

TOWN OF WALLINGFORD, CONNECTICUT

SPECIAL TOWN COUNCIL MEETING

ORDINANCE COMMITTEE

Tuesday, May 19, 2020

7:00 P.M. or Immediately Following the Special Town Council Budget Meeting

**THE SPECIAL TOWN COUNCIL MEETING WILL BE HELD REMOTELY
ONLY ON MAY 19, 2020 AND WILL BE ACCESSED THROUGH:**

<https://global.gotomeeting.com/join/576278973>

YOU CAN ALSO DIAL IN USING YOUR PHONE:

United States (Toll Free): 1-877-309-2073

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Access Code: 576-278-973

Live stream of the meeting will also be available on the Town of Wallingford You Tube Channel:

<https://www.youtube.com/c/wallingfordgovernmenttelevision>

AGENDA

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes of March 3, 2020 Ordinance Committee Meeting.
4. Discussion and possible action on amending Chapter 62, Alcoholic Beverages, Article IV, Seasonal Outdoor Sidewalk Dining.
5. Adjournment

Please wait for Chairman Shortell to instruct the attendees as to how the meeting will be conducted.

In accordance with Title II of the Americans with Disabilities Act- Individuals in need of auxiliary aids for effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five days prior to meeting date.

Wallingford Town Hall, 45 South Main Street

**TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Robert F. Parisi Chambers
Wallingford Town Hall
45 South Main Street
Ordinance Committee
Tuesday, March 3, 2020
6:30 P.M.**

RECORD OF VOTES AND MINUTES

The meeting was called to order at 6:30 P.M. The Pledge of Allegiance was said. The following Councilors were in attendance: Vincent Cervoni, Craig Fishbein, Thomas Laffin, Joseph Marrone, Christina Tatta and Chairman Christopher Shortell. Councilors Gina Morgenstein, Vincent F. Testa, Jr., and Jason Zandri were absent. Others in attendance were: Corporation Counsel Janis Small.

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes of November 26, 2019 Ordinance Committee meeting.

MOTION WAS MADE TO APPROVE MINUTES

**MADE BY: SHORTELL
SECONDED BY: CERVONI**

ROLL CALL VOTE:		MORGANSTEIN:	ABSENT
CERVONI:	YES	SHORTELL:	YES
FISHBEIN:	YES	TESTA:	ABSENT
LAFFIN:	YES	TATTA:	ABSTAIN
MARRONE:	YES	ZANDRI:	ABSENT

5 - AYE

1 - ABSTAIN

3 - ABSENT

MOTION: PASSED

4. Discussion and possible action on raising the bid waiver threshold.

Chairman Shortell welcomed James Bowes, Controller and Sal Amadeo, Purchasing Agent. Chairman Shortell stated that the intention of this topic is to assess the Council's appetite for looking at this issue. He had asked Mr. Bowes and Mr. Amadeo with help understand what other towns do, and if we did

explore specific dollar amounts, what it would mean in terms of the bid waivers done in the past year. Would it create efficiencies?

Mr. Bowes stated that he was asked to get comparative data from other towns. Mr. Amadeo asked members of his professional association and received about 20 responses so far. Mr. Bowes distributed those results to the Council. Mr. Bowes stated that we are low compared to most towns. Chairman Shortell offered to make the report available to anyone who wanted it. Mr. Amadeo stated that Waterbury is lowest at \$2,500 and the next lowest is \$7,500 which is where we are. The highest is Bloomfield at \$90,000. He suggested taking out the highest and the lowest to give an average of about \$16,000. Mr. Bowes reported on bid waivers in the last fiscal year, 2018/2019. There were 208 instances where we put something out to bid, 11 of those times the department requested and received a bid waiver from the Council, or about 5.2% of all biddable purchases. Chairman Shortell clarified that that does not include the annual bid waiver request list submitted by the Mayor's office in May as part of the budget process. Mr. Bowes concurred and explained that most of that is proprietary software licensing and things of that nature.

Councilor Cervoni stated that we are looking at an average between \$19,000 and \$16,000. He asked if Mr. Bowes or Mr. Amadeo had an idea of how many of our current bids are in the range of \$19,000. Mr. Amadeo offered a guess of about 20 to 25 bids. Councilor Cervoni clarified that that would just eliminate the process for those bids. He asked for clarification on what a bid is. Is it the total expenditure for a fiscal year with a certain vendor? Mr. Amadeo replied that it would be more for the commodity. He gave an example. Mayor Dickinson added that a continuing order's total would trigger a bid if it went over \$7,500. Typically bids are individual transactions. You don't know that you will be purchasing anything else from the same vendor. So each transaction is held against the bid limit of \$7,500. He stated that they go a step further and ask that if a department expects that they will be purchasing more than \$7,500 from a given vendor during a year, that they requiring a public bid. Even though it may not reach that point during the year. He continued that typically, the bid waiver requirement is by transaction. Councilor Cervoni asked if we determined in a budget year that we need a \$5,000 lawn mower and find vendor A has the lawn mower, we can go buy it. Mr. Amadeo concurred but stated that three quotes are needed. Councilor Cervoni continued with the supposition that in the same budget year we need another new lawnmower for \$5,000, would that trigger the bid threshold or is it a separate transaction. Mr. Amadeo concurred that it is a separate transaction and would need the three quotes. Councilor Cervoni stated that he looks forward to see what additional data will be available in the coming months.

Councilor Fishbein asked about cumulative aggregate transactions and if there is a policy in place for communication amongst departments to see if a similar purchase is planned. Mr. Amadeo replied that no there is no policy. He stated that if he is aware of a similar purchase, he will combine them. Councilor asked how he would be aware of it. Mr. Amadeo stated that they would see the requisitions. Councilor Fischbein stated that the Council could create an ordinance that departments have to publish certain requisitions to other departments. Mr. Amadeo stated that they already do that with oil products for Public Works and Water and Sewer. He was asked about fertilizer and stated that they use a service that fertilizes, so it's not purchased. Councilor Fishbein suggested looking at that. Mr. Bowes stated that if it's a purchase that's not going to trigger the bid threshold, most departments contact the purchasing office to see if we have competitive pricing already for that item. Mr. Amadeo stated that they do that a

lot with services such as plumbing and electrical. Councilor Fishbein proposed that if the threshold is raised to \$15,000 and an expenditure for \$12,500 is going to be made. He asked how they solicit quotes. Mr. Amadeo stated that preferably from local vendors, but it's not always possible. He stated that they have a purchasing portal that solicits quotes from vendors on the bid list. He stated that they have a bid list for different commodities. Councilor Fischbein asked how vendors get into the portal. Mr. Amadeo stated that for bids, vendors need to use the portal. For quotes, they contact the local vendors when they can. Then go outside town. Purchasing assists the department in generating the three written quotes. Mr. Bowes noted that the three written quotes are part of the ordinance. Councilor Fishbein asked how vendors get on the list. Mr. Amadeo said vendors just need to contact purchasing and they will be notified of quotes. Councilor Fishbein asked if we were to go to a process like this, would it decrease the amount of work for the purchasing office and result in a reduction of staff? Mr. Bowes replied that no because they are barely keeping up now. He stated that it would be more of a preventive measure to adding someone else to staff. He stated that they have two buyers, Mr. Amadeo who also does buying and one clerical person. Councilor Fischbein asked about the last time the bid waiver threshold was discussed and what the change was. Mr. Bowes replied that it was increased from \$4,000 to \$7,500 about 10 years ago. So an increase to \$15,000 is doubling it again.

Chairman Shortell, hearing no other comments, stated that he was sensing no opposition from the Council in looking at this. Councilor Fishbein expressed concern that two years from now there may be different people in the room and there is a promise to do the three quotes. He stated that he wasn't against it, just a little concerned that if only two vendors are identified in the local area to render a service, what good faith efforts would be done to look for the third quote. If we are putting something out to bid, the onus is on the purveyor or merchant to find the request. He suggested posting on the websites so merchants could learn to review it. Mr. Amadeo explained that they post the notices for quotes and bids on the purchasing portal. Councilor Fishbein stated that if vendors are not in the portal, they don't know. Mr. Bowes stated that there is a link from the portal to the town website. He encouraged Council members to invite vendors to contact the purchasing office for instructions on registering on the portal. He stated that they want as many vendors as possible on the portal. He noted that the portal was very warmly received when they went to it several years ago. Councilor Fishbein asked for some idea of the kind of vendors that we currently utilize and would utilize and the Council can get the word out to businesses to use the portal.

Chairman Shortell asked for comments from the public. Hearing none, he stated that next steps would be to get an updated list of bid thresholds for the April Ordinance meeting. Also asked Mr. Bowes and Mr. Amadeo to look at the bid waivers from last year to see how many would be eliminated. Mr. Bowes offered to look at how many were between \$7,500 and \$15,000 as well as \$7,500 and \$20,000 for the April 2nd meeting. Mr. Bowes stated that he would make it a priority. Chairman Shortell noted that from a legal perspective it's just a change in dollar amount in the ordinance. Chairman Cervoni suggested adding the 3 quotes to the process. Mr. Bowes stated that the three quotes from local vendors when possible is already in the ordinance. He noted that in the case of a tie, it goes to the local vendor for bids.

#5 Discussion regarding licensing and potential ordinance requiring inspections at Wallingford massage parlors.

Chairman Shortell noted that there was some reporting in the Record Journal around a business that was shut down that prompted him to contact the Chief of Police. He stated that he doesn't know what we do in inspections. Obviously human trafficking is in the news and this is a concern across the country at these types of businesses and he acknowledged that there are many legitimate businesses. He doesn't want to penalize anyone. Chairman Shortell stated that he just wanted to initiate a discussion after hearing from our experts and determine if there are any next steps.

Janice Small, Corporate Counsel stated that Massage Therapists have to be licensed by the State Department of Public Health. There is no State mandated inspection program of Massage Parlors. The requirements are restricted to the licensing of massage therapists. She noted that human trafficking and prostitution are crimes and not something that the public health department would be involved in. The local Health Director has the power to enforce the State Health Code and applicable laws. In the case of a suspected health issue, if they have just cause, they have the authority to go to the business and seek to have it remedied. Beyond that there is no State mandate like there is in nail salons and hair salons that require inspections for massage parlors. The Town can adopt an ordinance on the subject matter. She researched the types of ordinances used by other towns and it ranges from none to ordinances that simply say you have to have a State license. There are some that have full blown license or permit to operate licenses. Some involve the Health Department, some involve the Police Department, some involve both. If they include a licensing or permitting process they have inspections. So there is authority for adopting ordinances, though we don't write ordinances to deal with criminal activity. Enforcement is traditionally with fines. She noted that the State has kept exclusive jurisdiction to use a public nuisance complaint against an establishment of the kind even if it involves a violation of a local ordinance. The Statue says that if a local ordinance on massage parlors and its violated three times within a year, the State exclusively has the authority to bring a public nuisance type claim. She stated that if the Council determines to regulate, understand that you are talking about placing a burden on legitimate businesses.

Steven Civitelli, Director, Public Health Department, reported that Wallingford had 95 establishments licensed in town including nail salons and tattoo parlors. He stated that over the last five years they've done on average 130 inspections a year on those establishments. They did a survey to see how many massage facilities were in town and found 17, 4 of which are already licensed for other purposes such as nail or hair services. He noted that a State laws was recently passed requiring local health departments to also license and inspect facilities that offer esthetician services as well as eye lash technician services, which he anticipated will increase their workload by about 10 or 12 facilities here in Town per year. He was going to propose changing the ordinance to redefine a salon to include those facilities as well. Mayor Dickinson asked if the 95 establishments were responsible for all the inspections done by the Health Department. Mr. Civitelli, stated that it doesn't include restaurants or a number of other areas. He stated that they have two full time sanitarians and one part time sanitarian, with that staff and himself, they performed 1012 food inspections, 120 salon inspections, 23 day cares, 44 pools and that does not include the 257 responses to complaints from residents.

Chairman Shortell thanked him for the information and asked to focus on the massage parlors to determine if there is a problem. He stated that he doesn't want the Town Council to put up barriers to an open discussion. He asked if inspections work, would it make a difference. Mr. Civitelli responded that dependent on how you structure the actual licensing could be a potential barrier to facilities that may be

illegitimate. He noted that the fees and inspections would not be a barrier to legitimate businesses. Depending on how it's structured it could be hindrance to the illegitimate businesses. He asked for the end goal of this session. Chairman Shortell stated that the end goal is for the Council to hear from the experts and then determine if there is a problem and if so how to address it. Mr. Civitelli recommended licensing the businesses and create barriers for these types of facilities. The rules can be very simple, i.e. if you are not a licensed massage therapist, that's a trigger for the Health Department. That is in place already. If you cannot produce that license, you cannot operate a facility in town. He noted that some of these facilities can't produce licenses matching the people in the business. The license from the Department of Public Health has to match with the drivers license. Chairman Shortell clarified that there is no such thing as a business license. Every individual at the business has to have a license. Mr. Civitelli concurred that the individual gets the license. The health department could license the business that has the individuals with licenses. Atty. Small added that the State doesn't have a license for the business, they license each individual therapist. Mr. Civitelli stated that in the past when there have been suspect businesses, they have communicated with the Police Department. If they get a complaint that there is something illegal going on, doing a health inspection will not fix that issue. Ultimately it's hard to create a public health solution to a criminal problem. All we can do is build barriers to these type of facilities from opening to begin with.

Chief William Wright, Wallingford Police Department, reported that in 2017 they took down three spas that were operating unlawfully in town. He provided the background of how they identified the businesses and the man hours required to get the search warrants. They had the authority to seize the property contained within the facilities. They have found that this is the only thing that shuts down the location permanently. He explained that 25 or 30 officers were involved in clearing out the locations. They made several arrests. The intent of the Police Department was primarily prohibiting the victimization of the employees of the unlicensed locations. They are always looking at the trafficking end of it. He noted that they had to rent storage space for the property because they are required to keep it in good order. He stated that the court nulled all the charges and allowed the spa operators to take what property they wanted. They took enough to start up somewhere else and the Town was left with the rest. His staff verified that they did move to another town and open up shop. The Town had to keep the remaining property for a significant period of time before they could dispose of it. Chief Wright stated that there were between 125 and 200 man hours dedicated to the take down itself and probably another 300 or 400 hours of undercover work. Regarding the most recent incident on South Broad Street, he stated that they were aware of it and were contacted by the Department of Labor because the business didn't have the proper Worker's Comp insurance. This put customers and employees at risk. The DOL did an inspection, determined there was not appropriate insurance and shut the business down. Within about 10 days they came into compliance with the State and were able to open the business again. The Police Department responds to the criminal violations that occur, but their intent is to protect any victims that are being trafficked. He stated that even though they are convinced they are unlawful businesses, shutting them down is difficult.

Mr. Civitelli added that there are tell tale signs from the health standpoint. He mentioned shower tables. These facilities require patrons to strip so they can check for wires. So from the public health standpoint we need to prevent them from opening. He discussed this with Atty. Small who found that some towns

require fingerprinting. This can deter criminal activity. He stated that they will do whatever needs to be done to get the job done.

Counselor Cervoni stated that his interest is a balancing act between not imposing on legitimate businesses any requirements that they don't already have and not supporting human trafficking. He asked Chief Wright if we were to put a process in place that requires a permit for the facility, possibly as simple as they have to apply for a license, submit finger prints and a background check, would that make a difference for the police. Chief Wright replied that the difference would be that they wouldn't see those applicants come in to be finger printed. It would help to prohibit or not allow the individual to work, more so than the facility to be open. The massage therapists are licensed individually, not the business. He stated that he was not sure how they'd keep track of that since the employees change frequently. It would be hard to keep track of who is actually working there. Councilor Cervoni summarized that this would not stop the human trafficking and it would not change the way the police work. Chief Wright agreed. Mr. Civitelli added that if you have a place that pops up overnight, which is common, we do have the ability to go to the place proactively and say that you need a license. So even if they open, and there was a process in place, we could intervene instead of using other resources over time. Chairman Cervoni mentioned that in the bar and restaurant business where liquor is served, you have to have a permittee. That person has to have a clean record. He stated that the bar owner will shop for someone with a clean record to become the alcohol permittee. So he's not sure that it prevents the problem from occurring. We all know human trafficking is illegal whether you do it under the front of a storefront massage therapist business or a motel. That's the real problem. Chairman Cervoni stated that he suspect they are trying to keep the massage therapists individual contractors that have to have their own insurance and avoid paying unemployment tax. That's a State civil tax problem. He acknowledged that the police are now aware of this business and are monitoring it. The State statutes are there to deal with that and it's the police's job to enforce those. The permit is more a curb than a barrier. They will get someone with no history to be a partner in the business and get the permit. It will just take us a little longer to figure out what's going on.

Chairman Shortell asked for clarification of whether, since everyone in the business has to be licensed, that the Health Department could ask to see the licenses. Mr. Civitelli concurred that they may have five people working there and five licenses, but they don't necessarily match up. He stated that there is a similar process in place for tattoo facilities. Each individual requires a tattoo technician license. When they inspect they ensure the people match with the licenses. This is under the state requirement.

Councilor Fishbein shared a concern about balance and the perception that massage parlors are dregs of society and the criminal element. He asked how a customer could tell when then enter a facility that all the therapist are licensed. Nail Salons, for example, with shifts. Mr. Civitelli stated that there is a new law that all workers in nail salons have to have a personal license. He explained how they check licenses by comparing them to the individual's ID. He noted that it is required that the personal licenses be displayed at the work stations. He agreed because of shift work, they wouldn't always see everyone. He stated a concern about the fingerprinting. This is not only invasive but sets up criteria that you can't have X on your record in order to engage in this activity. Atty. Small noted that there are some Town Ordinances that specify convictions that would prevent the granting of a license. Counselor Fishbein recommended looking up the collateral consequences of having a criminal record. You can't preclude those people from getting a job. He noted that if we were to put in place a process to have a license for

the establishment, how would the inspections work. Mr. Civitelli stated that it would depend on how it was structured. Say the facility requires a license. The Health Department would go in and ask for the personal licenses of those that worked there. Then check to see if everyone there is licensed. Counselor Fishbein asked what keeps them from doing that now. Mr. Civitelli replied that they don't have a process for licensing these facilities. Counselor Fishbein noted that currently under state law, Individuals engaging in that activity are required to have a personal license. So what precludes you from going in and asking who works here and viewing their licenses. Atty Small noted that this is different from those areas inspected pursuant to a State law saying he's supposed to do that. There is no law for the massage parlor. He can only act on a complaint. All the other inspections are because State law tells him to. Counselor Fishbein asked why we couldn't put in place a rule that says Massage Parlors shall comply with all the State Regulations. The State regulation required each individual therapist to have a license. Why are we not empowering the Health Department. Do we need another level of license. Atty Small replied that Glastonbury has an ordinance that you have to have what the State Law requires and if you don't have it we'll fine you \$100. She continued if you want to license the business itself in some fashion, there has to be criteria on how the conduct business. That's where you get into twenty-two pages of ordinance. Counselor Fishbein stated he's talking about a local license. The Health Department is empowered to inspect some of this stuff already. If a town isn't doing anything, it may attract more illicit activity. If we have an active health director who's going in an asking for licenses that are already required. Mr. Civitelli summarized that in this particular case, when a complaint was filed, it was more criminal than health, so it wasn't his jurisdiction to go in. He referred it to local Police. If a massage therapist had a potential communicable illness, that would be something he would get involved in right away. Or a nuisance complaint about the sanitary conditions inside the facility. Counselor Fishbein stated that if they were inspecting a massage facility and see something that looks like human trafficking, they could report it. Mr. Civitelli stated that he already works closely with Chief Wright and Atty. Small, they work as a team to try to come up with solutions before things get out of hand. Counselor Fishbein stated that he is trying to identify if there is a need for a local license. He asked Chief Wright if it would help. Chief Wright responded, not necessarily. He stated that police work is very deliberate when this stuff happens. The process has to happen in a very deliberate way and it takes a lot of time. But he didn't think they would benefit from a licensing process. He stated that someone may not start a business in town because of the licensing. Counselor Fishbein stated his concern that we are putting another impediment for a legitimate legal business. Mr. Civitelli stated that the legitimate businesses here in Town, are probably not crazy about the illegal business because of the effect on their reputation. If our activity keeps our legitimate businesses legitimate and pushes along the problem, then it's something that should be important to all of us. We want safe, clean, sanitary facilities that engage in these practices. Those that are abiding by the current regulations of licensing, are in compliance. Those that don't want to follow the current laws, that comes to the health department very quickly. He stated that there's not much that goes on that they miss.

Councilor Marrone asked if the three business that were shut down were the same proprietor. Chief Wright replied that they had thought the businesses were linked or at least some of the employees, but in the end it turned out to be three separate organizations. Councilor Marrone asked if there were any other arrests related to this type of activity. Chief Wright replied that some years earlier they had a very similar operation which lead to thousands of man hours of surveillance. The employees were coming out of New York City, which is not uncommon. They were being shepherded from one location to another. So

surveillance was done in different states. Some employees were here in Wallingford for only a few days. This was at the time when human trafficking began to gain the attention of law enforcement resources. It's a problem that needs to be dealt with quickly when it happens from a victimization point of view. He stated that they pop up from time to time and come on to his radar very quickly. Counselor Marrone summarized that it's not a frequent problem and the Chief concurred. Counselor Marrone asked if human trafficking in general is something that is on the rise. Chief Wright said yes partly due to the awareness. So where the incidents might not be increasing, law enforcement is more aware causing the uptick. Counselor Marrone asked if there are other types of businesses that would concern you from a human trafficking perspective. Chief Wright replied that the commercialization of victims has become popular. The victims are dependent on their victimizers for food, money, clothing and shelter. It's a gritty, ugly world. It's more common now for law enforcement to have interaction with individual girls who might be part of a stable of girls that are being run by one or two people. It's not so much the act for money any more as it is the act for mere survival. Counselor Marrone stated that if the goal is to stop human trafficking not health concerns with these spas, then perhaps licensing the massage parlors is not getting to the problem we are trying to solve. He noted that one has little to do with the other except for opportunity. Counselor Cervoni noted that it's where it's happening. Counselor Marrone stated that licensing won't prevent it from happening. Mr. Civitelli noted that it would empower the department to look for these few items.

Vice Chair Laffin noted that he talked to a retired NYPD officer who agreed that the health inspection angle isn't helpful to the police. They have very deliberate practices and the criminals will find ways to work around these licenses if they were motivated to be here. He stated that he doesn't think there is anything we can do on our level for the police. He stated that he's not just concerned about the legitimate businesses having extra work to do, but is concerned about the small legitimate businesses having more work to do and more costs to running the business. The Health Department has to inspect them so it doesn't look like you are being biased, potentially putting you in harms way doing something the police can handle on their own.

Counselor Tatta asked about the 17 massage facilities in town. Out of those how many are not inspected because they don't have dual purposes. Mr. Civitelli stated that 13 of those are not inspected. This does not count home businesses. This is only the brick and mortar facilities that they were able to identify. Counselor Tatta asked for Mr. Civitelli's opinion on if they were to see something suspicious during an inspection and report it to Chief Wright, would it change anything? Since the police are already aware of shady things going on, would it let you see something that you wouldn't otherwise see? Chief Wright responded that looking for a public health solution to a criminal problem poses some issues. The effect is more a curb than a barrier. If we are getting complaints of sanitary issues that would be one thing, but we already have a general idea of what's going on at these particular facilities. There may be cases where we find out something that they don't know about but it's hard to quantify. Chief Wright stated that there is a lot of case law that law enforcement can't ride in on the coat tails of a health inspection to get a free look. Counselor Tatta stated that she hates to hassle legitimate businesses. She stated that she doesn't know that by adding licensing that we are solving the problem since the police already know which facilities are questionable. They need to do their police work to potentially get a search warrant. As far as the trafficking issue and prostitution issue we don't want that happening in town and it's not happening in the majority of these places. She asked Chief Wright what he would suggest is the best thing the Council can

do to curtail that aspect without hassling the legitimate businesses. Chief Wright replied that he doesn't know what the Council could possibly do to prevent that from occurring. He noted that by the time men or women are trafficked, they are broken down and dependent on someone for survival. He doesn't know what those in this room can do to prevent that from occurring. We are pretty good at responding to it when these people reach out for help, but getting the services to those that we feel need it is tough. He noted that they've had very little success due to the psychological effect of trafficking. Mr. Civitelli agreed with Chief Wright's comments. There are so many moving components to this that it is very hard to find a solution. To a certain extent, he feels the system is working because communication is good amongst the departments. Counselor Tatta agreed. She noted that the vast majority of the facilities are legitimate and people don't end up in the wrong kind by accident. She agreed that we can't solve the problem by licensing.

Chairman Shortell asked for clarification on the suggestion to ask for licenses, how does that place a new burden on businesses. Mr. Civitelli replied that if they licensed the facility they would have cause to go in and ask for supplemental material if there was a complaint. Because they therapists are licensed individually, the facility is not required to have an inspection. Chairman Shortell clarified that there is no other way for the health department to get in there. Mr. Civitelli stated that they can go in if there is a health related nuisance complaint. If it was a criminal issue, he would refer it to the appropriate department.

Chairman Shortell opened the meeting to public comment.

Jacqueline Tatro, 26 Rembert Street, commented that she owns Tatro Therapeutic Massage in Meriden. As for licensing, you can go in and ask, the police can do it, the health department can do it. The State of Connecticut sends you one big license and two small ones. She keeps the big on her desk, one in her room and one in her wallet. If you go in and ask for a license and someone doesn't have it you can shut them down. You have to be able to prove that you are a licensed massage therapist. Not only should you be licensed, you have to be a member of the AMTA, that's where you have your insurance. It covers the therapist and the public. If you don't have that it is a health hazard. If these places are advertising as massage parlors, that's a huge red flag. Licensed massage therapists consider that an insult. She can't see why they shouldn't be able to do spot checks by the police or health inspector. Any legitimate person is going to have their license with them. In Connecticut you have to have full education plus 500 hours of service before you can apply for your license. She offered to help in any way. She added that the AMTA insists that every two years you have 24 continuing ed credits.

Andy Bravo of 608 North Elm Street commented that his daughter owns the place right next to the police station and has been in business for over 20 years. He suggested asking the professional association of massage therapists for recommendations. He agreed that legitimate businesses would welcome police or health inspections. They are professionals. He stated that it would be wrong to put his daughter's business through more because of what happened in Meriden.

Chairman Shortell thanked the Record Journal for guidance from the AMTA on what they like to see in local ordinances and what they don't like to see. He shared that with the Council. Chairman Shortell polled the Council: Do you want to do anything or do you want to do nothing.

Responses

CERVONI: NOTHING
FISHBEIN: NOTHING
LAFFIN: NOTHING
TATTA: NOTHING
MARRONE: NOTHING

Chairman Shortell noted that he would like to do something but accepts that he is outvoted. He thanked the experts for their time, research and perspective, it was very informative.

Chairman Shortell announced that the next Ordinance Meeting is Thursday, April 2nd and declared the meeting adjourned at 8:00 pm.

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary