

(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, February 6, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:05 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

Absent: Councilman Emilio L. Navarro

Also Present: Councilman Steven Stycos
Mark Capuano, 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 Archetto, 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: Proof of additional d/b/a Registered by Grill 505

City Clerk stated that this establishment did not change their d/b/a, they have added a second d/b/a. It is owned by the same corporation, they apparently have two rooms. We checked with the Secretary of State and a business can have more than one d/b/a.

IV. OLD BUSINESS:

HOLIDAY SALES LICENSE – NEW (Tabled 12/5/11 AND 1/9– no one appeared)
Anthropologie 56 Hillside Rd.

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

IV. OLD BUSINESS: (Cont.)

HOLIDAY SALES LICENSE – NEW (Tabled 12/5/11 AND 1/9– no one appeared) (Cont.)
Anthropologie 56 Hillside Rd.

Stephanie Gallo appeared to speak. No one appeared to oppose.

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

HOLIDAY SALES LICENSE – NEW
City Line Convenience – review from 1/9/2012 1110 Narragansett Blvd.
*****Hours of Operation 6AM – 11PM**

Joseph Manera, Esq., appeared to represent the applicant. He stated that as to the issue of the 11 P.M. closing time, after speaking with Councilman Stycos, Councilman Stycos insisted adhering to the 11 P.M. curfew, otherwise, others will ask for this. Based on his conversation with Councilman Stycos and the Chair, his client will adhere to the 11 P.M. curfew.

Discussion took place on the second issue, of client prohibited from selling certain smoking paraphernalia, Attorney Manera stated that he does not think the Committee can prohibit his client from selling those items, since they are not illegal.

Councilman Stycos stated that there was another convenience store in Edgewood in the same situation and the residents are very concerned that this will be interpreted as drug paraphernalia. This will attract certain bad element of people.

Attorney Manera stated that if the Committee would like to make this a volunteer restriction on his client's part, that would be considered, but he is opposed to making it a part of the license.

Councilman Favicchio stated that even though these items are not illegal, selling them would be causing other problems, such as noise and trash.

Attorney Manera suggested approving this license with a review in a few months.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license with curfew of 11 P.M. and continue the issue of tobacco paraphernalia to next month. Motion passed unanimously.

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARING:

TRANSFER OF CLASS A ALCOHOLIC BEVERAGE LICENSE – NEW

From : *KKSD INC*
d/b/a Metro Liquors

1075 Park Avenue

To: *LEV Ent. Inc.*
d/b/a Majestic Liquors

1075 Park Avenue

Joseph Manera, Esq., appeared to represent transferee.

George Cappello, Esq., appeared to represent the transferor. 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 approve the above transfer application. Motion passed unanimously.

AUTO REPAIR LICENSE – NEW

P & D Auto Body (8 AM – 8PM)

598B Atwood Ave

Philip Drukker appeared to speak.

Donald Rocchio, 2 Donna St., appeared to oppose and stated that last year, he filed complaints regarding body shop at this location. A big concern of his and his wife's is fumes and dust. There were three body shops operating there at the time. The complaints were never addressed. He kept being told it is a business zone. He went to the Building Inspector's Office yesterday and the Code Compliance Inspector was not in the office and he left her pictures of the site indicating the issues he has with this site. Chair asked Mr. Rocchio to meet with the Deputy Director of Administration after the meeting to discuss this issue.

Captain Morris stated that two weeks ago, he met at the site with the Municipal Court Judge, the Building Official and the owner of the building. He stated that there are three bays:

- The first bay had what could be constituted as a spray booth, but does not have the property ventilation and suppression system.
- The center booth is a legitimate booth and meets all requirements for a spray booth.

Parking issues in the past, he agrees with the resident. The parking was atrocious. Former tenant did not care. He did spraying outside.

- The third bay – he has not gone in because it was locked.

Captain Morris indicated that everything he has asked this applicant to do, he has done. He has sent a letter to the Municipal Court outlining details of his visit to the site.

Chair asked what the hours of operation will be. Mr. Drukker stated, Monday through Saturday, 8:00 A.M. to 5:00 P.M.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license on the condition of hours of operation as stated by the applicant. Motion passed unanimously.

VI. PUBLIC HEARING: (Cont.)

SECONDHAND LICENSE – NEW
Bruneau Antiques

56 Freeway Drive

Kevin Bruneau 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

VII. ORDINANCES:

1-12-1 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2010, entitled “Motor Vehicles and Traffic” (Macbeth St. at Burr St.). [[click here to view](#)]

Chair, sponsor of this Ordinance, withdrew this Ordinance.

1-12-2 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2010, entitled “Motor Vehicles and Traffic” (Burr St. Southbound at Macbeth St.) [[click here to view](#)]

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

1-12-3 Ordinance in amendment of Title 10, Chapter 12 of the Code of the City of Cranston, 2010, entitled “Motor Vehicles and Traffic” (Garfield Ave. Crosswalk). [[click here to view](#)]

No one appeared to speak in favor or to oppose.

Councilman Archetto stated that the City Democratic Chair Michael Sepe requested this crosswalk, since he holds political functions at his business location on Garfield Ave. and people cross the street in front of his business.

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

Under Discussion:

Council Vice-President Pelletier questioned whether there already is a crosswalk at Cranston St. and Garfield. Mr. Capuano stated that there are several crosswalks, one on Cranston St. and one on Garfield. The Administration is not in favor of this.

Council President Lupino stated that he has a fear that people will be rear ending each other when making the turn from Cranston St. to Garfield Ave., since there is a crosswalk at that intersection.

Councilman Favicchio stated that this may need further study. He agrees that this would be a dangerous thing to do.

VII. ORDINANCES: (Cont.)

1-12-3 Ordinance in amendment of Title 10, Chapter 12 of the Code of the City of Cranston, 2010, entitled "Motor Vehicles and Traffic" (Garfield Ave. Crosswalk). [[click here to view](#)] (Cont.)

Councilman Archetto stated that he would agree to continue this Ordinance for further study and also he can meet with the Traffic Engineer regarding this issue.

Councilman Archetto removed his motion to recommend approval and Council Vice-President Pelletier removed his second to the motion.

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to continue this Ordinance for further study. Motion passed on a vote of 3-1. The following being recorded as voting "aye": Councilmen Santamaria, Archetto and Favicchio -3. The following being recorded as voting "nay": Council Vice-President Pelletier -1.

1-12-4 Ordinance in amendment of Title 8, Chapter 44 of the Code of the City of Cranston, 2010, entitled "Health and Safety" (Tobacco Discount Ban). [[click here to view](#)]

Joaquina Vala Teixeira, member of the RI Tobacco control Network, appeared to speak in favor of this Ordinance. No one appeared to oppose.

Councilman Archetto motioned to recommend approval of this Ordinance. Councilman Santamaria seconded the motion for discussion purposes.

Under Discussion:

Councilman Favicchio stated that he is concerned about our ability to control redemption of coupons for any sales and how we would be able to police that.

Solicitor Kirshenbaum stated that policing would be a problem, but the intent of the Ordinance has a strong public policy behind it.

Council President Lupino stated that he feels this does not belong in this venue, it belongs at the State level. It puts Cranston retailers at a disadvantage. He would support a Resolution to the General Assembly putting something like this forward at the State level.

Councilman Archetto stated that the City of Providence passed similar Ordinances as this and the next Ordinance. Providence is sending a message to the City and Cranston should follow that lead.

Councilman Favicchio asked if the Administration has an opinion on this. Mr. Capuano stated that at this time, it does not.

Roll call took place on motion to recommend approval of this Ordinance and motion passed on a vote of 3-1. The following being recorded as voting "aye": Councilmen Santamaria, Archetto and Favicchio - 3. The following being recorded as voting "nay": Council Vice-President Pelletier -1.

VII. ORDINANCES: (Cont.)

1-12-5 Ordinance in amendment of Title 8, Chapter 44 of the Code of the City of Cranston, 2010, entitled “Health and Safety” (Tobacco Flavored Ban). [[click here to view](#)]

Joaquina Vala Teixeira, member of the RI Tobacco control Network, appeared to speak in favor of this Ordinance. No one appeared to oppose and suggested amending this Ordinance to consider giving the vendors a grace period. She presented two reports.

Councilman Archetto motioned to recommend approval of this Ordinance. Councilman Santamaria seconded the motion for discussion purposes.

Under Discussion:

Council Vice-President Pelletier stated that although, he does agree with the intent of the Ordinance, it does not define specific items.

Councilman Favicchio stated that his concern is that this is an increase in regulation of morality.

Council President Lupino stated that this is the wrong venue for this and it should be at the State level.

Upon recommendation of the Administration, Councilman Archetto motioned to amend this Ordinance as follows:

- line #82, remove, after “court costs”, delete the rest of the sentence and add “All fine money proceeds should be given to the General Fund”.
- line #61, add a new section as follows: “Vendors have a 60-day grace period to sell their inventory.
- Line #52, after “dipping tobacco”, delete “dissolvable tobacco products and electronic cigarette cartridges.”

Councilman Santamaria seconded this motion for discussion purposes.

Roll call was taken on motion to amend this Ordinance as stated above and motion passed unanimously.

On motion by Councilman Archetto, seconded by Councilman Santamaria, it was voted to recommend approval of the above Ordinance as amended. Motion passed unanimously.

1-12-7 Ordinance in amendment of Title 15 of the Code of the City of Cranston, 2010, entitled “Building and Construction” (Overnight Camping Ban for Retain Properties). [[click here to view](#)]

Chair stated that this Ordinance will be referred to the February 16th Ordinance Committee.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW
Edible Arrangements (10 AM – 9PM)

20 Hillside Road

Theodore Kotsia 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.

Twin Pizzeria Place (didn't list hours)

152 Gansett Ave.

Hakime Kom appeared to speak in favor and stated hours of operation to be Monday thru Thursday 11 am – 10 p.m.; Friday 11:00 AM to 12:00 AM; and Saturday and Sunday 11:00 AM to 10:00 PM.,. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license application with hours of operation as stated by applicant. Motion passed unanimously.

Jordan's Restaurant & Catering (10 AM – 3PM)

745 Reservoir Ave.

Michael MacAteer appeared to speak and stated hours of operation to be 10:00 AM to 6:00 PM. No one appeared to oppose.

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to approve this license application with hours of operation as stated by applicant of 10 to 6 p.m.. Motion passed unanimously.

Brewed Awakenings (5AM – 12AM)

1200 Pontiac Ave.

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 table this license application. Motion passed unanimously.

GUNSMITH REPAIR SALES & SERVICE LICENSE – NEW
RI Gunsmith Reload LLC

101 Hazelton St.

Edward J. Pellegrino, Sr., appeared to speak. No one appeared to oppose.

Chair asked applicant if he will be selling any weapons. Mr. Pellegrino stated, yes, not to the public.

Council President Lupino questioned if the sales of weapons application is properly before this Committee without a Zoning Certificate. Solicitor stated that applicant should not be before this Committee. Chair asked why.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

GUNSMITH REPAIR SALES & SERVICE LICENSE – NEW (Cont.)

RI Gunsmith Reload LLC

101 Hazelton St.

On motion by Council President Lupino, seconded by Council Vice-President Pelletier, it was voted to move the question. Motion passed on a vote of 3-2. The following being recorded as voting “aye”: Councilman Favicchio, Council Vice-President Pelletier and Council President Lupino -3. The following being recorded as voting “nay”: Councilmen Santamaria and Archetto -2.

Council President Lupino motioned to deny this license application based on the fact that this should not be before this Committee. Council Vice-President Pelletier seconded the motion.

Council President Lupino stated that this should not be before this Committee because there is no Zoning Certificate and there was no notice given to the abutters within a 400 ft. radius.

Council President Lupino indicated to a website indicating that this applicant is in business already. He is already advertising. Mr. Pellegrino stated that the website is not finished.

Chair asked Major Schaffran if the Police Department has any concerns or questions regarding this application. Major Schaffran stated that sale of firearms in a residential area is always of great concern to the Police Department, especially as to what measures have been taken to secure those weapons.

Councilman Favicchio stated that this is located only feet away from Woodridge School. He is very concerned about proper Zoning and proper licensing from federal authorities.

Council Vice-President Pelletier questioned what happens if this is denied. Solicitor stated that if applicant does not get approved, he should not be operating.

Chair indicated that applicant has been incorporated since April 20, 2010. He asked Mr. Pellegrino if he has done any general operation or sales in the last ten months. Mr. Pellegrino stated he has not.

Council President Lupino stated that what bothers him is there are so many retail locations in the City that are empty and this applicant wants to sell guns in a residence near a school.

Chair asked Solicitor if the application is properly before this Committee. Solicitor stated, no because Zoning Certificate obtained is inconsistent with use proposed as it specifically prohibits sales.

Chair asked what the Administration’s position is on this. Mr. Capuano stated that the Zoning Certificate issued does not allow sales.

Solicitor stated that motion to deny is clearest way to handle this. It leaves no ambiguity.

Roll call was taken on motion to deny this application and motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

FIREARMS DEALER LICENSE – NEW

RI Gunsmith Reload LLC

101 Hazelton St.

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

WASTE HAULERS LICENSE – NEW

See List

Scott Hallman 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.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

No business.

XI. FIRE DEPARTMENT:

No business.

XII. LICENSE RENEWALS:

PUBLIC ENTERTAINMENT CLASS 1 LICENSE – RENEWAL

Touch Lounge

961 Dyer Avenue

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

USED CAR LICENSE – RENEWAL

Rocket Auto Sales

886 Cranston Street

Gershkoff ENT

1085 Cranston St.

Passport Automotive

85 Budlong Road

American Auto Sales

448 Dyer Avenue

Westview Auto & Truck

1141 Cranston Street

Autosport Sales & Collision

640 Atwood Avenue

Ranaldi Motors

598 Atwood Avenue

XII. LICENSE RENEWALS: (Cont.)

USED CAR LICENSE – RENEWAL (Cont.)

<i>Pavilion Auto Sales</i>	1211 Cranston Street
<i>The Car Lot Inc</i>	441 Dyer Ave.
<i>Tasca Automotive</i>	1300 Pontiac Avenue
<i>AutoMart Inc</i>	1108 Park Avenue
<i>R & S Auto</i>	950 Wellington Ave.
<i>Enterprise Car Sales</i>	333 Niantic Ave.
<i>D & M Tyre</i>	50 Liberia Street
<i>Dee Auto Village</i>	1171-1173 Park Avenue
<i>Josy's Auto Repair</i>	1640 Elmwood Avenue
<i>Cranston Auto Sales</i>	19 Elena Street
<i>Chestnut Hill truck & Auto Sales</i>	21 Calef Street
<i>Culco</i>	1300 Park Avenue

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

FIREARMS DEALER LICENSE – RENEWAL

<i>On Target Firearms</i>	1 Gray Birch Drive
<i>Post Road Guns</i>	2158 Plainfield Pike

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

HOLIDAY SALES LICENSE – RENEWAL

<i>Quik Mart</i>	164 Park Avenue
<i>Aldi</i>	1138 Pontiac Avenue
<i>AAA Gas</i>	717 Park Avenue
<i>Cardsmart</i>	1400 Oaklawn Avenue
<i>Ann Taylor Loft</i>	83 Hillside Road
<i>Gamestop 6145</i>	1000 Chapel View
<i>Gamestop 2349</i>	286 Garfield Avenue
<i>R. E.I.</i>	22 Chapel View Blvd.

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

HOLIDAY SALES LICENSE – RENEWAL

<i>Victoria's Secret Stores</i>	51 Hillside Road
<i>Bath & Body Works</i>	69 Hillside Road
<i>Talbot's #262</i>	29 Hillside Road
<i>The Children's Place</i>	Hillside Road
<i>Gap #2237</i>	81 Hillside Road
<i>Banana Republic</i>	16 Midway Road
<i>Providence Diamond</i>	65 Hillside Road

XII. LICENSE RENEWALS: (Cont.)

HOLIDAY SALES LICENSE – RENEWAL (Cont.)

The Time Capsule 537 Pontiac Ave.
Walgreens 3 - locations 1279 Oaklawn Avenue, 1763 Broad and 1010 Park Avenue

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

SECONDHAND LICENSE – RENEWAL

Continental Coin 1212 Park Avenue
Artists Exchange 50 Rolfe Street
International Used Appliances 531 Pontiac Avenue
The Hock Spot 798 Atwood Avenue
Eve in Paris 2 Gansett Avenue
Village Art & Antiques 2145 Broad Street
2nd Time Around 330 Atwood Avenue
Roman Jewelers 1000 Reservoir Ave
Post Road Guns 2158 Plainfield Pike
The Time Capsule 537 Pontiac Avenue
Providence Diamond 65 Hillside Road
Fifth Avenue Jewelers 6 Rolfe Square

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.

ALL NIGHT LICENSE – RENEWAL

Garden Shell 1207 Pontiac Avenue

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

BILLIARD TABLE LICENSE – RENEWAL

Legion Billiards 661 Park Avenue
Pawtuxet Athletic Club 12 Aborn Street

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

PEDDLER'S LICENSE – RENEWAL

Palagi's 55 Bacon St.
Del's 1200 Oaklawn Ave.

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

XII. LICENSE RENEWALS: (Cont.)

ITINERANT FOOD VENDOR LICENSE – RENEWAL

Del's

1260 Oaklawn Avenue

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

VICTUALLING LICENSE – RENEWALS

Sonia's Near East Market

816 Park Avenue

Weinerman

1012 Reservoir Avenue

Emmanuel's Bakery

492 Dyer Ave.

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

FLOWER VENDOR'S LICENSE – RENEWAL

Alan Linsky – Easter and Mother's Day

@ 135 Atwood Ave.

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

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of Events for April 2012

Actual Number of Attendees December

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

SHARX BAR & GRILL:

Schedule of Events for February 2012

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

TIPICO RESTAURANT & LOUNGE

NO LIST PROVIDED

PARK THEATRE

Schedule of Events for February 2012

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

MISCELLANEOUS BUSINESS:

Council Vice-President Pelletier read a letter, dated February 6, 2012, into the record resigning from the City Council effective immediately. He then presented the letter to the City Clerk. [[click here to view](#)]

The meeting adjourned at 8:50 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees