

(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, October 1, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:20 P.M. by the Chair.

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

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

Also Present: Gerald Cordy, Deputy Director of Administration
Major Robert Ryan, Police Department
Deputy Chief, Steve McIntosh, 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 Favicchio, 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:

Kmart (cont'd 9/17/2012 for abutter notification) 296 Garfield Street
Change in hours of operation from: Mon-Fri 8am - 10pm; Sat/Sun 8am - 8 pm
To: Mon-Fri 7am -11pm; Sat/Sun 7am - 11pm

Eric Smith appeared speak.

Council President Lupino asked what the deliveries are. Mr. Smith stated, 9:00 A.M., which is a drop shipment.

No one appeared to oppose.

III. CORRESPONDENCE: (Cont.)

Kmart (cont'd 9/17/2012 for abutter notification) 296 Garfield Street
Change in hours of operation from: Mon-Fri 8am - 10pm; Sat/Sun 8am - 8 pm
To: Mon-Fri 7am -11pm; Sat/Sun 7am – 11pm

Chair stated hours requested are: Monday thru Friday 7:00 A.M. to 11:00 P.M., Saturday and Sunday 7:00 A.M. to 10:00 P.M. and no deliveries after 10:00 P.M. or before 9:00 A.M.

City Clerk stated that she received a letter from one of the abutters, F. Martin, who is opposed to change in hours.

On motion by Council President Lupino, seconded by Councilman Favicchio, it was voted to approve the change in hours as stated by the Chair. Motion passed unanimously.

IV. OLD BUSINESS:

Wal-Mart – 1776 Plainfield Pike
Administration update on storage unit removal date & possible regulation

Mr. Cordy stated that the new owners have indicated to the Building Inspector that the containers would be removed by the middle of this month or by the end of this month.

Council President Lupino asked what the City can do to regulate temporary containers. Mr. Cordy stated that this is before the Solicitor to review.

Council President Lupino asked that this item be left on the agenda for next month's meeting.

ORDINANCES:

4-12-5 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Veh. & Traffic" (Brimfield Rd. and Amherst Rd. – Multi-Way Stop Intersections-Enumerated). *Referred Back from Council 6/25/2012. [\[click here to view\]](#)* (Cont'd from 9/17/2012)

Councilman Archetto asked for a continuance.

On motion by Councilman Favicchio, seconded by Council President Lupino, it was voted to continue this Ordinance to next month's meeting. Motion passed unanimously.

4-12-8 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Veh. & Traffic" (No Parking 11 Calaman Rd.). Cont'd 9/17/2012. [\[click here to view\]](#)

On motion by Council President Lupino, seconded by Councilman Favicchio, it was voted to remove this Ordinance from the agenda. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

ORDINANCES: (Cont.)

- 8-12-1** Ordinance in amendment of Title 10, of the Code of the City of Cranston, 2005, entitled "Motor Vehicles & Traffic" (Stop, Grace Street at Pond Street). (Cont. 9/17/2012 Traffic report). [[Click here to view](#)]

On motion by Councilman Archetto, seconded by Councilman Santamaria, it was voted to recommend approval of this Ordinance.

Councilman Stycos, sponsor, appeared to speak in favor. No one appeared to oppose.

Motion to recommend approval of this Ordinance and second were withdrawn.

On motion by Councilman Archetto, seconded by Council President Lupino, it was voted to continue this Ordinance to next month's meeting. Motion passed unanimously.

- 8-12-2** Ordinance in amendment of Title 12, of the Code of the City of Cranston, 2005, entitled "Motor Vehicles & Traffic" (Crosswalk, Narragansett Boulevard at Chiswick Road). (Cont. 9/17/2012 Traffic report) [[Click here to view](#)]

Councilman Stycos, sponsor, appeared to speak in favor. No one appeared to oppose.

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

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARING:

CLASS BVICTUALLING LICENSE – NEW ** ABOVE THE CAP REQUIRES FULL COUNCIL RECOMMENDATION - # *BV 75**

MINERVA INC D/B/A CHOP

1460 Oaklawn Ave.

No one appeared to speak in favor or to oppose.

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to continue this item to next month's meeting. Motion passed unanimously.

EL RETORNO RESTAURANT - # BV*76

1542C Broad Street

Christopher Petracca, Esq., appeared to represent the applicant and stated that after speaking with the Solicitor and other members of the Administration, he asked for a one month continuance for further investigating the radius map whether in fact the religious institution in the area is an actual real religious institution. His understanding is that the building has been abandoned from a fire a few years ago.

VI. PUBLIC HEARING:

EL RETORNO RESTAURANT - # BV*76 (Cont.)

1542C Broad Street

On motion by Councilman Favicchio, seconded by Councilman Archetto, it was voted to continue this item for one month.

Under Discussion:

Attorney Petracca asked if the members of the public could be heard so he can obtain their names and he can meet with them to address any of their concerns. Chair stated that he will allow one person from the abutters to speak.

Encida Diaz, 391 Northup St., appeared to oppose and stated that the building is not abandoned. There was a fire and it is being repaired. She also stated that there are two other religious institutions, 1520 Broad St. and 1525 Broad St. and both are .05 miles from this business according to her map quest. She also stated that there have been complaints to the Building Inspector and the Mayor's Office regarding the litter Ordinance regarding this building. The trash from this building is all over the parking lot and all over the neighbors' properties. She presented pictures of the area showing the issues she mentioned. Ms. Diaz also stated that the gates are not locked and refuse containers are continuously overstuffed. Refuse containers contain TVs and furniture.

Council President Lupino stated that this is a liquor license application. He asked if this business has been operating there. Attorney Petracca stated, yes, this is a restaurant that has been operating. Council President Lupino stated that the 200 ft. radius is from the property line and not the building. The applicant is already in violation just by the photos presented. He indicated that he will be making a motion to withdraw motion to continue and hear this application this evening and ultimately deny the application.

Attorney Petracca stated that there are four businesses in this building. He does not know if the photos are of his client's business. His client can't be responsible for what the other tenants do.

Glenn Cardozo, 370 Northup St., appeared to oppose.

Deborah Cardozo, 370 Northup St., appeared to oppose.

Yex Enia Cepeda, 369 Northup St., appeared to oppose.

James Lomba, 357 Smith St., appeared to oppose.

Aida Escodai, 291 Northup St., appeared to oppose.

On motion by Councilman Favicchio, seconded by Council President Lupino, it was voted to continue this hearing to the November meeting. Motion passed unanimously.

City Clerk indicated that due to Election Day and Veteran's Day, the meeting for November will be held on November 13th.

VI. PUBLIC HEARING: (Cont.)

CLASS A LIQUOR LICENSE – RENEWALS

Heritage Liquors Inc. 529 Reservoir Ave.

CLASS AS LIQUOR LICENSE – RENEWAL

Joseph V. Tally Inc. 1150 Pontiac Ave.

CLASS B LIMITED LIQUOR LICENSE – RENEWAL

Tommy's Pizza II 870 Oaklawn Ave.

T's Inc. 1059 Park Avenue

Liu & Yung Inc d/b/a Hibi Shabu Shabu 736 Park Avenue

CLASS B VICTUALLING LICENSE – RENEWAL

Orlando Enterprises Inc. d/b/a La Rosa Restaurant 555 Atwood Ave.

Macera's Italian Restaurant Inc. 1500 Oaklawn Ave.

The Grind Inc. d/b/a Touch 961 Dyer Ave.

Carol & Mario Catering 20 Haven Ave.

Tabor-Franchi Inc. 170 Randall Street

69 Point St LLC d/b/a Powers Pub 2190 Broad Street

Miller's Crossings 43 Bald Hill Road

Jonmar Inc. d/b/a L'Osteria 1703 Cranston St.

Cranston Tavern LLC 1106 Pontiac Ave.

PJ's Pub Inc. 1139 Pontiac Ave.

Caffe Itri Inc. 1686 Cranston Street

Legion Pub Inc. 661 Park Ave.

Cranston House of Pizza LLC 1791 Cranston Street

Macera's Italian Restaurant 1500 Oaklawn Ave.

AMF Bowling Centers Inc. d/b/a Cranston Bowl 1450 Elmwood Ave.

Cinets Inc. d/b/a Blue Moon Pub 42 Phenix Ave.

Gabriel's Restaurant Inc. 39 Phenix Ave.

Papa Razzi Cranston Inc. One Papa Razzi Way

CCC Inc. d/b/a Cranston Country Club 69 Burlingame Rd.

Fabrizi Fast Food Inc. d/b/a Betty's Pub 31 Gansett Ave.

Knightsville Pub 1669 Cranston Street

Gabriel's Restaurant 39 Phenix Ave.

CLASS D CLUB LIQUOR LICENSE – RENEWAL

Maria Del Carmine SS Circolo 326 Union Avenue

Santa Maria DiPrata 29 Walnut Grove Ave.

Laurel Hill Social Club 49 Governor Street

Alpine Country Club 251 Pippin Orchard Rd.

CLASS BT ALCOHOLIC BEVERAGE LICENSE – RENEWAL

Johnson & Wales University 1150 Narragansett Ave.

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

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

VII. ORDINANCES:

9-12-4 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Stop Highland St. at Overhill Rd.). [\[click here to view\]](#)

Chair passed gavel to Vice-Chair.

On motion by Councilman Archetto, seconded by Councilman Santamaria, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Santamaria stated that a Stop Sign, at least on Overhill or Highland, would slow down the traffic and he asked for approval of this Ordinance. He also asked if Traffic Report could be provided for the City Council meeting. Mr. Cordy stated that he does not know if the Traffic Engineer can do that by the Council meeting.

No one appeared to oppose.

Roll call was taken on motion to recommend approval of the above Ordinance and motion passed unanimously.

Gavel was handed back to the Chair.

9-12-5 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Stop Fairfield Rd. with Summer St.). [\[click here to view\]](#)

No one appeared to speak in favor or to oppose.

On motion by Council President Lupino, seconded by Councilman Favicchio, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

Minerva Inc d/b/a CHOP

1460 Oaklawn Ave.

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

El Retorno

1542C Broad Street

Council President Lupino indicated that this application should be listed as a “Renewal”, not “New”.

On motion by Council President Lupino, seconded by Councilman Santamaria, it was voted to approve this license renewal application. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

ITINERANT FOOD VENDOR LICENSE – NEW

Fatima Montavo

136 Dodge Street

Fatima Montavo appeared to speak. No one appeared to oppose.

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

City Clerk stated that the following application was properly advertised and noticed, but not listed on the agenda, and the applicant is present this evening. If approved this evening, it will be listed on the agenda next month as a ratification:

SECONDHAND LICENSE - NEW

Delman Watch Repair

650 Oaklawn Ave.

No one objected to hearing this application.

On motion by Councilman Favicchio, seconded by Councilman Archetto, it was voted to approve this license application:

Under Discussion:

Justin Erickson appeared to represent the applicant and stated that this business will be doing watch repairs. The owner has been in this type of business for over 35 years. No one appeared to oppose.

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

IX. TRAFFIC ENGINEER:

No business.

**X. POLICE DEPARTMENT: *~~La Frontera—denied tobacco application~~
LaFrontera will be on November 13, 2012 agenda**

Councilman Archetto stated that at the last meeting, the Committee extended the applicant to operate until this evening. He asked what the status is regarding this. Solicitor stated that he, Attorney Quinlan and the applicant's attorney have been having a conversation and those conversations are still ongoing and are close to a resolution. The applicant's attorney has agreed to continuing this issue to the November meeting. Councilman Archetto stated that his concern is if the business is still selling tobacco.

Councilman Favicchio stated that he believes this Committee authorized the business to continue operating until this evening's meeting.

**X. POLICE DEPARTMENT: *~~La Frontera—denied tobacco application~~ (Cont.)
LaFrontera will be on November 13, 2012 agenda**

Council President Lupino stated that at the Council meeting, it was further continued to the November Committee meeting.

Councilman Archetto stated that the applicant still does not have a license.

City Clerk stated that the applicant has filed a Renewal Application pending review.

XI. FIRE DEPARTMENT:

No business.

XII. LICENSE RENEWALS:

VICTUALLING LICENSE – RENEWALS

<i>Tommy's Pizza II</i>	870 Oaklawn Ave.
<i>T's Inc.</i>	1059 Park Avenue
<i>Orlando Enterprises Inc. d/b/a La Rosa Restaurant</i>	555 Atwood Ave.
<i>Macera's Italian Restaurant Inc.</i>	1500 Oaklawn Ave.
<i>The Grind Inc. d/b/a Touch</i>	961 Dyer Ave.
<i>Carol & Mario Catering</i>	20 Haven Ave.
<i>Tabor-Franchi Inc.</i>	170 Randall Street
<i>69 Point St LLC d/b/a Powers Pub</i>	2190 Broad Street
<i>Miller's Crossings</i>	43 Bald Hill Road
<i>Jonmar Inc. d/b/a L'Osteria</i>	1703 Cranston St.
<i>Cranston Tavern LLC</i>	1106 Pontiac Ave.
<i>PJ's Pub Inc.</i>	1139 Pontiac Ave.
<i>Caffe Itri Inc.</i>	1686 Cranston Street
<i>Legion Pub Inc.</i>	661 Park Ave.
<i>Cranston House of Pizza LLC</i>	1791 Cranston Street
<i>Macera's Italian Restaurant</i>	1500 Oaklawn Ave.
<i>AMF Bowling Centers Inc. d/b/a Cranston Bowl</i>	1450 Elmwood Ave.
<i>Cinets Inc. d/b/a Blue Moon Pub</i>	42 Phenix Ave.
<i>Gabriel's Restaurant Inc.</i>	39 Phenix Ave.
<i>Papa Razzi Cranston Inc.</i>	One Papa Razzi Way
<i>CCC Inc. d/b/a Cranston Country Club</i>	69 Burlingame Rd.
<i>Fabrizi Fast Food Inc. d/b/a Betty's Pub</i>	31 Gansett Ave.
<i>Taco Bell</i>	1076 Reservoir Ave.
<i>Deli Express</i>	995 Pontiac Ave.
<i>Restaurant Associates</i>	100 Sockanossett Crsrds
<i>McDonald's</i>	1820 Plainfield Pike
<i>Maria's Pizza</i>	949 Pontiac Ave.
<i>Stadium Fish & Chips</i>	1079 Park Ave.

XII. LICENSE RENEWALS: (Cont.)

VICTUALLING LICENSE – RENEWALS (Cont.)

Coffee Plus Snack Bar #66

600 New London Ave.

Coffee Plus Snack Bar #76

1511 Pontiac Ave.

AUTO REPAIR LICENSE - RENEWALS

Chestnut Hill Truck & Auto Sales

21 Calef Street

BAZAAR LICENSE – RENEWALS

St. David's on the Hill – event November 3

200 Meshanticut Valley Pkwy

Armenian Evangelica Church

180 Oaklawn Ave.

TEMPORARY STRUCTURE LICENSE – RENEWAL

Leyden's Trees- from Thanksgiving – Christmas

@1000 New London Ave.

USED CAR LICENSE - RENEWAL

Patriot AutoCenter

1400 Plainfield Street

On motion by Councilman Favicchio, seconded by Council President Lupino, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

On motion by Council President Lupino, 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

Actual number of Attendees

TIPICO RESTAURANT & LOUNGE

No list submitted

PARK THEATRE

No list submitted

EL TAPATIO

No list submitted

Council President Lupino questioned the establishments which stated “No List Submitted”. He stated that if they have no events for the month, they need to submit a notice to the Clerk stating that there are no events for the month. City Clerk indicated to Park Theatre and stated that they have had change in management and the person who submits the lists of events may not be aware of this.

Chair stated that El Tapatio has Mariachi bands on Thursday nights. He asked that these businesses be reminded that if there are no events, they provide notice to the Clerk indicating that.

XIII. MONTHLY SCHEDULES: (Cont.)

Council President Lupino indicated to Rhodes on the Pawtuxet and stated that they are having a Father and Daughter Dance this month and questioned why it is not listed on the list they provided. Chair asked that a letter be sent to all four of the above establishments stating that the lists provided to the Clerk's Office are to be current.

MISCELLANEOUS BUSINESS:

Solicitor stated that he and the City Clerk attended a meeting at the Department of Business Regulations involving Sports Bar 2012 regarding noise and juke box. A meeting has been scheduled for October 23rd, if the Council members wish to attend. The issues are the restrictions on the license is feasible and the Council's preference.

Chair asked for Police Department to provide a log of any calls or complaints made to the Police Department regarding this business.

Council President Lupino stated that the applicant, at the time the application was approved, agreed to the restrictions.

Public Speakers:

Diana Gordon, 363 Pontiac Ave., appeared to speak regarding sober houses. She stated that one of the sober houses located on Orchard St. has had some unsettling incidents. Neighborhood has been inundated with syringes and needles, Police have shown up with guns drawn. The sober house does not have live-in staff. We need a definition for sober houses in Rhode Island. Rhode Island acknowledges halfway houses, but not sober houses.

The meeting adjourned at 8:45 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees