

**BOARD OF PUBLIC SAFETY MEETING ROOM
WARWICK POLICE HEADQUARTERS
POLICE DEPARTMENT – REGULAR SESSION**

January 13, 2009 - 7:00 P.M.

AGENDA

1. The minutes of the Board of Public Safety meeting held on Tuesday, December 16, 2008, to be submitted for approval.

ACTION:

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

ACTION:

LICENSES AND PERMITS

3. Brothers Oven Pizza

In that on December 14, 2008 at approximately 2:36 a.m. Sergeant Andrew P. Sullivan responded to Brothers Oven Pizza at 2553 West Shore Road to assist Officers Fortier and McMullin with an investigation. Officer Fortier had been on routine patrol when she observed a figure inside the dimly lit interior of the establishment well past the 2:00 a.m. vacancy set forth in the liquor laws. The business had not called the Officer in Charge for an extension. Officer Fortier proceeded to investigate whether it was a liquor law violation or possibly a breaking & entering. Officer Fortier did not see anyone in the parking lot but did locate a vehicle running and unattended. Brothers Oven Pizza co-owner Frank Crook was located at his residence across the street from the business but claimed not to have keys or access to the building. Mr. Crook also denied knowledge as to who owned or operated the vehicle in the lot and who could possibly be inside the establishment. The officers determined that Mr. Crook's brother lives with him and that he was not at home at that time and therefore was likely inside the business. Officer McMullin called Andrew Crook's cell phone and was hung up on the first attempt. The second call was successful and Officer McMullin spoke with Andrew and it was confirmed that he in fact was inside the establishment and was ordered to open the door for the police. It should be noted that from the time the investigation was initiated until Andrew Crook opened the door approximately 45 minutes had passed which tied up two patrol officers and Sergeant Sullivan during a particularly busy night. Heather Alexander was also in the bar with Andrew Crook. Mr. Crook stated he had closed up and gone home

and that Ms. Alexander had come to his home and explained that she had left her cell phone inside the bar. Crook and Heather returned to the bar and she retrieved the cell phone. Crook stated he was nervous about a liquor law violation and that was the reason for hiding inside the bar and for answering the door. Both Crook and Alexander had the odor of an alcoholic beverage emanating from their person.

After interviewing Alexander Sergeant Sullivan stated that she had told him that she and Crook had been inside the bar drinking and had never left the establishment. Crook's statement about returning to retrieve the cell phone was false. (08-6014 OF)

Due to the aforementioned facts, the management of Brothers Oven Pizza, 2553 West Shore Road, Warwick is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.

1. CLEARANCE OF PREMISES AND ASSOCIATED AREAS:

A. All patrons shall leave the licensed premises within one-half hour after the required closing time, and all employees shall leave the licensed premises within one hour after the required closing time, and all employees and patrons shall leave the associated parking and outside areas within one hour after the required closing time.

C. No alcoholic beverages shall be consumed by the licensee or employees after the required closing time.

ACTION:

4. Track 84

On December 13, 2008 Officers Farias and Castaldi were assigned to the Alcohol Grant Detail along with two underage buyers. In the course of the detail one of the locations checked was Track 84, at 84 Kilvert Street. The two underage buyers went into the establishment and ordered two Bud Lights from the one bartender and were served. The bartender furnished the alcoholic beverages and charged the under age buyers \$5.00. After the sale was completed the underage buyers called the detail officers by cell phone to respond in. The underage buyers pointed out the bartender who served them and went outside to the police vehicle.

The bartender was identified as Tina Marie Meurer, she indicated that she was the only employee there at the time and upon seeing the officers realized she made a mistake. Ms. Meurer was issued a District Court Summons to appear at Kent County Court on January 12, 2009.

(08-3716- AR)

Due to the aforementioned facts the management of Track 84, 84 Kilvert Street, Warwick, is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.

Article # 17 State Law and Regulations: These regulations are in addition to State Law and Regulations to which all licenses are subject.

Title 3, Chapter 8, Section 5, of the Rhode Island General Laws, as amended, which in essence states that it is unlawful to sell an intoxicating beverage to anyone under the age of twenty-one (21).

ACTION:

5. Liquor License/Class BV/Transfer H. Robert Bacon, Chase Foods Company, LLC, d/b/a Gregg's Restaurant, 1359 Post Road.

ACTION:

**6. Liquor License Stock/Transfer NMG – Warwick, LLC, d/b/a
Class BT Hampton Inn & Suites, 2100
Post Road.**

ACTION:

**7. Liquor License Stock/Transfer NMG – Warwick, LLC, d/b/a
Class BT Hampton Inn & Suites, 2100
Post Road.**

ACTION:

**8. Outside Seating On the Boarder Mexican Grill &
Cantina, 650 Bald Hill Road.
Enclosed area of 9 tables seating
4 at each table 1 table seating 6.**

ACTION:

9. Request from Nostalgia Grille & Lounge to have approximately 50 vendors set up in back lot on Saturdays and Sundays April – October with weather permitting each year starting in 2009. They need more income to support the poor economy. They would operate from 9:00 a.m. to 5:00 p.m. each day until they decide to break down their goods.

(Earlier not later than 5:00 p.m.) Each spot will be 8 x 8.

ACTION:

10. Letter request from Kurt Mathias, Presidence, Beloff Billards of Warwick, Inc.

Stating that their store located at 33 Lambert Lind Highway will be closed temporarily.

**Their goal is to be open either this weekend or the following weekend.
(Informational purposes only)**

**11. Second Class Victualer/New Michael McGuirk, d/b/a Mike's
West Shore Subs & Deli, 2424
West Shore Road, a Division of
M.M. Provisions and Management
Group, LLC**

ACTION:

**12. Holiday Sales/New James Spooner, d/b/a World Gym
Warwick, Corp. Name: Strong Holding, Inc. 1755 Bald Hill
Rd.**

ACTION:

13. Private Detective/Renewal Dean Durning, d/b/a Accurate Investigations, Inc., 3193 Post Road.

ACTION:

14. Private Detective/Renewal Brian Kane, d/b/a G4s Compliance & Investigations, 910 Paverstone Dr. Raleigh, NC

ACTION:

15. Private Detective/Renewal Joseph Moura, d/b/a National Investigation Bureau, 1643 Warwick Ave. PMB259, Warwick

ACTION:

16. Private Detective/Renewal Wayne R. Flynn, d/b/a Flynn Investigative Services, 167 Custer

St., Warwick

ACTION:

17. Private Detective/Renewal Patrick J. Reardon, d/b/a Insight Service Group, 2348 Post Road, Warwick

ACTION:

18. Private Detective/New Mark Smith, d/b/a Hub Enterprises Inc., 20 East St., North Babylon, NY

ACTION:

19. Private Detective/New James C. Stringfellow, 60 Pilgrim Dr., Warwick

ACTION:

20. Colonel Stephen M. McCartney to submit Honorary Constable license renewals for the year 2009.

ACTION:

**21. General Peddler/Door to Door Ronald Grasso, Kent County
Cleaning Service, 426 Buttonwoods
Ave. Warwick**

ACTION:

**22. Massage Therapy/New Michelle Gauvein, d/b/a Power of
Touch, 1755 Bald Hill, (inside World Gymm)**

ACTION:

23. Application # 32 for License to Carry a Concealable Weapon.

ACTION:

24. Application # 33 for License to Carry a Concealable Weapon.

ACTION:

**25. Game of Chance/Raffle William Walsh, RI Lions Sight
Foundation, 66 Superior View
Blvd., N. Prov. Raffle to be
Held June 19, 20, 2009 at the
Warwick Mall.**

ACTION:

**26. Game of Chance/Raffle John Paliotte, Warwick Police
Athletic League PAL, 80 Bend
St., Warwick Raffle to be held
At 80 Bend St. 1/17/09 through
5/23/09.**

ACTION:

**27. Game of Chance/Raffle John Oscarson, Warwick Police
Athletic League, Inc., PAL, Athletic
League PAL, 80 Bend
St., Warwick Raffle to be held
At 80 Bend St. 1/24/09 through
6/01/09.**

ACTION:

**28. Game of Chance/Raffle Katherine Sundberg, Winman
Junior High School, 575 Centerville
Rd. Raffle to be held May/09 at the
Above address.**

ACTION:

**29. Game of Chance/Raffle ALS Association, RI Chapter,
Nancy Feroldi, 2915 Post Rd.
Warwick. Raffle to be held
4/6/09 at the above address.**

ACTION:

**30. Live Entertainment Henry Vermette, Sports Legend
Pub, 2121 West Shore Rd. Request
For DJ for New Year's Eve only.**

ACTION:

31. Live Entertainment Whalen Square Café, 2647 West

Shore Rd. Request for one piece

Instrument 12/21/09.

ACTION:

32. Second Class Victualer Stephen Palazzo, d/b/a Cagney Food Service, 18 Harmon Ave., Cranston.

ACTION:

Agendas posted at Police Headquarters and City Hall on January 8, 2008.

Individuals in need of interpreter services for the hearing impaired must notify the Office of Public Safety at (401) 468-4217 or TDD at (401) 739-9150 at least 72 hours prior to meeting.