

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
July 10, 2023
BOARD OF PUBLIC SAFETY ROOM
SECOND FLOOR, POLICE HEADQUARTERS

MINUTES

At 6:09 p.m., the Board of Public Safety opened its Regular Session for Monday, July 10, 2023. Present were Deputy Chief Michael Lima, Fire Chief Peter McMichael, Chairman Charlie Benson, Vice Chairman Mike Gilbert, Clerk Jim Paolucci, Assistant Solicitor Wyatt Brochu, and Recording Secretary Lisa Ferolito.

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

At 6:10 p.m. the Board opened its Regular Fire Session.

FIRE DEPARTMENT
REGULAR SESSION

1. The fire session minutes of the Board of Public Safety meeting held on Tuesday, June 27, 2023 to be submitted for approval.

ACTION: No action was taken, as there were no minutes to approve from the previous meeting.

2. Fire Chief Peter McMichael recommended the following promotion, effective Sunday, August 6, 2023:

Rescue Lieutenant Andrew Rushton to Rescue Captain.

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 6:45p.m., the Board entered into Fire Executive session.

At 6:54p.m., the Board closed the Fire Executive session, sealed the minutes and read the votes into the record.

FIRE DEPARTMENT EXECUTIVE SESSION

1. 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 (1) matters of personnel - job performance, character, or physical or mental health, regarding: Joseph Simas, application for disability retirement pension benefits. Discussion and/or Potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning Joseph Simas, application for disability retirement pension benefits.

ACTION: Chairman Benson made a motion to continue this item until the August 15, 2023 meeting. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

2. 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 (1) matters of personnel - job performance, character, or physical or mental health, regarding: Thomas Geremia, application for disability retirement pension benefits. Discussion and/or Potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning Thomas Geremia, application for disability retirement pension benefits.

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.

POLICE DEPARTMENT REGULAR SESSION

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

1. The police session minutes of the Board of Public Safety meeting held on Tuesday, June 27, 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. Commander Michael Lima to recommend appointments, promotions, transfers and reassignments; names to be submitted and discussed at the meeting.

ACTION: No action was taken, as there were none to discuss this evening.

3. Commander Michael Lima to recommend retirements and resignations; names to be submitted and discussed at the meeting.

ACTION: No action was taken, as there were none to discuss this evening.

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.

1. Liquor License (Class BV – Transfer)

From: Mizu Warwick, Inc.
d/b/a Mizu
2276 Warwick Avenue

To: New Mizu Japanese Steak House, Inc.
d/b/a Mizu Japanese Steak House Sushi Bar
2276 Warwick Avenue

Commander Lima: There is one objection from Horizon Beverage, in the amount of 436.98.

Chairman Benson: Do we have a copy of the objection?

Recording Secretary Ferolito: No. The Deputy has it.

Chairman Benson: Is this, first of all, is this just a transfer of the license from one owner to another?

Liany Jiang: Yes.

Chairman Benson: Do you know about this balance owed of \$436.98 to Horizon Beverage.

Liany Jiang: That one is actually for June. It's for last month. It's for the previous owner.

Vice Chairman Gilbert: The previous owner?

Liany Jiang: Yes. It's not ours.

Chairman Benson: Okay. It's a problem though. Have they paid it? When do you take over this?

Liany Jiang: July 1st.

Chairman Benson: July 1st?

Liany Jiang: Yes.

Chairman Benson: So you've already taken it over?

Liany Jiang: For the restaurant?

Chairman Benson: Yes.

Liany Jiang: Yes.

Clerk Paolucci: They put a lien on the liquor license until it - -

Liany Jiang: Yeah, the liquor license will come into the building, so we have the liquor license from the previous owner. [Inaudible]

Chairman Benson: Yeah, you're not supposed to use the previous owner's liquor license, for one thing. You need to have your own. So, that is correct. So, right now you're operating kind of illegally, with the liquor license; because you don't have one in your name yet. We're going to have a tough time approving it tonight, because even though this isn't you, in order to transfer that license, we need to have that paid off. They filed an objection to it. They're owed that money. I know it's not you, but the previous owner has to pay them that money before we can really transfer any liquor license.

Liany Jiang: We can call him right now.

Solicitor Brochu: You could approve it based on the condition of that being paid. It doesn't matter who pays it.

Chairman Benson: Oh, okay. All right. We can do this. Legal counsel says we can approve it on the condition that this is paid off, okay. So, if you can't get a hold of them to pay it right away, you may want to pay this and then get the money back from them. It's going to hold up your permit.

Liany Jiang: So we can pay this right now and then the previous owner will pay us for it?

Chairman Benson: Yes, you yourselves can pay this off, but, if we approve this conditionally, the Licensing Division will not give you your license until they get proof that it's been paid off, so.

Vice Chairman Gilbert: It does not have to be paid by you, but it can be paid by you. Legal counsel is saying it doesn't matter who pays that amount - -

Liany Jiang [Interposing] Only.

Vice Chairman Gilbert: But that objection is standing in the way. Meaning that liquor license is not free and clear for us to approve the transfer to you until that amount of money is paid. So, if you call the previous owner, and they agree to pay it immediately, just get proof of that and that's fine. If you can't get a hold of them, or they don't agree to pay it, and you don't want to liquor license to be held up; you can pay that balance and then go after them civilly, however you chose to do that.

Chairman Benson: What I would do. You want to get this paid as soon as possible. So, unless you can get a hold of them and they can get a check. We can get you a copy of this, and I would bring that check to this law office, it's in Warwick. Present it to them, get a receipt saying that you've paid it off, and then bring it over to the Licensing Division so that they can issue you your license. Because right now, what you're doing under the old license is not right. But, um, so when's our next meeting?

Recording Secretary Ferolito: August 15th.

Chairman Benson: Okay. Our next meeting; unfortunately, we only have one a month during the summer, so our next meeting is August 15th. We're going to approve it conditionally, and another condition that I'm going to call for, um and we'll vote on, is that you'll need to show proof of this by that meeting, or we're going to have to revoke the liquor license. That gives you plenty of time to get that paid. But again, if I were you, I'd be down to this law firm with a check tomorrow. So you can bring it over to them and then you're golden.

Liany Jiang: And then we can still get the license?

Chairman Benson: Yeah.

Recording Secretary Ferolito: Do you want me to make a copy of that?

Chairman Benson: Yeah, could you? So, we'll make a copy so you'll know who it is, okay. Again, they're in Warwick, so you can just stop over there and just drop it off. But, do not leave that place, if you bring in a check, do not leave that place until you get, actually if you can get on their letterhead, we have been paid the amount of so and so, you know, and then you'll be golden. But, you've got to get that paid off, because if it's not by the August 15th meeting, you're not going to be able to serve liquor. If you can't serve liquor in the bar, it's not a good thing. Okay? I'm going to make a motion to approve the BV liquor license transfer from Mizu, Warwick, Inc. to the New Mizu Japanese Steakhouse, Inc. pending building, fire, state tax, liquor liability, and under the condition that the lien of \$436.98 is paid off, and proof of that payment is given to the Licensing Division.

Vice Chairman Gilbert: Second.

Chairman Benson: All in favor?

3 Board Members: Aye.

Chairman Benson: Keep in mind, besides that, this is pending building, fire, state tax, and liquor liability. You need to get all that stuff over to them too. It all has to be over to them by the August 15th meeting, or we're going to have to revoke it. So, you're going to have to give us proof that all these things are taken care of or they will not issue you that liquor license.

Liany Jiang: At that place downstairs.

Chairman Benson: Licensing, yeah. First floor. When you walk in, all the way in the corner.

Clerk Paolucci: You need to call the Fire Department for inspection, the building official to inspect the building and then they'll sign off on all of that. Liquor liability insurance; you need to contact your insurance agent to see if they could add that on. Some insurance companies issue a policy for liquor liability, so you'll have to look into that as well.

Liany Jiang: Like other the inspections?

Vice Chairman Gilbert: That's additional. Liquor liability insurance is additional. So, you have to get the building department to do their sign off, the fire department for their safety inspections and sign off, and then you have to prove that you have liquor liability insurance; which I'm sure the previous owner had. Maybe you speak to them to find out which agent or insurance company issued that policy, and you may be able to just have them write the policy for you. It's a separate insurance that you have to have because you're serving liquor. So, it's not just the actual inspection to make sure the building is safe, it's - -

Liany Jiang [Interposing]: Do I need paperwork [inaudible].

Chairman Benson: Yeah, the insurance company will usually send you; if you call the insurance company and say you need liquor liability insurance, they'll send you a binder; which means that this binds the coverage for you. That's good enough right there, before you get the actual policy. So, you could, you can use that. You also have to show from the state that you've satisfied the state tax requirement. So, you've got those four things, plus that. It's over a month, so you should have time to do this stuff.

Vice Chairman Gilbert: Do you want us to write those down for you on this paper?

Liany Jiang: Yes, that would be perfect. Thank you.

Chairman Benson: I would be calling the Fire Department for an inspection, and the Building Department to set up an inspection tomorrow. Explain to them that you came before the Board, you're getting a liquor license transfer, but you need to have an inspection. The building inspector just has to sign off on it. It's not a big deal, the biggest deal is getting them out there to do it. The Fire Department has to come out and do a quick fire inspection. It shouldn't be any problem if your just, you know, it's not a new business, so they've been there before.

Liany Jiang: So I need to make an appointment with all of them to - -

Chairman Benson [Interposing]: Yes. But, if you call them in the morning, they're usually in by 8:00, 8:30. So, just call City Hall, the Building Department and then call the Fire Department, Fire Prevention. Tell them you need to get an inspection for your liquor license.

Gentleman in Audience: They already did the inspections.

Liany Jiang: [Inaudible].

Vice Chairman Gilbert: Right, when you get a liquor license transfer they treat it like it's a brand new business. Even though it's been operating, they still have to come out and do it now. It's new owners; they want to make sure nothing has changed. So, those are the four items, I wrote them down for you.

Liany Jiang: Thank you.

Clerk Paolucci: Just so that you don't waste any time, you might want to check your fire extinguisher tags, make sure they're up to date, and any other safety, fire alarm, that there's a sign off when it was inspected last, so the Fire Department doesn't come down and site you on that. Then they'll leave and you'll have to call them back. Take a look yourself and see if you're up to code on anything that has a tag on it.

Chairman Benson: You're all set.

Liany Jiang: So before August 15th, we finish all this stuff, then we can get our liquor license?

Chairman Benson: Yeah, if you bring all this stuff to the Licensing Division, they'll let Lisa know that they brought in all the stuff. She's going to explain to them that they need to bring in this stuff before they can issue the license. They'll let her know that you brought in everything. Otherwise, you'll have to come back on the 15th. If you can't get that stuff done, you'll need to come back here on the 15th to tell us why it hasn't been done. We don't want to close down businesses.

Liany Jiang: If we get it all done, we can get the liquor license, right?

Chairman Benson: Yes.

Liany Jiang: How long will that take?

Vice Chairman Gilbert: It depends on how quickly you can get all of those things done. If you get all of those things done quickly, then they can issue the license. It's not going to take long on the license. It's going to take longer for you to get all of those things done, then it will issuing the license. We conditionally approved it, as long you get those four items taken care of.

Chairman Benson: If you bring those into the Licensing Division, all the stuff that we've talked about, then they can issue you your license.

Liany Jiang: All right. Just bring all the stuff to downstairs?

Chairman Benson: Yes.

ACTION: Commander Lima recommended approval pending building, fire, state tax, liquor liability insurance, and payment to Horizon Distributors in the sum of \$436.98 by August 15, 2023. Chairman Benson made a motion to approve pending building, fire, state tax, liquor liability insurance, and payment to Horizon Distributors in the sum of \$436.98 by August 15, 2023. 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 A – Transfer)

From: Peoples Liquor Warehouse – Apponaug, Inc.
d/b/a Peoples Liquor Warehouse
1350 Greenwich Avenue

To: PLW – Warwick, Inc.
d/b/a Peoples Liquor Warehouse
1350 Greenwich Avenue

Chairman Benson: Same thing without the lien.

Keith Gillis: Pretty sure.

Chairman Benson: This is just a new owner?

Mr. Gillis: Yup. Management in the store is staying the same. Nothing is changing on that front. Nothing is changing. It's just an asset purchase.

Clerk Paolucci: Same hours of operation?

Mr. Gillis: Yup. Nothing changing with the store at all.

Chairman Benson: Okay.

ACTION: Commander Lima recommended approval pending building, fire, city tax, state tax, and liquor liability insurance. Chairman Benson made a motion to approve pending building, fire, city tax, state tax, and liquor liability insurance. 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 F1)

Melissa Talevi
Light on the Bay
6 Bay Avenue
July 14, 2023, July 29, 2023
5:00 p.m. – 11:00 p.m.

ACTION: Commander Lima 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.

4. Live Entertainment (Inside)

Melissa Talevi
Light on the Bay
6 Bay Avenue
Various Dates in July, 2023

ACTION: Commander Lima 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.

5. Second Class Victualer (New)

Lins Home 1, Inc.
d/b/a Senjoy
400 Warwick Avenue, Unit 22

ACTION: Commander Lima 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.

6. Game of Chance/Raffle

Tamyra Rico
NAFI Connecticut, Inc.
1775 Bald Hill Road
July 11, 2023

ACTION: Commander Lima 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.

7. Private Detective (Renewal)

Timothy Homerston
Taft Services

ACTION: Commander Lima 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.

8. Private Detective (Renewal)

Ivonne Rivas
Insight Service Group, Inc.

ACTION: Commander Lima 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.

9. Private Detective (New)

Maria Londona
Allied Universal Compliance & Investigation

ACTION: Commander Lima 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.

10. Mobile Food Peddler (New)

Richard Clune, Jr.
Sweet Smokin' Pits BBQ, LLC
d/b/a Full House Q

ACTION: Commander Lima 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.

11. Food Peddler (New)

Boru Noodles, LLC
Boru Noodle Bar

ACTION: Commander Lima 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.

12. Peddler (New)

Kevin Wnukowski
Trinity Solar, Inc.

ACTION: Commander Lima 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.

13. Arts Crafts

The Key and Serpent Society
The Day of Witchery
Aspray Boathouse
July 23, 2023

Vendors

Loren May
Johanna Frappier
Anthony Geremia-Smylie

The Veiled Crow
Forest Haunt
Alchemy Works

Kara Andrews
Bettina Benoit
Ryan Holmes
Kathleen Baker
Alisha Ray
Luis Alvarado
Marcio Cardoso
Christina Poulsen
Mercedes Matos
Robbi Packard
Adam Sartwell
Nicole Roderick
Laura Zakroff
Ella Rose
Kim Moore
Auralia Flores
Kat Stanley
Lizzie Havoc

Wicked Skin Body Design
The Queens' Grove
Never Living
Baker's Boffins, Inc.
Silver Moon Alchemy
Neon Forest Design
Midnight, Moonlight & Magick
Wild Luna Alchemy
CedeZ Tarot
The Robin's Nest
Temple of Witchcraft
Black Magik Art & Apothecary
Owlkeyme Arts
Ella Rose
Rezinates by Kim
The Moon & The Muse
West of the Moon
Beach Witch Bars

ACTION: Commander Lima 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. Arts & Crafts

Christina DiLorenzo
Event Coordinator
Ladies' Event
Nylo Hotel
August 6, 2023

Vendors

Keyla Castro
Stefania Orsini
Margaret Reyes
Keera Albergaria
Neli Hession
Cara Rizzoli
Gina Paliotti
Melissa Salvas
Alycia Hatch
Loren Correira
Morgan Falso
Alana Almonte
Jessica Cunningham
Chelsey Labossiere

K Alezandra Designs
The Beading Mama
Margaret Reyes
Linked, LLC
MamaZen Coaching
Sacred Space
Gina Paliotti
Flawless Beauty Salon
Shine the Light Healing & Wellness
Nuture Hollistic Wellness, Inc.
White Dahlia Boutique
Anchored Soul
Wooden Spoon Cookie Co.
Milestone Memories

ACTION: Commander Lima 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.

15. Follow up discussion with Hamdan Ahmed of American Dream Gas, 1015 Sandy Lane, regarding his operating without a certificate of occupancy. Action may be taken.

Commander Lima: This was carried over from the last meeting. He was supposed to show up tonight.

Vice Gilbert: Lisa, do you want to make sure he's not out there? We have a copy of the receipt showing that they applied for a certificate of occupancy with the City, and it looks like they did that on June 29th.

Recording Secretary Ferolito: Nope,

Chairman Benson: And we told him to show up, right?

Recording Secretary Ferolito: Yup. And all we have is the receipt for the CO.

Vice Chairman Gilbert: What are our options here?

Chairman Benson: Well, we could shut him down, right?

Solicitor Brochu: What's holding up the CO?

Vice Chairman Gilbert: We don't know. The only information that we have right now shows that he applied and that he paid the fee. So we don't know. It could be building holding it up, it could be fire holding it up - -

Chairman Benson [Interposing]: That's why we asked him to come back. They've been in operation for two years, three years. Then, they knew about it, because at one point, they were getting ready to do it and then the woman who is his manager who does all this stuff for him got sick and was in the hospital. When she got out she just decided not to do it. So, we cut them a break saying we need you to come back to explain where you are in the process.

Solicitor Brochu: If he doesn't have a CO, he can't be open. That's the bottom line.

Chairman Benson: I mean, we warned him.

Clerk Paolucci: [Inaudible]. They kind of went back and forth and changed their story.

Chairman Benson: Yeah, I know. It was a weird situation to begin with. I'm going to make a motion to - -

Clerk Paolucci [Interposing]: Did they think that the whole building needed it, or they had their CO?

Chairman Benson: That's right. He started talking about all the permits that he had. They had applied for a cigarette permit, and we're saying none of that is meaningful here, that just means you can't sell cigarettes while you're open. So we asked them not only to come and talk to us, but bring all these permits that you're talking about, so we can figure out what's going on.

Solicitor Brochu: Why wouldn't the Building Department take action against them for operating without a CO?

Vice Chairman Gilbert: We're not exactly sure. We weren't exactly sure on this particular night how this even came to light from Licensing. Licensing notified Lisa to bring them in, with no real other context or information. So, we had no - -

Solicitor Brochu [Interposing]: So License does he has that's within our purview?

Chairman Benson: None.

Solicitor Brochu: Why's it here?

Chairman Benson: What's that?

Solicitor Brochu: Why's it here then?

Chairman Benson: Uh, because he's operating without a certificate of occupancy.

Solicitor Brochu: That's a building issue. Building can go violate him. It's not a Licensing issue.

Vice Chairman Gilbert: Again, we had no context, so we had no information.

Solicitor Brochu: Yeah, you know that's like, if the building inspector doesn't issue you a CO, you can't move into the house. If you can't issue a CO on commercial property, you can't have tenants there. But, that's a building issue. That's not our issue.

Vice Chairman Gilbert: So, so do we make a recommendation?

Solicitor Brochu: Does he have licenses with us? I mean - -

Vice Chairman Gilbert [Interposing]: He must, he must have a - -

Recording Secretary Ferolito [Interposing]: He must have a second class victualer or something like that. Holiday sales.

Vice Chairman Gilbert: Right, he must have retail licenses with us, I would imagine.

Chairman Benson: He didn't have a certificate of occupancy and no sales tax or city tax documentation.

Solicitor Brochu: Right. So his licenses aren't issued yet; or they're revoked, either one. But they never should have been issued if he didn't have that in the first place.

Vice Chairman Gilbert: So, do we order him closed and have him follow up with the Building Department immediately.

Solicitor Brochu: Sure. I mean Building should take action against him, if they're in there without a CO.

Clerk Paolucci: There are fines that can be implemented, albeit from Building.

Solicitor Brochu: Well, he can't be in there. It's not complicated. They can't have the public in there, they can't have workers in there. If there's not a CO, there can not be - -

Vice Chairman Gilbert [Interposing]: There hasn't been a CO. That's this Board's understanding. There hasn't been a CO in almost three years.

Chairman Benson: So, normally, we send a police officer over there after the meeting and he just shuts them down, right?

Clerk Paolucci: That's what we've done in the past.

Solicitor Brochu: You might just want to confirm with Building that they didn't do something with the CO that we didn't know about.

Chairman Benson: Well, that's why we asked him to come back to tell us - -

Solicitor Brochu [Interposing]: I'm just saying it's frustrating because we ought to be getting this from Building, not from the applicant telling us what Building is telling him. Building out to be sending you; it could be an email, I don't care what it is. Hey, this CO is approved. This CO is not approved, because they haven't done A, B, C, D - -

Vice Chairman Gilbert [Interposing]: The letter, the letter here that we got from Heather in Licensing to Lisa says, good morning, can we bring them in, they have not finished the permitting process. Items pending are CO, sales tax, city tax. That's what Licensing sent to Lisa.

Solicitor Brochu: So, the point is that his - -

Chairman Benson [Interposing] The Building Department may not even know anything about this, in all honesty, listening to him the last time. They may have applied for the permit, but not set up

anything with the Building Department. Again, we're flying by the seat of our pants, but we did tell them to come back so that we could understand where they were.

Solicitor Brochu: Whatever licenses he has, you can revoke for not meeting the conditions, and if he doesn't have a CO, then he can't be open.

Clerk Paolucci: So, do they confirm with Building tomorrow? Does Lisa confirm with Building to make sure that they didn't issue anything?

Recording Secretary Ferolito: If you want me to.

Solicitor Brochu: I just know how things work. The stuff that goes on, that again, from my office perspective; you don't have a CO, you can't be open. That doesn't mean that somebody without a CO wasn't told from some city official, well get this is and as long as you get this to me you're all set. See the difference.

Chairman Benson: Yeah, but by the last meeting, those people had no clue of anything that was going on. Nothing. They were telling us about cigarette permits, this and that.

Solicitor Brochu [Interposing]: It was like this last one?

Chairman Benson: Yes. But them for a different reason.

Solicitor Brochu: Right, but it's the same concept.

Chairman Benson: But, I'm sure that those people are going to call and bring down the stuff, verses these other people.

Clerk Paolucci: We were there explaining to them and they had no idea what they needed. As far as this goes, if we talk to Building, they might look and say yeah it's on the schedule for this afternoon. I don't want to shut them down for two hours. I think it's wise to have Building contact them before you have them shut down. Or do you want to shut them down tonight and have them have to deal with it in the morning?

Chairman Benson: Then we have to wait until August.

Clerk Paolucci: Or if they get the paperwork in, you know, pending that CO.

Vice Chairman Gilbert: I mean they've applied. The receipt shows that they've applied. It's in the City portal. It shows that they applied for a CO for licensing purposes as of June 29th. They paid a \$50 fee. Where the status of that goes beyond that proof of payment, we don't know. We have no proof one way or the other. They're not here to update us at our request.

Clerk Paolucci: That's the worst, that they aren't here.

Solicitor Brochu: Again, when you ask me the questions, if they don't have the license, they can't do business. It's simple. Now, is that how everything operates? No. I'm a realist. If they don't have the license, they shouldn't be operating anyways.

Chairman Benson: That's why we gave them a break and said, because we said the next meeting is only two weeks away. You may not be able to get this in time, but you need to come here and explain to us, because what did you do about the city taxes? What did you do about the state tax? It's going to be based on all those things.

Clerk Paolucci: Yeah, let's close him down. We gave him a chance to come back here. I'm okay with closing him down.

Vice Chairman Gilbert: Then if we get notice from Building that they've complied; I mean, is the closure going to remain until the next meeting is the question. Would the closure remain, or close them temporarily until they can provide satisfaction of city and state tax? That's what I would recommend.

Chairman Benson: So, we close them down until they bring all of this stuff into Licensing to show that they're doing this.

Clerk Paolucci: Yeah, whether it's tomorrow, whether it's a week from now, whatever it takes.

Vice Chairman Gilbert: Then it's on them.

Chairman Benson: Yeah, then it's on them.

Vice Chairman Gilbert: They can re-open the next day, as far as I'm concerned, if they took care of the city tax, took care of the state tax, and we have confirmation from Building that their CO, that their inspection has been approved or ordered.

Chairman Benson: Okay.

ACTION: Chairman Benson made a motion to shut this business down, until such time as they can bring in the completed certificate of occupancy, along with proof of state tax and city tax. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

- 16.** Follow up discussion with Bryan Woodward, 1055 Narragansett Parkway, regarding his request for an exception to City Ordinance Chapter 4, Section 11 allowing only 3 dogs per household. Action may be taken.

ACTION: No action was necessary, as Mr. Woodward has moved out of the City, per ACO Razza.

At 6:43 the Board entered into Executive Session.

At 6:54 the Board closed its Executive Session, sealed the minutes, and read the votes.

POLICE DEPARTMENT EXECUTIVE SESSION AGENDA

1. Commander Michael Lima to present Officer William Holz's letter of intent to retire with a service-connected disability pension. Officer Holz was appointed to the Department on Monday, May 29, 2017, and has been out injured since Saturday, February 19, 2022.

ACTION: This item was an FYI only. No action was necessary.

2. 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 (1) matters of personnel regarding: Edward Conway, compliance with disability retirement pension income reporting. Discussion and/or Potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning Edward Conway, compliance with disability retirement pension income reporting. ***Deceased 6/20/2023***

ACTION: No action was taken, as the above mentioned retiree is deceased.

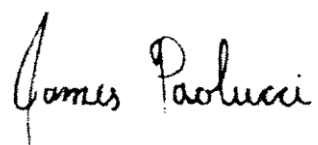
3. The Board of Public Safety may convene into Closed/Executive Session to discuss, take possible action, and/or vote pursuant to the relevant requirements of R.I. General Laws § 42-46-5(a) Subsection (1) matters of personnel regarding: John Soscia, compliance with disability retirement pension income reporting. Discussion and/or Potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning John Soscia, compliance with disability retirement pension income reporting.

ACTION: Chairman Benson made a motion to reduce this pension to 50%. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

4. 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 (1) matters of personnel regarding: Ronald Monahan, compliance with disability retirement pension income reporting. Discussion and/or Potential action, announcement and/or vote(s) from Executive Session and/or Open Session concerning Ronald Monahan, compliance with disability retirement pension income reporting.

ACTION: Chairman Benson made a motion to reduce this pension to 50%. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

At 6:55 p.m. the Board voted to adjourn.

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

James Paolucci, Clerk