

**COMMITTEE ON PUBLIC SAFETY & LICENSES
MONDAY, FEBRUARY 10, 2020 AT 6:20 P.M.
COMMITTEE ROOM
WOBURN CITY HALL**

Voting members present: Chairman pro tem Jeffrey Dillon, Alderman Michael Concannon, and Alderman Joanne Campbell. Absent: Chairman Robert Ferullo and Alderman Darlene Mercer-Bruen

Non-voting members present: Alderman Lindsay Higgins and Alderman Richard Gately. Absent: President Michael Anderson and Alderman Edward Tedesco.

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VOTED to dispense with the reading of the minutes of the meeting of January 13, 2020, and to approve; in favor, 3-0.

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Day & Knight Transportation Inc.. application for new Livery License: Clerk said the applicant called earlier in the day and advised he was ill and has not been able to get his livery vehicle inspected by the Woburn Police Dept. Clerk said he advised the applicant the matter likely would be held in committee until a later date. Chairman pro tem Dillon said there will be no action on the application at this time.

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Exclusive Automobiles, 7 Independence Drive, order to review second class motor vehicle license: Representing the petitioner was Jeffrey Pollock, 7 Independence Drive, Woburn, MA. Motion made and seconded to accept memoranda from Building Commissioner Thomas Quinn to Alderman Higgins and other involved parties, along with photographs of 7 Independence Drive; approved, 3-0. Alderman Higgins said Mr. Pollock was before the committee a couple of months ago for his license renewal and was required to submit to the committee a sales inventory. She said prior to that Mr. Pollock was issued a cease-and-desist order for violating the terms of his license by selling auto parts. Commissioner Quinn cited Mr. Pollock for a zoning violation that she said occurred two days in a row. She said there was one unregistered vehicle in the driveway and a second vehicle with a license plate from Tennessee. She said those vehicles are depicted in the photographs that were submitted to the committee. She said this has been a frustrating process and she feels like Mr. Pollock has been given the benefit of the doubt. She said she saw the unregistered vehicle and the vehicle with the Tennessee plate herself. The vehicles were there two days in a row as documented. Alderman Gately said the committee has been dealing with Mr. Pollock for many years now. He said he was on the committee way back when and the understanding then was that Mr. Pollock was given a dealer's license with the promise no vehicles would be coming to his home. He said Mr. Pollock is allowed one personal car but he is not allowed to bring cars home that he buys at auctions. He said that condition was imposed when Ray Drapeau was the Ward 7 alderman. Mr. Pollock said he is a dealer and he has always had a dealer plate on his car. He said the other car belonged to a guest who also has a

dealer plate, because a lot of his friends are also dealers. He said he understood a dealer plate can't be left on a car so he put the dealer plate inside the vehicle. He said the real reason he is here is because he has three neighbors who are upset about the condition of his house. Alderman Higgins said the issue with the license has nothing to do with the condition of Mr. Pollock's house. She said she has gotten multiple complaints about the vehicles that are outside Mr. Pollock's home. She said the peeling paint on the house has nothing to do with this. She said she saw the license violations herself and contacted Commissioner Quinn. She said the vehicles were parked outside Mr. Pollock's home two days in a row. She said she believes there is a pattern of Mr. Pollock violating the terms of his license. She said she feels like she has been respectful of Mr. Pollock. She said after the cease-and-desist order was issued the other party involved had to go to court to get her money refunded. She said in spite of that the council gave Mr. Pollock another chance. She said Mr. Pollock should not be using any apparent dispute with his neighbors to justify his violation of the conditions of his license. Mr. Pollock said three neighbors have told him they would make trouble for him because his house is not in good condition. He said he has been told he should not be allowed to live in the neighborhood. He said the neighbors have told him they are going to make trouble for him. He said he does not park cars on the road. He said the neighbors have told him they will complain to the City Council. Alderman Gately said Mr. Pollock cannot run a car dealership out of a residential neighborhood. He said Mr. Pollock told the council there would be no cars coming to his neighborhood. He said Mr. Pollock's operation has not been run in the manner he told the council it would be run. Mr. Pollock said he only has one car. Alderman Higgins asked why there was a car with a Tennessee dealer plate parked in the driveway. Mr. Pollock said the dealer he was working with at the time was from Tennessee. Alderman Higgins asked if Mr. Pollock is buying and selling cars under the auspices of a Tennessee dealer plate. Mr. Pollock said one of the dealers he works with is from Tennessee. Alderman Higgins asked if the Tennessee plate is assigned to Mr. Pollock. Mr. Pollock said the plate is assigned to a dealer in Tennessee. Alderman Higgins said she has asked Mr. Pollock the same question three times and she has not gotten a satisfactory answer. Alderman Concannon asked to whom the Tennessee plate is assigned. Mr. Pollock said the plate is assigned to a man named Charlie in Tennessee. Alderman Concannon asked Mr. Pollock if Charlie knows Mr. Pollock is using the dealer plate that is assigned to Charlie. Mr. Pollock said he does. Alderman Concannon asked Mr. Pollock if he has a Massachusetts dealer plate. Mr. Pollock said he does not. Alderman Concannon asked for how long Mr. Pollock has had the Tennessee dealer plate. Mr. Pollock replied he has had the plate for a couple of months. Alderman Concannon asked if Charlie knows Mr. Pollock has been using the Tennessee dealer plate for a couple of months. Mr. Pollock said he does. Alderman Higgins said she is more concerned about the business now after listening to Mr. Pollock tonight. Chairman pro tem Dillon asked if the dealer plate can be transferred. Mr. Pollock said a dealer plate can be transferred from car to car. Alderman Gately asked if Mr. Pollock has looked into obtaining an over-the-road plate. He said an over-the-road plate can be used to transport cars from auctions. Mr. Pollock said he has never heard of an over-the-road plate. Alderman Concannon asked if Mr. Pollock has a vehicle he owns. Mr. Pollock said he does. Alderman Higgins asked if Mr. Pollock can provide the committee with the registration of the vehicle he owns. Mr. Pollock said he does not have the registration information right now. Alderman Concannon asked if Mr. Pollock moves the Tennessee dealer plate around from car to car. Alderman Concannon said when he voted to approve the license in the past it was with the understanding that there would never be a car with a dealer plate coming to the neighborhood. He said Mr. Pollock told the council he just

needed an address from which to conduct business. He said the council agreed to grant the license because the neighbors would never see a vehicle. He said the exact opposite is true. He said the council did not get what it thought it was getting and that is troubling to him. Mr. Pollock said he could use a Massachusetts license plate when he drives from auction to auction. Alderman Higgins said that is how normal people drive to work. Mr. Pollock said that would be pretty easy to do. Alderman Concannon said the goal is to avoid having businesses in residential areas. Alderman Higgins said it seems like the council opened a can of worms. She said she knew there was something irregular when she saw the Tennessee plate. She said Mr. Pollock is violating the terms of his license. Alderman Concannon said the spirit of the license was to allow Mr. Pollock to have an address from which he could conduct a business. Alderman Higgins said it is very clear what the council intended. She said Mr. Pollock was not supposed to sell car parts. She said she has given Mr. Pollock the benefit of the doubt for the past three years. She said she is extremely disappointed. She said she recommends the council hold a show cause hearing at an upcoming meeting to consider revoking Mr. Pollock's second class license. Alderman Concannon said it was clear that Mr. Pollock was not supposed to bring cars back to his address, and that happened anyway. Mr. Pollock said that was a mistake. Alderman Higgins said she thinks it was not a one-time thing and it has been happening a lot. She again suggested the council conduct a show cause hearing. She said the situation at 7 Independence Drive is getting ridiculous. Alderman Gately said the committee can recommend the revocation of Mr. Pollock's license now. Alderman Higgins said the City Clerk recommended the council conduct a show cause hearing. Mr. Pollock said he hopes before the end of the week to have a car registered in Massachusetts with no dealer plate. Mr. Concannon said Mr. Pollock can do that as an act of good faith. Mr. Pollock said he would have the car registered before the end of the week. He said it seems pretty clear the council is going to revoke his license. Alderman Gately said he thinks Mr. Pollock's license is in jeopardy. Alderman Higgins suggested that Mr. Pollock bring as much exculpatory evidence as possible to the hearing. Chairman pro tem Dillon asked Mr. Pollock if it is clear what he needs to bring to the hearing. Mr. Pollock said it's ultra-clear. Alderman Concannon said the council gave Mr. Pollock a bit of a break and it appears he broke the rules. He said Mr. Pollock's license may not be in a fatal state, but it is in jeopardy. Motion made by Alderman Concannon and seconded by Alderman Campbell to send the matter back for a full review and a show cause hearing; approved, 3-0. Alderman Concannon said anything Mr. Pollock can do between now and the hearing to reassure the council would be helpful.

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Motion made by Alderman Concannon and seconded by Alderman Campbell to adjourn; in favor, 3-0. Chairman pro tem Dillon adjourned the meeting at 6:49 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees