

CITY OF WARWICK
FRANK J. PICOZZI, MAYOR

CHARLES BENSON
Chairman

MICHAEL GILBERT
Vice Chairman

JAMES PAOLUCCI
Clerk



POLICE DEPARTMENT
99 Veterans Memorial Drive
401-468-4200

FIRE DEPARTMENT
111 Veterans Memorial Drive
401-468-4000

BOARD OF PUBLIC SAFETY
Warwick, Rhode Island 02886

BOARD OF PUBLIC SAFETY
March 28, 2023
6:00 p.m.
BOARD OF PUBLIC SAFETY ROOM
SECOND FLOOR, POLICE HEADQUARTERS

MINUTES

At 6:05 p.m. the Board entered it's regular session for Tuesday, March 28, 2023. Present were Fire Chief Peter McMichael, Assistant Fire Chief Jason Umbenhauer, Colonel Brad Connor, Chairman Charlie Benson, Vice Chairman Mike Gilbert, Clerk Jim Paolucci, Assistant Solicitor Kerry Rafanelli, and Recording Secretary Lisa Ferolito.

1. Call to Order – Board Chairperson
2. Roll Call – See above.

FIRE DEPARTMENT
REGULAR SESSION

1. Fire Chief Peter McMichael to recommend transfers, promotions, and retirements.

Retirement request from Assistant Chief Brian Cobb, effective Sunday, April 2, 2023, at 75.000% under Pension II as specified under the current Collective Bargaining Agreement dated July 1, 2022 to June 30, 2025. Assistant Chief Cobb was appointed to the department on February 2, 1992.

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

Based on the approval of the above retirement request, Chief McMichael recommended the following promotions, effective Sunday, April 2, 2023:

Battalion Chief Alan Gouveia to Assistant Chief.
Captain Michael Scalzo to Battalion Chief
Lieutenant Justin Vail to Captain
Private Randall Hoxie, Jr. to Lieutenant

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

Based on the action taken in executive session, Chief McMichael recommended the following:

Private Brandon Ingegneri to Lieutenant.

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

At 6:05 p.m. the Board entered fire executive session.

At 6:08 p.m. the Board re-entered its fire regular session and recorded the votes.

FIRE DEPARTMENT EXECUTIVE AGENDA

1. The Board of Public Safety will convene into Closed/Executive Session to discuss, take possible action and/or vote pursuant to the relevant requirements of R.I. General Laws § 42-46-5 (a) Subsection (1) matters of personnel – job performance, character, or physical or mental health, regarding: Michael Cabral, hearing on application for disability retirement pension benefits.

ACTION: Chairman Benson made a motion to approve the disability pension. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

POLICE DEPARTMENT REGULAR SESSION AGENDA

Board Business Police Department - Review, Discussion and/or Potential Action
and/or Vote:

1. The minutes of the Board of Public Safety meeting held on Tuesday, March 14, 2023 to be submitted for approval.

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

2. Colonel Bradford E. Connor to recommend appointments, promotions, transfers and reassignments; names to be submitted and discussed at the meeting.

The following took place on Monday, March 27, 2023:

Officer Nelson C. Carreiro was promoted to the rank of Sergeant, effective Tuesday, January 24, 2023.

The following reassignments/transfers took place on Monday, March 27, 2023:

Officer David Babcock from Second Platoon, Uniform Patrol Division to the First Platoon, Uniform Patrol Division.

Officer William F. Spahr from the Third Platoon, Uniform Patrol Division to the First Platoon, Uniform Patrol Division.

Officer Rene Gauthier from the Third Platoon, Uniform Patrol Division to the First Platoon, Uniform Patrol Division.

Officer Zachary J. Coyne from the Third Platoon, Uniform Patrol Division to the First Platoon, Uniform Patrol Division.

Officer Brent W. Giles reassigned from the Third Platoon, Uniform Patrol Division/Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

Officer Charles M. Vella reassigned from the Third Platoon, Uniform Patrol Division/Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

Officer Robert S. Macera reassigned from the Third Platoon, Uniform Patrol Division/Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

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

3. Colonel Braford E. Connor to recommend retirements and resignations; names to be submitted and discussed at the meeting.

ACTION: There were none to discuss this evening, therefore no action was taken.

LICENSES AND PERMITS

All licenses are subject to receipt of all required paperwork, all State and Local permits, and compliance with all stipulations, rules and regulations as required by the Board of Public Safety.

Board of Public Safety

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1. Liquor License (Class F)

Scott Medeiros
Kent County YMCA
900 Centerville Road
May 19, 2023, 5:00 p.m. – 8:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

2. Liquor License (Class F)

Rev. Andrew Messina
Sts. Rose & Clements Parish
111 Long Street, Parish Hall
May 20, 2023, 6:00 p.m. – 9:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

3. Liquor License (Class BV – New)

Blue Mar Restaurant Group, Inc.
d/b/a Top of the Bay
898 Oakland Beach Avenue

Chairman Benson: Mr. Lombardi, did you want to speak? I know - -

Attorney Lombardi [Interposing]: Well, Mr. Chair, to the extent that the Board is already recommending approval, I know that there's an abutter here to object, so - -

Chairman Benson [Interposing]: Oh, there is? Okay.

Attorney Joseph Brennan: Thank you Mr. Chairman. Joseph Brennan; I actually represent Iggy's, the abutting landowner that's across the street. We're here in objection to the application. We have litigation with them that's going on with a separate attorney. Mainly, being over the take out. They installed a take out shop that puts them in violation of the parking ordinances. We don't, in piggy backing off of that, we don't believe that the restaurant has enough parking at all. They actually almost have zero on their lot. They continue to use city open space land for their own parking that's in the back; additionally, on top of that, we know that they have a very high outstanding balance with city taxes, the tangible taxes that are upwards in the tens of thousands of dollars. We just don't feel as though they're acting in good faith from that aspect, and those taxes could be made and paid as time goes on. Additionally, as in representing Iggy's through the years, I know that the city makes them come in full compliance with all their parking needs, with all their building code items, they have to install sprinklers, even for garage areas that aren't even going to have patrons in them. They're currently going through that process. In addition, they had recently done an expansion a few years ago. That exceeding the zoning that they were allowed to do as

well. It just doesn't feel as though, I know that the Board generally grants these subject to those items, which we appreciate. We would like that, if you were to approve, additionally for building and zoning and fire and the city taxes as well, but, because of all those items, we would ask the Board to have them clear up all of those items first before they come back before this Board for the license. I know it's a little backwards, it's not your usual practice, but you would have, I believe and I refer to the Solicitor, I believe you do have that authority to do that in a case like this. That's all we have.

Chairman Benson: First of all, Chief; what's this going to be pending?

Colonel Connor: Building, fire, health and city tax.

Vice Chairman Gilbert: And he's requested now that we consider zoning.

Colonel Connor: I don't know if they've already cleared through zoning yet, or if they would even have to. I don't think it has to be re-zoned.

Attorney Lombardi: If I can be heard.

Chairman Benson: Yes.

Attorney Lombardi: I think we're putting the cart before the horse, respectfully. We're here to get the license issued. I disagree with what my brother had to say about the parking. There is parking, there is on-street parking, there's no zoning issues that are pending before the City of Warwick, and there never have been. Where this dispute started, it started during COVID when my client decided to open up a to go window, and the abutter decided to go to the Superior Court and seek a restraining order. That case is technically pending, and Mr. Hemond is here, who's the lawyer on the other side. But, a consent order was entered in that case. It's effectively done is what it is. What that consent order consisted of was that he refrained from doing things that are not properly zoned, i.e., be a take-out company; and he did that as a response to COVID, and only a response to COVID, to try and survive. So, but from your perspective, in terms of your concern of who this licensee is, you'll see on the new corporation, Elias Farhat, who was Top of the Bay, is still part of this entity; and certainly he has to pay his taxes, certainly he has to do his due diligence on all of those departments, but we're here just to seek the approval of the license, pending all of those. So, I, I, I don't know what the argument is until such time the argument is right for an argument. The other thing that I wanted to point out; I mentioned that there are no parking issues. The expansion was approved by the City of Warwick years ago. But, what you need to know for purposes of this Board, is that this entity, as it exists right now, has had a liquor license there for over 40 years. Of the last 14, my client ran that entity. There's no transformation like the last applicant. It's going to be the same situation. He got into a situation with his partner, there was a legal battle with his partner, he bought out his partner, he's paying the bills that he's obligated to pay pursuant to his Superior Court order, and he has new investors that are here with him that are going to invest the money to make it happen. It's going to be the exact same thing that's been there for the last 14 years. So, he's wiping the slate clean and he's starting a new entity because of the COVID situation. He just couldn't keep his labor force in place while he was

dealing with both the restraining order and an issue involving the COVID situation and the shutdown. Couldn't do it, so he shut down; but he's coming back and he wants to do that and go from there. I don't see any problem.

Chairman Benson: Is that the reason for the new liquor license? Is it technically a new corporation, but the same - -

Attorney Lombardi [Interposing]: It is a new corporation. The old one lapsed and is defunct, but it has its obligations, namely obligations to the City. He owns the real estate in his name. He has that obligation to the real estate taxes. He has no tangible taxes due at this point. He had a water bill that was outstanding before that was threatening a foreclosure, he paid bill; and these investors are going to put him over the top with everything else. Certainly if he can't be zoned in, obviously that's something for the zoning board, zoning official to decide.

Chairman Benson: Right, right.

Mr. Brennan: If I could add to Mr. Lombardi's; he mentioned it's a new business, new corporation, new everything. Parking is a consideration in zoning. He's mentioned on-street parking. The Zoning ordinance is clear and specific that you have to have a certain number of off-street parking spaces on your own lot, and for each use, it depends on the amount of parking spaces and the square footage inside. I don't think that they're even close as to what they're required to have.

Chairman Benson: The parking lot that's, I'm confused because the parking lot that's in - -

Mr. Brennan [Interposing]: That's in the back is owned by the City of Warwick and is zoned as open space.

Attorney Lombardi: Respectfully, that's a problem he has to deal with before the zoning official. It has no bearing here, if it is a problem, if it is a problem.

Chairman Benson: Yeah.

Mr. Elias Farhat: That place has been like that forever, even before I came in. It was Cherrystone's for the longest time. That's how it is. It's been like that. Nothing has changed. It's been the same. We have a great reputation. People like to go there. We've never had any issues with the police or the city or any problems. The only issues we've had is with our, you know, business across the street. He keeps like fighting us for everything, you know, to try to put us down, and I don't think that's a fair thing.

Vice Chairman Gilbert: Counselor, you mentioned the consent order. Do you have a copy of that?

Attorney Lombardi: I do. Unfortunately, I don't have the signature line, but this is the order, and I'm sure Nick would agree that this was the order.

Vice Chairman Gilbert: Do you want to show it to him just to see, or no?

Whispering is heard in the room.

Attorney Lombardi: I have the wrong consent form, I apologize. I apologize. That file is in with the - -

Attorney Nicholas Hemond: Back in, so my name is Nicholas Hemond, I'm not here for that purpose, but I did represent Iggy's in relation to the case that Attorney Lombardi referenced. It wasn't a consent order. It was an order after a hearing on a motion for preliminary injunction that we filed. Mr. Lombardi is correct in that we raised the allegation in relation to parking. The zoning ordinance requires one space per 50 seats, I believe, for, um, for 50 square feet. For a restaurant, it requires double that, for a fast food restaurant. So, when they installed the window, there was a question as to whether or not the zoning ordinance had been suspended in its application by virtue of the various executive orders that had been issued by Governor Raimondo at the time. The court decided that no, the zoning ordinance hadn't been suspended, and that they could not utilize their take out window until such time as they had the appropriate level of parking, which was double that they were required to have as the operation of a restaurant. We had started that case first by filing a complaint with the building official, who did not act on it at the time. So we went to Superior Court because we were trying to compel compliance with the zoning ordinance. It was always our position that there was insufficient parking for the restaurant, let alone if you were going to double that. That issue was not was decided by the court. It was only related to the fast food.

Attorney Lombardi: And Nick is such a reasonable guy, I just assumed it was a consent agreement. I misspoke.

Attorney Hemond: I would have agreed to it.

Chairman Benson: So, the take out window - -

Attorney Lombardi: It's under an injunction. He cannot use it.

Mr. Farhat: We used it just during COVID, we have no intention of using it.

Crosstalk is heard.

Attorney Lombardi: If any condition has to be attached to that, it can be attached to that. He's not using the window. He knew that. In fact, he altered it right after that hearing.

Vice Chairman Gilbert: So is it fair to say that but not for them adding that take out window during COVID, this restaurant has been operating essentially, granted some unpaid taxes, etc. but this restaurant has been operating - -

Attorney Lombardi [Interposing]: Absolutely.

Vice Chairman Gilbert: And that's the way they plan on operating going forward.

Attorney Lombardi: Absolutely.

Chairman Benson: Regarding the zoning. People bring up the zoning all of the time. You know, we get so many people that come here and ask about the zoning and this. We're not the zoning board. I believe, Kerry, it's already been zoned for a restaurant.

Assistant Solicitor Kerry Rafanelli: Yes.

Chairman Benson: So, they've already been through the process. So, there's nothing the Board could do - -

Assistant Solicitor Rafanelli [Interposing]: Not this Board.

Chairman Benson: No. They would have to go to the zoning board to get an injunction, is that correct?

Assistant Solicitor Rafanelli: No. The zoning board to review that its properly zoned.

Attorney Lombardi: He'd have to get a building permit to open. The building official will determine if there's any zoning, zoning obstacles to his opening that door. So, they'll approve the building and they'll approve the zoning.

Chairman Benson: That's what the pending building is.

Attorney Lombardi: Exactly.

Chairman Benson: Okay. Any other questions?

Vice Chairman Gilbert: No. The only other thing that I would point out, and I'm sure, I don't think he'll argue with this, is that both of those restaurants use on-street and public land parking routinely because the cars that are down there using both of those businesses are probably parking down at the sea wall, parking down the side streets, parking along the roadway, once your lot is filled. Is that fair to say?

Attorney Brennan: Yeah, that's fair to say. The only difference is that we actually meet the requirement of off-street parking.

Vice Chairman Gilbert: Understood. I wasn't challenging, I wasn't challenging that.

Attorney Brennan: Yeah, that would be true.

Mr. David Gravino: The issue is um, not so much a restaurant being there, it was discovered when the restaurant did the addition back in, I think it was '88 or '89; the previous owner, not him, they built the building 25 feet back. No one discovered that recently during Crossman's engineering and his survey. Now, their stairs for their back deck come on the property line. So, when Mr. Whitehead presented his parking plan, back in the late '80s, he showed eight spots. But, then when he built the building, you can't get to those spots, never mind get out of the parking lot without crossing city property. That's the problem. It's zoned open space, and you can't use it. Furthermore, the dumpster is on city property, and not enclosed. I mean that's like a zoning issue and stuff.

Vice Chairman Gilbert: Right, but for the purposes of this hearing today with the Board of Public Safety for the liquor license transfer, that's what we're considering right now; and if you take out that window piece out of the mix, we're essentially looking at apples to apples.

Attorney Lombardi: Apples to apples. You're absolutely right, only its not a transfer, it's a new application.

Chairman Benson: Yeah, I mean, as far as; I'm looking at it and you talked about don't give the permit until we get through this. My understanding is they're not supposed to be giving the permit until we have proof that it's gone through all of these things.

Recording Secretary Ferolito: Right.

Chairman Benson: So, based on that; it's going to have to go through building. At that time, if the building comes out there, and with this new knowledge, they say you don't have the parking spots, then they're not going to give them the clearance. So, unfortunately, you know, like I said, the Board can have nothing to do with that. We approve it, if we do approve it, it's approved pending the building, fire, health and city tax. So, we're kind of limited in what we can do one way or the other, and the zoning issues come up all the time. It's become a real problem for us. We've had to get into the mindset that this is what the building inspector is for. So, I don't know if, you know, the City is involved in that, so that's something that goes through them.

Clerk Paolucci: I agree. If you do grant this, that you don't operate without the certificate of occupancy.

Crosstalk is heard.

Mr. Farhat: I have to do it every year for renewal, so it's nothing new. I went and already started the process with the CO and have been in touch with multiple departments. It shouldn't be any problem. The place has not changed anywhere since it closed and reopened. Nothing has changed.

Chairman Benson: I apologize for the beginning. I had come out earlier to find out if people were here for certain things, and I don't think you people were here yet, so I didn't know there was anyone here that was going to speak against it. I apologize for that.

Mr. Gravino: We're not against the restaurant. It's about the parking and the zoning violations.

Chairman Benson: Okay.

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

4. Liquor License (Class BV – Transfer) John Lane
Lakewood Restaurant Holdings, LLC
d/b/a Johnny Boy's
529 Warwick Avenue

Chairman Benson: Chief, do you want to go ahead?

Colonel Connor: Okay. So, um, I'll start with items number 4, 12, 18, and 21. This is a matter regarding Lakewood Restaurant Group, LLC; doing business as Johnny Boy's, 529 Warwick Avenue. Item number 4 is a liquor license, Class BV – Transfer. We recommend approval pending building, fire, health and city tax. Also, the that agenda is live entertainment, outside, for the summer months, live entertainment, inside, for the summer months, as well as outside seating for May through September 30th.

Vice Chairman Gilbert: Is the recommendation the same for all of those items?

Colonel Connor: No, I can go down individually. Item number 12, live entertainment is approval pending building.

Chairman Benson: Why don't we take them one at a time. We'll start with the liquor license transfer. Is there anybody here for - -

John Lane: Yup.

Chairman Benson: You're here to speak on it. You're?

Mr. Carl DeRosa: I'm with her. I'm her husband.

Chairman Benson: Is John Lane here?

Mr. Lane: Yes.

Chairman Benson: Why don't we start with you. Um, what is the plan? We're not quite sure what Johnny Boy's is. Is it going to be the same as it was before?

Mr. Lane: Relatively we want to go for a higher end clientele, we want to be like a new American higher end gastropub. Eddy's was more, I think, of a sports pub, dive bar. We want to go for a higher end clientele and um - -

Chairman Benson: Do you have questions?

Vice Chairman Gilbert: What are the hours of operation going to be?

Mr. Lane: We're not sure on lunch yet, but we would be going either 12:00 to 1:00 a.m. on Saturday and Sunday, and probably 4:00 to 1:00 a.m. on the remaining days.

Chairman Benson: Okay. Currently, they have an outdoor seating section right there.

Mr. Lane: Yes.

Chairman Benson: Do you have any plans to change that area that's there right now?

Mr. Lane: Nothing other than décor.

Chairman Benson: Okay. So it would be the same area, same size?

Mr. Lane: That's correct.

Clerk Paolucci: Can you tell me the seating capacity inside and the outside seating area.

Mr. Lane: I believe it's 90 or in the 90s. They told me it doesn't change the interior capacity right now, because it was just approved for COVID. So, I don't know if that's something in the future that would expand the capacity of the restaurant. That's what I've been told, is that the capacity stays the same, even counting the outside use. You have to split the capacity inside and out.

Clerk Paolucci: What about parking? How many parking spots do you have?

Mr. Lane: There's quite a few. I think there's close to 30, 28.

Chairman Benson: Um, what kind of entertainment do you hope to have?

Mr. Lane: We don't plan on having entertainment on an ongoing basis. We were thinking, well maybe a day or two, Saturday and Sunday early evening; an acoustic band outside. We wanted to get the entertainment license in case for a special events. We wanted to do a DJ inside. Outside would be more like an acoustic afternoon band type thing.

Chairman Benson: Okay. So, are you saying there would be no electronic music outside? It would strictly be acoustic.

Mr. Lane: Yes.

Chairman Benson: Okay. Now when you have it inside, they currently have entertainment there now Chief, is that correct?

Colonel Connor: I do believe so. Inside.

Chairman Benson: What time, if its inside, are the doors closed?

Mr. Lane: Yes. And that would probably be for special events. We just wanted to have the license. I don't believe that we'd do entertainment weekly.

Chairman Benson: Okay. What time would the entertainment be from if you did have it?

Mr. Lane: Most likely be from like 9:00 to 12:00 or 9:00 to 12:30.

Chairman Benson: Okay. Also outside?

Mr. Lane: No.

Chairman Benson: What time would it be outside? What time would you end it?

Mr. Lane: Outside would be more like 4:00 to 8:00 p.m.

Chairman Benson: So are you committing that any entertainment outside would be done by 8:00, to the Board?

Mr. Lane: Sure.

Chairman Benson: You're willing to commit to that tonight?

Mr. Lane: Could we make it 9:00? I think it would be 8:00, but just in case.

Chairman Benson: Okay. But it would be 8:00 or 9:00; it would not be any later?

Mr. Lane: Sunset, or 9:00 p.m., yeah.

Clerk Paolucci: My other question. You're history in the business. Did you work in the industry prior to opening this up?

Mr. Lane: Yes, this is my partner Oscar, he has been in the industry for about 25 years. I've been in the industry, I was in the industry earlier and then I became a financial advisor, and then got back in about eight or nine years ago.

Vice Chairman Gilbert: Do you own any other restaurants or nightclubs?

Mr. Lane: I do.

Vice Chairman Gilbert: Any in the City of Warwick?

Mr. Lane: No.

Vice Chairman Gilbert: Can you tell us where some of those bars and nightclubs might be located?

Mr. Lane: Yeah, we have three bars in Providence, and one in Cranston that I just sold; it was more of a restaurant. A neighborhood feel similar to Eddy's.

Vice Chairman Gilbert: What would you say you'd compare this Johnny Boy's to, as far as something that the Board might recognize for a comparison.

Mr. Lane: I think it will be something new for the City of Providence, for the City of Warwick. We're going to try to be a higher end pub with higher end food. Not just typical wings, chicken fingers, and steak sandwiches. We're going to do a higher end menu with some seafood based oysters and clams casino, things like that. We'll still have the TVs of a sports bar, but not necessarily, the décor will be more upscale than just jerseys on the wall and neons. So, high end sports/American pub.

Vice Chairman Gilbert: Okay.

Chairman Benson: Okay. You two are here to speak.

Mrs. Renee DeRosa: Yeah. We live together at the residence directly; our property lines meet.

Mr. DeRosa: Let me talk for a minute please. Not to cut you off.

Mrs. DeRosa: Okay.

Mr. DeRosa: We're 18 Temple Ave. We're right behind it and we've been there, I believe, 30 years this year. It's been a pretty good 30 years, you know. Small things happen here and there and, you know, you work with the person that owns the place and you resolve it. Since COVID, and we understand everybody was trying to put outdoor things for people so that they don't lose their businesses, great. But, when you stand on your deck and there's everything right in front of you, you know, it's kind of alarming. It's definitely right, it's in my backyard, and it's a little uncomfortable going in our swimming pool, which is right there. We don't complain about nothing, we just, we're nervous about this. That's all. We're nervous.

Chairman Benson: Have you had problem with Eddy's?

Mr. DeRosa: Eddy was a stand up man. Whenever everything ever happened, or fences falling in our yard, he was right there to take care of it. Since his passing, it's been complete terribleness dealing with Bonnie.

Chairman Benson: Okay. They've had music outside?

Mr. DeRosa: She only had it a couple of times when she first re-opened it. It was mostly during the day. It wasn't that bad.

Chairman Benson: Okay. You know, we understand your concerns. Do you have a problem with them setting the time frame that they would have outdoor music at 8:00 or 9:00?

Mrs. DeRosa: If it's, like Bonnie's had in the past, they've had the big speakers out there. It is cumbersome when you're having your own company. If it's acoustics without big speakers, we might even enjoy the music.

Chairman Benson: Right.

Mr. DeRosa: That's the thing. We've lived there for 30 years and I've only been in the place four times, because where I come from that could become very addicting; going into a bar every time after work, so you stay away. They seem like nice guys. Tonight's the first night I met them. From what I know about them, and the research I did, and I only found it out that it was you guys about a week ago, I'm a little excited that it's you.

Mrs. DeRosa: Right.

Mr. DeRosa: Because you do a great job at what you do. So, I feel a little comfortable. It's just that aesthetic part of the whole wall and everything falling into my yard, I don't want my dogs dead, or my grandkids or anything like that; and I think we can make it happen.

Mrs. DeRosa: My major concern was privacy. We've had issues with that; big, big issues. People peering over the fence at us while we're on our deck in our bathing suits with our granddaughter or that kind of thing. It's very unsettling. My other issue is the capacity for the parking lot. In the past, we've had; they fill up my street. I don't know if you're familiar with my street, but it's very narrow. It's not as wide as every other street. I have a three car driveway. If I have a couple of people over and I need them to park in front of my house, nobody else can park on the other side, which the neighbors across the street always fill it up. Then we have nowhere for our company to park. In the past, because there's not enough parking at the bar, they'll park in front of my house. They block driveways, they urinate in my front yard, they've done a lot of things over the years because they're drinking. That's another concern that I have. If you don't have enough parking, I can't even have company come to my house and park in front, because they're your patrons. Some of them, because they're drinking, can be rude, and urinate as I've stated. We've had a safety issue with the wall, because their property is higher than ours. They had to put a wall in the past, a railroad tie wall, which would keep the fence on top between the two properties. We've had people drive through them, not even drinking, just put it in drive instead of reverse,

and drove through into my yard down like that, when my dogs had just come in literally five minutes before hand. That's a concern for me. The wall is also in disrepair, and the previous owner would not repair it. We were in touch with the City, with Aaron, the assistant, Lucille. They've come out many times and they agree that we need the wall, and it's their responsibility, but nobody's done it. Our fence, we keep trying to repair it. It's their fence, but we keep repairing it; replacing pickets, holding it up with boards, because it is a concern, it's a safety issue.

Chairman Benson: Is that something - -

Mr. Lane [Interposing]: Well, to your point, I can see why you would not want people looking in, but we do not want that to be the view for our customers as well, so we'd be happy to put a fence up as high as the City code would allow, or lattice on top of the fence; whatever we need to do. We don't that to be the view of our patio, just like you don't want - -

Mrs. DeRosa [Interposing]: Right, right. Exactly.

Mr. Lane: We also could put some, some type of blocker up there so that if a car hits, it will slow them down.

Mrs. DeRosa: Those are my concerns. If we can work together and figure something out. We're not trying to hurt any business in our state or necessarily next to us. But, just think about, moving forward with the things that you do, that at the end of the day you go home to your neighborhood that probably might be in a cul-de-sac, not next to a bar. Just think about it, if you lived there. They leave and they don't live there, they don't have to deal with it.

Chairman Benson: Could you maybe exchange numbers with them after the meeting?

Mr. Lane: Yeah, and I'm happy to come over after the meeting and just take a look at it and get somebody out there soon.

Vice Chairman Gilbert: Have you ever brought any of the parking concerns to your local council person to take a look at - -

Mrs. DeRosa [Interposing]: No, because we always just tried to be cordial, and - -

Mr. DeRosa [Interposing]: We just rectified it with Eddy's and stuff. It was St. Patrick's Day; it was big over there. Never mind our street, they were taking up five streets.

Chairman Benson: Yeah. There's going to be some situations - -

Mrs. DeRosa [Interposing]: It was when the Harp and Shamrock was there. But it was only like St. Patrick's Day. We don't care about that. One event. But, it is cumbersome when it's - -

Vice Chairman Gilbert [Interposing]: There are a lot of streets throughout the city that are relatively narrow that probably parking should be prohibited on one side. Problem is that it impacts the neighbors that live on both sides, including you. So, you want your company to park in front of your home, but - -

Mrs. DeRosa [Interposing]: And the firetruck can't get down there either. We've seen that.

Vice Chairman Gilbert: That's why I'm asking if you ever brought it up to the City through your council person, and then they would request a traffic study from the police department to take a look at the street, and they may consider making a recommendation to limit parking on one side. Which, because right now it's legal and they can park on both sides, so it's not really the bar's fault or responsibility; and they can't limit people on where they want to park, as long as they're parked legally and not blocking driveways and hydrants.

Chairman Benson: Okay. We're going to start with the liquor license transfer. Sounds like you're willing to work out with stuff, and you might even be in a better position going forward than you are currently.

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

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| 5. | Holiday Sales | Lauren Quick
d/b/a Stay Polished
1159 Main Avenue |
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ACTION: Colonel Connor recommended approval pending building, fire, city and state taxes. Chairman Benson made a motion to approve pending building, fire, city and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

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| 6. | Holiday Sales (New) | Platinum Group, LLC
d/b/a Warwick Mobil
1836 Warwick Avenue |
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ACTION: Colonel Connor recommended approval pending building, fire, city and state taxes, and Rhode Island Department of Health approval. Chairman Benson made a motion to approve pending building, fire, city and state taxes, and Rhode Island Department of Health approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

7. Second Class Victualer (New) Platinum Group, LLC
d/b/a Warwick Mobil
1836 Warwick Avenue

ACTION: Colonel Connor recommended approval pending building, fire, city and state taxes, and Rhode Island Department of Health approval. Chairman Benson made a motion to approve pending building, fire, city and state taxes, and Rhode Island Department of Health approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Benson, and Clerk Paolucci voted in favor of the motion. Motion approved.

8. Second Class Victualer (New) The Patriarch's, LLC
d/b/a The Patriarch's
300 Centerville Road, Suite 104

ACTION: Colonel Connor recommended approval pending city taxes. Chairman Benson made a motion to approve pending city taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

9. Game of Chance/Raffle Tara Cirella
Gianna Cirella Memorial Fund
Goddard Park
May 14, 2023, 8:00 a.m. – 10:00 a.m.

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

10. Live Entertainment (Outside) Matthew McIntosh
Warwick Assembly of God
Hope Day
O'Hara Field
June 3, 2023, 11:00 a.m.

ACTION: Colonel Connor recommended approval pending building and traffic. Chairman Benson made a motion to approve pending building and traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

11. Live Entertainment (Outside)

Derek Gould
Solar Cannabis
65 Meadow Street
March 31, 2023, 11:00 a.m. – 7:00 p.m.

Mr. Derek Gould: That's me.

Chairman Benson: Who are you?

Mr. Gould: I'm with Solar. I run all of our marketing. I'm the one who submitted the application and am working with fire and the building department.

Chairman Benson: Okay, when we got this I checked. This is like the grand opening celebration.

Mr. Gould: Yes, yup.

Chairman Benson: What kind of music are you having?

Mr. Gould: It's [inaudible]. It's going to be acoustic, it's nothing, it's inside the garage.

Chairman Benson: Oh, it's inside.

Mr. Gould: Yes, it's inside the garage. It's 5:00 to 7:00, so it's a hard stop at 7:00.

Chairman Benson: So, it's 11:00 to 7:00?

Mr. Gould: Yes, 11:00 a.m. – 7:00. Yes, sir.

Clerk Paolucci: What are you expecting for a crowd there?

Mr. Gould: Um. You never know. We do have the resources to mitigate any crowd. We do have, I know fire required a certified crowd manager, so we do have one who's an employee of solar that has their crowd management certificate. Issued from two states. So, that was what was required from fire. But, again, we have third party security and inhouse security on site for adequate crowd control and to make sure that ques flow. There's not loitering in the garage. As I provided in our site map overview, there's just going to be a line of people just walking. So, there's no where to watch the live entertainment.

Chairman Benson: I looked to see where this was, because I've seen a lot of traffic problems with the one on Jefferson Boulevard.

Mr. Gould: Sure.

Chairman Benson: You're in an industrial area over there, right, that's all industrial?

Colonel Connor: The old Warwick Paint.

Attorney Hemond: I actually represent Solar as well. I just happen to be here for all of my clients. They're behind the Cumberland Farms in the Warwick Painting building.

Chairman Benson: Okay.

Attorney Hemond: It's zoned industrial. Um, and they are required by DBR to have security at all times already.

Chairman Benson: Right.

Attorney Hemond: The head of Solar's company-wide security, because while this is a new location for them, they originate out of Massachusetts, and so they're one of the most experienced operators in Rhode Island, despite the fact that they've been open for like two days. But, Chief Allen - -

Mr. Gould [Interposing]: Mike Allen.

Attorney Hemond: Is a Chief out of Massachusetts, retired. He runs their security and oversees their security in all locations, so the third party vendor they have; and I also represent that company as well, they are run by a former narcotics detective from Providence, Lou Stravato, and then they work under Chief Allen. So, its about a secure a site as you can get for any operation of any sort.

Chairman Benson: Are you affiliated with the one in Seekonk?

Mr. Gould: Yes.

Chairman Benson: Okay. Because that's right near my office. So, I go to a restaurant over there.

Mr. Gould: Yeah, we just opened our Dartmouth dispensary today too.

Chairman Benson: Yes, I saw that. That's well run over in Seekonk.

Mr. Gould: Thank you.

Vice Chairman Gilbert: So the live entertainment license that's before us tonight is just for the entertainment from 5:00 to 7:00 on the inside portion of the garage?

Mr. Gould: So 11:00 we're going to have vendors inside of the garage, as the site map depicts. That will be 11:00 to 7:00 and then it's clear out hard stop. We're going to commence, obviously, our sales til 9:00, but the event stops at 7:00.

Clerk Paolucci: Neighboring businesses will be able to get in and out of there.

Mr. Gould: Absolutely. There's a lot across that we're not going to utilize, and we've done our neighborly duties just to let everybody know what we're doing.

Chairman Benson: And there's no one here tonight to speak against it, so.

ACTION: Colonel Connor recommended approval pending fire and traffic. Chairman Benson made a motion to approve pending fire and traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

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| 12. | Live Entertainment (Outside) | Lakewood Restaurant Holdings, LLC
d/b/a Johnny Boy's
529 Warwick Avenue
Summer Months, 1:00 p.m. |
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ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

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| 13. | Live Entertainment (Outside) | Glenn Chelo
Chelo's Waterfront Bar & Grill
1 Masthead Drive
Thursday 6:00 p.m. – 10:00 p.m.
Friday 6:00 p.m. – 10:00 p.m.
Saturday 12:00 p.m. – 4:00 p.m.
Saturday 6:00 p.m. – 10:00 p.m.
Sunday 2:00 p.m. – 8:00 p.m.
May 29 – 2:00 p.m. – 6:00 p.m.
July 3 – 2:00 p.m. – 10:00 p.m.
July 4 – 2:00 p.m. – 10:00 p.m.
September 4 – 2:00 p.m. – 6:00 p.m. |
|-----|------------------------------|--|

Attorney Hemond: This is why I'm actually here.

Colonel Connor: Cut it right out. I recommend approval.

Chairman Benson: You don't want to say anything. There's nobody here. I do have to say that we got an email from someone who was unable to attend. It's not actually against it, per se. I would just like to read it so that we have it on the record.

"This message is regarding the agenda for the meeting of the Board of Public Safety on [March 22, 2023] sic which includes Chelo's Waterfront's application for an outdoor entertainment license for the coming season. I am unable to attend this meeting but wish the following messages to be communicated to the Board:

To the Warwick Board of Public Safety:

Unfortunately, I am unable to attend the meeting of the Board on Tuesday, [March 22, 2023] sic. The agenda includes the consideration and vote on the application by Chelo's Waterfront for an outdoor entertainment license for the coming season.

I want to say that I still reside on Seabreeze Lane, in the vicinity of Chelo's restaurant, and thank their management for continued consideration concerning the sound level of the music coming from the waterfront, minimizing any disturbance to residents in the surrounding neighborhoods. As I've mentioned in the past year or two, the sound level has been mostly acceptable, although I notice an increase for a few weekends leading up to, and including, Labor Day weekend. So, I ask management to be aware of the sounds level all the way thought the season.

Thanks very much for your continued consideration and cooperation.

Best regards,

Robe Byrne
20 Seabreeze Lane
Warwick"

Chairman Benson: We weren't on the Board. He was on the Board when there were huge hearings in the past. I know you've done a good job over there with the sound level.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

14. Live Entertainment (Outside)

Holly Weber, Warwick Parks & Rec
Summer Concerts/Food Trucks
June 3 – Rocky Point
July 15 – Rocky Point
July 19 – Pawtuxet Park
July 26 – Norwood Gazebo
August 2 – Conimicut Point

August 12 – City Park
August 16 – Oakland Beach
August 26 – Rocky Point
August 30 – Norwood
September 9 – Rocky Point

ACTION: Colonel Connor recommended approval pending building and traffic. Chairman Benson made a motion to approve pending building and traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

15. Live Entertainment (Outside) Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
May – September, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

16. Live Entertainment (Outside) Matthew McIntosh
Warwick Hope Assembly of God
Hope Day Warwick
O'Hara Field
June 2, 2023, 11:00 a.m.

ACTION: No action was necessary, as this was accidentally put on the agenda twice (see number 10).

17. Live Entertainment (Inside) Rev. Andrew Messina
Sts. Rose & Clements Parish
May 20, 2023, 7:00 p.m.

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

18. Live Entertainment (Inside) Lakewood Restaurant Holdings, LLC
d/b/a Johnny Boy's
529 Warwick Avenue
1:00 p.m.

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

19. Private Detective (New)

Tariq Mahmoud
Insight Service Group
1643 Warwick Avenue, Suite 244

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

20. Outside Seating

Debra Vita
Patrick Seafood
Tommy's Clam Shack
2246 A Warwick Avenue
May 23 – November 23, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

21. Outside Seating

Lakewood Restaurant Holdings, LLC
d/b/a Johnny Boy's
529 Warwick Avenue
May 1 – September 30, 2023

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

22. Outside Seating

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
May – September, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

23. Parade

Michael Donnelly
Saint Gregory the Great Parish
Good Friday Walk
April 7, 2023, 10:30 a.m. – 1:00 p.m.

ACTION: Colonel Connor recommended approval pending traffic. Chairman Benson made a motion to approve pending traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

24. Gaspee Days – 2023

Tina Bingham
Gaspee Days Committee
Arts & Crafts
Narragansett Parkway
May 27-29, 2023, 10:00 a.m. – 5:00 p.m.

ACTION: Colonel Connor recommended approval pending traffic. Chairman Benson made a motion to approve pending traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

25. Block Party (Gaspee Days)

Steve Miller
Gaspee Days Committee
2 East View Street/Pawtuxet Park
May 27, 2023, 6:00 p.m. – 11:00 pm.

ACTION: Colonel Connor recommended approval pending building, traffic, and parks and recreation approval. Chairman Benson made a motion to approve pending building, traffic, and parks and recreation approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

26. Parade (Gaspee Days)

Tina Bingham
Gaspee Days Committee
Foot Race
June 10, 2023, 9:30 a.m. – 10:30 a.m.

ACTION: Colonel Connor recommended approval pending traffic. Chairman Benson made a motion to approve pending traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

27. Parade (Gaspee Days)

Tina Bingham
Gaspee Days Committee
Parade
June 10, 2023, 8:00 a.m. – 2:00 p.m.

ACTION: Colonel Connor recommended approval pending traffic. Chairman Benson made a motion to approve pending traffic. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

28. Rooming House (New)

Jacqueline Alger
d/b/a Jacqueline Alger
3299 Post Road

Colonel Connor: Ms. Alger is here for the rooming house at 3299 Post Road. The Department recommends approval pending building, fire, city and state tax.

Chairman Benson: What is that rooming house?

Ms. Alger: Well, it's been a rooming house above the Chinese restaurant. I didn't know I was supposed to come here. I recently divorced. Part of the divorce says we have to sell. When the realtor gave me the form to fill out as to how many legal units, I went, I never thought to ask. So, I submitted a zoning certificate. Low and behold, they had no record of it. So, then I went to the census bureau to figure out how long it's been like this. So I had a census information from 1920 that showed, had Mr. Coutu, who owned it, had nine children and eight roomers at the time up there. So, I went through zoning and they agreed, yes, it's always been a rooming house. But, because it's been like that forever, and even the City didn't know the rules, when we put in a new fire alarm system, I had disclosed what it was and no one said by the way, you're supposed to do this in front of the Board.

Chairman Benson: Are they apartments? Is that what it is?

Ms. Alger: No, um, it's just rooms. Single room occupancy units, that's technically what they are. Shared bathroom setting. There's no common kitchen. Each room has a refrigerator, bed, chest of drawers. They can have a microwave and a coffee pot, and that's about it.

Chairman Benson: So, you're here to basically get - -

Ms. Alger [Interposing]: I'm officially trying to straighten it out.

Chairman Benson: Okay.

ACTION: Colonel Connor recommended approval pending building, fire, city and state taxes. Chairman Benson made a motion to approve pending building, fire, city and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

29. General Peddler (Citywide) Keystone Novelties, LLC
5800 Post Road

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

30. General Peddler (Citywide) Keystone Novelties, LLC
2677 West Shore Road

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

31. Discussion regarding bringing establishments before the Board for various issues.

Chairman Benson: That was, I think at my request. We had the situation before, and in order to discuss it, it needed to be on the agenda? How do you guys feel about when we have someone that's blatantly not listening. In this case, we had sent them letters, certified letters, emails, and the police went out there. They didn't respond, and I think we were going to fine them. We asked them to come back and they filed the proper stuff so we just knocked them off the agenda. I'm wondering if we should force them to attend in a situation. We can take it on a case by case basis, depending on how it is. My feeling was they should have come before us to explain why they never responded. It was kind of a slap in the face to the Board, I thought.

Clerk Paolucci: That's why I mentioned to this gentleman here to make sure he has a CO before you open. [Inaudible] they're getting close and they open up and we find out six months later that they don't have the CO. I don't know, when the paperwork initially goes out, does it state that operating without a CO you face some type of fine or some type of penalties?

Vice Chairman Gilbert: In that case you were talking about, I think it was some sort of the grow operation.

Chairman Benson: No, that wasn't the grow operation.

Recording Secretary Ferolito: It was the Kaloo Market.

Chairman Benson: Yeah, Kaloo Market. The grow operation was a separate thing. That was a situation that was kind of confusing. I guess they had it and we didn't know about it, so we had, I think in that case we had told them if you're all set you don't have to come back. But, if you don't have it, then we're going to fine you. This market one was a little different situation. That was the one where they didn't have the certificate of occupancy, they were sent not only notifications, but the police went out there, and they never responded.

Vice Chairman Gilbert: I would agree that they should come before the Board, even if it's just to show that they've rectified the situation. The goal, obviously, is to get them in compliance.

Chairman Benson: Right.

Vice Chairman Gilbert: So, if they've rectified everything, however, if they were out of compliance and that came before the Board previously, obviously fines should be discussed, and they should have to come back before the Board and show what they did and explain. I would agree.

Clerk Paolucci: I think so. If time lapsed and they didn't do anything - -

Chairman Benson [Interposing]: Obviously, we can take it on a case by case basis. I just thought that one right there was something that, um, I would have liked them to explain why did you not respond to anything? That, in my mind, could have set up fines for that period.

Vice Chairman Gilbert: Absolutely.

Chairman Benson: All right, so we're in agreement. We don't have to vote on this. We'll have to send the letter that we send to them to read that even if they're in compliance with it they'll have to show up that night to explain to use why you never responded.

Clerk Paolucci: Will a letter go out tonight, for example, if we approve pending building, fire, city taxes; a letter goes out to them that your application was approved pending building, city - -

Recording Secretary Ferolito [Interposing]: That doesn't happen.

Clerk Paolucci: It doesn't happen like that?

Recording Secretary Ferolito: No, it's just done with licensing.

Clerk Paolucci: Or opening prior to that will result in - -

Recording Secretary Ferolito [Interposing]: Yeah, no. I don't send letters. That would be tedious, I would think.

Clerk Paolucci: How do they find out that they've gone through?

Recording Secretary Ferolito: They did it with licensing. Everything is done through licensing.

Clerk Paolucci: How do they notify them then? Do they just notify them verbally. They don't send out an email and a letter?

Recording Secretary Ferolito: I don't know how she does it.

Clerk Paolucci: If it was something in writing, then we could state that opening prior to obtaining these will result in um - -

Recording Secretary Ferolito [Interposing]: Yeah, I'm not sure how she does it. I think once they fulfill everything, she gives them the license.

Vice Chairman Gilbert: Right, she's holding the license. So, until they show all of those boxes are checked, she doesn't issue the license.

Chairman Benson: Well when we do have a situation, like in that case where they tried to notify them, that's not so much the important thing. When we made that decision and said we need to send a letter out to them saying they will be fined, then that letter is specific, right?

Recording Secretary Ferolito: Right.

Chairman Benson: So I think that's what you're asking for, it's the second time around.

Clerk Paolucci: Yeah, well even the first time, so they know what's coming. Just like the hotel. When the man was operating the hotel without a CO. There were people staying there. Before that happened, we approved it pending fire, and fire had not been out there.

Colonel Connor: I think when they come for their license, um, Heather will tell them you're applying for your license, okay; you're only going to get it once you satisfy all of these other things. She's the one who puts all of this on here. She tells them at the time. She doesn't hand it to them until they come in and fulfill everything. So, they know about it. It's not like they don't know.

ACTION: No action was necessary. This was for discussion only.

At 7:07 p.m., the Board entered into executive session.

At 7:20 p.m., the Board closed its executive session, sealed the minutes, and read the votes into the record.

**POLICE DEPARTMENT
EXECUTIVE SESSION AGENDA**

1. Board Business - Review, Discussion and/or Potential Action and/or Vote; Possible Motion(s) to convene into Closed/Executive Session; The Board of Public Safety may convene into Closed / Executive Session to discuss, take possible action, and/or vote pursuant to the relevant requirements of R.I. General Laws § 42-46-5(a) Subsection (3) regarding matters of security – Applications pursuant to R.I. General Laws § 11-47-11 and City of Warwick Ordinance Article IV, Division 1, Sec. 6-72: Concealed Carry Weapon Permit. Discussion and/or Potential Action and/or Vote from Executive Session concerning the following Applications:

- a. Applicant 1 – Request for Weapons Carry Permit (**NEW - EXECUTIVE**)

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

- b. Applicant 2 – Request for Weapons Carry Permit (**RENEWAL - EXECUTIVE**)

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

- c. Applicant 3 – Request for Weapons Carry Permit (**RENEWAL - EXECUTIVE**)

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

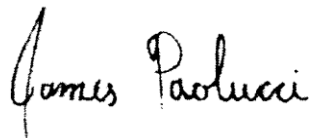
- d. Applicant 4 – Request for Weapons Carry Permit (**NEW - EXECUTIVE**)

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

- e. Applicant 5 – Request for Weapons Carry Permit (**NEW - EXECUTIVE**)

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

At 7:21 p.m. this meeting was adjourned.

A handwritten signature in black ink that reads "James Paolucci". The signature is written in a cursive style with a large initial "J" and "P".

James Paolucci, Clerk