

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, April 4, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:10 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Paul H. Archetto, Vice-Chair
Councilman Emilio L. Navarro
Councilman Michael W. Favicchio
Council Vice-President Robert J. Pelletier
Council President Anthony J. Lupino

Also Present: Gerald Cordy, Deputy Director of Administration
Major John Schaffran, Police Department
Captain Kevin Morris, Fire Department
Evan Kirshenbaum, Assistant City Solicitor
Patrick Quinlan, City Council Legal Counsel
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

II. MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

III. CORRESPONDENCE: Letter from Al-Mall Daily Mart re: change of name to Akid Daily Mart

No action needed.

IV. OLD BUSINESS:

USED CAR LICENSE –review – cont'd from 3/7/11
Brosco Motors

1769 Cranston St.

Alicia Aucone, applicant, appeared to speak.

John DiBona, Esq., appeared to represent applicant and stated the status of the issues that were addressed at the last meeting by the Committee:

- Building be painted – Attorney DiBona presented a letter from the landlord stating that once the weather gets warmer, the building will be painted
- Test driving up Bolton St. – Attorney DiBona stated that this will not be occurring in the future.
- Work being done early in the morning – Attorney DiBona stated that no work will be done before 8:30 A.M. There are employees in the building early, but not working on the vehicles.
- Request for extended hours – Applicant requests hours extended to 7:30 P.M. from 6:30 P.M.

Attorney DiBona also stated that his client picked up an application today in the Clerk's Office for Auto Repair, which will be acted on by this Committee next month.

Chair read letter from Rene Bramble, area resident regarding this establishment.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to continue the Auto Sales license for 30-days so it can be discussed along with the Auto Repair license.

Under Discussion:

Attorney DiBona stated that his client is requesting hours be changed and operate from 9:00 A.M. to 7:30 P.M. Monday thru Friday and 9:00 A.M. to 6:00 P.M. Saturday.

Council President Lupino asked Solicitor if Used Car businesses have restricted hours. Solicitor stated that the hours may be subject to the Committee's interpretation.

Chair asked that applicant forward to her attorney, in writing, the request for change of hours and this will be discussed at the next meeting along with the Auto Repair license.

Motion to continue for 30 days passed unanimously.

CLASS BY ALCOHOLIC BEVERAGE – 3 MONTH REVIEW FROM 1/2011
Gilda's Italian Restaurant 355 Dyer Avenue

Gregory Piccirilli, Esq., appeared to represent the applicant and reported that there have been no incidents at this establishment since the last time this was before the Committee.

No action taken.

V. **MISCELLANEOUS BUSINESS:**

None.

VI. **PUBLIC HEARING:**

SECONDHAND LICENSE – NEW

Tag Sale Treasures

Amy Conn

2154 Broad Street

Amy Conn appeared to speak. No one appeared to oppose.

Captain Morris stated that he met with the applicant to discuss ways to make this building safe and a number of things came about. Deficiency letter was sent on October 6, 2010 to the owner. He met with the applicant again regarding these deficiencies. The owner agreed to submit plans to take care of the deficiencies. From April 1, 2011, the applicant will have 120 days to install fire alarm system. The Building Inspector has agreed to offer temporary Certificate of Occupancy to the applicant and give the owner time to get the building up to Code.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license have a four-month review (August). Motion passed unanimously.

TRANSFER-CLASS B VICT. ALCOHOLIC BEVERAGE LICENSE – NEW

FROM: *Don's Restaurant*

David Imondi

1108 Pontiac Ave.

TO: *Pettaconsett Corner LLC*

d/b/a *Don's Restaurant*

Jeffrey Saletin

1108 Pontiac Ave.

Robert Murray, Esq., appeared to represent the applicant.

Jeffrey Saletin appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license transfer application. Motion passed unanimously.

VII. **ORDINANCES:**

**+02-11-1 Ordinance amending Title 5 of the Code of the City of Cranston, 2005
“Business Licenses and Regulations” Creates a licensing requirement and
establish standards of practice as well as rules and regulations governing
their operation and personnel.**

Joanne Lozy, member of the RI Chapter of American Massage Therapy Association, appeared to speak in favor.

VII. ORDINANCES: (Cont.)

**+02-11-1 Ordinance amending Title 5 of the Code of the City of Cranston, 2005
“Business Licenses and Regulations” Creates a licensing requirement and
establish standards of practice as well as rules and regulations governing
their operation and personnel (Cont.)**

Diane Polisena, licensed massage therapist in RI for 21 years and educator, appeared to speak in favor.

Gina Morino, licensed massage therapist, appeared to speak in favor.

Steven Estner, 11 Delta Dr., Saunderstown, licensed chiropractor, appeared to speak in favor.

Patricia Bachus, 31 Newport Ave., Newport, appeared to speak in favor.

Council President Lupino asked to be added as a co-sponsor of this Ordinance. He stated that there are some Zoning issues that need to be addressed because currently, the Code refers to massage parlors and not therapists. Also, where these massage therapist establishments would be allowed has to be designated in the Code.

Councilman Navarro questioned if this is a one-time license or would it be renewable every year. Council Vice-President Pelletier stated that it would be a yearly license for a fee of \$25.

Chair indicated that the Solicitor had to leave the meeting, but he has given a positive endorsement on this Ordinance.

On motion by Councilman Archetto, seconded by Councilman Navarro, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

**3-11-8 Ordinance Amending 10.32.350 of the Code of the City of Cranston, 2005,
entitled “No Parking on Certain Streets Near School”. Revises no standing
to address student safety concerns at Woodridge School. Sponsored by
Mayor and Councilman Santamaria.**

Councilman Archetto asked to be added as co-sponsor of this Ordinance.

No one appeared to speak in favor or to oppose.

On motion by Councilman Archetto, seconded by Councilman Navarro, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF TITLE 5, OF THE CODE OF THE CITY OF
CRANSTON, 2005, ENTITLED "BUSINESS LICENSES AND REGULATIONS"
(Massage Therapy Establishments)

No.

Passed:

Anthony J. Lupino, Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Title 5 entitled "Business Licenses and Regulations." is hereby amended by adding the following new chapter 5.25 entitled "Massage Therapy Establishment" as set forth in the attached Exhibit "A".

Section 2. This ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Evan Kirshenbaum, Asst. Solicitor Date

Evan Kirshenbaum, Asst. Solicitor Date

Sponsored by Council Vice-President Pelletier and Councilman Stycos
Co-Sponsored by Council President Lupino

Refer to Safety Services April 4, 2011

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC" (Woodridge School No Parking)

No.

Passed:

Anthony J. Lupino, Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Chapter 10.32, Section .350 entitled "No parking on certain streets – Near schools when school in session" is hereby amended as follows:

L. Woodridge School. Between the hours of 8:00 a.m. and 9:00 a.m., 12:00 noon and 1:30 p.m. and 3:00 p.m. and 4:00 p.m., on days when the Woodridge School is in session, no vehicle shall remain standing for any period of time upon the following streets:

~~[Harwich Road, northerly side, from Budlong Road westerly to Chatham Road.]~~
~~Harwich Road, southerly side, from Budlong Road westerly to Chatham Road.~~

Chatham Road, easterly side, from Harwich Road to a point three hundred (300) feet northerly of Harwich Road.

Between the hours of 8:00 a.m. and 4:00 p.m., on days when Woodridge School is in session, no vehicle shall remain standing for any period of time upon the following streets:

Budlong Road, both sides, from Harwich Road, northerly, for a distance of three hundred (300) feet.

~~[Chatham Road, east side, between Harwich Road and Sagamore Road.]~~

Chatham Road, west side, between Harwich Road and Rangely Road.

~~[Harwich Road, north side, between Chatham Road and Budlong Road.]~~

Harwich Road, south side, between Deerfield Road and Chatham Road.

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Section 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement	Negative Endorsement (attach reasons)
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_____	_____
Anthony Cipriano Solicitor Date	Anthony Cipriano, City Solicitor Date

Sponsored by: Mayor Fung and Councilman Santamaria
Co-Sponsored by Councilman Archetto
Referred to Safety Services and Licenses Committee: April 4, 2011

VII. ORDINANCES: (Cont.)

3-11-9 Ordinance 10.32.040 of the Code of the City of Cranston, 2005, entitled “No Parking on Certain Streets” Repeals no parking on northerly side of Brooks St. Sponsored by Council Vice-President Pelletier.

No one appeared to speak in favor or to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

Resolution of the City Council opposing the location of any medical marijuana Compassion centers in the City of Cranston. Sponsored by Council Vice-President Pelletier.

No one appeared to speak in favor or to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to recommend approval of this Resolution.

Under Discussion:

Councilman Navarro stated that he will be voting against this Resolution because the State has legalized this. This is premature to oppose these centers in the City of Cranston.

Roll call was taken on motion to recommend approval of this Resolution and motion passed on a vote of 3-2. The following being recorded as voting “aye”: Councilmen Santamaria, Favicchio and Council Vice-President Pelletier -3. The following being recorded as voting “nay”: Councilmen Navarro and Archetto -2.

VIII. NEW LICENSE APPLICATIONS:

PRIVATE DETECTIVE LICENSE – NEW

Timothy Poulin - # 491

670 Laten Knight Rd.

Timothy Poulin appeared to speak. No one appeared to oppose.

On motion by Councilman Navarro, seconded by Council Vice-President Pelletier, it was voted to approve this license application. Motion passed unanimously.

VICTUALLING LICENSE – NEW

Don's Restaurant

Jeffrey Saletin

1106 Pontiac Avenue

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license application. Motion passed unanimously.

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THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005 , ENTITLED "MOTOR VEHICLES AND TRAFFIC" (Repeal Brooks Street No Parking)

No.

Passed:

Anthony J. Lupino, Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Chapter 10.32, Section .040 entitled "No Parking On Certain Streets - Generally." is hereby amended by deleting the following:

~~[Brooks Street, northerly side]-~~

Section 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement	Negative Endorsement (attach reasons)
_____	_____
Anthony Cipriano, Solicitor	Anthony Cipriano, Sol;icitor, Date

Sponsored by: Council Vice-President Pelletier

Referred to Safety Services and Licenses Committee April 4, 2011

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THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL
OPPOSING THE LOCATION OF ANY MEDICAL MARIJUANA
COMPASSION CENTERS IN THE CITY OF CRANSTON**

No.

Passed:

Anthony J. Lupino, Council President

WHEREAS, the State of RI Department of Health has send out an RFP for applicants to applying for authorization to operate a Medical Marijuana Compassion Center; and

WHEREAS, one of the criteria to be considered in the granting of a compassion center certificate is the convenience to patients from throughout the State of Rhode Island to the compassion centers; and

WHEREAS, the City of Cranston, being at a centrally located point in Rhode Island; and is conveniently located for patients from throughout Rhode Island; and would be traveling to Cranston to purchase Medical Marijuana.

WHEREAS, another of the criteria to be considered in the granting of a compassion center certificate is the wishes of the city or town where the dispensary would be located;

WHEREAS, The Cranston Police have expressed many concerns on the growing of Medical Marijuana within the city limits due to the inherent nature of the drug and; the Mayor has also expressed concerns regarding public safety and well being to the residents of Cranston.

NOW THEREFORE BE IT RESOLVED, that the Cranston City Council hereby formally expresses its opposition to the location of any medical marijuana compassion center and or cultivation facility within the City of Cranston.

This Resolution shall take effect immediately upon passage.

Sponsored by Council Vice President Pelletier

Referred to Safety Services April 4, 2011

VIII. NEW LICENSE APPLICATIONS: (Cont.)

ITINERANT FOOD VENDOR LICENSE – NEW

Fatboys Kitchen @ AAA GAS 717 Park Ave

240 Wallace Street

Charlene Griffin appeared to speak and stated that she plans to place the truck on AAA Gas's property, but AAA Gas owes City taxes and she has not been able to get a site plan prepared. Hours of operation will be Monday thru Friday 10:00 AM to 6:00 PM. Until she can get these issues cleared up, she is looking at placing the truck on an empty lot also on Park Ave.

City Clerk indicated that the applicant modified the application for a hawker's license which would allow applicant to sell on City streets. If she does find a location, she would have to apply for a temporary structure license.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license application. Motion passed unanimously.

HOLIDAY SALES LICENSE – NEW

T-Co Farms

Christine Lindopp

1075 Scituate Avenue

Glenn Teolis appeared to speak. No one appeared to oppose.

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to approve this license application. Motion passed unanimously.

Chekrallah Ent. d/b/a Speedy Mart

95 Warwick Avenue

Mr. Chekrallah appeared to speak and stated hours of operation to be Monday thru Saturday 6:00 AM to 11:00 PM and Sunday 6:00 AM to 10:00 PM. No one appeared to oppose.

On motion by Councilman Navarro, seconded by Council Vice-President Pelletier, it was voted to approve this license application. Motion passed unanimously.

PEDDLER'S LICENSE – NEW

Hot Diggity Dogs

Joseph Schutt

19 Sabra Street

Joseph Schutt appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license application. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE – NEW

M & M Management LLC d/b/a Cold Stone Creamery
Manmohan Mehrotra

1000 Chapel View

Manmohan Mehrotra appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this license application. Motion passed unanimously.

Angelina's Pizza
Ramon Dawfeek

407 Laurel Hill Ave.

Ramon Dawfeek appeared to speak. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve this license application. Motion passed unanimously.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

Major Schaffran asked that Grumpy's Bar & Grill, 641 Atwood Ave., be asked to appear at the next meeting for a Show Cause Hearing for open after hours on April 1, 2011.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to ask applicant of Grumpy's Bar & Grill to appear before this Committee at the next meeting for a Show Cause Hearing. Motion passed unanimously.

XI. FIRE DEPARTMENT:

St. Mary & St. Mena Coptic Orthodox Church, 2433 Scituate Avenue has applied for an underground storage tank (2,000 gals. propane).

Captain Morris appeared to speak.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this application. Motion passed unanimously.

XI. FIRE DEPARTMENT: (Cont.)

**Golfing Partners LLC*, 1000 New London Ave. has applied for a 275 gallons #2 fuel oil tank

Captain Morris appeared to speak.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this application. Motion passed unanimously.

XII. LICENSE RENEWALS:

HOLIDAY SALES LICENSE – RENEWALS

Twice Told Tales

Park Avenue Shell

Rainbow #218

Bel Terra Landscaping

Wal-Mart

Price Rite of Cranston

Lowe's Home Centers

2145 Broad Street

1315 Park Avenue

1200 Oaklawn Ave.

1199 Pippin Orchard

1776 Plainfield Pike

1415 Elmwood Ave.

247 Garfield Ave.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

SECONDHAND LICENSE – RENEWAL

Broad St. Used Furniture

Village Art & Antiques

Yepremian Jewelers

C B Truck Tire Service

Christopher III

164 Gansett Avenue

2145 Broad Street

570 Reservoir Ave.

140 Farmington Ave.

151 Park Avenue

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

PEDDLER'S LICENSE – RENEWAL

Frenchy's Popcorn

Benji's Ice Cream

Mike's Ice

780 Reservoir Avenue

796 Broad Street

P O BOX 844

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

PUBLIC ENTERTAINMENT CLASS I – RENEWAL

RI Shriner

1 Rhodes Place

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

XII. LICENSE RENEWALS: (Cont.)

AUTO REPAIR LICENSE – RENEWAL

Victor Cima & Son

1335 Cranston Street

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

USED CAR LICENSE – RENEWAL

Dyer Avenue Motors

454 Dyer Avenue

Mega Wheels

1568 Broad Street

Miracle Auto Sales

580 Reservoir Avenue

Moretti Auto Sales

510 Atwood Avenue

Park Avenue Auto Sales

716 Park Avenue

Chestnut Hill Auto & Truck Sales

21 Calef Street

Cranston Auto Ignition

1152 Park Ave.

R & S Auto Sales & Service

950 Wellington Ave.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

HAWKERS LICENSE – RENEWAL

Papa Pasquale's

181 Arnold Ave.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

VICTUALLING LICENSE – RENEWAL

O'Brien's Park Place Café

935 Park Ave.

Whole Foods Market

151 Sock Crsrd.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal applications. Motion passed unanimously.

FLOWER VENDOR LICENSE – RENEWAL

Matt Olerio

@1591 Cranston St.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

AUTO REPAIR LICENSE – RENEWAL

Central Truck

131 Fletcher Ave.

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of Events for (we were given up to 5/30)

Actual Number of Attendees

SHARX BAR & GRILLE d/b/a GRILL 505

Schedule of Events for the months up to June 2011

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve the above list of events. Motion passed unanimously.

El Tipico Restaurant

Schedule of Events for April 2011

On motion by Council Vice-President Pelletier, seconded by Councilman Archetto, it was voted to approve the above list of events. Motion passed unanimously.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,



Rosalba Zanni

Assistant City Clerk/Clerk of Committees