

**SPECIAL GLOUCESTER CITY COUNCIL MEETING**

Tuesday, March 19, 2019 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Paul Lundberg; Vice Chair, Councilor Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Valerie Gilman; Councilor Kenneth Hecht; Councilor Jennifer Holmgren; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara**

**Absent: None.**

**Also Present: Mayor Sefatia Theken; Joanne Senos; Jim Destino; Interim Police Chief John McCarthy; Fire Chief Eric Smith; Chip Payson; Donna Leete; Mike Hale; Nancy Papows; Donna Compton; Karin Carroll; Jill Cahill; James Pope; Vanessa Krawczyk; Grace Poirier; and members of the Gloucester Police and Fire Departments**

**The meeting was called to order at 7:03 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.**

**Flag Salute & Moment of Silence.** Council President Lundberg dedicated the Moment of Silence was dedicated in remembrance to all victims of terrorism and to how much citizens rely on first responders and the Council’s role as part of local government.

**1. City Council confirmation of Police Chief Edward G. Conley III, TTE 04/01/2024 pursuant to GCO Ch. 17, Sec. 17-18**

**Council President Lundberg** announced that there was a robust process in accordance with the ordinance amended last year pursuant to the search and confirmation of a new Police Chief. He extended the Council’s congratulations to Mayor Theken on the success of the city representation at the North American Seafood Expo in Boston this past week. **Mayor Sefatia Theken** expressed her appreciation for the kudos for #TeamGloucester highlighting the support of the Council highlighting the five city businesses who for the first time had their own booths.

**Mayor Theken** made the following statement: Over the past several months the Administration, working with Resource Management Associates, invested significant time and resources to conduct a thorough, nationwide search for a new Gloucester Police Chief. She expressed her confidence that the Council would find that Chief Conley brings a wealth of knowledge, experience, and a distinguished record of service that will benefit the city in years to come. She expressed appreciation for Resource Management Associates for their assistance in managing the search for a new Police Chief and overseeing a rigorous three day assessment process. She thanked the Council who asked for the videos of the interviews. She also extended her thanks to the city’s Selection Committee led by Jim Destino, CAO whose members were: John McCarthy, Interim Police Chief; Eric Smith, Fire Chief; Donna Leete, Human Resources Director; Mike Hale, Public Works Director; James Marr, Jr., Community Liaison; Dr. Richard Safier, Superintendent of Schools; Chip Payson, General Counsel; John Dunn, CFO; James Pope, Director of Information Services; and Jill Cahill, Community Development Director. Collectively the Selection Committee came up with a great outcome for the city, she highlighted, saying that there were two impressive finalists but that the best candidate was chosen. She pointed to Chief Conley’s demonstration of leadership, abilities, broad experience with the city of Chelsea and town of Manchester-by-the-Sea Police Departments and knowledge of Massachusetts law enforcement that were the final deciding factors. She advised the city needed someone who’d be a part of the team and understanding the unique nature of Gloucester. She conveyed she didn’t make this decision alone, asking her management staff who would interact with the new Chief to be a part of the interview process and met with the staff to hear their opinion. She added that she was confident that the Council would feel the same as she did that Chief Conley is the right choice for Gloucester.

The candidate for Police Chief, Chief Edward G. Conley III was invited to the podium by **Council President Lundberg**. **Chief Conley** advised he was before the Council as the Mayor’s candidate to be appointed the next Police Chief of the City of Gloucester, which he termed was a privilege. He referred to the rigorous process to get to this point saying that each of the candidates were very well qualified, particularly Major/Deputy Inspector General James Rhoden of the Baltimore Police Department. He stated that the people of Gloucester and the men and women of the Police Department deserve a rigorous and challenging process; and that in the end the Mayor put

her trust confidence in him to take on the position of Police Chief. He noted the process was a “humbling experience” and thanked the Mayor for her trust. He expressed his desire to move forward to build the same kind of trust and confidence with the Council as he has with the Mayor as a result of this final process.

#### COUNCILOR QUESTIONS:

**Councilor Hecht** mentioned improvement is constant, and asked how the Chief planned to improve the Police Department, and lay it out so that it is an on-going process. **Chief Conley** noted when he was hired by Manchester they worked together and built a team to build consensus. He advised he has his personal goals; he works with the union and staff to develop departmental goals; and works within city government management team to build broader, macro goals. He pointed out goals have to be specific and measurable. Saying that establishing goals in policing, referencing the philosophy of community policing, some of the goal setting should also involve citizen feedback which he highlighted as important.

**Councilor Gilman**, mentioning briefly points of interest and issues of concern in Ward 4 whom she represents, asked the Chief to share examples of successes in community policing and some particulars. **Chief Conley** conveyed his opinion that community policing is an “ambitious” term. Community policing to him at the core is about engaging the community and finding out what their perceived needs are. He explained his opinion of what constituted community policing -- engaging the community on what their priorities are. He gave the example as a young police officer working under Chief Ed Flynn whom he called a pioneer in community policing. He explained his first assignment in 1994 in Chelsea was Sector 3 which contained a lot of elderly housing and a large crime element. Chief Flynn empowered the police officers to go out into the community, meet with the constituents, to build a crime watch by engaging and recruiting citizens. He advised it is about listening to different sectors of the city. When he worked in Sector 3 in Chelsea there was a lot of violence, theft; and yet the biggest complaint was about Market Basket shopping carts at that time which was the important to that neighborhood -- and they did something about. He highlighted it is empowering patrol officers at the lowest level with authority, some accountability, be able to make mistakes, but to have them feel good about going out into the community and building teams of people and listening, saying that it has to start at the top.

**Councilor O’Hara** expressed concern for the city’s drug issues comprised of victims and the supply chain. He asked the Chief about his plan to address both sides of the issue. **Chief Conley** noted that the majority of his time in Chelsea was commanding the Chelsea Police Drug Unit. He pointed out that no one spends time on the street as an officer without having firsthand knowledge and true compassion for people experiencing addiction. He pointed out that they’re also very good at knowing the difference between someone who has an addiction who needs help for which many strides within the criminal justice system has made great strides in Essex County through the District Attorney’s Diversion Program and PAARI. He advised that arrest is not always the best option. They also know the difference that there are those who come over the bridge to “bring poison into the community for the sole purpose of making money.” He pointed out they know who those people are and know the difference. He called those functions “reactive.” He recounted that in his role as commander of Chelsea’s drug unit, he was under no illusion that all the arrests he was making would have an impact on reducing drugs. He expressed pride in the work they did in Chelsea and conveyed they saved lives. He expressed he is especially excited about prevention. He mentioned several reasons why the D.A.R.E. program failed, but pointed out that school resource officer programs are highly effective with school resource officers in schools mentoring students and also teaching the D.A.R.E. program. In Gloucester he pointed to the Police Department’s Kops N Kids initiative -- police officers adopted the class of 2030 (all first grades in the city’s school system) which he called a great program. He advised that the following week he’s scheduled to stop by a school that’s having a celebration of the Kops N Kids initiative.

**Council President Lundberg** noted there was MRI (Municipal Resources Inc.) conducted an audit of the Gloucester Police Department in 2007 and revisit audit in 2017. One recommendation was that the Department achieves state accreditation and asked value that state accreditation provides to make the department more effective. **Chief Conley** explained as follows: Manchester achieved accreditation in two years by making it a priority. Advising that as boring as policy is, it is the foundation of what they do. Policies creates an algorithm that even when leadership is absent, policy and procedure people to make decisions which tells them how to think about different problems. State accreditation forces a police department to adopt the best policies for the community. This then protects officers from liability by pulling up policies which are akin to checklists and review it like an algorithm and don’t need to ask the same questions constantly. These policies are adaptable, and it forces a constant review of departmental policy. Accreditation isn’t just a one-time event, but reaccreditation then takes place every three years. Policy has to be built on a strong foundation internally; policy development is done by working with labor and impact bargaining, working with command staff to then develop the policies, and then ends up as a buy-in of the department. Accreditation is a “tangible affirmation” that they can do these things right.

**Councilor LeBlanc** expressed his thanks to Interim Chief John McCarthy for not only for all he's done for the past several years, but for the past 40 years of his service as a Gloucester Police Officer, saying that he will be missed. Interim Chief John McCarthy received a round of applause from those present.

**Councilor LeBlanc** noted he had spoken with Chief Conley recently, discussing the Chief's leadership skills. Noting he was elected to the Council in 2011 recounting the previous chiefs he's known as an elected official, he asked how Chief Conley will bring leadership and stability to the department. **Chief Conley** agreed Chief McCarthy has done a great job especially coming to the Chief's position in the manner which he did. He advised his style of leadership is to empower people at the lowest level meaning pushing down power and authority so that officers can to do their job and be creative because good leaders lead by example. More effective leaders do it by empowering their people to find meaning in the work they do, he conveyed saying that leadership is to influence people to get things done; as a department to build consensus behind a common mission and values. It is a difference between knowledge and effectiveness, and effectiveness is more important and he pointed out that one can have all the knowledge in the world, but if any leader or manager can't take that knowledge and turn it into an outcome, then they're not effective as a leader. He explained that he focuses his attention to take that knowledge and turn it into an outcome. **Councilor LeBlanc** expressed his appreciation for the meeting he had with the Chief saying he was pleased to be working with him.

**Councilor Cox** noted that the 2009 MRI report showed an environment of dissatisfaction within the department, and the 2017 report showed no surveys or personal interviews were conducted but stated that it wasn't as much of an issue. She asked what the Chief plans to do about morale stating her opinion that an appreciated employee will do more than an unappreciated employee, saying that she wanted assurance that there is an avenue for employees to express their dissatisfaction or satisfaction. **Chief Conley** called morale, "a real thing." He advised it affects all aspects of policing and most organizations. He mentioned indicators of dissatisfaction such as amount of sick time taken. He termed exit interviews as a great opportunity for gaining a better understanding of morale issues. He conveyed he finds ride along's as a good way to engage in casual conversation with officers for them to open up and express their opinions. In Manchester he advised he'd gotten a free Survey Monkey subscription and allowed his department to answer anonymously some quick simple questions which gave him a good baseline of where things were to assist him in moving forward with necessary changes. Manchester is a smaller department, he noted, but in a large organization like Gloucester there would be in time some true data, data which he expressed he believes in to confirm decisions especially related to morale.

**Councilor Nolan** advised he had no questions and thanked the Chief.

**Councilor Memhard** noted he is the Ward 1 Councilor, noting the ward's assets of the Back Shore and Good Harbor Beach, both which creates challenges for his ward in the summer season. He recounted that a task force recommended changes to the parking ordinances and enforcement for ticketing and towing, two issues that come up frequently, and have been dual challenges. He expressed hope that the Chief's experience will help to enforce existing ordinances to improve the quality of life for residents in those beach areas. **Chief Conley** called summer parking enforcement a hot-button issue, as it is in Manchester, noting that town's great influx of boater touching on briefly what they did in that community to stem issues it created. To solve the problem, he advised it takes a lot of input and expressed a willingness to be a part of that process. He recounted that there is a thing about citing people (MGL Ch. 40, §21D "non-criminal disposition by ordinance..." citations) is that it has a "trail-off effect" like speeding tickets with any kind of enforcement where it reaches a point it turns the other way and becomes ineffective. He advised there is a need to strike a balance, highlighting that a lot of tickets do get thrown out in court. He offered that the solution has to be a community-based solution in striking the balance of access to the city "beautiful" resources, protecting those resources for the longer term and respecting local businesses and residents.

**Councilor Holmgren** asked how the Chief will continue the groundwork laid by Interim Chief McCarthy and the Administration to help enforce current animal regulations in the Code of Ordinances and the city's new Piping Plover Protection Plan and beach regulations and how he'll empower the Animal Control officers to cite violators and follow citations to the city Treasurer and the District Court level. **Chief Conley** advised he watched the City Council meeting when they took up the issue of the Piping Plovers on Feb. 26, saying that people are passionate about that issue. He reported that #TeamGloucester has worked hard on this issue as have the city former Conservation Agent, Ken Whittaker, who crafted the plan and the new Conservation Agent, Adrienne Lennon whom he'll work with as a team. Enforcement isn't always the answer, he conveyed, saying that every decision they make is a system that has feedback loops which he conveyed can have unintended consequences. He cited that signage is important and announced that Interim Chief McCarthy has secured funding for a security camera to be installed to view the nesting area as a deterrent and help in any investigation. A lot of work has been done; he added, expressing that he was looking forward to being brought up to speed on the issue.

**Council President Lundberg** noted an important issue that the Mayor's made a "centerpiece" of her Administration supported by all City Councilors, that there is a domestic violence officer in the police department and a program. In talking about the drug issue, domestic violence is another issue that arresting their way out of it is a last resort. He asked the Chief his opinion on the program and issue. **Chief Conley** advised that when you run the drug unit in Chelsea you also run the Executive Bureau as a Sargent recounting that they had a domestic violence investigator and a program "Case de Verde" with a civilian case worker because, like addiction, people trying to get out of domestic violence situations not having financial wherewithal need support and follow up. They will "relapse" and go back to that relationship and is a place where assets needs to be focused for follow up of the victim. He advised he read the MRI study, but advised he won't have a good sense of things until he's been on the job for a few months. He conveyed that the Gloucester Police Department moving forward needs to move towards community policing with levels of responsibility and accountability. It should likely be a Domestic Violence detective, and leveraging existing social groups in the city. You can have ten social agencies doing good work but people call the police, and the department has to have an organized system to expand coverage with modern techniques, he pointed out. These are places where women and men who are victims, and their children who witness the violence, that affects them for their lifetimes -- they need to get in early and identify these families, he highlighted.

**Councilor LeBlanc** stated that the city has a "tremendous" police department that does great community outreach, with a lot of residents getting to interact with officers. He asked what the Chief sees in the future for the department gain more interaction in the community through outreach programs that the city would benefit from. **Chief Conley** noted every day every patrol officer should engage in the community in a nonconfrontational way; walking routes is always popular. Evidence is that walking routes doesn't deter crime but makes people feel safe and allows for the development of develop relationships and trust. Officers should get out of their car and engage people. He conveyed, which the department does encourage, he noted. In law enforcement circles, the men and women of this department have an excellent reputation for doing proactive progressive things in the community; he pointed out, and touched on the balance to make officers comfortable to make these types of contacts.

**Councilor Cox** asked about training, again highlighting the MRI report, saying that lack of training prompted the department's withdrawal from the Cape Ann Response Team which she cited as beneficial to the city. She asked if the Chief sees a reengagement of that program. She also noted that there used to be auxiliary police officers with the department, expressing her opinion that there was a benefit in having those officers trained available. As to enforcement, she pointed out that there are people willing to spend the day on Good Harbor Beach to remind beachgoers of the regulations and that uniformed authority goes a long way. She asked for the Chief's thoughts on civilian dispatchers which were highly recommended in the report but the department advocated against it. **Chief Conley** noted he's heard about CERT teams, and spoke to utilization of civilian trained personnel, especially when their own emergency personnel are overwhelmed. He advised he would speak to Fire Chief Eric Smith on such matters, but cautioned there is associated liability. Cape Ann is isolated, he pointed out, and as part of NEMLEC, and they can call in help as needed, boots on the ground. In terms of auxiliary officers, in Manchester auxiliary officers are strictly volunteer trained on pepper spray and have no authority to make arrests or carry a firearm -- to be able to make arrests and carry a firearm they'd have to be academy trained as regular police officers. He conveyed he's not totally against a program of that nature although saying it would have to be limited. In terms of emergency volunteers there is potential and reiterated he'd talk to the Fire Chief to gain his insights.

**Councilor Memhard** noted that Gloucester is a high profile community for some of the right reasons, noting that the former Police Chief was a recognized national leader with the Angel Program and then terminated for cause by the Mayor. He referenced that fallout for the city which is still dealing with unresolved issues from that situation which he suggested placed Chief Conley in a difficult situation coming into the community. He asked the Chief how he would turn this situation around. **Chief Conley** responded he came from Chelsea, a city that was in receivership when he joined that police department and had its city government dissolved, and had a front row seat how that city came out of that situation. He advised he was briefed on what happened surrounding the issue the Councilor raised. Moving out of something like that, the department may still unfairly carry some reputation in outside circles. He conveyed it is about getting the right people to move forward on the right mission with the right values.

**Councilor Cox** asked how he'd handle officer complaints about fellow officers. **Chief Conley** noted in Chelsea they average 30 investigations a year from a simple complaint to handling officer suicide, long-term suspensions and last chance agreements. Out of all those things they were in civil service one time, he pointed out. He and the Chief spent many years as union presidents, and took that knowledge in negotiation and understanding the other side to become better negotiators for resolution in most cases. He conveyed where he found discipline goes wrong is when it's dealt out unfairly or one way to one person and one way differently to another. He noted

he'd had to accept a forced resignation from one of his officers who violated a public trust. That investigation was handled no differently than one that occurred a few months prior for rudeness -- it is "going by the numbers." He pointed out that in the end most mistakes officers make that may subject those to some type of disciplinary action are not so serious as to cause someone to lose their job. He highlighted that the challenge is to hold someone accountable for what they did; get them to see the error of their ways; hold them accountable to see the error they've made and then drop it and bring them back into the organization because they'll be officers for the next 20 years and you don't want to lose them. You want to make them a better officer and "bring them back into the fold" he advised, and assured that there is a way to do that.

**Councilor Memhard** thanked Chief Conley, expressing appreciation for his answers saying he could see why the Mayor chose him. He cited the city's hardening of school security, and the issues that transpired at the Sawyer Free Library, a problem solved through proactive steps such as placing retired police officers on site at the library in order to allow librarians to go back to being librarians. He asked for the Chief's broad perspective on public safety so that citizens feel safe in public buildings in the community. **Chief Conley** advised success or failure relies on the team. When talking about school shooting training, if they're not getting buy in from the teachers or do too much training and scare parents, it fails. A Chief needs the backing of a team to do that, he pointed out, and is what he'd rely on to make those decisions. Public safety is the No. 1 job he has, he pointed out.

**Chief Conley** then expressed his appreciation to be able to explain his policing philosophy. He puts what he says in writing, he noted. He advised he looked forward to this experience as a first step, saying that he is truly accessible. He conveyed he would rather hear from the Councilors personally especially early on.

**Councilor LeBlanc** moved and **Councilor Memhard**, seconded, that the City Council confirm the appointment of Edward G. Conley, III Police Chief for a contracted term of five (5) years, commencing April 1, 2019 through March 30, 2024 pursuant to Gloucester Code of Ordinances Chapter 17 "Police" Article II. "Police Department" Sec. 17-16 and City Charter Sections 2-10 and 3-3.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Memhard, the City Council voted 9 in favor, 0 opposed, to confirm the appointment of Edward G. Conley, III Police Chief for a contracted term of five (five) years, commencing April 1, 2019 through March 30, 2024 pursuant to Gloucester Code of Ordinances Chapter 17 "Police" Article II. "Police Department" Sec. 17-16 and City Charter Sections 2-10 and 3-3.**

## **2. Funding of Police Chief's Contract**

**Jim Destino**, CAO, responding to **Council President Lundberg's** inquiry about the Council voting for a five-year contract, reviewed he had previously explained to the Council that it is the end of the fiscal year and that the Administration would fund Chief Conley's salary with FY19 money. He suggested that if a Council made a motion for funding through the FY19 police budget it would be in order if the Council wished.

**Councilor Cox** advised that a vote wasn't necessary for the Budget & Finance Committee to make a motion if there is enough funding in the FY19 budget to cover the Chief's salary before the next fiscal year.

**Council President Lundberg** conveyed they'd tried to broadcast widely for resident questions but only one was received which was about the contract term of five years. **Mr. Destino** conveyed that the five-year contract was about stability for the city, the Department, and for the Chief. Not all candidates deserve or require a five-year contract but this candidate does, he pointed out, highlighting that Manchester also had a five-year deal.

**Councilor Cox** offered her thanks to Interim Police Chief John McCarthy for all he's done for the city.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:11 p.m.**

**Respectfully submitted,**

*Dana C. Jorgensson*  
**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:** None.