

# CITY OF WARWICK

LESLIE WALASKA BAXTER  
Chairwoman

JAMES PAOLUCCI  
Vice-Chairman

THOMAS P. MCGOVERN  
Clerk



BOARD OF PUBLIC SAFETY  
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## POLICE DEPARTMENT

BOARD OF PUBLIC SAFETY ROOM  
WARWICK POLICE HEADQUARTERS

Tuesday, March 20, 2018  
7:00 p.m.

## MINUTES

At 7:35 p.m., the Board of Public Safety opened its Regular Session for Tuesday, March 20, 2018. 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 27, 2018 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.

At this meeting, the following officers were recognized for their elevation to the rank of Detective, effective Monday, March 19, 2018.

Officer Matthew T. Smith  
Officer Matthew J. Higgins  
Officer Kevin McGuire, Jr.  
Officer Manuel M. Pacheco  
Officer Darren C. Parrillo

**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.

The following transfers took effect at 0700 hours, Monday, March 19, 2018, with the provisional approval from the Board of Public Safety:

Detective Shaun M. Turcotte from the Second Platoon, Detective Division to the First Platoon, Detective Division (JTTF).

Detective Matthew T. Smith from the Third Platoon, Uniform Patrol Division to the First Platoon, Detective Division.

Detective Matthew J. Higgins from the Second Platoon, Uniform Patrol Division to the First Platoon, Detective Division.

Detective Kevin McGuire, Jr. from the Second Platoon, Uniform Patrol Division to the Second Platoon, Detective Division.

Detective Darren Parrillo from the First Platoon, Uniform Patrol Division to the Second Platoon, Detective Division.

Officer Jonathan M. Reiff from the Third Platoon, Uniform Patrol Division to the Second Platoon, Uniform Patrol Division.

Officer William R. Holz from the Third Platoon, Uniform Patrol Division to the Second Platoon, Uniform Patrol Division.

Officer Richard P. Odell from the Third Platoon, Field Officer Training Program to the Third Platoon, Uniform Patrol Division.

Officer Thomas R. Paine from the Third Platoon, Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

Officer Anthony J. D'Abrosca from the Third Platoon, Field Training Officer Program to the Third Platoon, Uniform Patrol Division.

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

**3.** Colonel Stephen M. McCartney to recommend retirements.

Detective Jason J. Farias submitted his letter of intent to retire from the Warwick Police Department, effective, with a pension rate of 50.005 percent. Detective Farias was sworn in as a member of the police department on Sunday, June 28, 1998, and will have served the department for 20 years. His last physical day working will be Friday, March 30, 2018.

**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.

Sergeant Robert W. Chille submitted his letter of intent to retire from the Warwick Police Department, effective, with a pension rate of 50.005 percent. Sergeant Chille was sworn in as a member of the police department on, Sunday, June 28, 1998, and will have served the department for 20 years. His last physical day working will be Friday, March 30, 2018.

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

#### LICENSES AND PERMITS

At 8:40 p.m., the Board entered Executive Session.

At 8:45 p.m., the Board re-entered Regular Session.

**4. 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.

At 8:47 p.m., the Board entered Executive Session.

At 8:49 p.m., the Board re-entered 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)**

Michelle Safford  
To be held at Aspray Boathouse  
June 23, 2018  
1:00 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.

7. Liquor License Transfer (Class BT/BH)  
\*\*\*Change of Ownership\*\*\*

Radisson Providence Warwick Airport  
PHM Providence, LLC  
2081 Post Road

**ACTION:** Colonel McCartney recommended approval pending city and state taxes, and payment to objectors. Chairwoman Baxter made a motion to approve pending city and state taxes, and payment to objectors. 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 Violation – McKinley’s Pub (November 30, 2017)

“On 11/30/17, at approximately 1730 hours, I Officer Mourato #273 was advised by Captain Michailides to conduct a liquor law check on McKinley’s Pub due to the concern of possible underage drinking taking place at this establishment.

It should be noted that on 11/17/17, East Greenwich Police took a report (17-186-AR) of a 20 year old male identified as Joseph Delgiulio was charged by EGPD for Vandalism/Malicious Injury to Property at the East Greenwich Yacht Club at 10 Water Street in East Greenwich. Delgiulio was suspected of removing boat stands from underneath and almost causing the boat to fall over. EGPD’s investigation discovered that Delgiulio was intoxicated and admitted to consuming alcohol at McKinley’s Pub.

I conducted the liquor law check and spoke with bartender/manager Danielle Dushesneau. I requested to review their underage book and was unable to find any pertinent information related to the Delgiulio incident. Secondly, I requested video surveillance of 11/17/17 and I was advised that it would be a couple of days in order to download the footage to a DVD. Danielle also explained to me that during the weekends the establishment hires private security who stand at both entrances and checks patron’s ID’s upon entering. Danielle also stated that if a patron appears to be young or close to 21 the bartenders will ask a second time for their ID’s. However, Danielle’s concern was that many under age subjects are using fake ID cards that are difficult to intercept.

This report will be forwarded to Captain Michailides for review.”

Due to the aforementioned facts, the management of McKinley’s Pub is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.”

**16. STATE LAW AND REGULATIONS:** These regulations are in addition to State Law and regulations to which all licenses are subject.

**RIGL 3-8-5 Penalty for violations relating to underage persons.** – Any person who sells or suffers to be sold or delivered any beverage to a person who has not reached his or her twenty-first (21<sup>st</sup>) birthday either for his or her own use or the use of his or her parents of any other person, or allows any other person who has not reached his or her twenty-first (21<sup>st</sup>) birthday to drink beverages on premises licensed under this title or suffers or allows any persons who have not reached their eighteen (18<sup>th</sup>) birthday to sell or serve any beverage on the premises shall for the first offense be subject to a fine of two hundred fifty dollars (\$250); for the second offense, be subject to a fine of five hundred dollars (\$500), and the for third and any subsequent offense, be subject to a fine of seven hundred fifty dollars (\$750). In the event that there are no offenses in three (3) successive years from the date of the last offense, then the next offense shall be treated as a first offense. Nothing in this chapter shall be construed to prevent licensees from hiring any person who has reached his or her eighteenth birthday.

Colonel McCartney reads the above into the record.

Colonel McCartney: The last violation for McKinley's was 8/15/2017 and I believe that was for an incident that occurred previously and I think it was August. I'm sorry; it was May 26, 2017. That was a written warning.

Chairwoman Baxter: Okay, are you ready Mr. Revens?

Attorney John Revens: Certainly, Madame Chair, I'm sorry.

Chairwoman Baxter: That's okay, because you've had since January, so you should be ready.

Attorney Revens: Well, it's pretty easy to get ready, but thank you for that. I think there's a disconnect between the violation notice and the police report. I have the police report here that the Colonel referred to, which is 17-186-AR. It's the arrest report of Mr. Delgiulio and it references several other people who may have been in his company. As the Colonel stated correctly, he was charged criminally. Mr. Delgiulio. The prosecutor in that case 48-A'd the charge. I assume who know what that is, but in case you don't, a 48-A means the prosecutor dismissed the case. Mr. Delgiulio's alleged crime was dismissed. I don't know why it's dismissed. But, usually when a case is dismissed it's because the person made restitution and perhaps they didn't have a record, or maybe because there wasn't enough evidence to charge him. It really doesn't matter. What matters legally is whether there is evidence to support the allegation that Mr. Delgiulio was served alcohol at McKinley's; and the reference that the Colonel made to that, in the Warwick report it says that he admitted to consuming alcohol at McKinley's. This report was investigated by East Greenwich and the East Greenwich report doesn't say that. The East Greenwich report says, and I quote; the three suspects were given contradictory information to officers McLinden [?] and Selaggito [?] but acknowledged that they had come from McKinley's. That's the report, that's the page. It doesn't say a single word in the East Greenwich report that they consumed alcohol at McKinley's. As you ladies and gentlemen know, McKinley's is a restaurant and a bar. If they were at McKinley's, they did not acknowledge in this report that they consumed any alcohol. There's nothing in the Warwick report to indicate what occurred, other than to reference the East Greenwich report.

Chairwoman Baxter: Um, hum.

Attorney Revens: In terms of the incident beyond the allegation of the violation, my client is not happy with the fact that someone that might have been in his restaurant and bar, might be charged with damaging someone else's property. They've been there for 15 years. They hope to be there for many, many more years. They have a security team, whose job it is on busy nights, to monitor the property and the business, both inside and outside. Because of this allegation, even though there's no evidence or any admission of any alcohol consumption, they've engaged a new security company in the past month, who is led by a captain on a local municipal police department; it's his part time business. They're increasing their efforts to make sure whatever happens outside the premises is done lawfully.

Chairwoman Baxter: Um, hum.

Attorney Revens: You should know, as you probably already do, that the area outside the premises is shared by multiple entities; including McKinley's, including I believe the new name of the marina is now Prime, and the East Greenwich Yacht Club.

Chairwoman Baxter: Um, hum.

Attorney Revens: Many of our customers come from the East Greenwich Yacht Club and from the surrounding area. The last thing we want to have is any problems for the members of the yacht club or any problems for their property. So, we're going to continue to do our best to make sure that there aren't any problems. We have suggested to the commodore of the yacht club and to one of the other yacht club members who's here tonight that we would like to meet with them before the season picks up to review everything that we're doing to make sure that we continue to work cooperatively with them. We've been there for 15 years, we have a lease for another 25 years; so we hope to be there for a long time and we don't want to have any problems with the yacht club. Fortunately, this incident didn't result in a boat toppling over. If it had, probably the worst thing that would have happened is the young man who was under it probably would have died; never mind what the property damage would have occurred. That would have been the least of the problems if the boat fell on the kid and he was dead. But, for the purposes of the hearing tonight, when you look at the East Greenwich report, there's nothing in it that says that he admitted that he consumed alcohol. I'm not saying whether anybody did or didn't; I'm saying we rigorously check ID's. As you know, as the Colonel knows, we sent officers down there numerous times in the last several months and they haven't found a minor drinking in there yet. They certainly did their job and made sure that they couldn't find any. As far as we know, there haven't been in there before, because we do everything we can to police that both outside the premises as people are entering, and then in the secondary way with the servers. My client is also gone to the expense of retraining every single employee in the TIPS program to make sure they're away of the ID's and the consumption issue with serving people; but for the narrow purpose of the violation, which is why we're here, as I said, I got the East Greenwich report and it says nothing about the consumption of alcohol at McKinley's. So, I think someone might have misread that when they brought this charge. I'm not sure where they got that from, because it's not in the report.

Chairwoman Baxter: Okay. There was an issue when the police did go down there; there's nothing written in the minor book.

Attorney Revens: All that means is they didn't have somebody show them an ID that they questioned. I remind them all of the time to use the minor book. I mean I have a minor book in my business.

Coincidentally, as you probably know, I own a liquor store, and there aren't a lot of names in my minor book either, because we throw those people out and don't serve them so there's nothing for them to sign.

Clerk McGovern: But they couldn't find it. If it was there and it wasn't a number of names, that's one thing; but they couldn't even find it is what is in the thing. The underage book was unable to find.

Attorney Revens: Maybe he didn't speak to the manager. I'm sure the manager could have found it in two minutes. There's a book there and it's being used. My client is here if you want to ask him. There's a book there Mr. McGovern, but they to eliminate anybody who's questionable. So, if they see an ID that they don't think is legit, or they see an ID and they look at the birthdate and it's someone under 21, then they don't serve them. So, it would only be someone who's questionable. We take that burden seriously; and like I said, the new security company happens to be run by a police captain in another municipality, so they've got their marching orders. They're there to protect my client's business from being put in this situation. We were doing that all along, but this, these things happen. We go out and police that property every morning, even though it's all not ours, try and pick up any trash and any bottles, but its people from all over the East Greenwich waterfront and the marina, who bring alcohol down there on their own. Whether they're out there sanding down their boat or whether their drinking a beer when they are walking into the door, that stuff happens.

Chairwoman Baxter: The other thing was this Danielle, she's the manager.

Attorney Revens: Yup.

Chairwoman Baxter: It says that her concern is that many underage subjects are using fake IDs that are difficult to intercept. So she's saying that folks are coming in with fake IDs.

Attorney Revens: That's not what she said.

Chairwoman Baxter: Danielle's concern is that many underage subjects are using fake ID cards that are difficult to intercept. That's exactly what she said.

Attorney Revens: Yeah, but that doesn't mean we let them in and we serve them.

Chairwoman Baxter: They're difficult to intercept.

Attorney Revens: I don't know what grade she went to in school, but you don't intercept an ID. You don't intercept it. You look at it and check it.

Chairwoman Baxter: I'm just saying that she's saying that it looks like people are coming in with fake IDs.

Attorney Revens: Well, coming to the place, that's not coming in the door. We don't let them in. We're not in business of letting people in with fake IDs. If you in the police department would stop it that's, we're doing everything we can to keep people out with fake IDs just like everybody else is. In all these years; I think it's about 15, how many times have we been before you for a fake ID?

Chairwoman Baxter: I don't know, but there's been other things though.

Attorney Revens: There really hasn't been, compared to other places, I don't profess at this moment. But if there was one there was one.

Chairwoman Baxter: No, no, no. I didn't say fake ID's, but there's been other issues why you guys have been in here.

Attorney Revens: Not more than a couple. Not more than two or three in 15 years. It's been a pretty clean business and we're trying hard to make it better every day. We're trying as best we can to make it better every day; but that report doesn't say that he admitted to drinking alcohol from McKinley's.

Chairwoman Baxter: Okay, do you have questions?

Clerk McGovern: I have questions.

Chairwoman Baxter: Yeah, go ahead.

Clerk McGovern: I'll make two comments. First of all, I think it's great that you stated earlier that you're going to meet with the yacht club members and I think that's great initial steps.

Attorney Revens: I think that's important for everybody Mr. McGovern. We want to be a good neighbor.

Clerk McGovern: My second question, and maybe it's to the Colonel; the same Danielle says that she advised that it would be a couple of days to download the footage, did we ever get a DVD from McKinley's or did you supply us with a DVD?

Mr. John Butler: No, the officer actually called me 13 days after the incident and would the footage be available. I explained to him that the footage recycles after 10 days so there was no way to access it.

Clerk McGovern: Okay, so we didn't check the DVD to find out or the footage to find out if the suspect was in your establishment or not.

Mr. Butler: Again, it wasn't available for reviewing.

Clerk McGovern: Would this report be written that night or would this report be written two days later?

Colonel McCartney: The report by the officer who went down there, he states the date there when he went down to the establishment.



Chairwoman Baxter: He went down there, and this is the event.

Colonel McCartney: The actually offense occurred back on the 17<sup>th</sup>. We did that investigation as a follow up. Here again, is a question of semantics. Counsel argues very eloquently that doesn't; we say this, according to our discussion with the East Greenwich officer, the subject was intoxicated.

Chairwoman Baxter: That's what I have in my letter, yeah.

Colonel McCartney: Okay, the other question is that he indicated he came from McKinley's. That's why we furthered our investigation to that establishment.

Attorney Revens: We only have the report. We don't have evidence; we don't have any measure of intoxication. But, for purposes of keeping this simple, I'm not standing here tonight disputing an officer's evaluation that somebody was intoxicated. I'm not here to do that. I don't need to do that. No one knows if someone was intoxicated; how, where, or how when, or for how long they were intoxicated, or for how long they consumed the alcohol. So, even if the person was in the premises of McKinley's anywhere, outside near the door, anywhere else; all we know is to the best of our knowledge, we didn't serve him. But, for your purposes, if we're here for a violation, somebody has to establish by some proof that there was a violation. There's people who come in to restaurants or bars or other places, they're intoxicated. They could be intoxicated in the grocery store. It doesn't mean they got it at McKinley's. We're trying hard; my client is, to do their job. I think, for the most part, they've done that; but for this specific allegation, which is why we're here, it doesn't say that they consumed alcohol at McKinley's; it doesn't say they admitted that in the report. All I did was do what any, just like the police officers did their job, I did mine and just made an open records request to get the East Greenwich report, and then I read it, and then I highlighted the sentence that seemed the most relevant. It says that person said they came from McKinley's, but it didn't say he was consuming alcohol at McKinley's. I don't know whether he was or he wasn't and the tape recycles after ten days. It recycles in ten days; it wasn't like they erased the tape. The Colonel knows, he can subpoena the tape, he can get a warrant for the tape if they needed to, but we weren't hiding the tape, there was no tape. It was 13 days later when we asked for it, so, you wouldn't expect; and I don't know what the normal cycle time is on tapes. I don't know what mine is, I'd have to ask, but I don't think most of them are more than a week or ten days. That's all I know. We've already approached the yacht club people who are here tonight and said we'd like to meet with them and talk with them and do whatever we can so that there isn't a problem. We can do that. We will do that. It has nothing to do with this. We want to be good neighbors and good business people and good corporate citizens and we want to cooperate with the police also. As the Colonel knows, they've been here regularly on a number of times after this happened, checking IDs, and they haven't found a violation. We're going to try and keep it that way. I'm sure if we don't, we'll hear from you and be back here again.

Chairwoman Baxter: Okay. All right, thank you. Anybody else have anything to say about this?

Councilman Steve Merolla: Yeah, if I could just respond to what Mr. Revens has indicated. You know, he first started off by mentioning the damage that was done at the yacht club, that the boat didn't tip over all the way, and uh, I appreciate his concern for these yachts that are down there. It happened to be a 40 foot yacht, and the damage could've been significant if there had been a domino effect. I'm glad

whatever happened, restitution was made, and the underlying charge of vandalism in East Greenwich was 48-A. That's not the issue before you, okay. The issue before you wasn't determining whether someone was intoxicated. The issue before you is was somebody underage drinking. I think the Board raised some very good questions regarding the person that's in charge at McKinley's seemed to be using an excuse of the fact that it's difficult to determine if an ID is fake or not. That's their job. If someone has a better fake ID than someone else, it doesn't mean you're not guilty of the underlying charge. This is also troubling that the Board brought up is that when the Warwick police went down to investigate the issue there was no book, not that it wasn't signed, and there was no book. This is the second violation within a year and what's interesting is we can all note what happened in the boat yard about what the individuals were doing; uh, in the report itself, and I think I would defer to the Chief on this. Chief could you tell us what your officers did to investigate, and who they spoke to as their part of their investigation?

Colonel McCartney: Well I believe it's indicated that we did a follow on investigation. Here again, conclusion, you read the report, as Mr. Revens has pointed out. The subject came from McKinley's. You read the report. One, the individual was under age; they came from McKinley's; so it would be logical for us to further our investigation to that establishment to make a determination as to what was going on. What we found out was that nobody sent; the safest thing for an establishment to do if they have any doubts, no matter how elaborate your system is, is to have them sign the minor book. It takes the liability right away from the establishment. I think it's pretty clear from the statement of the officer there was no entries.

Councilman Merolla: And as far as the individuals that the Warwick police department spoke to; did they speak to the owners of the establishment, did they speak to victims, did they speak to perpetrators? Who did they speak to?

Colonel McCartney: I think for purposes for this follow on investigation, they immediately went to whoever was in charge of the establishment on that particular night and requested the minor book.

Councilman Merolla: Okay, and - -

Colonel McCartney: [interposing] Pardon me for interrupting.

Councilman Merolla: Yup.

Colonel McCartney: We picked up this investigation after the incident happened, so obviously we're looking for a violation, not a criminal offense. We're not conducting a criminal investigation. Once again, standard of proof that we're seeking in this investigation is much different than the criminality that was established by the arrest made by East Greenwich.

Councilman Merolla: And in your investigative report, it says East Greenwich police department investigated and discovered that Delgiulio was intoxicated. Then it goes on to say, "And admitted to consuming alcohol at McKinley's." Did your officers speak to the police officers in East Greenwich? I would assume they would have to get the report too.

Colonel McCartney: I can't say that for Gospel, okay. It would appear to me that the follow on investigation, okay, reviewed the information. There may have been a conversation where, once again, Officer Mourato doesn't indicate that, he focuses in on the establishment and, once again, looking for the minor book; because we're trying to pick this investigation up after the fact.

Councilman Merolla: Right, and I think I had spoken to you at some point when this incident had happened and recently also. You have indicated that Officer Mourato had also spoke to Mr. Delgiulio?

Colonel McCartney: Yes; keeping in mind once again that the incident happened on the 17<sup>th</sup>. The follow on investigation didn't start until November 30<sup>th</sup>.

Councilman Merolla: Okay.

Attorney Revens: Madame Chair, we're getting into hearsay here. We're getting into what someone told the Colonel and what someone else told that person, who told the Colonel. So, in fairness - -

Chairwoman Baxter: [interposing] The someone else are a couple of police officers.

Attorney Revens: But it's hearsay, Madame Chair. You can't allow; it's double hearsay.

Chairwoman Baxter: And again, it's not a criminal investigation. We're talking about a violation of the liquor license.

Attorney Revens: Right, and on its face, we're here on one violation; and on its face of the report there's not any evidence [inaudible] violation. No matter who said what to anybody. In the East Greenwich report it doesn't say that the person who was charged with vandalism admitted to being served and consuming alcohol from McKinley's. It doesn't say that. So no matter how many questions we ask, it's not going to change what's in that report; and it was written by the officers who investigated it at the time. Whether they did a great job, or whether they did a not so great job, I don't know, but that's their report. We don't have anything else and we can't be going beyond that into what some Warwick officer said to some East Greenwich officer to ask what some young man said to them two or three weeks later. It's just not hearsay on hearsay on hearsay. We want to get along to get along with the East Greenwich Yacht Club and want to be cooperative and want to be good neighbors. This isn't about having a fight with the yacht club, but I think we have to have some balance to this. I know that you have to do your job and I certainly appreciate and respect that, but what you have before you isn't sufficient to justify the charge. Even the Warwick report about the minor book doesn't; it says that we're not charged with a violation of the minor book, but it doesn't say they couldn't find the minor book.

Chairwoman Baxter: No, it says there was no pertinent; I've never said that, other people are saying that. It says that there's not pertinent information related to that incident, which means - -

Attorney Revens: [interposing] Which means that person didn't sign the minor book, but that person didn't show an ID to someone who had sufficient question about it that it caused them to sign the book. As the Colonel said correctly, and as we all know, if you get an ID that on the surface appears to be legitimate and you sign the minor book, then the premise appears protected. The premises understand that and not only from me telling them repeatedly throughout the years, but all my clients in this industry;

but they know it, so it's actually a benefit to someone. They don't have to be Colombo when they look at an ID. As long as it appears to be legitimate, it's not obviously a fake ID and they say this is the ID and it's a Connecticut license, a Rhode Island license, or an Idaho license, and they have the person sign it and they put all of the information down, they're protected. So, not having that isn't a problem for us. If we had it, it would be a defense. If we had the ID written down, and it was an ID that looked legit, it would be a defense [inaudible]. So, the fact that we don't have it isn't something that can be held against us. We don't have to have it. We don't have to make every person sign the minor book. We don't have any evidence that we served the person. There's just a ton of people that go to locations that are more isolated where you can sit and drink. That happens. They could have been drinking in their car or up the street, or anywhere else in the area before this happened. It's not evidence that they were consuming alcohol at McKinley's, and we don't want that any more than you do or the yacht club does. We don't need that business and we don't want it.

Chairwoman Baxter: Okay, since this is a lot looser than a court of law we will let Mr. Merolla continue.

Councilman Merolla: As we said before, it's about underage drinking in the establishment based on their investigation. Whether they put every single detail about who they talked to, when they talked to them, if it was hearsay, if it wasn't; that's why we rely on police officer's statements and investigative reports. In this case they came to the conclusion that he was in the establishment and he had been drinking and there was an admission of that. That was based on the police officer's investigation. As the Chief said, if he spoke to Mr. Delguilio and it even says in there, "And admitted to drinking at McKinley's"; the first half of the sentence says that East Greenwich investigated, and the second half of the sentence as part of Warwick's investigation, it says, "And admitted to consuming alcohol at McKinley's." Whether the officer, every officer needs to come and testify as to the semantics of a report and how well its drafted I think that you can be the judge of fact as to how well the police officers investigate something. It's clear what happened here. They went out, they almost - -

Attorney Revens is heard saying something under his breath.

Chairwoman Baxter: Just deal with me.

Councilman Merolla: All right. I just didn't do that to Mr. Revens, and would appreciate it if Mr. Revens - -

Attorney Revens: [interposing] I apologize Councilman Merolla.

Councilman Merolla: So, it's clear what happened. They were in the establishment, they admitted to it, Warwick investigated it, and those are the facts that they found. When it gets to the question of punishment, okay, I think you have to look at the totality of the circumstances. I know Mr. Revens is talking about how well the establishment is run, and how little incidents because they don't come before you. But, that doesn't mean that you don't only have to look at what you found, but you can look at the calls that the police have had to that establishment. We pulled the reports in the last year.

Attorney Revens: If you going to get so crazy about this, at least, you're governed by the Open Records Law, and the Open Meetings Law, you can be talking about anything that's not on the agenda. You can't be going into police reports from other incidents that aren't related to the alleged offense, you can't do this.

Councilman Merolla: I'm talking about the punishment phase.

Attorney Revens: It's not a kangaroo court.

Chairwoman Baxter: Can you sit down please?

Attorney Revens: I want to object for the record.

Chairwoman Baxter: You can object for the record. I'll write it down.

Attorney Revens: It's an open records violation, and open meetings violation.

Councilman Merolla: I'm talking about the punishment stage, assuming you find a violation. There's been 17 instances, and so starting in January and all the way through July, and disturbing the peace. The liquor law violation which was before you, a drunken male in process with a fight, another drunk on another incident, Coventry showing up because someone was drinking and they had to get footage on that, a follow up investigation on that incident, and these are all the complaint numbers. Disturbing the peace in March, drunk and intoxicated subject at McKinley's and Warwick rescue had to be called. They wouldn't even put the individual in the rescue; the subject was taken to Kent County Hospital. Leaving the scene, there was a hit and run accident in the parking lot at McKinley's; that person was interviewed at Kent County Hospital. A larceny - -

Attorney Revens: [interposing] Madame Chair, when is this going to end?

Chairwoman Baxter: When he's done.

Attorney Revens: Again, I continue to object for the record. This is a violation of the Open Meetings Law. Everything he is presenting is in violation of that law. It's not on your agenda and you can't listen to it. Furthermore, it's hearsay, and second of all whatever reports are being passed around aren't part of the - -

Clerk McGovern: They're police reports that you said you researched yourself.

Attorney Revens: They're not evidence of this violation Mr. McGovern. You can't be reading them.

Clerk McGovern: I can read police reports.

Attorney Revens: Than you have to put it on the record as to what you're reading please.

Councilman Merolla: I'll be glad to provide the police numbers; 17-1473, 17-1865, 17-7880, 17-7886, 17-9001, 17-11942, 17-21247, 17-15836, 17-21153, 17-1087, 17-1152, 17-32417, 17-32957, 17-849, 17-35658, and 17-36318. The other charges have to do with fighting, disturbing the peace, larceny as I had mentioned and hit and run, and then interviews at Kent County Hospital. So, it's great to say that we have a concern for the area that we're trying to protect people and what's happening, but this is a continued problem that culminated in this incident where the person admitted that they were in the establishment and underage and the fact that it was 48-A'd in East Greenwich has no bearing on this case. The yacht club, I know from speaking to them, would like to see that the establishment be reduced by one hour, from 1:00 a.m. to 12:00 a.m. to see if that will alleviate the problem for a certain amount of time. Hopefully that will impress upon the establishment the severity of what's been going on and that the neighborhood and the community isn't going to tolerate it anymore. Thank you.

Chairwoman Baxter: Okay, does anyone have anything to say from the yacht club?

Mr. Kevin Coughlin: If I may, Madame Chair. We're here just to make sure that this makes sure this gets on the record. This came to us from our member who suffered the damage. In good partnership and being a good neighbor he decided not to pursue it, you know, just seek restitution. But in the end, our goal is that we establish a record here so that going forward we may have grounds if there are other incidents. The only other thing I want to comment about, because I know that in totality, there's been a lot of comment about being a good neighbor for 15 years. I had a real quick and brief check. I contacted the other Chief just to take a look at the service calls, and since 2004 until now is at 427 calls, although a lot of them are self-initiated. There are 38 calls that were motor vehicle incidents, DUIs, parking violations, and then again there is still a number; we're not here to get down to that level, but we're here to say that there's issues related to the establishment. At the end of the day, we have to represent our membership; 35% of our members are residents of the City of Warwick, and we do recognize that there is a problem with the waterfront from 12:00 a.m. – 1:00 a.m. It's a known fact the Blu ends at 12:00 a.m. and then the whole team goes over there and they're drinking until 1:00 a.m. and it's the wild west over there. The only other thing I want to make reference to, and again this is just from a body of knowledge perspective, is that the Counselor mentioned that the owner just put on a new security detail. I took the liberty to go down this past Saturday, granted it was St. Patrick's Day, but the new security company blocked off the easement and wouldn't allow any car or member to get through. If I wanted to use the north lot, or the north end, I was not able to do that. So, all I'm saying is when we're talking about just building body of evidence here, I do know we do have a problem. I know they want to be good neighbors and I think that's a nice olive branch, but that olive branch has just been extended this evening. I think that we would certainly entertain sitting down with them but in the end for our membership I think we need to look at some other avenue. So, respectfully.

Chairwoman Baxter: When this gentleman said self-initiated calls, a lot of these calls are calls from McKinley's about uh, that's a boat, this is someone who is intoxicated, somebody hiding behind a boat, detox, a fight outside the bar; but again called from McKinley's, which is what they're supposed to do so that's why it doesn't come before the Board. Something to think about, because this is and I know you disagree, this is potentially a second violation, but one of the things brought up tonight; and I think it might be a good idea, it is within our purview to do this, is if your closing time is at 12:00 a.m., along with the other bars along the waterfront, that might prevent the exodus just like people hightail it from Warwick to Providence.

Attorney Revens: Madame Chair.

Chairwoman Baxter: Yes.

Attorney Revens: You know; you don't need me to tell you; that's not accurate. There's not closing time at 12:00 a.m. on an East Greenwich bar, and the gentleman who said it I'm sure believes it's true. It's not true. They're all 1:00 a.m. The only closing time in Rhode Island that's not 1:00 a.m. is Providence. So, none of the East Greenwich bars, Blu or whatever the other names are now, used to be 20 Water Street, none of them close at 12:00 a.m., not one of them. We happen to close on Sunday, Monday, and Tuesday at 12:00 a.m. by choice; but none of those places close at 12:00 a.m., so there's no exodus of people coming out of McKinley's or other places going to McKinley's or vice versa, other than going wherever they go when they leave. Some of them may be going to the yacht club to their boats, some of them may be going to their cars, some of them may be going to visit friends, I don't know where they're going unless I followed every one of them; but that's a big open area that includes a private marina, a private yacht club, and a restaurant. As soon as you cross the public street and get off that property there's at least three other restaurants and bars immediately to the south of it, none of whom close at 12:00 a.m., so that's not accurate. Everybody who goes down there knows it, including me.

Chairwoman Baxter: Okay, because this is what I'm reading - -

Attorney Revens: [interposing] I understand that Madame Chair but I'm a little surprised - -

Chairwoman Baxter: [interposing] To be honest, I read it today.

Attorney Revens: I understand it, but I'm quite frankly surprised that anybody could say that with a straight face; because anybody who goes out on a Thursday, Friday, Saturday night, knows that none of those places close at 12:00 a.m.

Chairwoman Baxter: Again, that would not be me, so this is why.

Councilman Merolla: Can I just tell you what our experiences are at the yacht club?

Chairwoman Baxter: Um, hum.

Councilman Merolla: The exodus from the bars just before 12:00 a.m. down to McKinley's, that's the last call saloon. That's why you're getting 427 calls. In our opinion, if you end it at 12:00 a.m. you're going to see different results and that's what the club is asking for.

Clerk McGovern: I just tried to google the hours and it says they're closed for the season.

Attorney Revens: You don't need to be on this Board to know that no restaurant and bar that's on the waterfront in Rhode Island is closing at 12:00 a.m. You don't need to google anything, you just need to use common sense. They're open until the the law says they have to close, you don't need to google anything.

Clerk McGovern: I can google anything I feel like googling.

Attorney Revens: I understand that but - -

Clerk McGovern: [interposing] Thank you for telling me what I should google.

Attorney Revens: You know enough, they're all open til 1:00 a.m. Why are we wasting time on something that's clearly inaccurate? Whatever you want to do you want to do, but they don't close it 12:00 a.m. and we're not closing at 12:00 a.m., it's absurd.

Vice Chairman Paolucci: I just had a couple of questions on the outside security. The new security that was hired for the establishment.

Attorney Revens: Mr. Butler would be happy to answer your questions.

Vice Chairman Paolucci: Mr. Butler, I understand that you hired a new security firm to take care of the place.

Attorney Revens: Yes.

Vice Chairman Paolucci: How many people are involved; employees employed by that firm that will be at your establishment?

Mr. Butler: Three; three on Friday and Saturday nights.

Vice Chairman Paolucci: So you're just starting it now? Is this something new?

Mr. Butler: No, we've had this in place for a long, long time.

Attorney Revens: It's a new company Mr. Paolucci; it's not a new process. We've had this process in place for a long time.

Vice Chairman Paolucci: I would like to see how that company works moving into the summer season. Give this new company a chance if they've been brought up to date with all of the problem areas down by the marina.

Mr. Butler: We're working closely with them to try to eliminate, you know, migrants [inaudible] the bars.

Attorney Revens: Just so there's no confusion, my clients work with the people who work for the yacht club.

Chairwoman Baxter: Um, hum.



Attorney Revens: They communicate. Members may not have always communicated with all the commodore, but the people who do the work communicate with them. They have communication with the maintenance people all of the time. So they know each other and they communicate with each other. There's never been any problem with that communication. I'm sure when things like this happen we can use it as a learning experience and try to find something else we might do additionally, but there's always been communication the yacht club employees and our employees, and our security and any security they might have. We have security there. I assume the other marina has security. But, you know if any of you have been down there, it's a big open unmarked parking area with lots of cars, lots of people, lots of boats. There is a lot of coming and going in busy times of the year.

Gentleman in Audience: I have a question though. Our staff all leaves at 5:00 p.m.

Attorney Revens: I understand that, but when they are there they communicate.

Gentleman: But how can they communicate if it's 1:00 a.m.?

Attorney Revens: Well if they leave they can't be. But, our staff, our people are there.

Gentleman: Yeah, but the times we're having the problems are midnight, 1:00 a.m.

Attorney Revens: But it's not my place.

Gentleman: So, your people are not talking to our people.

Attorney Revens: I'm sorry. It's not my place to tell you.

Gentleman: You're making it sound like they're in direct communication with our staff and they're not.

Attorney Revens: Well not 24 hours a day every day.

Chairwoman Baxter: Could I interrupt? Could I intercept? Are you employed by the yacht club or are you a member?

Gentleman: I'm an employee.

Chairwoman Baxter: Okay. You said your staff leaves around 5:00 p.m.?

Gentleman: Yeah, everyone is out around 5:00 p.m.

Chairwoman Baxter: Okay. If you guys have an issue with anything going on at McKinley's who do you call? Do you call East Greenwich or do you call Warwick?

Gentleman: It depends on where they are. We normally call the East Greenwich Police Department.

Chairwoman Baxter: Because they're over on your side?

Gentleman: Because they walk on our side, yeah.

Attorney Revens: Madame Chair, we're happy to give him the manager's cell phone number, I'm happy to give them my client's cell phone number. We're not trying - -

Gentleman: [interposing] You made an inaccurate statement.

Attorney Revens: No I didn't make an inaccurate statement.

Gentleman: Yes, you did.

Crosstalk is heard.

Chairwoman Baxter: All right, stop, stop, stop. Our secretary is taking, excuse me, our secretary is taking notes and you need to technically need to go through us to get to him. Mr. Butler, you said you have your outside security. You said you have three Friday and Saturday night? What do you mean? Three people?

Mr. Butler: Depending on volume.

Chairwoman Baxter: So where are these three people located?

Mr. Butler: One on the inside and one at each entrance.

Chairwoman Baxter: Okay.

Vice Chairman Paolucci: So you allow entrance through the deck area as well as the front door, or do they come through the front door?

Mr. Butler: They specifically come in through one day and they can leave through both doors.

Chairwoman Baxter: They come in through the deck door?

Mr. Butler: We try to get everyone to come in the main door and not through the side door.

Chairwoman Baxter: Okay.

Attorney Revens: That's on the busy nights. We have somebody at the side door so it can be managed and somebody's not sneaking in the side door.

Chairwoman Baxter: Yup, go ahead sir.

Mr. Joe Fortin: Hi, my name's Joe Fortin. I'm the property manager of Prime Marina, which is the location where McKinley's in on our property. I'm just here to let you guys know they have been there a long time, there are a lot of issues, there are late night issues. We bring in our own security and have our

own security cameras, but the destruction of the property, it's the hit and runs, it's; I can't tell you how many nights I'm down there at 12:00 a.m., 11:00 p.m., 1:00 a.m. for responding to police calls because I'm getting the calls at home. Just want to the place to be safe for our own marina guests and for the patrons that are at the bar. I'm very concerned. I know it's probably not my place, but as a representative of the marina and property manager, I just want this to be a good safe place for everybody to be, and I don't feel that it is right now.

Chairwoman Baxter: And again, if you call the police, who are you calling?

Mr. Fortin: We call Warwick.

Chairwoman Baxter: You call Warwick, okay.

Mr. Fortin: Thank you.

Chairwoman Baxter: Thank you. Is there anyone else? It almost sounds like you need a detail down there on the weekends.

Colonel McCartney: Your shot to call.

Attorney Revens: It's hard to get details, Madame Chair. I've called for details three times this year and couldn't get them.

Colonel McCartney: We do, we do. It is true that there are times where we have a hard time because of the number of details we have. It's a very complicated, too long to explain here, but it is true and on St. Patrick's night we could not fill the request from Prime. We couldn't fill the request for two others as well because we were just flat out. The City was very busy that night and we had pretty much all of the officers and the contractual agreement we have. You have to get the phone calls from people to take the private details. It's a complicated process. I'm not here to suggest that they shouldn't try, but I have to admit that sometimes we don't fill all of the details.

Clerk McGovern: So Prime was looking for a detail to protect their property from their business.

Attorney Revens: Mr. McGovern, that's - -

Clerk McGovern: [interposing] I'm just trying to clarify; I asked him a question.

Attorney Revens: You don't have any evidence to support that sir.

Clerk McGovern: I asked him his personal opinion. Are you hiring a detail to protect your property from their clients? That's a fair question.

Attorney Revens: But Mr. McGovern, nobody knows; if somebody causes damage to somebody else's property.

Crosstalk is heard.

Clerk McGovern: Why he called to hire a detail.

Attorney Revens: He's not an expert, his opinion doesn't - -

Clerk McGovern: He knows why he hired somebody.

Chairwoman Baxter: [interposing] When you call, Mr. Fortin, when you call for a detail officer, why are you calling them?

Mr. Fortin: With the discussion with the owner our property, he wanted a detail officer there, especially for St. Patrick's Day to make sure our property wasn't vandalized, defaced, or; it is extremely chaotic down there. There's extreme difficulty parking with that may people going to an Irish establishment on St. Patrick's day, so I had come to the police station and spoke with a woman here directly, not on the phone, and requested a detail that day. Unfortunately, they weren't able to fulfill it.

Colonel McCartney: I think the problem was, and I'm certainly not being critical by any means, you certainly did the right thing. I believe it was three weeks when you came down and I'm sure that she put that down. Once again, I think it just became a situation where it wasn't able to be filled. I'm not going to deny, it's unfortunate. We did cover it, because I do have records of calls. There was a call that he did respond to that night, that I think talked to the parking problem and when he got there, it was East Greenwich, it was on the East Greenwich side and there was no indication that there was a Warwick problem by the officer. It was strictly parking and it was down in the East Greenwich, it was in their jurisdiction, and they were tagging cars. Now, I have no idea which establishment those cars were attending at that particular time. I don't know, but like I said, when the officer got there he said it had nothing to do with anything on the Warwick side. We do have a back-up plan; it's not the best plan in the world because we can't short post the officer there, but we do take our community police officers and put them in situations where they have to pay special attention to the locations where we can't cover details. [inaudible] It's not the best, because he had several locations that he had to check, it's unfortunate, but it was just due to the enormity of the night and the number of people we had out there to deal with the problems.

Mr. Fortin: I completely understand that and I appreciate all the effort.

Colonel McCartney: Like I said, while I would continue to encourage it, I'm going to meet with the Union and see if we can come to some better; but this is not the first time I have complaints about details not being filled. I have to say, I'm somewhat dismayed about it, but I deal with some restrictions in that area.

Mr. Fortin: I understand. Thank you. Madame Chair, if I may, we never hire security at this time of the year, but we are at two persons to protect the lot and the members' boats, based on the incident back in November, just to let you know how serious we are about it.

Chairwoman Baxter: Okay. All right. What we are thinking of doing is that we'd like to do a review the first weekend in March [sic], and then starting Memorial Day weekend, I think you need a detail officer.

Vice Chairman Paolucci: The first weekend in June.

Chairwoman Baxter: Did I say March? I meant the first weekend in June. Starting Memorial Day weekend I think you need a detail officer down there Friday and Saturday night, just one officer. It's more to protect you too. If anybody is going down there to cause trouble, whether it's going down there as you say about going down there drinking, and having been drinking and are bothering the yacht club. If they see a detail, they aren't going to wander into your establishment. Then also any and all calls related to McKinley's we'll have at that meeting, to see what's going on. So, I'll make a more clear motion to do a review for the first weekend in June, we'll get all calls related to McKinley's at that time, and starting Memorial Day weekend, you're going to need a detail down there on Friday and Saturday nights. That's my motion. Vice Chairman Paolucci seconded the motion. Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern voted in favor of the motion. Motion approved. So, I don't know how they start arranging that, but do they get on the list now for details so they'll have that, or?

Colonel McCartney: Well, let me put it this way. They can put in for the detail in a timely fashion. If I find out that it's not, I will make sure that it's covered. If I have to I will keep someone over on overtime to cover that area until 2:00 a.m.

Chairwoman Baxter: Okay, and the other thing is, you're going to meet with them. You said you are going to meet with them.

Attorney Revens: Yeah, just so I'm clear, we would have met with them if they asked.

Chairwoman Baxter: Oh yeah, that has nothing to do with us. That is something that should have been done a while ago.

Attorney Revens: As I said, there's been communication between the gentleman who works at the yacht club and my client during the day. I didn't say it was at 11:00p.m. I don't know when it was.

Chairwoman Baxter: I mean I you need to communicate; I think you should have something with the members because - -

Attorney Revens: [interposing] The Commodore is here, Mr. Merolla's here, who's their ace attorney, and we'll have a nice meeting and we'll talk about the [inaudible] and we'll figure out ways to address them. We don't have any issue with that. I understand the Colonel's problem with details. I've tried to get details and it's a challenge.

Colonel McCartney: Like I said, I will have somebody there. There is a solution, another solution I probably should have; since this is an acute situation with a little bit of sensitivity, when an officer gets off, I will just keep the officer on until 2:00 a.m. I have city detail money in one of my budget codes that I could probably use for problems like this.

Councilman Merolla: Just for the record Madame Chair. I was here as the Councilman for the area, I was not retained or hired by the East Greenwich Yacht Club.

Chairwoman Baxter: I understand, you didn't say that you were.

Attorney Revens: I'm sorry, I was trying to get your job.

Vice Chairman Paolucci is heard whispering to Chairwoman Baxter.

Chairwoman Baxter: Ms. Pearson, the liquor license violation; where do we go with this. I'm only asking because hopefully we put a solution together that we'll hear in June how it's going, but we have what we have. There's nothing in the book. We don't have a tape. We do have the Warwick police officer writing in his report that this gentleman was intoxicated and said he consumed alcohol at McKinley's; Mr. Revens is saying the EG report says he was at McKinley's.

Solicitor Pearson: The Board could consider tabling that particular issue and requesting the hard copies of the East Greenwich and the Warwick police reports. Understanding that the Warwick report was considered a civil or liquor violation, verses a criminal violation. Sometimes a different standard of investigation is sometimes certainly a different consequence. With that information at the review hearing, the Board can include that hearing discussion with those reports and render a decision. The Board can also render a decision, if you will, make a finding, delay a penalty, consider a penalty if that's the Board's decision for a later date. The Board can be as imaginative as hold a penalty in abeyance pending possible other violations; imposing progressive discipline, if you will, on successive violations. Or the Board can make a decision tonight as well as call for the review of the liquor license or combine them all together.

The Board is heard talking quietly.

Chairwoman Baxter: All right, so we can have the stuff by next meeting, right?

Recording Secretary Ferolito: Yes.

Chairwoman Baxter: All right, so I'll make a motion to table the liquor license violation until we receive the hard copies of the Warwick and East Greenwich reports til the next meeting.

Vice Chairman Paolucci: Second.

Chairwoman Baxter: All in favor?

Chairwoman Baxter, Vice Chairman Paolucci, and Clerk McGovern: I, I, I

Attorney Revens: What's date of that meeting Madame Chair, because I have a lot of night meetings.

Chairwoman Baxter: April 10<sup>th</sup>.

Attorney Revens: I'm just trying to find my schedule, I'm sorry.

Chairwoman Baxter: But it's on our schedule for April 10<sup>th</sup>.

Recording Secretary Ferolito: Our next meeting is next week, the 27<sup>th</sup>.

Attorney Revens: I'm not here next week and I have a zoning meeting on April 10<sup>th</sup>.

Chairwoman Baxter: Okay, we can hear you first on the 10<sup>th</sup>. Maybe we can hear you first and then you can zip over to zoning, because I know our attorney has done that before.

Attorney Revens: Zoning starts first and not second.

Chairwoman Baxter: What time does zoning start?

Attorney Revens: 6:00 p.m.

Chairwoman Baxter: All right, do that first. Get heard first over there and then come over here.

Attorney Revens: If I get out. It's a contested hearing.

Chairwoman Baxter: Well do the best you can. This other one, you had three months, so.

Attorney Revens: I can't help it. I work two or three nights a week at other hearings and this one is already scheduled. So, I'm basically telling you I'm not available. I have a hearing, I won't be here.

Chairwoman Baxter: Is there someone from your office you can send? There's more people listed on your sign.

Attorney Revens: I don't know, without going back to the office and seeing who's available on what night, but there's only one other person who does any of these kind of meetings, and he's not in the country this week, so I don't know until he gets back. Why can't I have another meeting? I'm not trying to give you a hard time. I can't be in two places at once.

Chairwoman Baxter: I understand, but like I said, this was supposed to be heard in January - -

Attorney Revens: [interposing] I had meetings on those other nights.

Chairwoman Baxter: Since January?

Attorney Revens: Madame Chair, I had a six night, five month hearing before the South Kingstown Zoning Board, okay. I went a total of about 20 hours. That's where I was all those nights, if you want to check the record.

Chairwoman Baxter: I don't want to check the record.

Attorney Revens: So that's where I was, I can be in two places at once. On the 10<sup>th</sup> I have another hearing and on the 25<sup>th</sup> I'm not in town. Next week, I'm not in town. I'm here every night after the 25<sup>th</sup>, and if you're here on the - -

Chairwoman Baxter: [interposing] The 8<sup>th</sup>? May 8<sup>th</sup>?

Attorney Revens: I can't imagine that's a problem, let me just see if I can get this to work. May 8<sup>th</sup> is a Tuesday. I don't have any hearings scheduled on the 8<sup>th</sup>, so I'd be happy to be here on the 8<sup>th</sup>.

Councilman Merolla: Maybe Mr. Morash can accommodate you and you can come here first and then go to zoning.

Attorney Revens: It's a contested hearing with another lawyer.

Councilman Merolla: This is contested too.

Attorney Revens: No it isn't.

Crosstalk is heard.

Chairwoman Baxter: Okay, so you guys have to do this on your own time.

Crosstalk is heard.

Chairwoman Baxter: Excuse me. Do this on your own time.

Crosstalk is heard.

Chairwoman Baxter: Why can't we just do it on May 8<sup>th</sup>?

Councilman Merolla: Why don't we just do it in July?

Chairwoman Baxter: We're not doing it in July.

Councilman Merolla: This started in January.

Chairwoman Baxter: I know that.

Councilman Merolla: I understand Mr. Revens' schedule, and that's certainly a consideration. We try to accommodate people.

Attorney Revens: It's my client's schedule Madame Chair. My client has a right to an attorney.

Councilman Merolla: I'm not suggesting your client doesn't have the right to an attorney. All I'm saying is that if we coordinate with zoning you could probably accomplish both.



Crosstalk is heard.

Chairwoman Baxter: Please stop, oh my goodness gracious.

Attorney Revens: Madame Chair, in my 40 years of being a lawyer, I have never had anyone tell me I had to be at a hearing when I had another hearing scheduled.

Crosstalk is heard.

Chairwoman Baxter: Please stop, please stop, please stop.

Crosstalk is heard.

**ACTION:** Chairwoman Baxter made a motion to table this item until May 8, 2018, detail officers beginning on Memorial Day weekend, with a review set for the first meeting in June. 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/Transferred)

Yiqiang Chen  
Empire One, Inc.  
d/b/a Empire One Kitchen  
997 Sandy Lane

**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.** Live Entertainment (Inside)

Shang Wang  
Lemongrass Restaurant, 1138 Post Road  
Held on March 1, 2018, 6:00 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.

**11.** Live Entertainment (Outside)  
Food Truck Night

Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at City Hall  
May 3, 2018 & October 18, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled until Tuesday, March 27, 2018.

12. Live Entertainment (Outside)  
Food Truck Night
- Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at the Gamm Theater  
1245 Jefferson Boulevard  
September 6, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled until Tuesday, March 27, 2018

13. Outside Seating (Tent)
- County Cork Irish Pub  
50 Waterfront Drive  
To be held March 17, 2018

**ACTION:** Colonel McCartney recommended approval pending building and fire, with a provisional issued. Chairwoman Baxter made a motion to approve pending building and fire, 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. Outside Seating (Tent)
- Michael LaPlume  
VFW Post 183  
d/b/a Johnson-Gilchrist-Goff Hall  
172 Washington Street  
To be held March 25, 2018  
12:00 p.m. – 10:00 p.m.

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

15. Game of Chance/Raffle
- Erica MacKnight  
E.T. Wyman PTA  
Held at Pilgrim High School  
March 9, 2018  
6:00 p.m. – 9:00 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.

**16.** Game of Chance/Raffle

Laura Gagnon  
Holden Elementary School  
To be held at Holden  
March 30, 2018  
6:00 p.m. – 8:30 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.

**17.** Game of Chance/Raffle

Laura Gagnon  
Holden Elementary School  
To be held at Holden  
April 1-30, 2018

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

**18.** Private Detective (Renewal)

David Marchant  
156 Sprague Avenue

**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.** Private Detective (Renewal)

Matthew Holleran  
APG Security  
171 Service Ave., Suite 310

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

20. Itinerant Vendor - Food Truck Night

Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at Norwood Library  
May 17, 2018 & August 2, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled to March 27, 2018.

21. Itinerant Vendor - Food Truck Night

Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at Pontiac Park  
June 7, 2018 & October 4, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled until March 27, 2018.

22. Itinerant Vendor - Food Truck Night

Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at Rocky Point Park  
June 21, 2018 & July 19, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled until March 27, 2018.

23. Itinerant Vendor - Food Truck Night

Eric Weiner  
P&EE Consulting, Inc.  
d/b/a FoodTrucksIn.com  
To be held at Conimicut Park  
August 16, 2018  
5:00 p.m. – 9:00 p.m.

**ACTION:** This item has been tabled until March 27, 2018

24. Peddler (General)

Rhode Island Home Improvement  
1815 Post Road

Badges to:

Tristan Jussaume  
Nicholas Karasuk  
Michael Rossi  
Dean Burns  
Nicholas Carter

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

25. Peddler (General)

Paul Galvin  
Power Home Remodeling Group  
200 West Street  
Waltham, Massachusetts

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

26. Peddler (General)

Roseli Rodriguez  
Power Home Remodeling Group  
200 West Street  
Waltham, Massachusetts

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

27. Vendor (General)

Michael Winters  
d/b/a LBD  
NELA Event  
To be held at Crowne Plaza  
March 16-18, 2018

**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.

28. Vendor (General)

Wilamina Green  
NELA Event  
To be held at Crowne Plaza  
March 16-18, 2018

**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.

29. Vendor (General)

Randy Broadway  
Dragontailz  
NELA Event  
To be held at Crowne Plaza  
March 16-18, 2018

**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.

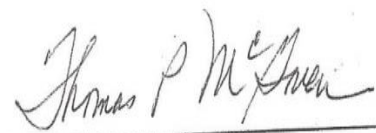
30. Parade (Walk for Hunger)

Michael Donnelly  
St. Gregory the Great Parish  
Good Friday Walk for Hunger  
To be held March 30, 2018  
11:00 a.m. – 1:00 p.m.  
Starting & Ending at the Church

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

31. Letter of request from Joan James of Jambray Avenue to hold a neighborhood clean-up on O'Donnell Avenue by the river. She is requesting to hold this event on Sunday, April 22, 2018 at 1:00 p.m., with the start and end points at Providence Street and O'Donnell Avenue.

**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.

A handwritten signature in cursive script, reading "Thomas P. McGovern". The signature is written in black ink and is positioned above a horizontal line.

Thomas P. McGovern, Clerk