

**MINUTES OF PUBLIC HEARING ON AN ORDINANCE REQUIRING THE
IMPLEMENTATION OF CRIMINAL RECORDS CHECKS FOR DOOR-TO-DOOR
SOLICITORS**

JANUARY 22, 2002

COUNCIL CHAMBERS

1223

President Jonathan Harris called the hearing to order at 7:15 p.m.

Present were Councilors Rob Bouvier, Kevin Connors, Carl Donatelli, Jonathan Harris, Maureen Kelly McClay, Andrew Schoolnik, Scott Slifka, Art Spada and Al Turco.

President Harris: Mr. Schoolnik will you describe the public hearing for us please?

Vice President Schoolnik: This is a public hearing on an ordinance requiring the implementation of criminal records checks for door-to-door solicitors.

President Harris: Any questions? Anyone from the public that would like to ask any questions?

Mr. O'Brien: There is no one on the sign up sheet.

President Harris: Anyone that hasn't signed up? Any questions from Council?

Councilor Bouvier: Just a question for the Chief if I may. The Chief of Police shall conduct a criminal record check on all applicants but the completion of that check shall not delay the issuance of a certificate. Am I understanding that correctly to mean that once they come in you give them like a temporary certificate and in the meantime you conduct your criminal check but they can start right away?

Chief Strillacci: Actually Mr. Bouvier the records check is quick. It is a computer check. It takes a couple of minutes and the permit can be issued immediately.

Councilor Bouvier: Thank you Chief.

Chief Strillacci: You are welcome.

President Harris: Mr. Connors.

Councilor Connors: Through you Mr. Mayor, when you say it is a quick couple minute check, someone from California would actually go through that process just as quickly.

Chief Strillacci: Let me distinguish the types of checks available. There is a national records check. This does not authorize us to make a national check, what is known as a Triple I. The FBI has more stringent requirements about those and it is not available for permits. It would be available for an arrest or for a law enforcement applicant, for instance, but not for a civil door-to-door permit. We do what is called a State police records check, which will give us a heads up on any arrests in the State. We also do an

NCI-C want and warrant check which will give us information about someone who is currently wanted by a law enforcement agency or is listed as a runaway for instance. Sometimes we do have juvenile runaways from other states and that latter check is a national check.

Councilor Connors: You think for the most part you cover just about everybody?

President Harris: Mr. Donatelli.

Councilor Donatelli: Somebody now who receives a permit, is a permit required for anybody selling within town going door-to-door residential as well business?

Chief Strillacci: This is for residential door-to-door checks. It is a separate sort of operation for somebody who is soliciting business from a commercial venture.

Councilor Donatelli: So people who are coming along Park Road for instance which we get a lot of they are allowed to do that without a permit?

Chief Strillacci: Yes. This pertains strictly to residential.

Councilor Donatelli: Is that something we would want to look at?

Chief Strillacci: I believe there is another provision elsewhere in the Town ordinances about commercial type of solicitations. It is not covered by this section.

President Harris: That is a good question Mr. Donatelli. Thank you. Maybe we can ask Corporation Counsel just to report at the next Public Safety Committee meeting on February 11th on what the ordinance, how they provide for restrictions on commercial door-to-door.

Mr. O'Brien: Sure. I will be glad to do that.

Councilor Donatelli: Again, Mr. Mayor, I know we had Mr. Patriss speak and that is what he was speaking more to is businesses have a lot of people just strolling in selling merchandise and you don't know where it came from, whether it is legitimate or not.

Chief Strillacci: We also get some folks setting up shop in a parking lot selling out of their trunks and we have a concern about those, too. A lot of their goods are not legitimate.

President Harris: Mr. Spada.

Councilor Spada: Chief, I understand how it would help with runaways or outstanding warrants. If in the background check you have somebody who is a convicted felon five years ago who served their time, what would be our....

Chief Strillacci: That is not a disqualifier if that is your question. We are not permitted to deny somebody a permit because they have a criminal history. It is essentially a two-prong benefit. One is that it allows the solicitor to know that we are aware of them and it does advise us of what sort of individuals we are dealing with. If we have someone who is a convicted burglar and they are operating in a particular neighborhood and the next day we get reports of a burglary we have a good idea where to start.

President Harris: Mr. Donatelli.

Councilor Donatelli: Thank you. Through you Mr. Mayor, what is the penalty right now for someone who goes door-to-door without a permit at all, doesn't come in?

Chief Strillacci: I think it is in the ordinance. It is a \$25.00 fine and imprisonment or imprisonment not to exceed thirty days so that is the way it is written in.

Councilor Donatelli: Their choice?

Chief Strillacci: I believe not. There is an important distinction that there is jail time available because it allows us to take people into custody. If it were merely a fine it would not allow us to do that and when you have folks from out of state when you are not particularly sure about who they are or where they are going to be next sometimes it is nice to be able to bring them in, post a bond. Either it ensures that they will show up in court or that they go away and never come back and either of those are probably a benefit.

President Harris: Any further questions? Thank you Chief Strillacci.

Chief Strillacci: You are welcome.

President Harris: Being no further questions we will close the public hearing.

The hearing adjourned at 7:23 p.m.

Norma W. Cronin
Town Clerk/Council Clerk