

(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, December 5, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:00 P.M. by the Chair.

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

Absent: Councilman Emilio L. Navarro

Also Present: Mark Capuano, Deputy Director of Administration
Major John Schaffran, Police Department
Captain Kevin Morris, Fire Department
Evan Kirshenbaum, Assistant City Solicitor
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:

IV. OLD BUSINESS:

Tag Sale Treasures
SECONDHAND LICENSE – (REVIEW FROM 11/7/2011)

2154 Broad St.

Captain Morris asked that this license application be continued for one more month.

IV. OLD BUSINESS: (Cont.)

Tag Sale Treasures (Cont.)

2154 Broad St.

SECONDHAND LICENSE – (REVIEW FROM 11/7/2011)

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to continue this license application for one more month. Motion passed unanimously.

Chair asked that the Clerk send a letter to the applicant advising them that this is the last time this license application will be continued.

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARING:

EXPANSION OF PREMISES – NEW

Christopher's Cranston Deli

1458 Park Avenue

Bob Coleman 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.

AUTO REPAIR LICENSE – NEW

Motor Werkz Unlimited

1108 Park Avenue

Eric Prcygo 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.

TRANSFER OF CLASS BV ALCOHOLIC BEVERAGE LICENSE – NEW

From: *Stefano's Inc d/b/a Nicole's*

555 Atwood Avenue

Steven Pellegrino

To: *Orlando Enterprises Inc d/b/a Orlando's*

555 Atwood Avenue

Pasquale Orlando

Steven Pellegrino and **Pasquale Orlando** 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.

VI. PUBLIC HEARING: (Cont.)

TRANSFER OF CLASS BV ALCOHOLIC BEVERAGE LICENSE – NEW

From: *El Tapatio Inc.*

355 Atwood Ave.

To: *Union De Tula, Inc d/b/a EL Tapatio*

355 Atwood Ave.

No one appeared to speak in favor or to oppose.

Clerk indicated that applicant has asked for a continuance and will be re-advertised for next month.

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

ALL NIGHT LICENSE – NEW

Wal-Mart

1776 Plainfield Pike

William Marocco, 135 Westfield Dr., appeared to oppose and read a memo he e-mailed to the Committee on behalf of residents in his neighborhood who could not attend this meeting. He stated that he and his neighbors never received notification of this meeting. When Wal-Mart held meetings for their Expansion, they stated that there would be no request for a 24-hour license. He indicated that there is debris from this establishment in the woods, which he sees from his home, lighting aimed at his home day and night and noise all hours of the night coming from the loading dock.

Robert Gammino, 129 Westfield Dr., appeared to oppose and stated that the new loading dock is right in his backyard.

Barbara Rotter, 141 Westfield Dr., appeared to oppose and stated that light shines in her home along with debris and noise.

Carol Rotter, 141 Westfield Dr., appeared to oppose.

Elizabeth Durgan, Esq., of Adler, Pollock & Sheehan, appeared to represent Wal-Mart. She stated that as to the 24-hours, when her client appeared before the Site Plan Review for their Expansion, they advised the City that they were not seeking 24-hour license at that time. Chair referred to the Site Plan Review decision and it does not state “at this time”.

On motion by Council President Lupino, seconded by Council Vice-President Pelletier, it was voted to deny this license application request for All Night.

Under Discussion:

Council Vice-President Pelletier stated that Wal-Mart has not been a good neighbor from the start. Neighbors’ concerns from the beginning were and are: drainage issue, which has not been addressed by Wal-Mart, trash is still going into the woods and into the residents’ yard and lighting is still not being addressed.

Attorney Durgan stated that the Manager has indicated to her that he has not received any complaints from anyone during construction. As to the drainage issue, her understanding is it has been addressed. As to the debris, Wal-Mart has a plan in place to address this. As to the lighting, there have been no complaints to date.

VI. PUBLIC HEARING: (Cont.)

ALL NIGHT LICENSE – NEW (Cont.)

Wal-Mart

1776 Plainfield Pike

Council President Lupino asked why Wal-Mart would want a 24-hour store when there is a Wal-Mart less than five miles away, which abuts a Toys R Us, Sears, CCRI and Pawtuxet River and would not affect the quality of life to people in the neighborhood. He also stated that he has driven by this store early in the morning and seen tractor trailers and campers parked in the parking lot. Having a 24-hour license at this location would attract a bad element of people to hang out there and at all hours of the morning and night.

Motion to deny passed unanimously.

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – NEW

Chef Walter's Fine Foods

162 Mayfield Ave.

Alice Petrone appeared to represent the applicant. Walter Potenza also appeared to speak. No one appeared to oppose.

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

VII. ORDINANCES:

None.

VIII. NEW LICENSE APPLICATIONS:

HOLIDAY SALES LICENSE – NEW

Anthropologie

56 Hillside Road

No one appeared to speak in favor or to oppose.

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

Advanced Auto Parts

250 Atwood Ave.

Diane Salvatore appeared to speak in favor. No one appeared to oppose.

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

VIII. NEW LICENSE APPLICATIONS: (Cont.)

Tim's Gift Shop & Florist

1382 Plainfield Street

Tim Trincinte appeared to speak in favor.

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

VICTUALLING LICENSE – NEW

El Tapatio

355 Atwood Avenue

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

Orlando's

555 Atwood Avenue

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

Chef Walter's Fine Foods

162 Mayfield Avenue

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

China Fun

1071 Park Avenue

Ming He Lia 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.

TEMPORARY BUSINESS LICENSE – NEW

James Olerio – X-mas trees

@1369 Park Avenue

TEMPORARY BUSINESS LICENSE – NEW (RATIFY THE ACTION)

Matthew Olerio- X-mas trees

@ 1369 Park Avenue

The above two applications were taken together.

No one appeared to speak.

Major Schaffran stated that James Olerio has extension criminal record and the Police Department is concerned about him operating such a business.

Clerk indicated that the license application for Matthew Olerio should be listed as a Renewal and not a New and she had a conversation with Matthew Olerio, the father, and he was aware that they had to attend this evening.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

Clerk left room to call applicants to see if they would be attending and indicated that James Olerio has been traveling and forgot about this meeting. He apologized to the Committee and asked if he could attend next month. Clerk also indicated that James Olerio did not need to attend since this is a Renewal. She suggested that the Committee approve Matthew's application since it is a Renewal and deny James's.

On motion by Council Vice-President Pelletier, seconded by Council President Lupino, it was voted to deny the license application for James Olerio. Motion passed unanimously.

On motion by Council Vice-President Pelletier, seconded by Council President Lupino, it was voted to approve the license application for Matthew Olerio. Motion passed unanimously.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

***Private Detective
Glenn Gilkenson**

1958 Cranston St

Glenn Gilkenson appeared to speak. No one opposed.

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

XI. FIRE DEPARTMENT:

Underground storage

@ Rite Aid 1011 Cranston St.

Captain Morris appeared to speak and stated that this is not an underground tank, it is a Blue Rhino.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this application. Motion passed on a vote of 4-1. The following being recorded as voting "aye": Councilmen Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -4. The following being recorded as voting "nay": Councilman Archetto -1.

XI. FIRE DEPARTMENT: (Cont.)

Captain Morris stated that there are two applications for storage tanks, which did not make the agenda and would like them approved. They meet all standards and the Fire Department has no objections.

1. *Tiffany & Co., 40 Kenney Dr.*

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

2. *Tasca, 26 Slater Rd.*

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

XII. LICENSE RENEWALS:

SEPTAGE HAULER LICENSE – RENEWALS

See List

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve this list. Motion passed unanimously.

TEMPORARY STRUCTURE – RENEWALS (RATIFY THE ACTION)

Anthony Lombardi – X-mas tress

@ 280 Warwick Avenue

David Hauser – X-mas tress

@ 1107 Reservoir Avenue

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

VICTUALLING LICENSE – RENEWALS

Moon House Restaurant

741 Oaklawn Avenue

McDonald's

1820 Plainfield Pike

Wandies byPina

1333 Cranston St.

Taco Bell

1076 Reservoir Ave.

Honey Dew

1282 Elmwood Ave.

Stadium Fish & Chips

1079 Park Avenue

Scramblers

1045 Reservoir Ave.

Café International

675 Oaklawn Ave.

Pizza Fair

685 Park Avenue

Rainbow Bakery

800 Reservoir Ave.

Chen Garden

995 Pontiac Avenue

Whole Foods Market

151 Sockanosset Crs Rd.

Weinerman

1012 Reservoir Avenue

Stop & Shop 707

200 Atwood Avenue

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

XII. LICENSE RENEWALS: (Cont.)

USED CAR LICENSE – RENEWALS

Quality Auto Body

222 Warwick Avenue

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

PRIVATE DETECTIVE LICENSE – RENEWAL

Thomas Fitz-Simon

59 Fairfield Rd.

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

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of Events for January – March 2012

Actual Number of Attendees Sept- Nov. 2011

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

SHARX BAR & GRILL:

Schedule of Events for December 2011

Chair stated that his list of events listed a Bingo and the Marque had advertised as something else. They misrepresented an event. He questions how many other events are misrepresented. He asked that a letter be sent to the establishment stating that the list of events be detailed.

Councilman Favicchio suggested having applicant appear at the next meeting to discuss this instead of sending a letter. Solicitor suggested that a letter be sent first and then if the Committee still wishes to have them appear, they can be called in.

TIPICO RESTAURANT & LOUNGE

Schedule of events for December 2011

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

XIII. MONTHLY SCHEDULES: (Cont.)

PARK THEATRE

Schedule of Events for December 2011

Chair stated that since there is new management, he asked that a letter be sent to this establishment advising them that once an event reaches a certain amount, they have to have detail. Captain Morris stated that he will stop by there tomorrow and speak to the Manager.

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

The meeting adjourned at 8:30 P.M.

Respectfully submitted,



Rosalba Zanni

Assistant City Clerk/Clerk of Committees