at that time was from Mr. Maio and Ms. Santos.

The Committee believes it has incorporated some of suggestions from Mr. Maio and Ms. Santos.

Upon motion made by Mr. Stikeman and seconded by Ms. Licciardi it was unanimously:

VOTED: To see if the Town will vote to adopt Chapter 155 of the General Bylaws, entitled "Registration and Maintenance of Vacant Commercial and Industrial Buildings" as drafted by Mr. Mullen and approved by the Committee or to see what the Town will do about it.

After discussion, and upon motion made by Ms. Licciardi and seconded by Mr. Stikeman it was unanimously:

VOTED: To approve the minutes of the Committee meeting held March 11, 2019 as presented.

The Final Report of the Committee, required at Town Meeting so as to dissolve the Committee, was discussed. It was agreed that Mr. Lieber, Mr. McCoubrey and Mr. Stikeman would prepare the Report.

Because it appears that there is little left for the Committee to do that no meeting will be scheduled at this time. Mr. Lieber anticipates at least one additional meeting prior to Town Meeting at a date to be determined.

As there was no other business to come before the Committee and upon motion made by Ms. Schatz and seconded by Ms. Licciardi the meeting was

ADJOURNED at 6:03 p.m.

Submitted by Brian D. McCoubrey

Approved 4/25/19