

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

**March 24, 2009 - 7:00 P.M.**

**AGENDA**

**1. The minutes of the Board of Public Safety meeting held on Tuesday, March 10, 2009 to be submitted for approval.**

**ACTION:**

**2. Colonel Stephen M. McCartney to submit a revised retirement request for Lieutenant Kevin Mowry.**

**ACTION:**

**3. Officer John Oscarson requests permission to retire from active service with the Warwick Police Department effective June 30, 2009 having served 28 years.**

**Officer Oscarson's last day worked will be May 13, 2009 and he will be utilizing 26 vacation days and 8 hours of compensatory time. Officer**

**Oscarson is requesting payment for 40 days and 100 hours of unused vacation time. Officer Oscarson will be retiring at a pension rate of 68.992%**

**ACTION:**

**4. Detective Michael Turner requests permission to retire from active service with the Warwick Police Department effective June 21, 2009 having served 23 years.**

**Detective Turner's last day worked will be June 7, 2009 and he will be utilizing 8 vacation days. Detective Turner is requesting payment for 40 vacation days and 100 hours of unused compensatory time. Detective Turner will be retiring at a pension rate of 57.079%**

**ACTION:**

**5. Colonel Stephen M. McCartney to recommend transfers and reassignments:**

**ACTION:**

**LICENSES AND PERMITS**

## **6. Nylo Hotel**

**(1) On 1/1/09 Officer Shaun Turcotte responded to the Nylo Hotel located at 400 Knight Street for the report of an assault that had occurred previously. Officer Turcotte met with the victim who indicated that he was struck with a large bottle while he was at the bar on this date. He indicated he had just returned from Kent Hospital after receiving five stitches to his lower left eye. He also received some super glue sutures to his face for a small laceration that he sustained as a result of the assault. (09-3-OF)**

**Officer Turcotte spoke with Jeff Tahlmore, hotel management who indicated that at approximately 12:30 -1:00 a.m. he felt a piece of glass hit the back of his leg. When he turned around he observed one of the bartenders escorting a large male out of the restaurant area. Mr. Tahlmore said that he heard that the victim had been struck with a large glass bottle. He stated that the victim was escorted out of the restaurant and quickly learned that the victim had been injured.**

**The victim did not want any type of rescue or police assistance and management directed Tahlmore to transport him to KCMH. It was determined that due to the fact that the victim was totally coherent the officer wouldn't obtain a witness statement from him on this date. Officer Turcotte reviewed the incident on the surveillance video with Mr. Tahlmore and identified the suspect as a large male who had been**

**given a walk thru of the hotel. This information was provided to the Officer in Tahlmore's written statement. An arrest warrant was issued for the suspect.**

**(09-190-AR)**

**Due to the aforementioned facts, the management of, Nylo Hotel, 400 Knight Street, is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.**

**Article #7 Supervision of Licensed Premises and Associated Areas:**

**D. All fights, disturbances or other violence shall be reported immediately to the Warwick Police Department by Licensee.**

**PER ORDER OF THE BOARD OF PUBLIC SAFETY**

**(2) On March 14, 2009 Captain Collins and Officer Lombardi were working the underage alcohol detail with a seventeen year old buyer. The officers dropped the buyer at the Nylo Hotel with instructions to enter the bar and order a Budweiser Lite. The buyer entered the bar about five minutes later, called the officers and stating she had been served.**

**Upon entering the establishment, Captain Collins observed the buyer seated at the bar. In front of her was an opened bottle of Bud Lite. The buyer pointed out the bartender that sold her the beer for \$4.50. The bartender and manager of the Food and Beverage section were escorted to an office. The manager, Maggie Longo and the bartender Vilayvanh were advised of what would occur in District Court and the Board of Public Safety. Vilayvanh was issued a summons to appear on March 30, 2009 after being positively identified by her RI license. The bottle of beer was secured in evidence at headquarters.**

**(09-632-AR)**

**Due to the aforementioned facts, the management of, Nylo Hotel, 400 Knight Street, 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).**

**PER ORDER OF THE BOARD OF PUBLIC SAFETY**

## **ACTION:**

### **7. Dabormida Club**

**(1) On 3/8/09 at approximately 4:47 a.m. (Daylight savings time had just taken effect at 2:00 a.m.) Officer Johnson was instructed by Sgt. Boisseau to keep periodic checks for a particular vehicle at the Dabormida Club at 65 Pontiac Street. Upon arrival Officer Johnson noticed that there were four vehicles parked on either side of the building. Officer Johnson heard voices coming from inside the club which is a licensed liquor establishment. Officer Johnson called out a liquor check at the location and Sgt. Boisseau arrived on the scene to assist. Upon arrival Officer Johnson and Sgt. Boisseau knocked on the door and were greeted by Robert Silvaggio. Mr. Silvaggio indicated that he was an officer of the Club and that he and a few members were inside cleaning up. Mr. Silvaggio admitted he had not called the Warwick Police for an extension. Seated around the bar were Raymond Piro; Gary DeAngelis; and Barry Tourony. There was an open bottle of Miller Light beer than had been partially consumed as well as a plastic cup that contained what appeared to be beer that was cold to the touch on the bar. Mr. Silvaggio stated that he presently serves as the Secretary Treasurer of the Club. (09-958-OF)**

**Due to the aforementioned facts the management of Dabormida Club, 65 Prospect St., 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.**

**B. In the event of extenuating circumstances, the licensee may request an extension from the commanding officer on duty of the Warwick Police Department. Such an extension, if granted, shall be for a specified time.**

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

**D. No one, other than employees, police and enforcement personnel, shall be admitted to the premises after the required closing time.**

**(2) On 3/10/09 at approximately 3:43 a.m. Officer Johnson was on patrol on Prospect Street when he noticed two vehicles parked in the lot of the Dabormida Club where Officer Johnson recently**

**investigated a liquor law violation at this establishment. He exited his vehicle and walked around the perimeter and could hear voices inside the nightclub. Officer Johnson knocked on the door and was greeted by a person identified as the Vice President, Kevin Brown. Mr. Brown was clearly under the influence of alcohol and he was accompanied by a male who identified himself as a sergeant at arms, Stephen Callahan.**

**Both men stated they were aware of the recent violation at the club and stated that they had just stayed after hours and had been talking inside. Officer Johnson informed them of the liquor law which requires all employees be out of the club by 2:00 a.m. Officer Johnson stood by while the establishment was locked up.**

**(09-991-OF)**

**Due to the aforementioned facts the management of Dabormida Club, 65 Prospect St., Warwick, is in violation of the following rules and regulations issued by the Board of Public Safety for the orderly operation of liquor establishments.**

## **2. CLEARANCE OF PREMISES AND ASSOCIATED AREAS:**

**E. 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.**

**F. In the event of extenuating circumstances, the licensee may request an extension from the commanding officer on duty of the Warwick Police Department. Such an extension, if granted, shall be for a specified time.**

**PER ORDER OF THE BOARD OF PUBLIC SAFETY**

**ACTION:**

**8. Class F Liquor License Debra Place, Warwick Museum of Art, 3259 Post Road. Event to be Held at the above location 4/24/09 From 6:00 to 12:00 p.m.**

**ACTION:**

**9. Outside Seating Christine Nevers, Nylo Hotel, 400 Knight St.**

**ACTION:**

**Live Entertainment/Outside Christine Nevers, Nylo Hotel,  
400 Knight St. Requesting  
Bands, Disc Jockey.**

**ACTION:**

**10. Outside Seating Marianne Dabrowski, Dabrowski  
Entertainment, d/b/a Marley's on the  
Beach f/k/a Captain Seaweeds, 885  
Oakland Beach Ave. Requesting 8  
Round tables four each on the  
Upper and lower levels each seating  
4-6 people.**

**ACTION:**

**Live Entertainment Marianne Dabrowski, Dabrowski  
Entertainment, d/b/a Marley's on the  
Beach f/k/a Captain Seaweeds, 885  
Oakland Beach Ave. Requesting  
Solo guitar or keyboard for outside  
on weeknights and weekends from  
2:00 p.m. to 12:00 a.m.**

**ACTION:**

**11. Liquor License Class BV Melanie Flamand, CMT Realty, LLC  
(Transferred) d/b/a Carousel Grille, 859 Oakland  
Beach Ave., f/k/a Groucho's.**

**ACTION:**

**12. Liquor License Class BV Joshua Soullier, Bo's Bar and  
(Transferred) Billiards, Inc., d/b/a Bo's Bar  
& Billiards, 33 Lambert Lind  
Highway f/k/a Boston Billiard Club**

**ACTION:**

**13. Liquor License Class BT/New Jefferson Hotel Associates, LLC,  
d/b/a Holiday Inn Express and Suites  
Hotel, 901 Jefferson Blvd.**

**ACTION:**

**14. Second Class Victualer/New William McAllister, NAIA, Inc.,**

**Dear Hearts, 2121 Elmwood Ave.**

**ACTION:**

**15. Second Class Victualer/New Richard Belony, d/b/a Mega Milk  
Mart, 1243 West Shore Road**

**ACTION:**

**Holiday Sales/New Richard Belony, d/b/a Mega Milk  
Mart, 1243 West Shore Road**

**ACTION:**

**16. Holiday Sales/New Stephanie Romano, Romano's  
Greenwood Flower & Garden, Inc.  
d/b/a Greenwood Flower & Garden,  
782 Main Ave.**

**ACTION:**

**17. Private Detective/Renewal Hub Enterprises, Inc. d/b/a Edward**

**Spicer, Jr., 39 Dodge St., #236**

**Beverly, MA**

**ACTION:**

**18 Private Detective/Renewal Tracy Ellison, d/b/a New England**

**Investigators, Inc., 67 Haverford Rd.**

**Warwick**

**ACTION:**

**19. Letter request from Tina Dean requesting the parking ban for the Potowomut/Bay**

**Ridge Area be lifted for the 24th Annual Potowomut Community Yard Sale being held on Saturday May 9, 2009 from 8-4:00 p.m. with a heavy rain date of May 16, 2009. Members of the community set up a yard sale in their own yard.**

**ACTION:**

**20. Frozen Lemonade/New Warren D. Whitman, Jr., d/b/a**

**Victoria's Frozen Lemonade &**

**Ice Cream, 151 Leigh Street**

**This item was tabled from the 3/10/09 meeting.**

**ACTION:**

- 21. General Peddler Archie Collins, HMG  
Distribution, Inc., 108 Village  
Square, Somers, NY**

**ACTION:**

- 22. Game of Chance/Raffle ALS Association, RI  
Chapter, 2915 Post Rd.  
Raffle to take place at the  
Crowne Plaza Hotel on  
6/11/09.**

**ACTION:**

- 23. Game of Chance/Raffle The Kent Center, 2756 Post  
Rd. Raffle to be held at Masonic  
Youth Center 6/19/09**

**ACTION:**

**24. Game of Chance/Raffle Greenwich Village Apartments**

**(50/50) Tenants, 300 Lambert Lind Hgwy.**

**Raffle to take place at the above**

**Location from 5/1/09 through**

**8/31/09.**

**ACTION:**

**25. Game of Chance/Raffle Friends of the Warwick Animal**

**Shelter, P. O. Box 9285,**

**Warwick. Raffle to take place at**

**The Norwood Baptist Church on**

**4/4/09**

**ACTION:**

**26. Game of Chance/Raffle Friends of the Warwick Animal**

**Shelter, P. O. Box 9285,**

**Warwick. Raffle to take place at**

**171 Service Road on 6/14/09**

**27. Game of Chance/Raffle Narragansett Chapter of Trout,  
1 Birch St., Chepachet. Raffle to  
Take place at the Crowne Plaza  
On 3/19/09.**

**ACTION:**

**28. Game of Chance/Raffle New England Institute of  
Technology, 2500 Post Road.  
Raffle to take place at the above  
Address from 4/20/09 through  
4/23/09.**

**ACTION:**

**29. Game of Chance/Raffle Rock n Jock Charities, P. O. Box  
8131 Warwick. Raffle to be held  
At the Potowomot Golf Club on  
8/17/09**

**ACTION:**

**30. Game of Chance/Raffle Warwick Police Athletic League  
PAL, P. O. Box 9157, Warwick.  
Raffle to be held at 80 Bend St.  
Warwick on 10/23/09**

**ACTION:**

**31. Game of Chance/Raffle Continental Little League,  
Greenwich Ave., Warwick.  
Raffle to take place at the  
Above location on 6/6/09.**

**ACTION:**

**32. Game of Chance/Raffle Warwick Knights of Columbus  
Council 2295, 81 Alfred St.  
Warwick. Raffle to take place  
On Sandy Lane on 6/25/09**

**ACTION:**

**33. Live Entertainment Picasso's Pizza, 2323 Warwick Ave.**

**Karaoke, 2 man guitar, DJ, Bands**

**From 3/10/09 through 11/29/09.**

**Request to be tabled to 4/14/09.**

**ACTION:**

**34. Live Entertainment Dennis LeBlanc, Brickyard Bar  
& Grill, 2276 Warwick Ave.**

**3 Bands for a benefit on 3/14/09**

**At the above location.**

**ACTION:**

**35. Live Entertainment/Inside Barbeque Integrated, Inc. d/b/a  
Smokey Bones Barbeque & Grill**

**31 Universal Blvd. Request for**

**Karaoke Thursday nights from**

**8 to midnight.**

**ACTION:**

**36. Outside Seating John Butler, McKinley's, One**

**Division St. Request for 9 tables  
To accommodate 54 people with a  
Remote service area.**

**ACTION:**

**Live Entertainment John Butler, McKinley's, One  
Division St. Request for acoustic  
Singer/song writer fro outside from  
5/1/09 through 9/30/09**

**ACTION:**

**Agendas posted at Police Headquarters and City Hall on March 19,  
2009.**

**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.**

## **Board of Public Safety**

### **Fire Department – Regular Session**

**March 24, 2009**

**1. Based on the recommendation of the Fire Marshal, Chief Kevin M. Sullivan to recommend approval on the following flammable permits:**

**Jay Packaging Group, Inc., 100 Warwick Industrial Drive 337**

**The Sports Authority # 156, 400 Bald Hill Road, Suite 700 630**

**Biomedical Structures, 71 Cypress Street 699**

**Lumetta, Inc., 33 Minnesota Avenue 403**

**2. Chief Kevin M. Sullivan to submit retirement request from Lieutenant Kevin Fraser effective Sunday, March 29, 2009 on Pension II at 53.310 percent. Lieutenant Fraser was appointed to the department on August 2, 1987.**

**3. Based on approval of the above retirement request, Chief Kevin M. Sullivan to recommend approval of the following promotion effective Sunday, March 29, 2009:**

**Firefighter Carl Pecchia to Lieutenant**

**4. Chief Kevin M. Sullivan to request retirements, promotions and assignments.**