

(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 2, 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 President Anthony J. Lupino

Absent: Council Vice-President Emilio L. Navarro
Councilwoman Maria A. Bucci

Also Present: Councilman Steven Stycos
Mark Capuano, Deputy Director of Administration
Captain Sean Carmody, 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 Councilman Archetto, seconded by Council President Lupino, 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: Amedeo's complaint letter

Chair indicated that there will be no further action on this. Applicant has done everything he was to do and Police Department felt applicant acted wisely and quickly on the issue.

IV. OLD BUSINESS:

HOLIDAY SALES LICENSE – NEW (Cont. from 3/5/2012)

City Line Convenience

1110 Narragansett Blvd.

Ahmed Eminehen appeared to speak.

Captain Morris stated that he inspected the business and they are in compliance.

Chair stated that no further action is needed.

VICTUALLING LICENSE – NEW (Tabled 3/5/2012-applicant did not appear)

George's Grill

716 Reservoir Ave.

No one appeared to speak.

On motion by Council President Lupino, seconded by Councilman Archetto, it was voted to issue a show cause hearing if this business is operating. Motion passed unanimously.

Chair asked that the Police Department check to see if this business is operating.

FIREARMS DEALER LICENSE – NEW (Cont. from 3/5/2012 on renewal request)

Estates Unlimited (applicant requested to appear)

63 Fourth Ave.

Steven Fusco appeared to speak.

Chair stated to Mr. Fusco that the last time he had a license was in 2005. He questioned why he has not renewed since 2005. Mr. Fusco stated that he was not aware of the renewal process and he did not receive any notices. Once he was contacted by the City, he filed the application and paid the fees in arrears.

Chair asked Mr. Fusco if he has been operating since 2005. Mr. Fusco stated, yes.

Captain Carmody stated that the Police Department's concern is with storage of firearms and keeping records of the items. Mr. Fusco stated that he is licensed by ATF and follows their guidelines.

Councilman Archetto asked how secure the building is. Mr. Fusco stated that he has alarm system and a large safe. Councilman Archetto asked Mr. Fusco if he sells on the Internet. Mr. Fusco stated, no.

No one appeared to oppose.

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

V. MISCELLANEOUS BUSINESS:

No business.

VI. PUBLIC HEARING:

AUTO REPAIR LICENSE – NEW
A Plus Service

899 Pontiac Ave.

Mike Schultz appeared to speak. No one appeared to oppose.

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

TRANSFER OF CLASS LIQUOR LICENSE – NEW
FROM: CLASS B LTD. – CAFÉ LUNA

22 Midway Rd.

TO: CLASS B VICTUALLING LICENSE **ABOVE THE CAP NEEDS FULL
COUNCIL APPROVAL – 4/23/2012
CAFÉ LUNA

22 Midway Rd.

Steve Palos appeared to speak.

Council President Lupino asked Mr. Palos if he plans to keep the hours of operation the same. Mr. Palos stated, yes. Council President Lupino asked Mr. Palos if he is planning to request for expansion of premise. Mr. Palos stated, as of now, no.

No one appeared to oppose.

On motion by Councilman Favicchio, seconded by Council President Lupino, it was voted to recommend to the full City Council approval of this license transfer application. Motion passed unanimously.

VII. ORDINANCES:

None.

VIII. NEW LICENSE APPLICATIONS:

HOLIDAY SALES LICENSE – NEW
Edgewood Service

873 Cranston St.

Riffad Samroud appeared to speak. No one appeared to oppose.

On motion by Councilman Favicchio, seconded by Councilman Archetto, it was voted to approve the above license application. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

HOLIDAY SALES LICENSE – NEW (Cont.)

Friendly Express Multiservices

808 Park Ave.

Elvis Geraldino appeared to speak. No one appeared to oppose.

On motion by Councilman Favicchio, seconded by Council President Lupino, it was voted to approve the above license application. Motion passed unanimously.

VICTUALLING LICENSE – NEW

Ocean State Market

341 Dyer Ave.

Adel Tuma appeared to speak. No one appeared to oppose.

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

Poco Loco

2005 Broad St.

Alan Masterson appeared to speak. No one appeared to oppose.

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

Tai-Rei International LLC d/b/a Chai Bei

1830 Broad St.

Manda Shen appeared to speak. No one appeared to oppose.

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

PUBLIC ENTERTAINMENT – CLASS 1 – NEW

Lang's Lanes – used by CCRI for
fundraiser for Make a Wish

225 Niantic Ave.

No one appeared to speak in favor or to oppose.

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

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

Billy's Frosted Mug
Show Cause – Underage Service

594 Reservoir Ave.

Chair asked that this item be continued.

XI. FIRE DEPARTMENT:

No business.

XII. LICENSE RENEWALS:

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the following License Renewal Applications as a block. Motion passed unanimously.

SECONDHAND LICENSE – RENEWAL

Christopher III
Cranston Pawn Brokers

151 Park Ave.
1053 Park Ave.

VICTUALLING LICENSE – RENEWALS

From Soup to Nuts
Arunothai Cuisine
The Lunch Box

1402 Plainfield St.
2168 Broad St.
751 Park Ave.

HOLIDAY SALES LICENSE – RENEWALS

Colbea Ent. Inc. d/b/a Garden Shell
Colbea Ent. Inc. d/b/a Park Ave. Shell
Rite Aid #10262
Rite Aid #10261
Rite Aid #10254
Rite Aid #6595
Rainbow #218
Ocean State Job Lot
Cumberland Farms #1249
Cumberland Farms #1279
Kmart Corp.
Lowe's Home Centers
Price Rite of Cranston
Diamond Fuel
AT & T
Twins Florist
Bob's
DOTS, LLC
Office Max #318
Diamond Creative Eyebrow

1207 Pontiac Ave.
1315 Park Ave.
250 Atwood Ave.
548 Dyer Ave.
570 Pontiac Ave.
1011 Cranston St.
1200 Oaklawn Ave.
1441 Elmwood Ave.
921 Cranston St.
659 Reservoir Ave.
296 Garfield Ave.
247 Garfield Ave.
1415 Elmwood Ave.
1353 Park Ave.
540 Reservoir Ave.
1083 Park Ave.
1400 Oaklawn Ave.
242 Garfield Ave.
200 Hillside Rd.

XII. LICENSE RENEWALS: (Cont.)

HAWKER'S LICENSE - RENEWAL

Papa Pasquale's

181 Arnold Ave.

GRAVEL BANKS LICENSE – RENEWAL

PJ Keating

875 Phenix Ave.

AUTO REPAIR LICENSE – RENEWAL

Precision Collision

350 Wellington Ave.

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

First Choice

1586 Broad St.

Raol Delacruz appeared to speak.

Chair stated that Councilman Stycos, Councilman for this Ward, had asked that the applicant appear before the Committee.

Councilman Stycos stated that there have been complaints from area residents of vehicles to be worked on are parked too close to the corner of the side street and people cannot get out safely.

Chair asked Mr. Delacruz why he can't park the vehicles in the lot. Mr. Delacruz stated that if it is a truck, it is too large to park in the lot. He indicated that it is not just the customers that are parking on the corner. There is another business next to his business and people going into that business park there also. He does not personally place any of the vehicles out on the street.

Chair indicated to Mr. Delacruz that the Zoning Board of Review placed a restriction of eight vehicles in the lot. Applicant stated that he is aware of that. Chair stated that at this time, there are approximately fifteen vehicles in the lot. Mr. Delacruz stated that he can fit up to thirty vehicles in the lot.

Norman McCarthy, 308 Narragansett St., appeared to speak and stated that he has lived in this neighborhood for approximately six years and trying to get out of the street has been an ongoing problem. There are cars with dealer plates and no plates at times that are parked in the street. He also stated that, at one time, there were "No Parking 25 feet to Corner" signs, the sign on Narragansett St. was taken down along with the pole and gate was opened up. He stated that operation at this business goes on seven days a week all hours of the night and day. The biggest problem is trying to get out of the street.

Chair asked Captain Carmody to send a Patrolman to check into this area and the Administration send the Acting Traffic Engineer and or Inspections to look at this business and make sure he is not in violation.

Mr. Delacruz stated that his attorney is in the process of applying for a Zone Change to increase the number of cars allowed on the lot.

XII. LICENSE RENEWALS: (Cont.)

AUTO REPAIR LICENSE – RENEWAL (Cont.)

First Choice

1586 Broad St.

Councilman Stycos stated that he does not understand why the Building Inspector has not enforced the rule of the eight cars on the lot and the cars parked on the street. Mr. Delacruz stated that he received a letter from the Building Inspector to go to the Police Station in violation.

Council President Lupino suggested approving this Renewal application, subject to applicant having eight cars on the lot between now and any such time Zoning approves a change, if he violates this, he loses his license.

Council President Lupino motioned to approve this license renewal application with stipulation that applicant adhere to the eight (8) cars on the lot and anytime there is evidence that he has more than eight cars on the lot, this Committee adhere to past practice for violation, either fine or revocation and review in one month and applicant is to submit evidence that he has started the Zoning process to increase number of vehicles on lot. Councilman Favicchio seconded the motion. Motion passed on a vote of 3-1. The following being recorded as voting "aye": Councilmen Archetto, Favicchio and Council President Lupino -3. The following being recorded as voting "nay": Councilman Santamaria - 1.

Chair asked Mr. Delacruz his hours of operation. Mr. Delacruz stated that he is open Monday through Friday 8:00 A.M. to 5:00 or 6:00 P.M., Saturday 8:00 A.M. to 5:00 P.M. and on Sunday he does not conduct business, but he is there doing paperwork. He also stated that he is open for business on some holidays. Chair asked that for next month's meeting, Mr. Delacruz provide the Committee in writing the hours of operation.

JD Byrider (Applicant requested to appear)

615 Reservoir Ave.

Robert Murray, Esq., appeared to represent applicant and stated that this business has been at this location for fifteen years. Since 2004, his client has parked vehicles at 623 Reservoir Ave., which was Café Den Restaurant. They have had a lease and Zoning Board of Review gave them relief in 2004. Attorney Murray indicated that 615, 623 and 599 Reservoir Ave. are all Zoned C-4. He stated that the lease expires in June. In January, his client leased the property at 599 Reservoir Ave. His client's intention is to utilize the building to invest approximately \$300,000 rehabbing the interior, exterior, new doors and use it for professional offices and for outside storage of vehicles for sale. The issue that came up last week was whether a permit was needed to utilize the 599 Reservoir Ave. building. His understanding in reading the Used Car and Sales Ordinance did not apply to his client because he already has these licenses. There will be no sales of vehicles at 599 Reservoir Ave., but there will be some vehicles displayed for sale there.

Chair stated that there were some neighbors opposed to this and wanted to be present. In fairness to them, he asked that Attorney Murray appear next month to address this issue. Attorney Murray stated that there is no neighbors' issue. The abutting property owner, Mr. Baker, 589 Reservoir Ave., is upset that his property was not leased. He also stated that Mr. Baker is the only person he is aware of that has a question about this.

XII. LICENSE RENEWALS: (Cont.)

AUTO REPAIR LICENSE – RENEWAL (Cont.)

JD Byrider

615 Reservoir Ave.

Solicitor Kirshenbaum asked if the professional offices will be strictly used by JD Byrider. Attorney Murray stated, yes. If his client conforms to Zoning and has all the necessary permits, it is not a new business, he questioned why he would have to come back next month. Council President Lupino asked for Point of Order. He stated that what is before the Committee this evening is a Renewal application for their license and it has been approved. Discussion cannot continue because this Committee will be violating Open Meetings Law.

City Clerk asked if the Committee would like her to do anything further regarding this business. Council President Lupino stated that there is nothing else before this Committee. The Committee has approved the Renewal application.

Jiffy Lube

1440 Park Ave.

Ted's Wholesale Specialist

121 Calder St.

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

SECONDHAND LICENSE – RENEWAL

JD Byrider (applicant requested to appear)

615 Reservoir Ave.

See “Auto Repair License Renewal Application” above for discussion.

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

CB Truck Tire Service

140 Farmington Ave.

Christopher III

151 Park Ave.

ALL NIGHT LICENSE – RENEWAL

Cumberland Farms

659 Reservoir Ave.

TEMPORARY STRUCTURE LICENSE – RENEWAL

St. Mary's Feast Society

15 Phenix Ave.

USED CAR LICENSE – RENEWAL

Ted's Wholesale Specialist

121 Calder St.

First Choice Auto Sales

1586 Broad St.

Park Ave. Auto Sales

716 Park Ave.

SASA Auto

550 Atwood Ave.

XII. LICENSE RENEWALS: (Cont.)

SEPTAGE HAULER – RENEWAL
Macamaux Septic Pumping

Wyoming, RI

PEDDLER'S LICENSE – RENEWAL
Josepfina's
Benji's

99 Bellevue Ave.

PUBLIC ENTERTAINMENT CLASS I LICENSE – RENEWAL
848 Park Avenue Associates
Miller's Crossings
RI Shriners – 1 time event 7/8/2012

848 Park Ave.
43 Bald Hill Rd.
1 Rhodes Place

FLOWER VENDOR LICENSE – RENEWAL (Ratify the Action)
Santilli Flowers

@ 1500 Oaklawn Ave.

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

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET
Schedule of Events for April 2012
Actual Number of Attendees December

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the above list of events. Motion passed unanimously.

SHARX BAR & GRILL
Schedule of Events for April 2012

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the above listed of events. Motion passed unanimously.

TIPICO RESTAURANT & LOUNGE
Schedule of Events for March and April 2012

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the above list of events. Motion passed unanimously.

XIII. MONTHLY SCHEDULES: (Cont.)

PARK THEATRE
Schedule of Events for April 2012

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the above listed of events. Motion passed unanimously.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees