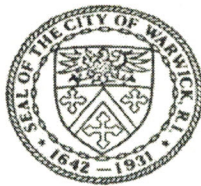


# CITY OF WARWICK

LESLIE WALASKA BAXTER  
Chairwoman

JAMES PAOLUCCI  
Vice-Chairman

THOMAS P. MCGOVERN  
Clerk



BOARD OF PUBLIC SAFETY  
Warwick, Rhode Island 02886

POLICE DEPARTMENT  
99 Veterans Memorial Drive  
401-468-4200

FIRE DEPARTMENT  
111 Veterans Memorial Drive  
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## POLICE DEPARTMENT

BOARD OF PUBLIC SAFETY ROOM  
WARWICK POLICE HEADQUARTERS

Tuesday, October 25, 2016

### MINUTES

At 7:10 p.m. the Board opened its Regular Session for Tuesday, October 25, 2016. Present were Colonel Stephen McCartney, Chairwoman Leslie Walaska Baxter, Vice Chairman James Paolucci, Clerk Thomas McGovern, Assistant Solicitor Diana Pearson, and Recording Secretary Lisa Ferolito.

1. The minutes of the Board of Public Safety meeting held on Tuesday, October 4, 2016, were submitted for approval.

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

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

**ACTION:** There were no transfers or reassignments to report at this meeting.

3. Colonel Stephen M. McCartney to recommend retirements.

**ACTION:** There were no retirements to report at this meeting.

## **LICENSES AND PERMITS**

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

Vice Chairman Paolucci seconded the motion.

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

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

Vice Chairman Paolucci seconded the motion.

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

At 7:45 p.m., the Board entered into Executive Session.

At 7:50 p.m., the Board returned to Regular Session.

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

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

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

Vice Chairman Paolucci seconded the motion.

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

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

Vice Chairman Paolucci seconded the motion.

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

At 7:52 p.m., the Board entered into Executive Session.

At 7:55 p.m., the Board returned to Regular Session.

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

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

6. Liquor License (Class F)

Jennifer Paine  
Event held at Aspray Boathouse  
October 15, 2016  
12:00 p.m. – 5:00 p.m.

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

7. Liquor License (Class F)

Beecher Leonard-Fritzmeier  
Event to be held at Aspray Boathouse  
October 29, 2016  
12:00 p.m. – 6:00 p.m.

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

8. Liquor License (Class F)

Christen Smith  
Kent Hospital  
Event held at Kent Doctor's Auditorium  
October 25, 2016  
5:00 p.m. – 6:30 p.m.

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

9. Liquor License (Class F)

Gina Carruolo  
St. Kevin School  
Fall Fest to be held at the school  
November 4, 2016, 6:00 p.m. – 11:00 p.m.



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

10. Liquor License (Class F)

Leah Watson  
Event to be held at Aspray Boathouse  
November 19, 2016  
4:00 p.m. – 8:00 p.m.

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

11. Liquor License Transfer (Class BL)  
\*\*\*Location Change\*\*\*

Filippou's Twisted Pizza III, LLC  
d/b/a Filippou's Twisted Pizza III  
1690 West Shore Road

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

12. Liquor License Class BV (Renewal)

Todd Rizzo  
The Office Kitchen & Bar  
1795 Post Road

Chairwoman Baxter: Okay. I'd like to do number 12 first. Do you have anyone here that will be coming for you (to Mr. Todd Rizzo of The Office)?

Mr. Todd Rizzo: No.

Chairwoman Baxter: No, okay. All right, so we're going to do The Office first; and we also have Officer Maggiacomo here, who's been dealing with the neighbors. Chief do you want to intro this?

Colonel McCartney: Yes. Liquor License BV renewal to Mr. Todd Rizzo, The Office Kitchen and Bar of 1795 Post Road, recommending approval pending building, fire, city and state taxes; and there will be discussion, obviously.

Chairwoman Baxter: Okay, who wants to go first? Officer, do you want to speak first, or should we hear what the issues are?

Officer Daniel Maggiacomo: Yeah, we'd probably be better off doing that first.



Chairwoman Baxter: Okay, sir. Would you like to go first and start speaking on behalf of your neighbors?

Attorney Ron Desnoyer: Sure. My name is Attorney Ronald Desnoyer. I'm here on behalf of Miss Kim Ouimette and Adis Pena. I have gone through the minutes of the meetings for the past three meetings, with the exception of July, which we don't have. It appears that there's still a significant issue with parking and debris on the streets. There's also been some disturbances as well. I believe the police were called out this weekend for a disturbance in the neighborhood. It's getting to the point where my client's lives are being severely impacted; especially with the loud noise on the weekends and in terms of the parking. In fact, Miss Pena just lost parking in front of her house on both sides of the street because they put up no parking signs on both sides of Pell to combat this problem, while it seems that all signs on Guilford were taken down. My understanding also is that there is supposed to be cones or barrels placed out on the weekend and they are not being placed out. They were placed out this weekend when the police officers, the sergeant ordered them to be placed out.

Ms. Ouimette is whispering to her lawyer.

Chairwoman Baxter: Wait a minute. Where are the signs missing? Where are you saying they're missing?

Ms. Kim Ouimette: The barrels are missing, but not the actual signs on the wall.

Chairwoman Baxter: So there is no issue with the signs.

Ms. Ouimette: Not the actual no parking signs, no.

Chairwoman Baxter (to Attorney Desnoyer): When did you start looking at this stuff?

Attorney Desnoyer: Today.

Chairwoman Baxter: Today. Okay. Um, all right, Officer Maggiasco; so we're okay with the signs? Obviously the parking signs have been approved by the City Council.

Officer Maggiasco: Correct.

Chairwoman Baxter: Um, I thought I understood that on Guilford it's the north side of the street only.

Officer Maggiasco: Correct.

Chairwoman Baxter: So why are you saying that you lost your parking on both sides of the street.

Ms. Adis Pena: That's on Pell Avenue.

Chairwoman Baxter: You're on Pell?

Ms. Pena: Yes.

Chairwoman Baxter: Okay.

Ms. Pena: There's new signs that were put up today that say no parking on either side.

Chairwoman Baxter: Those were approved by the City Council.

Ms. Pena: Okay.

Chairwoman Baxter: That's, they did a traffic survey - -

Ms. Pena [interposing]: And is it enforceable now?

Chairwoman Baxter: What please?

Ms. Pena: Is it enforceable?

Chairwoman Baxter: Yeah, yeah, you guys wanted no parking and they did it.

Ms. Pena: Yeah, I'm fine. I just wanted to know if we call the cops and there's cars there if they will be tagged or moved.

Chairwoman Baxter: Okay, so Officer, do you want to answer any questions they have about parking?

Officer Maggiacomo: Yeah, so; what I did after we spoke this afternoon; I came in and did some more research about the ongoing calls for service over there. According to our call history and the officers that have been out there, nothing has changed since I went back to the beginning of August. There have been calls for service over there and there have been at least 18 directed patrols just logged by the beat officers themselves. That's not to say any other officers, to include myself, that have also been out to that location; specifically Guilford Avenue, Pell Avenue, and the actual Office Bar & Grill, which Mr. Rizzo will attest to the fact that I have come out there several times to check his parking and to check the condition of the side streets. So what I did was generated calls from Guilford Avenue, no numbers in particular, Pell Avenue and the Office Bar & Grill. There's nothing on these calls for service that jumps out to strike my attention as far as there being a continued problem there, other than the fact that we had the one disturbance, which we talked about, on the 24<sup>th</sup> - -

Chairwoman Baxter [interposing]: And that's of September.

Officer Maggiacomo: Correct. September 24<sup>th</sup>, where several officers from the department had showed up for a disturbance that was in the parking lot, and the officers cleared the call with peace restored; which tells me that there was no reason to complete a police report, even knowing that The Office Bar & Grill has been under the lamp with all that's being going on over there. What type of disturbance I don't know, all if have to do it just go by the call history itself. As far as the parking, I went out there today and actually took some photos of the parking signs. Like we did discuss, the parking signs were passed



by the City Council; and it restricts parking completely from Post Road, 200 feet in to the second telephone pole for both sides of the street. Myself and Adis went out there and we spoke about enforcement efforts, as far as officers showing up. Understand that there was a problem in the past with the parking; however, it's still a discretionary thing with the officers whether or not they're going to issue violations. However, the signs are enforceable and it does restrict parking on both sides of the street now.

Unknown Voice: The barrels?

Colonel McCartney: We will tighten that up.

Officer Maggiacomo: Absolutely. The barrels themselves are still not an enforceable sign by the police officers. That was something that we agreed upon to try and limit the amount of traffic, so those barrels being pulled in and being put back out is just an added measure for The Office to keep their parking off the side streets for patrons that are not aware of the ongoing issues. We said that those signs were stolen or the barrels were stolen.

Mr. Rizzo: Yeah, that's why I took the barrels away, because I assume someone in the neighborhood took the signs off the barrels that we had made. So, there was just barrels there, so I just figured they don't have anything on them - -

Officer Maggiacomo [interposing]: When did you notice that they were gone? And is it possible that the City took those signs?

Mr. Rizzo: About a month ago.

Officer Maggiacomo: Okay.

Mr. Rizzo: And then the sergeant that came Sunday asked me just to put the barrels out just to kind of keep the peace. In fact, he came in the back and saw them with me. He grabbed one and put it on Pell and I put the other one on Guilford just because he had asked me. I mean, we try to do what they tell us to do when they do.

Chairwoman Baxter: I know you said there was a call this weekend; we have a call list here from September 24<sup>th</sup> going back to June 9<sup>th</sup>. I do not have one for this weekend. Four of the calls here are for a door open. I'm assuming the doors are closed now, because it's cold out.

Ms. Pena: No they're not being closed and they are staying open past 9:00 p.m.

Chairwoman Baxter: All right.

Ms. Pena: I feel that on Sunday's the 9:00 p.m. is pretty late, having kids trying to go to sleep early and the noise, even with the door closed the other night; Sunday night I could feel the bass inside my home. I'm the closest to the bar, that's how loud his music was Sunday night.



Mr. Rizzo: We don't have music on Sunday night. It's Sunday night football, and it's just regular TV.

Ms. Pena: Football is over early. He even had a bunch people come out at half-time and there were people tailgating at a car. There were coolers in the car and they were being so loud that I could hear them inside the house. But, he had music later that night.

Chairwoman Baxter: Did you call the police?

Ms. Pena: Yes I did.

Chairwoman Baxter: That was this weekend?

Ms. Pena: Yes.

Chairwoman Baxter: All right. I don't have a call here. I don't have a call sheet for that. I just have the September - -

Ms. Pena [interposing]: Well on Sunday we called. That's when the sergeant came out. He said he was going to do a report.

Officer Maggiacomo: That's this right here.

Chairwoman Baxter: This weekend?

Ms. Ouimette: Friday and Saturday, there were calls on Friday and Sunday this weekend.

Officer Maggiacomo: It was the 23<sup>rd</sup> at 3:20 p.m. Um, so going through this report; and I'm not going to read this verbatim, but there is question at the bottom. We responded there for a parking violation, that's how the report is headed itself, but then it goes on to state that the officers had arrived there and spoke with the owner Danny Prata, which I don't believe is the correct term.

Chairwoman Baxter: No.

Officer Maggiacomo: He talks about the barrels being on Pell Avenue, however they were stolen. He mentions that in the report, but then he goes on to state that the parking signs across from 17 Pell Avenue were removed. I'm assuming the signs went up a couple weeks prior to this, but now we're saying that the signs were removed when the supervisor showed up on Sunday; that the signs weren't there.

Ms. Pena: Yes. The signs weren't there.

Officer Maggiacomo: Okay, so, the signs were erected; when could you say they were put up, maybe the end of August, late September.

Clerk McGovern: Are we talking about the City signs or the barrels?

Officer Maggiacomo: Are we talking about the City signs or the barrels?

Ms. Pena: The City sign just went up today.

Ms. Ouimette: But there was no parking sign that was supposedly not enforceable for the past two months.

Officer Maggiacomo: Okay, where was that sign?

Ms. Ouimette: It was on the second pole on Pell.

Officer Maggiacomo: Which is the one that's still there.

Ms. Ouimette: No, they took it down.

Ms. Pena: No, they took it down and put up a new one.

Officer Maggiacomo: And they put a different up

Ms. Pena: Yeah.

Officer Maggiacomo: What's the differences between the signs?

Ms. Pena: One just said no parking and now they say no parking either side.

Ms. Ouimette: When the officer went to talk to them, you know, he stated that there was allowed parking in the street, so they were told that they could leave them there because those signs were not any good, due to whatever happened in July.

Clerk McGovern: The city ordinance was just passed?

Colonel McCartney: The city ordinance was passed August 15<sup>th</sup>.

Officer Maggiacomo: Yeah, it was passed on the 15<sup>th</sup>. But my only other question to that is that the residents from 17 Pell Avenue stated that they observed a male identified as Prata climbing a ladder and removing a sign with a ratchet.

Chairwoman Baxter: Who is Prata?

Mr. Rizzo: Danny Prata used to own the Prata Bar.

Chairwoman Baxter: Yeah, I know.

Colonel McCartney: Down the street.

Mr. Rizzo: He doesn't have anything to do with us.

Officer Maggiacomo: Okay. So, there's contention on what these signs that were originally posted; the one that you're saying is about 200 feet in from Post, the sign just stated that there was no parking. Now the signs say no parking on either side. Those were specifically put up today?

Ms. Ouimette: Um-hum. When the officers come, and we've been saying this for months now, they have no clue what happens in here. We print out the minutes; they don't want to read the minutes. They say we had one no parking sign on Sunday when the officer came out. He seen it, he took pictures; he said he was going to put it in there, but he was told he couldn't enforce it. He was told on the phone. He called someone and they said that they are not enforceable. This happens all the time. We'd like to, could we just give this to you from July 9<sup>th</sup> and September 16<sup>th</sup>? He had two parties and you can see they were double parked, and we have a police report that says the police officer came out and he said that no vehicles would be able to make it down the street, but they wouldn't tag them. And you can see all of the debris that was left over, and left to curb, but they won't tag. I would really like for you to look at these pictures because they happened in July and September.

Chairwoman Baxter: Okay, the one in July, the signs weren't up yet, right?

Ms. Ouimette: But he still knew that he should come out and clear his area and take care of the neighborhood and keep the peace from June minutes; he was not supposed to be using the parking. On my side of the street there's no parking, and these are from the north side of Guilford Drive left to curb underneath no parking signs. They would not tag them.

Chairwoman Baxter: Colonel, I don't know what to say.

Colonel McCartney: I can't say because those two ordinances which put them in were not done until August 15<sup>th</sup>. So, there couldn't be any enforcement before August 15<sup>th</sup> for any signs that were erected by, per order of the City Council.

Chairwoman Baxter: And do we know exactly when those signs went up?

Colonel McCartney: Not without some research. That's up to DPW, I don't know. All I know is that's when it passed. I'll have to check with the Chief of Staff. That's a DPW thing.

Ms. Ouimette: Thank you.

Chairwoman Baxter: Yeah, we'll look at them.

Ms. Ouimette: One was in September 16<sup>th</sup>. Again, it's when he has the big events. It seems to be a problem when he has the UFC and the fundraisers, for \$20 you can drink all you can drink. There's police reports to go with those pictures.

The board members are looking at the pictures provided by Ms. Ouimette.



Chairwoman Baxter: There's someone parked behind a residential parking only barrel. This is September 16<sup>th</sup>, okay. I mean I see it, and I know the signs are up now.

Ms. Ouimette: That's Guilford. They've always been there.

Clerk McGovern: So I see the barrel. Is the picture intended because it's left to the curb as opposed to past the 200 feet.

Ms. Ouimette: Yes; and there's no parking on that whole side. That's the north side of Guilford Drive. There's actually no parking on that side. So they're left to curb underneath the no parking sign and behind the barrel. But, he never comes out and clears them. They're there all night. We understand people are parked there because he has no parking, but he did that maybe once or twice where he was moving the cars and he never did it again.

Chairwoman Baxter: That's a whole lot of litter.

Ms. Ouimette: Yes, that's a lot of litter. Today, we picked up blunt wrappers. Friday night they had a football game in the parking lot. We had to tell them to stop smoking marijuana out there on just this Friday. There's a police call for that on Friday too.

Chairwoman Baxter: Can I see that report?

Ms. Ouimette: When they came of course they weren't playing football, but this is Friday and Sunday's call log. And those pictures of the debris are the next day, like late in the afternoon.

Officer Maggiacomo: It that the 21<sup>st</sup>?

Chairwoman Baxter: One on the 21<sup>st</sup>, it says, "All quiet, no one playing football". The one on the 23<sup>rd</sup>, Sunday; "Calling party red and black SUV, red jeep, black SUV, parked in posted no parking area in area of The Office;" narrative says cars not parked illegally and the RP was not happy.

Ms. Ouimette: We showed Officer Maggiacomo today the beer cans that are still laying in the field today as we speak. They've been there all week.

Chairwoman Baxter: Have you called RIAC about the lot?

Ms. Ouimette: Yeah, they come and clean it and I could probably get a letter from them to tell you how disgusting, what they pull out. But, it's not their; that's not their garbage. They do clean it. They keep it very well cleaned.

Chairwoman Baxter: Um, Mr. Rizzo, do you send anyone out to pick up the lot, well obviously the lot, but the surrounding - -

Mr. Rizzo [interposing]: Our lot, but no, I mean sometimes; but I'm just looking at these pictures we don't even sell beer in cans. We just sell bottles, we don't have beer cans. I mean I don't know - -

Ms. Pena [interposing]: I found several bottles on my property.

Mr. Rizzo: I was never told to go up and down the street, we can, but we were never told to go up and down the street. I would have no problem doing that.

Ms. Pena: I had to go in. One day, he's knows me; one day I had to go into his business and ask him. Someone took all the trash in their car and dumped it all over from their car and I showed him. He said that's fine, I'll send my dad over. He'll pick it up.

Mr. Rizzo: My dad? I picked up it myself.

Ms. Pena: No, you sent over an older guy.

Mr. Rizzo: I picked it up myself.

Chairwoman Baxter: Did it get picked up?

Ms. Pena: Yes, which is fine.

Chairwoman Baxter: So, are people walking out with any bottles, if she's finding bottles in her lot?

Mr. Rizzo: These pictures here are cans.

Chairwoman Baxter: I know, but she said she had bottles in her lot.

Mr. Rizzo: No, because we have people at the doors. We have security on weekends.

Ms. Ouimette: I have pictures of bottles too; bottles, cans, we get it all.

Chairwoman Baxter: So where are the cans coming from?

Mr. Rizzo: Unless people - -

Ms. Ouimette [interposing]: Because they sit out there and drink and hang out.

Chairwoman Baxter: But he's saying he doesn't sell the cans the plastic bottles of wine.

Mr. Rizzo: No, I don't. So unless people are bringing their own when they come - -

Ms. Ouimette [interposing]: Yeah, that's what they're doing. They're hanging out.

Ms. Pena: Like I said, they were tailgating out of one of the vehicles in the parking lot this weekend for the football game.

Ms. Ouimette: We're not just sitting here making this stuff up - -

Chairwoman Baxter [interposing]: No, I've seen the pictures. I'm just trying to figure out where all this is coming from.

Ms. Ouimette: It's our lives. We've been doing this for four years now. We have a lawyer now.

Unknown Male (with Mr. Rizzo): We don't allow anyone to drink in the parking lot - -

Ms. Ouimette [interposing]: That's crazy untrue.

Unknown Male: If they're drinking in the parking lot we go out and ask them to leave.

Chairwoman Baxter: They can't drink in the parking lot. It's illegal.

Ms. Ouimette: That's so untrue. It's so untrue.

Chairwoman Baxter: I'm saying to all of you, it's illegal for them to be drinking in the parking lot.

Ms. Ouimette: There always out in the parking lot.

Ms. Pena: Always.

Chairwoman Baxter: Walking out of the bar with liquor, with drinks that they bought in the restaurant and they're drinking it in the parking lot, is that what you're telling me?

Ms. Ouimette: I have pictures. They spew out of the door and they just hang there. Two people standing side by side and they're in the parking lot. They don't ever stay underneath there, especially on my side, that's the smoking section. There's constantly 10 to 15 strong out there, and the language we can't even open our windows anymore. My son's been here twice, when he was ten and when he was 14 asking you to curb it. He's in the basement now there's not much more I can move him. We're going to try to put up our house now. This is just ridiculous. We've been asking for years, but these past few months he hasn't been complying with what we agreed on, and that's pretty much what we're here to tell you.

Chairwoman Baxter: Well, the story that I'm hearing from the Officer is that the signs are up - -

Ms. Ouimette [interposing]: The signs just went up today.

Chairwoman Baxter: From August? See, that, that's - -

Colonel McCartney [interposing]: Here again, I can only speak to the fact that the City Council signed it into law on August 15<sup>th</sup>. I can't speak to when exactly DPW put the signs up. I can speak that the signs on Guilford have been up for a while, I can't speak for Pell.

Officer Maggiacomo: Can I just add something?



Chairwoman Baxter: Go ahead.

Officer Maggiacomo: So when I researched call history, I researched the entire street itself, Pell Avenue, not just specific to the calling parties, and I have all the calls for service that date back to August. So, if you look at this call from October 12<sup>th</sup>, not going back that far, we responded on to Pell Avenue, nowhere specific, just Pell Avenue, for parking issues. Two cars parked in a no parking zone, yet signs are posted. So, the signs were there. This is saying 14 Pell Avenue, which would be towards Post Road itself, not going in the opposite direction.

Chairwoman Baxter: What day was this, I'm sorry.

Officer Maggiacomo: This is going back to the 12<sup>th</sup> of this month.

Chairwoman Baxter: Okay, we don't have an October 12th.

Officer Maggiacomo: It shows up as the intersection from a refused caller at the intersection, which would lead me to believe it was towards the side entrance on Pell Avenue of the restaurant, of the bar. The two cars parked in the no parking zone and the signs were posted. This was the issue we had with the Mass plates and they were workers for National Grid doing work on the next street over. But, it shows here that the calling party reported that the signs were posted. According to the calling party here, which is refused, those signs were posted according to our call.

Ms. Ouimette: Nope. Those signs were definitely posted yesterday. They weren't there. There's pictures from your Chief - -

Officer Maggiacomo [interposing]: Yeah but, in this call - -

Ms. Ouimette [interposing]: Yeah, because there was one no parking sign - -

Ms. Pena [interposing]: One only at the end.

Ms. Ouimette: At the end. But it's gone today and those are new signs today.

Officer Maggiacomo: Okay.

Ms. Ouimette: We know one was posted but they would not - -

Clerk McGovern [interposing]: There were some posted, because we saw them in the pictures.

Ms. Ouimette: Those are Guilford, but there was one on Pell. We're not saying there wasn't, there was one on Friday and Sunday when the police officer came out. They talked to Todd, and Todd said something about parking in the street, it was thrown out, it wasn't passed.

Officer Maggiacomo: So there's been signs posted, it's just what those actual signs stated specifically was changed today, according to what we can get from the signs that I actually saw states that there's no parking on either side now. So, there's no contention. The signs were there prior to going back to the 12<sup>th</sup> of October. They were enforceable because we had the City Council pass it back in August.

Chairwoman Baxter: Yeah.

There is crosstalk being heard

Ms. Pena: They came out on Sunday and there was two vehicles on the end of my driveway at the beginning of Pell Avenue and he said that because there was no sign at that poll that they couldn't tag those two vehicles because there was only one no parking sign at the end.

Chairwoman Baxter: But they're up there now?

Ms. Pena: Now, today, yes.

Ms. Ouimette: They are.

Chairwoman Baxter: You know we have no control over those signs.

Ms. Pena: Which is fine, we agree with it.

Chairwoman Baxter: None at all. We have no control over when they went up or where they went up. The traffic study was done and the City Council passed to put them up. We have no control over that.

Ms. Pena: As long as when we call and there's cars there they can be tagged.

Vice Chairman Paolucci: I have a question for the Colonel. That can be brought up in roll call whether they are enforceable?

Colonel McCartney: Well, clearly they can be done now. There were just a lot of things going on. Here again, I have to coordinate with DPW to find out exactly when they put up the signs. I'm not even sure talking to the Chief of Staff, who doubles as the DPW Director, can give me an exact date as to when they went up. All we can speak is that's when it was passed. It's really beyond the purview of this board to deal with signage. We're really at the mercy of, if and when any time after August 15<sup>th</sup>, is when it would have gone up. That's all we can factually state here.

Chairwoman Baxter: Go ahead.

Clerk McGovern: I know we've asked a couple of things. We've asked you to eliminate the outdoor speakers, which you did; we asked you to close the door, which sounds like it happens some of the time, but not all of the time. I think you've made an honest effort to do it, whether or not it happens all of the time or most of the time. We asked you to report any and all disturbances, which seems to have happen as well. Now, I'd like to add one more thing to that list, and put together some type of action plan to



patrol that, I understand it's not your lot behind you, I don't really think by looking at those pictures it's going to take an awful long time investment on your part to try and keep the neighborhood a little cleaner if you can. I understand the beer cans and little nip bottles that I saw not coming from your place. It would just be a good will gesture. I did see some limes, and I'm pretty sure that people aren't bringing them from home - -

Chairwoman Baxter [interposing]: Yeah, and I did see some plastic cups too.

Clerk McGovern: So some of those cups could have come from your place. So, as a sign of good will, and I'm not going to mandate it, but if you can go out there as part of your normal clean up, you could make another pass through the field, I think it would be a good step on your behalf.

Mr. Rizzo: Does that include, do you still want us to watch the cars?

Chairwoman Baxter: You can't patrol the street. The signs are up.

Mr. Rizzo: So what if they do park there and they get a ticket? That won't be an infraction on us?

Chairwoman Baxter: No, I mean - -

Vice Chairman Paolucci [interposing]: And any loitering in your parking lot.

Colonel McCartney: We can only enforce the signage that has been placed up there by the Council. That would only be 200 feet in on, I believe, on both streets. The only other problems that could come up are the obvious ones; if someone is double parked on the street, and somebody is obstructing something. I mean double parking is pretty much obstructing and the officers can act on that.

Mr. Rizzo: That basically would be at the customer's expense.

Chairwoman Baxter: Absolutely.

Colonel McCartney: You might want to tell your patrons Todd; that if they're going to do something as foolish as that by double parking or obstructing or anything else that might cause a problem there that could end up having their car towed, and it will be at their expense.

Officer Maggiacomo: And any deliveries, any types of commercial vehicles and trucks coming in, dropping off.

Mr. Rizzo: Yeah, they pull right inside. All of the liquor distributors pull right in.

Ms. Ouimette: I have a picture of that too.

Officer Maggiacomo: Just know that they're subject to violations too if they are parking in the street.



Mr. Rizzo: All of the liquor distributors, they don't pull in.

Ms. Pena: They pull into my driveway sometimes in order to be able to back up because they deliver the beer, on my side, on Pell Avenue.

Colonel McCartney: We're not talking about someone who is trying to pull in so that they can come back. We're talking about whether they're parking there in some sort of a permanent fashion if they're a commercial vehicle. That's obviously a violation. I'd like to think common sense would dictate that they're only there to take care of business and then they leave.

Mr. Rizzo: Correct, absolutely.

Colonel Baxter: Other than that, I would think it would be pretty foolish for them to stick around.

Chairwoman Baxter: Okay, so you're going to help clean up, the no parking signs are up. If you guys see anything, you're welcome to call; it's enforceable.

Ms. Pena: Can I request that on Sunday the doors close earlier? I mean we have kids trying to get to sleep, it's a bit late.

Ms. Ouimette: They don't even shut them at 9:00 p.m., all of the time stamps are 10:00 p.m. and after.

Chairwoman Baxter: It's kind of cold out - -

Mr. Rizzo [interposing]: We don't keep them open. It's too cold out at night. It's 40 degrees.

Chairwoman Baxter: Yeah, just keep them closed.

Colonel McGovern: The only other thing is if people are wandering outside, you've got to tell them that they're either in or they have to leave. That's obviously going to cause a problem.

Unknown male: I think the problem is that people go out and smoke on the patio.

Colonel McCartney: That's not a problem if they're smoking. It's just if they are out there drinking, that's going to be a problem with the neighborhood. You're then going to have to take some action. The next step, and I'm not ready to discuss that right now, is a police detail. That will be the next step. I'd rather not do that, so I'll leave it up to you to do your job.

Mr. Rizzo: Of course, and that we'll continue to do that.

Colonel McCartney: I don't have a lot of complaints. Like I said, I reviewed all the reports that I had. Yeah, there were some people that you had who acted out of line, but you reported it.

Mr. Rizzo: We did, and they came.

Colonel McCartney: I understand completely, I'm just offering some common sense suggestions, so that the neighbors can be allowed to have their piece of mind, and you can continue to do your business.

Mr. Rizzo: Okay.

Colonel McCartney: The other thing is, once again, you have to notify us when you are going to have these events. You've done a pretty good job, because that alerts us to when we need to pay some special attention.

Chairwoman Baxter: And you're not coming in here, since you have been reporting to the police; because, if something happens and you don't report it, then you need to come in here.

Mr. Rizzo: Now just one question on the barrels. Do I take those back in since the street signs are now up or do we have to get new signs made up for the orange barrels?

Ms. Ouimette: [Inaudible]

Colonel McCartney: So what do you think Danny? What is your evaluation, because once again we are taking care of 200, from Post Road to 200 feet in, so what happens when we get past 200 feet?

Officer Maggiacomo: They are going to parking past the second telephone pole, 200 feet in.

Ms. Ouimette [interposing]: Yup, they're just going to destroy the inner neighborhood now.

Officer Maggiacomo: More than likely they will park there. There's a possibility they are going to park across the street or at home improvements, which they have been doing. I think it can go either way. You can either leave the barrels out with the signs as an added measure, an extra heads up to people coming to your location; or you can get rid of them. Either way, if the officers show up, they are going to realize they're enforcing the city signs. There's been enough of chatter amongst the patrol division, specifically the beat officers and the rest of the community division to know that there's been an ongoing parking situation going on over there. The officers are well aware that those signs are not enforceable, so if you got rid of them they would be writing violations based on the signs on the poles, but it wouldn't hurt to leave them there - -

Mr. Rizzo: In the same location that they are?

Ms. Ouimette [interposing]: Well that was in the agreement that we made.

Mr. Rizzo: Because that's still in the 200 feet, correct?

Officer Maggiacomo: Where they are now is where they've been, on the outside of the parking lot.

Colonel McCartney: It's when we go past the 200 feet when it becomes a grey area. The neighborhood can do what you want by taking to your councilwoman, but I don't think that asking for more signage is going to do much.



Ms. Ouimette: Our councilwoman is, holds her parties there now.

Colonel McCartney: Listen excuse me, we have nothing to do with that. It has no place in this discussion, because there's an election coming up so there's going to be someone else. It's not going to work in your favor anyway, because once the signage goes up, that's going to affect people that are going to visit your homes.

Ms. Ouimette: We know that now.

Colonel McCartney: There are no perfect answers to the problem here.

Ms. Pena: I have no problem with that. I have enough land on my property so that all the cars can fit.

Colonel McCartney: Like I said, the obvious problems; the double parking, the obstructing, is when you call the police. That's when we can intervene. Beyond the 200 feet impacts the business and your relationship with the neighbors.

Officer Maggiacomo: You have the other issue where if you do go further past the 200, out to the 400 feet, we don't get calls. Now you're bringing neighbors into the mix, them having complain about parking issues. So, I mean, what type of can of worms are you opening up if you do put it out to 400 feet.

Colonel McCartney: It's a tough grey area. It just comes down to your patrons have to have some common sense and understand that you have to live with the neighborhood.

Chairwoman Baxter: Okay, so if the barrels go back out, they're not enforceable - -

Ms. Ouimette [interposing]: They don't have signs on them anyway.

Chairwoman Baxter: Well he said the signs got stolen.

Ms. Ouimette: Yeah, okay. But, that was a requirement. It was an agreement that we made to keep our neighborhood; so we're taking away, he can keep his doors open again, the signs are not on the barrels.

Chairwoman Baxter: The city signs are up. He just said his signs got stolen off the barrels. You can put the barrels back out. You can make a little laminated sign and tape it to the barrels. That's, you know, you're giving your patrons a heads up.

Clerk McGovern: Your signs are not enforceable, the city signs are enforceable.

Chairwoman Baxter: If someone parks right behind the barrel, I'm just saying the city signs are the enforceable. He's going to go out and clean up, and make sure there's no cans or anything.



Vice Chairman Paolucci: Can you go out and monitor the parking area as well, just to make sure there's not anyone out there drinking in the lot.

**ACTION:** Colonel McCartney recommended approval pending building, fire, city and state taxes. Chairwoman Baxter made a motion to approve pending building, fire, city and state taxes and with the stipulation that The Office clean the lot behind and around the restaurant, and placing the barrels they had been placing in the neighborhood for residential parking only. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

13. Itinerant Vendor

Eric Weiner  
P&EE Consulting, Inc., d/b/a Food Trucks In  
Food Truck Event held at Warwick City Hall  
October 13, 2016, 4:30 p.m. – 8:00 p.m.

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

14. Holiday Sales (New)

Cheryl Marsella  
Petals Gift Shop and Florist  
103 Tillinghast Avenue

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

15. Holiday Sales (New)

Mattress Firm, Inc.  
d/b/a Mattress Firm  
615 Greenwich Avenue

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

16. Holiday Sales (New)

Mattress Firm, Inc.  
d/b/a Mattress Firm  
300 Quaker Lane

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

17. Second Class Victualer (New)

James Conlon  
The Greatfull Bread Sandshop  
1277 Post Road

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

18. Live Entertainment (Outside)

Michael LaPlume  
VFW Post 183  
Event to be held October 22, 2016  
2:00 p.m. – 6:00 p.m.

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

19. Live Entertainment (Inside)

Henry Vermette  
Sports Legends Pub  
2121 West Shore Road  
Event to be held October 29, 2016, 8:00 p.m.

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

20. Game of Chance/Raffle

Jennifer Marinelli  
Robertson Elementary School  
To be held at Toll Gate High School  
October 28, 2016, 6:00 p.m. – 9:00 p.m.

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

**21.** Game of Chance/Raffle

Claire Flaherty  
Volunteers of Warwick Schools  
To be held at Buttonwoods Comm. Center  
November 5, 2016, 12:00 p.m. – 3:00 p.m.

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

**22.** Game of Chance/Raffle

Jason Buchanan  
Kent County YMCA  
To be held at McDermott Pool  
October, 2016 – February, 2017

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

**23.** Game of Chance/Raffle

Peter Thomas  
Bishop Hendricken High School  
To be held at Hendricken  
October 29, 2016, 1:00 p.m. – 4:00 p.m.

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

**24.** Game of Chance/Raffle

Dina McCamish  
Warwick Girls Ice Hockey Club  
To be held at 81 Contour Road  
January 1, 2017 – February 1, 2017

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

**25.** Game of Chance/Raffle

Carol Gouveia  
St. Catherine's Church  
November 19, 2016, 9:00 a.m. – 4:00 p.m.



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

**26.** Game of Chance/Raffle

Stanley Schofield, Jr.  
St. Barnabas Church  
To be held at the church  
November 19, 2016, 9:00 a.m. – 3:00 p.m.

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

**27.** Game of Chance/Raffle

Richard Boehm  
Special Olympics of RI  
To be held at Crowne Plaza  
November 4, 2016, 6:00 p.m. – 10:30 p.m.

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

**28.** Bazaar

Carol Gouveia  
St. Catherine's Church  
To be held at church  
November 4, 2016, 9:00 a.m. – 4:00 p.m.

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

**29.** Employment Agency (New)

Westaff Workforce Solutions, LLC  
d/b/a Westaff Workforce Solutions  
110 Jefferson Boulevard, Unit B

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

**30. Permanent Make-Up**

Eric Ryan  
d/b/a Ugly Duckling Tattoo Co.  
632 Warwick Avenue

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

**31. Parade**

Gail Erban  
115 Brookwood Road  
To be held October 31, 2016  
3:30 p.m. – 4:30 p.m.  
Starting & Ending at 115 Brookwood

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

**32. Parade (Hayride)**

Scott Carter  
Governor Francis Neighborhood Assoc.  
Fall Festival & Hayride  
Rotary at Spring Green and Algonquin  
October 22, 2015, 12:00 p.m. – 5:00 p.m.

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

**33. Block Party**

Charles D'Amato  
122 River Street  
Event to be held October 29, 2016  
4:00 p.m. – 11:00 p.m.

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

**34. Peddler**

Power Home Remodeling Group  
200 West Street  
Waltham, MA

Badges to:

Wayne Bolz  
Kevin Kelley  
Jacob Schmauder  
Brandon Brown  
Tony Gutierrez

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

**35. Letter of request from Best Buy, 24 Universal Boulevard, to be open at midnight on Friday, October 28, 2016 and Friday, November 4, 2016 for the release of new video games.**

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

At 8:05 p.m., this meeting was ended.



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Thomas P. McGovern, Clerk



