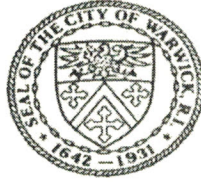


# CITY OF WARWICK

LESLIE WALASKA BAXTER  
Chairwoman

JAMES PAOLUCCI  
Vice-Chairman

THOMAS P. MCGOVERN  
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

## POLICE DEPARTMENT

BOARD OF PUBLIC SAFETY ROOM  
WARWICK POLICE HEADQUARTERS

February 28, 2017

### MINUTES

At 7:20 p.m., the Board of Public Safety opened its session for Tuesday, February 28, 2017. Present were Colonel Stephen McCartney, Chairwoman Leslie Walaska Baxter, Vice Chairman James Paolucci, Clerk Thomas McGovern, Assistant Solicitor Diana Pearson, and Recording Secretary Lisa Ferolito.

1. The minutes of the Board of Public Safety meeting held on Tuesday, February 14, 2017, to be submitted for approval.

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

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

The following transfers took effect at 0700 hours, Monday, February 20, 2017, with the provisional approval from the Board of Public Safety:

Officer Steven D. Moretti from the Second Platoon, Uniform Patrol Division to Third Platoon, Uniform Patrol Division (his request).

Officer Derek Mourato from the Third Platoon, Uniform Patrol Division to the Second Platoon, Uniform Patrol Division.

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

3. Colonel Stephen M. McCartney to advise the Board of retirements/resignations.

**ACTION:** There were no retirements or resignations to report. No action is necessary.

### LICENSES AND PERMITS

At 7:55 p.m., the Board entered into Executive Session.

At 7:59 p.m., the Board re-entered Regular Session.

4. Request for Weapons Carry Permit (New)

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

At 8:00 p.m., the Board entered into Executive Session.

At 8:04 p.m., the Board re-entered Regular Session.

5. Request for Weapons Carry Permit (New)

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

6. Liquor License (BYOB REQUEST)

Cheryl Mirabella  
Mirabella's Italian Cucina  
963 Namquid Drive

Chairwoman Baxter: What kind of, can you bring anything in or beer or wine or what is it?

Ms. Cheryl Mirabella: I just wanted to know what was allowable. Right now we're just going to do it on Friday nights. But, I'd like to get into Friday, Saturday, and Sunday afternoon, like Sunday dinner style. The people have been asking if they can take their own beer or wine, I don't want to get into hard liquor.

Colonel McCartney: BYOB is generally been wine or beer, unless there is some exception made.

Chairwoman Baxter: Yeah, so beer and wine is probably the way to go.

Ms. Mirabella: I didn't know; if I were to sell mine, where I could cap it, that's something different right?

Chairwoman Baxter: If you sell your own, you need to apply for a liquor license.

Ms. Mirabella: All right, so I don't want to go through all of that.

Chairwoman Baxter: This is probably the easiest thing to do.

Ms. Mirabella: Then, I just didn't know, do you have guidelines?

Chairwoman Baxter: I don't know; are there guidelines?

Solicitor Pearson: Madame Chairwoman, whoever is serving it, even if someone is bringing their own; this is a grey area, if someone's bringing in their own liquor you still have to have a TIPS certified pourer. Other than that, it's all on your responsibility, your liability if you're not applying for a liquor license.

Ms. Mirabella: Okay. So wait, I should get a TIPS - -

Solicitor Pearson [interposing]: You need to have someone that's certified, TIPS certified, to pour the liquor even though someone's bringing it in.

Ms. Mirabella: Even though it's just wine or beer.

Colonel McCartney: Yup.

Ms. Mirabella: What if I wanted to limit it to like a bottle per couple or two beers - -

Chairwoman Baxter [interposing]: Yup, you can do that. It's your restaurant, your rules.

Ms. Mirabella: I'm an insurance agent too, so.

Chairwoman Baxter: Yeah, oh yeah.

Vice Chairman Paolucci: You might want to check with the State liquor laws as well. It's all governed by the State liquor laws.

Ms. Mirabella: I checked with my carrier too. They just required that with my regular policy; I can just do liquor liability. Because I'm an insurance agent, I own Wheelock, five doors down; they didn't even give me an extra charge because I told them it was going to me handling the liquor.

Chairwoman Baxter: Okay, Diana, should we do this pending TIPS certification?

Solicitor Pearson: Yes. The TIPS certification opinion comes from the Liquor Control Administrator. You're not selling liquor, therefore you're not applying for a liquor license, but you're pouring the liquor so you need someone to be certified.

Ms. Mirabella: So where would I obtain that?

Solicitor Pearson: You can go on line, there's a lot of different quick classes.

Colonel McCartney: Yeah, there's three or four organizations.

Gentleman in Audience: Frank Faubert is the most popular one. Frank Faubert.

Colonel McCartney: Right.

Ms. Mirabella: Frank Faubert?

Colonel McCartney: Get it done and then make sure you give a copy to the Licensing Clerk downstairs.

Chairwoman Baxter [to Vice Chairman Paolucci]: Do you have any words of wisdom?

Vice Chairman Paolucci: Serve Safe is another organization that does it. I know people mentioned TIPS, they've been around a little bit longer, but Serve Safe is another.

Ms. Mirabella: Would Heather have that information?

Chairwoman Baxter: Yeah. Sorry to be so vague.

Ms. Mirabella: No problem, I just wanted to write it down.

Chairwoman Baxter: Call Heather tomorrow and she can walk you through it. We'll approve it pending TIPS certification.

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

7. Holiday Sales (New)

Hatch Retail Holdings, Inc.  
d/b/a The UPS Store #0504  
1643 Warwick Avenue

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

8. Holiday Sales (New)

Chi Lash, Inc.  
d/b/a Chi Lash  
1923 Post Road

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

9. Second Class Victualer (New)

Capt'n Blacks BBQ, LLC  
d/b/a Capt'n Blacks BBQ  
2530 Warwick Avenue  
(Inside Meadowbrook Lanes)

**ACTION:** Colonel McCartney recommended approval pending Building, City taxes, and Rhode Island Department of Health approval. Chairwoman Baxter made a motion to approve pending Building, City 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.

10. Live Entertainment (Inside)

Glen Chelo  
Chelo's Waterfront Bar & Grille  
1 Masthead Drive  
2017 Season

**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. Live Entertainment (Outside)

Glen Chelo  
Chelo's Waterfront Bar & Grille  
1 Masthead Drive  
May – October, 2017

Colonel McCartney: Technically, its approval. There's been no complaints that could be substantiated. In fact, there were very little complaints last year.

Chairwoman Baxter: Okay Chelo's, let's hear from you first.

Attorney John Mancini: Madame Chairwoman, Members of the Board, John Mancini on behalf of the applicant, Chelo's. Our intention this year is to maintain the hours as we have in the last few years. So we're proposing Thursday, Friday 6:00 p.m. – 10:00 p.m., Saturday 12:00 p.m. – 4:00 p.m. with the

evening being 6:00 p.m. – 10:00 p.m., Sunday 2:00 p.m. – 8:00 p.m. We've also requested for Memorial Day, Independence Day, and Labor Day. Memorial Day being 2:00 p.m. – 6:00 p.m., Independence Day being 2:00 p.m. – 8:00 p.m., and Labor Day being 2:00 p.m. – 6:00 p.m. These are the same hours that we've been operating on for the last few years. Again, it is our intention to maintain the noise mitigation that we've incorporated through much of the labor of the Board and the neighbors. It is our intention to keep status quo in regards to the stage, the engineering sound system that we put in place, as well as the parking plan that we put in place, and we are also maintaining the police details that were put in place. We think that these measures will be helpful for this season. We felt that they were helpful last season. If any issues arise we are available to discuss and really try to see if we can make it so there are no complaints.

Chairwoman Baxter: Okay great, thank you. Okay neighbors, any comments? Yes sir.

Mr. Dave Sommers: I object to Memorial Day. Being a veteran, I don't like to listen to Jeremiah Had a Bullfrog all day long.

Chairwoman Baxter: I understand, I understand. Okay, any other questions? Yes sir.

Mr. Rob Byrne: Hi, Rob Byrne, Seabreeze Lane.

Chairwoman Baxter: Yup.

Mr. Byrne: I think that things as well as we've had them. I think when we had the review in the middle of July last year things had gone reasonably well. I just want to understand, when you say that the complaints weren't substantiated, means that you couldn't reproduce the sound [inaudible].

Colonel McCartney: We responded to them, but they were well under the City ordinance.

Mr. Byrne: Okay, but the complaints were issued. There weren't that many of them.

Colonel McCartney: Last year was probably the least number of complaints issued.

Mr. Byrne: I'm glad to hear things are going to stay [inaudible] the same. One point, just as a minor point, the sign that Chelo's puts at the foot of Seabreeze, that came and went a couple of times last summer. I don't know where it went. I don't know where it went, I think somebody may have grabbed it and put it back. I noticed that it was sitting on the top of the pillar at the foot of Seabreeze almost all winter. Today I just noticed that it's gone. I don't know if Chelo's got it back or what.

Mr. Brandon Chelo: Somebody was cutting the grass when I went to put that sign out. I went to go put it out in the middle of the road and he said, don't put that sign there. I asked if there was a reason and he said I don't want it there. I don't care. If you put it up, I'm going to take it down and put it in my garage.

Chairwoman Baxter: It was in the middle of the road?

Mr. Chelo: That's where we're supposed to put it. Then he kind of, I was like why don't you want it here, and he said people can park here, it doesn't matter to me.

Clerk McGovern: Was it that first house on the right there?

Mr. Chelo: I think it was one of the houses on the left.

Chairwoman Baxter: Do you know who it is Mr. Byrne:

Mr. Byrne shakes his head and smiles.

Mr. Chelo: The guy got mad at me so I took it down that one day, and then ever since then I put it off to the side. Then, it kind of sat on the side of the road and nobody had a problem with that.

Mr. Byrne: Well we did have a couple people park up there last summer. There wasn't many. There was one person who would park there every week. If it ever got to the point of them parking there all of the time I would say something.

Colonel McCartney: I suppose it raises one small point about the detail. I would say for the first half, subject to the review, I think we need to have two officers on the detail. Now, that became a little bit of an issue with Chelo's. I backed off to one because everything had been going smoothly.

Chairwoman Baxter: Okay.

Colonel McCartney: But I am going to go back to the original plan. So, for at least May through the first review, I want two detail officers. We already have their defined duties worked out. Only because things were going so smooth and I backed off. Let's see how everything works out. That can alleviate some of your issues, Mr. Byrne, then I can have one guy focus exclusively on those issues that are on the other side of Post Road.

Mr. Chelo: Would I be paying for two cruisers or two officers and one cruiser?

Colonel McCartney: No, just one cruiser, two detail officers.

Chairwoman Baxter: Go ahead.

Mr. Byrne: There was one call, as I looked at the calls from last summer, there was one call where they couldn't find one meter, and the other meter wasn't operational so I don't know what happened with that.

Colonel McCartney: We're already working on that problem. Unfortunately, when it gets a lot of heavy use our battery life starts wearing down. I've already started jumping on the Captain downstairs about making sure that we have all of our sound meters. That came up because of the Shannon View. Hopefully we won't have a problem by the summer time.

Chairwoman Baxter: Go ahead.

Mr. Sommers: I have a question for Chelo's.

Chairwoman Baxter: Yup.

Mr. Sommers: Who's your sound engineer this year?

Mr. Chelo: It's the same guy from last year.

Mr. Sommers: Ernie?

Mr. Chelo: Yup.

Mr. Byrne: We appreciate the sound engineer keeping the sound down.

Mr. Chelo: He does a really good job, and he's a bigger guy to, [inaudible].

Chairwoman Baxter: That's the key in the whole thing. If you're happy with the sound guy and he's happy with the sound guy that's a good thing.

Clerk McGovern: That makes us happy.

Colonel McCartney: That makes me happy.

Chairwoman Baxter: All right, anyone else? Comments, questions? I'm not going to even ask you [to Dr. Tariq Malik], you've been so quiet.

Colonel McCartney: I commend you for being quiet.

Dr. Malik: I think towards the latter part, the music used to go up. There's been some ups and downs. A couple of times that I've called I told them not to come out, just ask them to turn it down. However, on the holidays, we like to sit outside and enjoy the sun.

Chairwoman Baxter: But two of the holidays are 2:00 p.m. – 6:00 p.m.

Dr. Malik: But that's the time when we want to sit in the sun.

Chairwoman Baxter: I understand. Okay, are there any other questions?

Nothing is heard.

**ACTION:** Colonel McCartney recommended approval. Chairwoman Baxter made a motion to approve with the continuing parking plan in place, two detail officers, and the hours given by Mr. Mancini. There will also be a review in July. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.



12. Outside Seating

Glen Chelo  
Chelo's Waterfront Bar & Grille  
1 Masthead Drive  
April 15, 2017 – October 31, 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.

13. Game of Chance/Raffle

Karen O'Connell  
Mighty Megan Foundation  
Held at The Trap  
195 Old Forge Road  
February 12, 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.

14. Game of Chance/Raffle

Ryan Loiselle  
Friends Way  
Held at Knights of Columbus Hall  
475 Sandy Lane  
February 16, 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.

15. Game of Chance/Raffle

Randall Gemme  
CCRI Emergency Management & Homeland  
Security Club  
Held at the American Legion Hall  
662 West Shore Road  
February 25, 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.

16. Game of Chance/Raffle

Michele Hindle  
Winman Junior High School PTO  
To be held at the school  
March 1-31, 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.

17. Game of Chance/Raffle (50/50)

Frank Lombari  
ReFocus, Inc.  
To be held at the Crowne Plaza  
April 19, 2017  
5:30 p.m. – 9:30 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.

18. Game of Chance/Raffle

Frank Lombari  
ReFocus, Inc.  
To be held at the Crowne Plaza  
April 19, 2017  
5:30 p.m. – 9:30 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.

19. Private Detective (Renewal)

Charles Haskell  
d/b/a Reliable Source Investigations  
1643 Warwick Avenue, Suite 137

**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.

20. Private Detective (Renewal)

James Romero  
d/b/a Hub Enterprises, Inc.  
Airport Professional Park  
2348 Post 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.

21. Parade

Toni Andersen  
Wyman School  
Historic Walking Tour  
To be held May 20, 2017  
Rain date – May 21, 2017  
12:00 p.m. – 4:00 p.m.  
Starting and Ending in Pawtuxet Park

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

22. Letter of request from Duluth Trading Company for a grand opening ribbon cutting ceremony and lumberjack demonstrations scheduled for Thursday, April 27, 2017 from 9:00 a.m. to 3:00 p.m.

Chairwoman Baxter: So where are you doing this? If you're staring at the store and Panera is behind you, where will these lumberjack demonstrations be?

Mr. Jon Day: So, it's going to be on the far right of the parking lot. I have a map. So Panera's here, Duluth is going to be here. They're building no structures or taking down no structures. No parking will be blocked, and if we need to leave the fire lane open we can move it closer to the building. There will be two shows, one at 12:00 p.m. and 3:00 p.m. The ribbon cutting is at 9:00 a.m. and the demonstrations last about 45 minutes.

Chairwoman Baxter: What are they doing? Are they sawing, are they chopping?

Mr. Day: I've never seen one. This is the first opening I've been involved in. They do hot saw, single buck, spring board chop, standing block chop, stock saw and underhand chop. These lumberjacks are professionals. They're insured, we're insured; everything is blocked off so it's very controlled.

Chairwoman Baxter: Okay.

Mr. Day: Again, this is new for me too.

Colonel McCartney: The big thing is that it's far enough away from the public way, so there's really no police interest in here per say.

Vice Chairman Paolucci: What are you expecting for attendance?

Mr. Day: In the past we've had anywhere from 5 to 150. I know that the store itself is generating a lot of positive vibes. We had a job fair last week and we had 200 people come out to apply for the jobs. The company itself has a little bit of a cult following. People are very excited about it in the area, so I anticipate the higher end, close 100 to 150.

Clerk McGovern: Are you from the area?

Mr. Day: I am not. I just moved here from Memphis, Tennessee. I'm the store manager for the location so I'm in charge of all of this. But, no, I'm not from the area.

Chairwoman Baxter: Well welcome to Warwick. Trader Joe's is just down the plaza from you, great place.

Mr. Day: Yeah, I'm actually planning on going to introduce myself to everyone in the plaza this weekend.

Clerk McGovern: How many people did you hire?

Mr. Day: 39 plus me and my assistant manager. So we have 41 in total.

Clerk McGovern: And are you going to stay at that?

Mr. Day: I plan to, until Christmas at least.

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

23. Review of discussion held on Tuesday, September 13, 2016 regarding Mr. and Mrs. Robert Cochran's request to house more than three dogs at their residence.

Chairwoman Baxter: How are your pups doing?

Mr. Cochran: They're doing just great.

Chairwoman Baxter: All four of them are still there.

Mr. Cochran: Yes.

Chairwoman Baxter: They're doing okay?

Mr. Cochran: Yes.

Chairwoman Baxter: Colonel, no complaints?

Colonel McCartney: No.

Chairwoman Baxter: Do we need to do a review, Diana, for these pups?

Solicitor Pearson: We do in the sense that you can choose the amount of time, but you should keep it on a review basis. You can do later; you can choose a September date. You can do the fall.

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

24. Discussion of Norwood Grill's non-compliance with the arrangements, made at the November 22, 2016 meeting, regarding tax payments.

Colonel McCartney: He is not here and is still in non-compliance with his arrangements with Taxation. There is an email that his is still non-compliant.

Chairwoman Baxter: Okay, do you gentlemen agree that he should be shut down?

Vice Chairman Paolucci: Yes, until he's paid in full.

Clerk McGovern: Yes, I think he should be shut down until the Tax Collector says he's all set.

Colonel McCartney: Lisa needs to draw up the letter and he will be shut down.

Chairwoman Baxter: Should it be effective immediately?

Colonel McCartney: Yes, I would say so, until he pays.

**ACTION:** Chairwoman Baxter made a motion to suspend the license immediately until we hear from the Tax Collector. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

25. Discussion regarding Shannon View Inn's plans for St. Patrick's Day Celebration, as well as other items discussed, tabled at the last meeting on Tuesday, February 14, 2017.

Colonel McCartney: I think the issues are the detail, the traffic study which will be the basis for the detail, the band, the potential for the noise, and then the collateral issue I believe with the movement of the dumpster and the whole physical facility issues.

Chairwoman Baxter: Did any of you guys chat together?

Mr. David Miller: I spoke to one of the neighbors.

Chairwoman Baxter: All right, so what's going on right now?

Mr. Miller: Fence has been fixed, the dumpster's been moved, and the bait is set for the rats.

Chairwoman Baxter: Oh, wow, thanks. Great.

Mr. Miller: I'm just waiting Baker to come out and move the grease traps. They just haven't been able to come out and move them yet. After St. Patrick's Day, we will have a new location for both. Other than that, everything else has been done.

Colonel McCartney: I understand your problem with the dumpster.

Mr. Miller: Yes, the dumpster has been moved.

Chairwoman Baxter: I know with the Colonel we were talking about details. What were you planning on doing?

Mr. Miller: I just assumed we were doing the same as last year.

Chairwoman Baxter: What was last year?

Mr. Miller: Two in the street and one in the neighborhood.

Colonel McCartney: Well, I think in view of the sensitivity here, I'd like to see four there, two and two.

Mr. Miller: Two in the neighborhood?

Colonel McCartney: Yeah.

Clerk McGovern: Did you use one at the door?

Mr. Miller: No, we just had two in the street and one in the neighborhood.

Colonel McCartney: Well I'm anticipating you're probably going to have a pretty good crowd there. First of all we've got to pay attention to Post Road, and then we've got to worry about the neighborhood. I think in view of the sensitivity that's what I would recommend to the Board.

Chairwoman Baxter: All right, so four. All right, what else? Are we going to put pylons up? You said you were getting cones?

Mr. Miller: The City took care of that last year.

Chairwoman Baxter: Okay.

Colonel McCartney: Well, we can put the traffic cones out there. I'm going to say traffic cones right now, I'll have to take inventory, like I said, we're coming out of the winter season right now.

Chairwoman Baxter: Okay, neighbors, how are you doing? Mrs. Lupo, any comments?

Ms. Sharon Lupo: Yes. The dumpster has been moved, actually it was moved twice, and it's still not back where it was originally. It's not on that fence that goes this way.

Mr. Miller: My understanding was that they moved it incorrectly the first time. Then according to the conversation I had today, and I physically didn't go by, but it was moved today. It's actually been moved three times. They moved from where it was to the back corner, and I spoke to the neighbor Jim and he said, "Hey it's here," I said I would have them move it, but he said wait until after St. Patrick's Day. I said that wasn't the deal. So then today, or yesterday, they moved it up along the chain link fence.

Ms. Lupo: They moved it up some. Unless it was moved - -

Mr. Miller [interposing]: They moved it from where the pole was, to the back corner, and then they moved it back to the pole, and then they came and moved it again. I believe it was moved to where the fence was. I didn't go by, but I was told that it was moved to where we agreed to.

Ms. Lupo: The fence that goes parallel to Post Road.

Mr. Miller: So from where it was, directly across.

Chairwoman Baxter: Okay. So the fence is fix, the dumpster is moved, rat traps, the grease traps are going to be moved, four detail, City is going to put the cones up.

Mr. David Messier: Chief, on the parking issue, are they going to go from the first traffic evaluation you did when it was going to be the Oktoberfest that we did or is it going to be the one that - -

Colonel McCartney [interposing]: The Oktoberfest.

Mr. Messier: The Oktoberfest.

Colonel McCartney: Now understand, we're on a slippery slope here, constitutionally, and I've already discussed this with our City Solicitor. We have to be a little bit careful, we're not just gonna shut everybody from going down the street. I just wanted to make sure everybody understands that.

Mr. Messier: We never wanted the street shut down. It was to where, when they came out and did the first parking evaluation, it wasn't actually shutting the street down; it was where there was no cars parking on either side so it was made to where the rescues could get through to those two streets and parking only on one side of the side streets down so that the rescue or fire truck could get through. That's what; I forgot what officer came out, but that's what we talked about.

Colonel McCartney: Yeah, that's Officer Barlow. I'll go over the whole thing with his Captain. It may not be perfectly the way you just described it, because we have to meet this thing half way too. We'll make sure it's not going to end up being blocked up.

Mr. Messier: Thank you.

Chairwoman Baxter: Okay, any other questions or comments from the neighbors?

Mrs. Michelle Haley: I'm sorry; I wasn't here at the last meeting, I apologize. Can you just tell me Dave, the hours for the band? Did I miss that?

Mr. Miller: We haven't talked about that.

Chairwoman Baxter: We haven't discussed that yet. We need to talk about that tonight.

Mrs. Haley: Oh, okay, I'm sorry.

Chairwoman Baxter: No it's okay.

Mr. Miller: We didn't bring that up. I believe I asked for somewhere around 7:00 p.m. – 11:00 p.m.

Chairwoman Baxter: Yeah, and I think you said in the past you have said they haven't gone to 11:00 p.m.

Mr. Miller: We traditionally tell them they get 'til 10:45 p.m., they play one more song and we're done.

Mr. Messier: Every time they've stopped at 10:00 p.m. They've never gone past 10:00 p.m.

Mrs. Haley: Well we haven't had a weekend St. Patrick's Day in a while; I think that's part of it as well. They usually have it during the week, so this is a different circumstance. I am Jim's wife so I live right there, I couldn't be any closer. I do have small children and it is loud. My windows were rattling last year, and it did go longer than I expected last year, although it was a school night. So that was tough, but you know the whole thing with this year. Like I said, we're a small business too, we want you to succeed, but we just want to - -



Mr. Miller [interposing]: I do walk around with the same sound meter that the City has. Usually I have one of the detail guys set the meter. I walk around.

Colonel McCartney: Well, yeah, we'll have our meter.

Mr. Miller: I have my own, and I walk the neighborhood.

Chairwoman Baxter: And as our friends in Cowesett know, after 10:00 p.m., the decibel level goes down; the ordinance goes down.

Colonel McCartney: Yeah, it goes down from 60 to 50.

Chairwoman Baxter: Mr. Miller knows that. But like you said, Dave, they usually shut down by 10:00 p.m. Okay, is there anything else?

Ms. Dianne Wilson: What's hours, I'm sorry.

Chairwoman Baxter: Oh no, no, no. He said he's got the bands booked from 7:00 p.m. – 11:00 p.m.; but they generally, he tells them they need to be done; 10:45 p.m. is your last song. But generally, they're done around 10:00 p.m.

Ms. Wilson: So this is for Friday?

Chairwoman Baxter: And Saturday.

Mr. Messier: So we are having the two days; because we wanted just the one day. Because Saturday, the kids are going to be out of school running around the neighborhood; you're going to have all the cars driving up and down in and out of that place all day long. Like I said, every place has St. Patrick's Day for one day. We're getting it for two days, two days of the noise and everything else. It's not fair to us.

Chairwoman Baxter: This place is the only place that has come in for even one day, because it's outside. But I know in the past, Mr. Miller has said in order to pay for the tents; it needs to be for two days - -

Mr. Messier [interposing]: But who's going to pay us for our inconvenience?

Chairwoman Baxter: I understand that - -

Mr. Messier [interposing]: Like I said, this was fine until I had the issues with the rats and everything else. So, again, we're giving and we're getting nothing in return. We're asking for one day. I mean, St. Patrick's Day is one day, it's not a two day event; it's not a three day event. I mean, there's nobody else in the State of Rhode Island there's a [inaudible] for more than one day.

Colonel McCartney: Well traditionally sir, we have to put up with it all over the City. I can tell you when it comes to weekends, we have to deal with large crowds at all of the Irish American bars, both on Friday and Saturday nights; and we have to deal with all of the problems that come along with it.

Mr. Messier: I understand that, but we have all the loud music; and we have all the parking and all the traffic going through our neighborhood. Again, it's a Saturday, the weather is breaking. We're going to have the kids in the neighborhood riding their bikes and people walking their dogs, walking around the cars. If there wasn't parking in our neighborhood, we'd be able to deal with it, but our neighborhood becomes Shannon View Inn's parking lot. All their traffic, all their foot traffic, is coming through our neighborhood.

Whispering is heard in the background.

Chairwoman Baxter: Well I know the City's putting up the pylons and he's going to have two details in the neighborhood, which is one more than last year. So, we're hoping this is gonna; you know, but kids aren't going to be riding their bikes at 7:00 p.m. when the bands are out.

Mr. Messier: No, during the day and its active through the whole day. Even on Friday during the day, it's active through the whole day. On Saturday it's going to be worse. Then we still have the kids out. Michelle's kids are out in the evenings also, with people coming up and down the streets. The police officer can't be on all the streets at all times, he has to patrol the neighborhood. I mean, it's a safety issue and again, an issue where we give, we give, we give and we've gone right through it. Michelle didn't sign in.

Chairwoman Baxter: What street are you on again?

Mrs. Haley: Richfield Street.

Chairwoman Baxter: Birchfield?

Mrs. Haley: Richfield.

Chairwoman Baxter: Richfield. I'm sorry.

Mrs. Haley: That's okay.

Chairwoman Baxter (to Mr. Miller): What time are you opening?

Mr. Miller: Saturday we open for brunch at 9:00 a.m., but honestly it's not going to be more busy than a normal Saturday until the band starts at 7:00 p.m. or whatever. People are going to start showing up at 6:00 p.m., 6:30 p.m. It's not like St. Patrick's Day, which is an all-day event.

Chairwoman Baxter: All right, so we are going to have the pylons out on Saturday.

Mrs. Haley: Did we say that; I'm sorry Dave I don't mean to be a pain; right now I just have to really think about my kids and my family personally. So, as far as the parking goes, I apologize; so I know that two years ago we did actually, our street in particular because we are closest to the Shannon View. Our street is prime parking for the Shannon View and then as we start to move back it tapers off because people want to be close. So, two years ago, that street, they did put pylons on both ends of that street - -

Mr. Miller [interposing]: We did that.

Mrs. Haley: Yeah, you did that, and it was fabulous. Cars could still go down it, they could use it to drive through, but there was no parking on that road, and it was perfect. Last year we did allow parking on that road. It was supposed to be only one side, and that's not what happened. There was parking on both sides of the road, and it becomes so incredibly congested to be able to get out of your driveway with cars on both sides of the street that it became a safety factor to even get in and out of your own house. So I don't know if we could be assured that there would be parking on only one side of the street. I called to have cars towed, but no one came to even do that last year.

Chairwoman Baxter: If they're parked illegally they will be towed. If they're not parked illegally, they will not be towed.

Mrs. Haley: So they were. It was labeled one side of the street was parking last year, the other was not. Like I said, there were cars parked on both sides, they don't care at that point, they just want to get over to the bar. It's a great party, so people are going. They really don't care; people park on your lawn, people have been bold enough to park in people's driveways. They just don't care. If we can be assured that it's just one side, and we can be vigilant with towing it's just - -

Chairwoman Baxter [interposing]: Like I said, you get towed if you're under a "no parking" sign; if there's no "no parking" sign.

Mrs. Haley: Well, like I said, the police had labeled no parking on one sign of the street last year. But again, people don't care.

Chairwoman Baxter [to Ms. Wilson]: Did you have any questions?

Ms. Wilson: I had a weird question, and I don't know if this even relates, but when did St. Patrick's Day music become rock and roll?

Chairwoman Baxter: You're asking the wrong person, I'm not Irish.

Clerk McGovern: When Felix passed.

Chairwoman Baxter: It's a different crowd.

Ms. Wilson: At least it was relatively pleasant.

Mr. Messier: So what's going to be the actual set times for the music? It is going to be set where it stops at 10:00 p.m.?

Chairwoman Baxter: It's 7:00 p.m. to 11:00 p.m., but David usually stops it at 10:00 p.m. Is that what you're saying?

Mr. Miller: Honestly and truly I don't know what it was in the past.

Clerk McGovern: I think it was a weekday. If it was on a week day we made it 10:00 p.m. because of school issues.

Mrs. Haley: Two years ago it was 9:00 p.m.

Clerk McGovern: That's when there were school issues. The way it's falling this year, with Friday and Saturday, I have a little more leniency to 11:00 p.m. in my person opinion; I don't know how the rest of the Board feels.

Vice Chairman Paolucci: The decibels do drop after 10:00 p.m. anyway.

Clerk McGovern: The decibels do drop by ten points.

Mr. Miller: Should we split the difference and go to 10:30 p.m., to make the neighbors a little more happy?

Mrs. Haley: I would feel a little better. I have a third grader who I really don't want them up at 11:00 p.m. because it's late. I have a neighbor, who is literally going to be in the tent; they did leave last year and go to a hotel because it was a school night, and they had a horrible time with the noise. The year before it ended at 9:00 p.m. and last year it was 10:00 p.m. and then this year it's 11:00 p.m.

Chairwoman Baxter: Okay, so we have everything in place here for the details, we'll make a note of Richfield, pylons, and hours. Is there anything else before we make any motions?

**ACTION:** Chairwoman Baxter made a motion to approve with pylons being put down by the Police Department, special attention to Richfield Street, four detail officers, and the hours for the band being 7:00 p.m. – 10:30 p.m., knowing that the Police Department will have their sound meters. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved.

This meeting was adjourned at 8:15 p.m.



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Thomas P. McGovern, Clerk