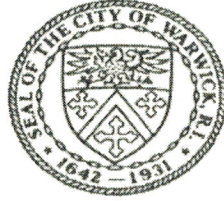


CITY OF WARWICK

LESLIE WALASKA BAXTER
Chairwoman

JAMES PAOLUCCI
Vice-Chairman

THOMAS P. MCGOVERN
Clerk



BOARD OF PUBLIC SAFETY
Warwick, Rhode Island 02886

POLICE DEPARTMENT
99 Veterans Memorial Drive
401-468-4200

FIRE DEPARTMENT
111 Veterans Memorial Drive
401-468-4000

POLICE DEPARTMENT – REGULAR SESSION

BOARD OF PUBLIC SAFETY ROOM
WARWICK POLICE HEADQUARTERS

Tuesday, March 8, 2016

MINUTES

At 7:15 p.m. the Board of Public Safety opened its regular session for Tuesday, March 8, 2016. Present were Colonel Stephen McCartney, Chairwoman Leslie Walaska Baxter, Vice Chairman James Paolucci, Clerk Thomas McGovern, Assistant Solicitor Diana Pearson, and Recording Secretary Lisa Ferolito.

1. The minutes of the Board of Public Safety meeting held on Tuesday, February 23, 2016, to be submitted for approval.

ACTION: Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

2. Colonel Stephen M. McCartney to recommend transfers and reassignments.

Officer Brian W. Fontaine reassigned from the Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

Officer Ryan B. Lancaster from the Third Platoon, Uniform Patrol Division to the Second Platoon, Uniform Patrol Division.

Officer Stephen J. Major from the Second Platoon, Uniform Patrol Division to the First Platoon, Uniform Patrol Division.

ACTION: Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

3. Colonel Stephen M. McCartney to recommend retirements.

Officer William E. DiGuilio submitted his letter of intent to resign from the Warwick Police Department, effective Friday, April 29, 2016 with a pension rate of 36.014. Officer DiGuilio was sworn in as a member of the police department on Sunday, December 2, 2001 and will have served the department over 14 years. His last physical working day was February 9, 2016.

ACTION: Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

Captain Joseph C. Coffey submitted his letter of intent to retire from the Warwick Police Department, effective Tuesday, May 17, 2016 with a pension rate of 50.827 percent. Captain Coffey was sworn in as a member of the police department on Sunday, December 17, 1995 and will have served the department over 20 years. His last physical working day will be Monday, May 16, 2016.

ACTION: Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

LICENSES AND PERMITS

Chairwoman Baxter: I move that the previous closed session of the Board of Public Safety remain closed pursuant to the exception provision 42-46-5 (a) (1) of the Open Meetings Law.

Vice Chairman Paolucci seconded the motion.

Chairwoman Baxter, Vice Chair Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

Chairwoman Baxter moved to go into closed session pursuant to the exception provision 42-46-5 (a) (1) of the Open Meetings Law.

Vice Chairman Paolucci seconded the motion.

Chairwoman Baxter, Vice Chair Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

At 7:23 p.m., the Board entered into Executive Session.

At 7:30 p.m., the Board returned to Regular Session.

4. Request for Weapons Carry Permit (New) – EXECUTIVE SESSION

ACTION: Chairwoman Baxter made a motion to approve. Clerk McGovern seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

5. Second Class Victualer (New) – Location Change Demo's Pizza Factory, Inc.
d/b/a Demo's Pizza Factory
1686 West Shore Road

ACTION: Colonel McCartney recommended approval pending building, city taxes, and Rhode Island Health Department approval. Chairwoman Baxter made a motion to approve pending building, city taxes, and Rhode Island Health Department approval. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

6. Second Class Victualer – Midnight (New) Patrick Johnson
Scripts Café
300 Centerville Road, Suite #104 West

ACTION: Colonel McCartney recommended approval pending building, city, and state taxes. Chairwoman Baxter made a motion to approve pending building, city, and state taxes. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

7. Holiday Sales (New) Autozone, Inc.
d/b/a Autozone #3208
781 Warwick Avenue

ACTION: Colonel McCartney recommended approval pending building, city, and state taxes. Chairwoman Baxter made a motion to approve pending building, city, and state taxes. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

8. Live Entertainment (Outside) Forge Road Caterer
d/b/a Chiantis Italian Cuisine / The Trap
195 Old Forge Road
Wednesday, Friday, Saturday, Sunday
12:00 p.m. to 12:00 a.m.

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

9. Outside Seating

County Cork Irish Pub
50 Waterfront Drive
March 17, 2016 – 10:00 a.m. to 12:00 p.m.

ACTION: Colonel McCartney recommended approval pending building and fire. Chairwoman Baxter made a motion to approve pending building and fire. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

10. Outside Seating

Rocky Point Clam Shack
1689 Post Road
March 1, 2016 to January 1, 2017

ACTION: Colonel McCartney recommended approval pending building and fire. Chairwoman Baxter made a motion to approve pending building and fire. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

11. Game of Chance/Raffle

Kevin LeMay
St. Kevin's School
Event to be held at St. Kevin's School
39 Cathedral Road
April 1, 2016

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

12. Game of Chance/Raffle

Amy Ventura
Technology for Autism Now
To be held at Oakland Beach Fireman's Hall
645 Oakland Beach Avenue
March 18, 2016

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

13. Game of Chance/Raffle

Gregory W. Gammell
Rhode Island College
Event to be held at Valley Country Club
March 4, 2016

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

14. Game of Chance/Raffle
- Linda Grausgruber
CCRI Emergency/Homeland Security Club
Event to be held at the CCRI Campus
400 East Avenue
March 14, 2016 to March 16, 2016

ACTION: Colonel McCartney recommended approval pending Rhode Island State Police approval. Chairwoman Baxter made a motion to approve pending Rhode Island State Police approval. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

15. Game of Chance/Raffle
- Daniel E. Rooney
Gaspee Day Committee
Event to be held at Pawtuxet Park
2 East View Street
June 12, 2016

ACTION: Colonel McCartney recommended approval pending Rhode Island State Police approval. Chairwoman Baxter made a motion to approve pending Rhode Island State Police approval. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

16. Game of Chance/Raffle
- Reverend Roger Gagne
St. Peter's Church
Event to be held at St. Peter's School
120 Mayfair Road
May 1, 2016 – May 31, 2016

ACTION: Colonel McCartney recommended approval pending Rhode Island State Police approval. Chairwoman Baxter made a motion to approve pending Rhode Island State Police approval. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

17. Peddler – Citywide (New)
- Antoinette Andersen
d/b/a Wow! Faceart/Party Ninjas
19 Barstow Road

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

18. Food Peddler – Truck (New) Open Season Catering, LLC.
d/b/a Open Season Catering
Food truck in lot of 10 Music Lane

ACTION: Colonel McCartney recommended approval pending fire. Chairwoman Baxter made a motion to approve pending fire. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

19. Parade Antoinette Anderson
Wyman/St. Peter's Schools
Walking Tour of Historic Pawtuxet Village
Starting and ending at Aspray Boat House
May 21, 2016 – 12:00 p.m. to 3:00 p.m.
Rain date – May 22, 2016

ACTION: Colonel McCartney recommended approval pending traffic and Rhode Island Department of Transportation approval. Chairwoman Baxter made a motion to approve pending traffic and Rhode Island Department of Transportation approval. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

20. Parade (19th Annual Earth Day Clean-up) William P. Aldrich
Buckeye Brook Coalition
Starting and ending at old Warwick Avenue
April 23, 2016 – 8:30 a.m. to 12:00 p.m.
Rain date:
April 24, 2016 – 12:30 p.m. to 4:00 p.m.

ACTION: Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

21. Discussion with Mr. Imad Melhem of Sandy Lane Gas & Tobacco regarding his failure to pay the fine ordered on Tuesday, February 9, 2016.

ACTION: Mr. Melhem failed to appear. The Board has decided that, since the fine has been paid, there will be no further action taken.

22. Discussion with Mr. Mohammed Javed of Sam's Food Store, 885 Post Road, regarding his operating without a food license.

Colonel McCartney: Reads the above into the record. At present, he does not have a current or valid Market Registers license required by the Department of Health.

Chairwoman Baxter: Ok, Registers license, ok. How long have you been open?

Mr. Javed: Actually, I've owned this business about ten years. So, I'm the still owner, only the name was changed and there was a little bit of a misunderstanding. I got all of the licenses and I think my account missed this one, because when she logged in it showed there was no license for renewal. So she thought maybe (inaudible). So today I was there (inaudible).

Colonel McCartney: Is that the Market Registers license that you are required to have?

Mr. Javed: Yes it is.

Colonel McCartney: Ok. Did you want to examine it Diana? Make sure everything is in order.

Solicitor Pearson: Ok.

Mr. Javed: So, it's only the name change. All of the licenses are updated and in my name.

Chairwoman Baxter: Ok. So, Diana is everything all set?

Solicitor Pearson: Yup, straight from the Department of Health; previous name and current name of business.

Chairwoman Baxter: Ok, great. So, would Heather need - -

Colonel McCartney [interposing]: Would you make sure that a copy of that, can we make a copy of that so that we can give it to the Licensing Clerk?

Mr. Javed: This copy is for you.

Chairwoman Baxter: Ok, thank you, ok. So, we'll give that to our Licensing Clerk and I think you are all set. I'm very sorry that you had to come in. All right, so there's nothing to vote.

Solicitor Pearson: No.

Chairwoman Baxter: Well there's nothing to vote on. Thank you for coming.

ACTION: No action was necessary.

23. Discussion with Mr. Donat Coutu, Jr. of Donat's Place, 163 Kilvert Street, regarding his operating without a food license.

Colonel McCartney: Colonel McCartney reads the above information into the record. He does not, at least at present, did not have a current or a valid Food Safety Certified Manager license through the Department of Health.

Mr. Coutu: Right. I have the Health license, but I didn't have the safety course, which I'm in the middle of doing as I'm speaking. I've been doing it online, because they didn't have an opening until the 28th. My problem was that I put all of this stuff away. I had a 90 day thing where I was leaving. They were going to knock the building down with a new landlord, and I'm only on 90 days. So, I had all of this stuff packed away and then I'm redoing everything as we speak now. I have a - -

Colonel McCartney [interposing]: Is that the Certified Manager License?

Mr. Coutu: That's what I'm getting, yes.

Colonel McCartney: Oh, you're in the process of getting it, that's just the regular food license?

Mr. Coutu: Yes. That's the Health Department. The other, I'm doing to Dottie Lebeau's Online Food Safety Manager. That's where I'm going through now. I'm not a computer whiz, so it's taking me a long time, but that's who I'm going through; and I'm on there, I left it on there so I can get right back on it.

Clerk McGovern: How long have you been in business?

Mr. Coutu: I've been in business eight years, nine years.

Clerk McGovern: So who was the Safety Manager before?

Mr. Coutu: Me.

Clerk McGovern: So are you reapplying?

Mr. Coutu: Yes, I'm just recertifying.

Clerk McGovern: So you had a license in the past?

Mr. Coutu: Yes, oh I've had everything, yes.

Chairwoman Baxter: Now you said your building was going to get knocked down. Are they still going to knock it down?

Mr. Coutu: Who knows, it's near the airport.

Chairwoman Baxter: Gotcha, ok.

Mr. Coutu: Who knows? I had, the old owner that I had, it was nice and easy. He passed away and his son owns, owns it. He sold it and told me I had only 90 days to get out. The new landlord said I could stay as long as I give him, or he gives me, 90 days to get out. It's right on Kilvert Street near all the airport stuff. He doesn't know what he's doing and I'm stuck in the middle of what to do. I can't sell it because I can't get a lease. You try to do things and it just doesn't work. I'm just trying to make it work for as long as I can.

Chairwoman Baxter: Yeah.

Mr. Coutu: But as long as the license is, I don't mind, you have to do all that stuff.

Chairwoman Baxter: How long until you're done with this course?

Mr. Coutu: From what I'm told, I can finish it tonight and take the test tonight. So, tonight I hope. The latest is tomorrow because if I mess it up.

Clerk McGovern: How long have you been in the process of taking the test?

Mr. Coutu: Since, I talked to Heather Friday, Friday. Trying to get online and trying to get on the Rhode Island Department of Health to find someone. These people here don't have an opening, except for during the day, until the 28th of March, and they do it over at Sandy Lane. But I need it done right away, and they say online. I'm not a person to give out information online, but I have to for these people. But I talked to this gentleman so he gave me how to get right online and how to do it the right way.

Chairwoman Baxter: When is our next meeting?

Recording Secretary Ferolito: March 22nd.

Mr. Coutu: I'll have it before then.

Vice Chairman Paolucci: How long has it been expired on your old license?

Mr. Coutu: On the food safety, two years.

Vice Chairman Paolucci: Two years, you expired for two years now?

Mr. Coutu: And the Health was a year. My license for here, for the City of Warwick, never; but that's because I get that in the mail right in front of me.

Vice Chairman Paolucci: If you have difficulty with your online course there's a company Caster Consulting on Airport Road. He does them on a regular basis.

Mr. Coutu: I saw that, but I can't get back to that.

Vice Chairman Paolucci: Yeah, he does them on a regular basis; so, if you can't get online he goes them weekly.

Mr. Coutu: I saw that once and I tell you I can't figure out how I got to that guy. I thought that these people were the ones on Airport Road, but they're not. But they do things at Knights of Columbus on Sandy Lane. They do courses there, but they only do them during the day. I can't take time out of work to go there, but I can do it online. I'm trying to do it as quick as possible.

Chairwoman Baxter: Do you think by the 22nd that we see proof that he's done, by our next meeting, we're all set.

Mr. Coutu: I'll bring it right to Heather.

Chairwoman Baxter: Yeah, please do that.

Mr. Coutu: Yes, I will.

Chairwoman Baxter: So, what I'll do is I'll make a motion, actually we're just discussing with you so we don't have to make a motion, but if you could get the certificate to Heather and let us know that it's done before our next meeting on the 22nd and Lisa will let us know that we're all squared away. If it's not done by the 22nd I think you'll have to come in again.

Mr. Coutu: It will be, even if I have to take the day off to go to the course I will.

Chairwoman Baxter: I understand that you can't get out of work. Do I have to make a motion?

Solicitor Pearson: You might just want to table tonight to the 22nd. It can be cancelled upon receipt of the certificate.

ACTION: Chairwoman Baxter made a motion to table this item until the next meeting on Tuesday, March 22, 2016, unless the certificate is presented to Licensing before. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

At 7:35 this meeting was closed.



Thomas P. McGovern, Clerk