**Tuesday, March 5, 2019**

At a liquor hearing of the Board of License Commissioners in Harris Hall on Tuesday, February 5, 2019 at 7:00 P.M.

Six (6) members were present. Councilwoman Brown was absent.

A report of alleged violation by Fulton Restaurants, LLC, d/b/a Cowboys, 350 River Street, Woonsocket, RI is read by title.

The City Solicitor opened with a list of violations on February 17, 2019.

Detective Michael Flood, 13 years on force, was sworn in and gave the following testimony: During compliance check noticed approximately 15 hookahs on display around 45 patrons in establishment. No license was visible and ordered the hookahs be removed. Noticed speakers hooked up to cell phones.

Atty. Hanley asked if anyone was underage and if there was bottle service. Detective Flood responded no.

Sergeant Ronald J. Marcos, 22 year veteran was sworn in and gave the following testimony: Responded to establishment on 11/3/18 and heard loud music created by large speakers which made it impossible to communicate. He did not observe hookahs. Observed patrons under 21 drinking from cans of Coke. Liquor license was not visible and could not be located. Use instructed they could use hookahs.

On 12/23/18 Sergeant Marcos responded to location from an initial fire alarm call. Deputy Fire Chief observed hookahs & smoke. Alarms were going off and patrons were still inside the establishment and not cooperative. Noticed the second means of egress was block, it was a safety hazard.

Officer Jason Berthelette was sworn in and gave the following testimony: On 12/29/18 he assisted with State Fire compliance check and observed loud music, low lighting, smoky haze and active hookah devices. Asked if they had a permit and owner shut down the devices. Noted the smoke was a safety concern.

Chief Thomas F. Oates, III was sworn in and gave the following testimony: Feels there was no change in attitude or patrons, nor a change in behavior. More lack of responsibility. Pattern of behavior has not changed. Questioned the social media flyer advertising for underage patrons, bottle service & risky entertainment.

Atty. Hanley noted that the original manager is gone, there’s no more advertising and they have not had any written reports from Police.

Commissioner Cournoyer – the council had long discussions re: changes that needed to happen at this establishment, and the manager should be more experienced than noted. The city is wasting its’ personnel every time there’s a hearing for this business.

Chief Thomas F. Oates, III – feels it’s a matter of keeping certain clientele out, institute a dress code and he’s not interested in issuing police detail as a violation.

Commissioner Sierra – feels they have not and are not cleaning this establishment up.

Commissioner Brien – the Fire Marshal gave a warning on 12/23/18 and the egress was fixed on 12/29/18. Feels the Board has been lenient and any establishment should know the laws prior to operation.

Commissioner Ward – owner is ultimately responsible for all incidents. The only incidents in the city so date belong to Jaragua Lounge.

Solicitor DeSimone – feels they are not taking warnings serious or exercising preventative measures.

Commissioner Ward – any tobacco license holder must show 52% of revenue is produced from smoking products.

Commissioner Gendron – feels the Police Department/City should be made whole financially on behalf of police officers reporting to hearings.

Upon motion made by Councilman Cournoyer seconded by Councilman Soucy it is voted to impose the following penalty:

* A Two-Hundred Fifty Dollar ($250.00) fine shall be paid within ten (10) days.
* One day closure on Friday, March 1, 2019.
* One day closure on Friday, March 8, 2019.

A roll call vote on same being unanimous.

Upon motion by Councilman Cournoyer seconded by Councilwoman Sierra the hearing is hereby adjourned at 7:26 P.M.

Attest: Christina Harmon-Duarte City Clerk