

(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 1, 2013 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:30 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Mario Aceto, Vice-Chair
Councilman Paul H. Archetto
Councilwoman Sarah Kales Lee
Councilman Michael V. Favicchio
Council Vice-President Michael J Farina
Council President John E. Lanni, Jr.

Also Present: Gerald Cordy, Director of Administration
Major John Schaffran, Police Department
Deputy Chief, Stephen MacIntosh, 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 Councilman Aceto, seconded by Council Vice-President Farina, 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:

Chair indicated that Spains Restaurant, along with Scramblers, has complied with the Ordinance and instructed their Waste Hauler not to pick up the dumpster before 7:00 A.M. He also stated that their attorneys will send a letter to the City stating that they will comply.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to suspend the Rules and discuss out of order the Show Cause Hearings for "Dollar Tree, Patriots Disposal and Waste Management of RI". Motion passed unanimously.

III. CORRESPONDENCE: (Cont.)

Lora Almagno, 289 Knollwood Ave., appeared to speak and stated that she has been having issues of Waste Hauler picking up the dumpster at 4:00 A.M. at Scramblers and Taco Bell area. This would go on for approximately ten minutes. This has been going on for months. She spoke to the driver and the company and nothing has changed. She does not have any issues with the establishments. Her issue is with the Waste Hauler. She asked that if this continues they be fined because this is very disruptive and this is a residential neighborhood.

On motion by Council President Lanni, seconded by Councilman Archetto, it was voted to continue discussion regarding this issue. Motion passed unanimously.

**Waste Management of Rhode Island Inc.
Dumpers pick ups: Taco Bell**

101 Fannin St, Houston, TX
1076 Reservoir Ave.

John Belanger, employee of Taco Bell, appeared to speak and stated that they were aware that this problem existed. He spoke to Angelo Calcagni of Waste Hauler and was assured that the route would be changed. He stated that he will stress to the hauler to comply.

Spain's Restaurant

1073 Reservoir Ave.

No one appeared.

Scramblers

1045 Reservoir Ave.

No one appeared.

McDonalds

1099 Reservoir Ave

Steve Wallick appeared to speak and stated that this is the first he has heard of this issue. The establishment was not aware of this. The hauler is rescheduling the route and will comply.

Councilman Favicchio asked that these establishments police the hauler to make sure that they are complying. Mr. Wallick stated that this is not a problem.

Council President Lanni suggested that the City notify the businesses with a letter and copy of the Ordinance and to all the Waste Haulers of no pickup before 7:00 A.M. and not after 10:00 P.M.

Gilbert Mendoza, Supervisor of Waste Hauler of RI, appeared to speak and stated that they instruct the drivers of the hours and if they do not comply, they have GPS on all the trucks and they can find out who the driver is that violated the Ordinance.

Councilman Favicchio asked that the hauler heed to the hours stated in the Ordinance.

Chair asked that the hauler company appear at the next meeting for an update report.

III. CORRESPONDENCE: (Cont.)

Dollar Tree (early morning dumpster pickup) 1776 Plainfield Pike

No one appeared.

Patriots Disposal (cont'd 3/4/2013 for review) 1776 Plainfield Pike

No one appeared.

IV. OLD BUSINESS:

FIREARMS DEALER LICENSE - RENEWAL - (CONT'D FROM 3/4/ FOR APPLICANT TO APPEAR)

On Target Firearms - Michael Marcello 1 Gray Birch Dr.

Michael Marcello appeared to speak.

Councilman Aceto asked if guns will be stored at this address. Mr. Marcello stated that the business is mostly online or by word of mouth. There is no stock or ammunition at this address. The one firearms are his personal ones which are stored in a 120 pound safe. No one appeared to oppose.

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

HOLIDAY SALES LICENSE – NEW (tabled no one appeared 3/4/13)

Saleh LLC D/b/a Bestway 280 Atwood Ave.

No one appeared.

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

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARINGS:

TRANSFER OF CLASS BLIMITED ALCHOLIC BEVERAGE LICENSE - NEW
FROM: *FRANCO BROS. INC.* * ABOVE THE CAP BV 76 500 Atwood Ave.
***D/B/A NINO'S PIZZA* REQUIRES FULL COUNCIL**
TO: CLASS B VICTUALLING LICENSE - NEW
***FRANCO BROS. INC.* 500 Atwood Ave.**
D/B/A NINO'S PIZZA

EXPANSION OF PREMISE - NEW
***FRANCO BROS. INC.* 500 Atwood Ave.**
D/B/A NINO'S PIZZA

Joseph Manera, Esq., appeared to represent the applicant.

Peter Franco, applicant, appeared to speak.

Attorney Manera stated that his client is proposing to add a small patio to the front of the building to be used in the Summer. No one appeared to oppose.

Council President Lanni questioned the need for a full liquor license at a pizza establishment. This would be over the cap and he would be willing to give a liquor license to a larger business coming into the City rather than a pizza parlor. Attorney Manera stated that this is not just a pizza parlor, they have a full menu.

Mr. Franco stated that he would be willing to withdraw the transfer application.

Transfer application was withdrawn.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to approve the Expansion of Premise license application. Motion passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Aceto, Archetto, Favicchio, Councilwoman Lee, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting "nay": Councilman Santamaria -1.

CLASS B VICTUALLING LICENSE - NEW * ABOVE THE CAP REQUIRES FULL
COUNCIL RECOMMENDATION - # BV 77
***RED LOUNGE RESTAURANT LLC* 158 Farmington Ave.**
JORGE DELGADILLO

Michael Napolitano, Esq., appeared to represent the applicant.

Jorge Delgadillo appeared to speak.

Attorney Napolitano stated that the capacity will be over 50. He also stated that since the capacity will be under 100, the Entertainment License is not needed.

VI. PUBLIC HEARINGS: (Cont.)

CLASS B VICTUALLING LICENSE - NEW * ABOVE THE CAP REQUIRES FULL COUNCIL RECOMMENDATION - # BV 77 (Cont.)
RED LOUNGE RESTAURANT LLC 158 Farmington Ave.
JORGE DELGADILLO

Richard Tomlins, 400 Farmington Ave., appeared to oppose to the Public Entertainment License application.

Council Vice-President Farina asked how many employees there will be. Mr. Delgadillo stated, approximately 15.

Councilman Archetto asked what the hours of operation will be. Mr. Delgadillo stated, 5-1 Thursdays through Sundays.

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

TRANSFER CLASS BVICTUALLING ALCOHOLIC BEVERAGE LIC - NEW
FROM: GUAYACAN LOUNGE INC. 349 Dyer Ave.
D/B/A GUAYACAN LOUNGE
TO: E & A ASSOCIATES LLC 349 Dyer Ave.
D/B/A GUAYACAN LOUNGE

City Clerk indicated that the transferee filed with the State as AP&EF Associates, LLC. They filed a change of name today with the City and it will need to be re-advertised and will be listed on next month's agenda. Transferor and transferee were both present. No one appeared to oppose.

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

VII. NEW LICENSE APPLICATIONS:

PUBLIC ENTERTAINMENT CLASS I- INDOOR - NEW
Red Lounge Restaurant LLC 158 Farmington Ave.

Chair stated that the route slip is not completed and this will not be acted on this evening.

VICTUALLING LICENSE - NEW
Red Lounge Restaurant LLC 158 Farmington Ave.

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

A & E Associates LLC D/B/A Guyacan Lounge 349 Dyer Ave.

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

VII. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE - NEW (Cont.)

The Frosty Dog

1075 Scituate Ave.

Al Saccoccia appeared to speak and stated that he and his brother own a coffee shop on Atwood Ave. and would like to move the café to the Scituate Ave. location. He questioned if he would have to get Zoning for that. Council President Lanni stated that he believes he would have to, but he should check with Zoning.

No one appeared to oppose.

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

Laurel Hill Pizza

407 Laurel Hill Ave.

Konstantinos Kostaris appeared to speak. No one appeared to oppose.

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

Under Discussion:

Richard Tomlins, 400 Farmington Ave., appeared to speak and stated that he is not opposed to this license application, but he asked that this establishment comply with the Health Department rules. This has not been done with past establishments at this location.

Applicant was asked what the hours of operation will be. Mr. Kostaris stated 11:00 A.M. to 10:00 P.M. seven days a week.

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

HAWKER/PEDDLER LICENSE – NEW

Presto Strange O – to sell at Pawt. Village Farmers Mkt
Jessica Case

@ Edgewood Congregational

Jason Case appeared to speak. No one appeared to oppose.

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

HAWKER/PEDDLER LICENSE - NEW (Ratify the Action)

Rocket Fine Street Food - event 3/24 - and for the year

@ Rhodes

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

VII. NEW LICENSE APPLICATIONS: (Cont.)

HAWKER/PEDDLER LICENSE - NEW (Ratify the Action) (Cont.)
Mijos Tacos - event 3/24 - and for the year @ Rhodes

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

MASSAGE THERAPIST - NEW
Temple Body of Balance 14 Hayward St.

Colleen Wilkes appeared to speak. No one appeared to oppose.

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

SEPTAGE HAULER - NEW
Blue Line Septic 23 Bishop Hill Rd.

No one appeared to speak.

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

VIII. TRAFFIC ENGINEER:

No business.

IX. POLICE DEPARTMENT:

No business.

X. FIRE DEPARTMENT:

No business.

XI. LICENSE RENEWALS:

SEPTAGE HAULER – RENEWALS
Hoffman Septic Service & Portable 161 Willow Lane

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

XI. LICENSE RENEWALS: (Cont.)

HOLIDAY SALES LICENSE – RENEWAL

<i>Yeyo Market</i>	116 Chestnut Hill Ave.
<i>Talbot's #262</i>	29 Hillside Road
<i>GNC #1995</i>	1000 Chapel View Blvd.
<i>Ocean State Mobil</i>	1282 Elmwood Ave.
<i>Sally Beauty Supply</i>	236 Garfield Ave.
<i>CVS # 2021</i>	205 Atwood Ave.
<i>CVS #5868</i>	1776 Broad St.
<i>CVS #1414</i>	1195 Oaklawn Ave.
<i>CVS #469</i>	1188 Pontiac Ave.
<i>CVS #212</i>	681 Reservoir Ave.
<i>Rainbow #218</i>	1200 Oaklawn Ave.
<i>Lowe's</i>	247 Garfield Ave.
<i>Dollar Tree #1794</i>	252 Garfield Ave.
<i>Dollar Tree #4792</i>	1776 Plainfield Pike
<i>Dollar Tree #1599</i>	1400 Oaklawn Ave.
<i>Sleepy's</i>	21 Chapel View Blvd.
<i>Sleepy's</i>	200 Garfield Ave.
<i>New Cingular Wireless</i>	540 Reservoir Ave.
<i>Hirst Fuel</i>	2148 Broad St.
<i>Lowe's Home Improvement</i>	247 Garfield Ave.
<i>Speedy Mart</i>	95 Warwick Ave.
<i>Diamond Fuel Best Way</i>	1353 Park Ave.
<i>Pier 1 Imports</i>	1 New London Ave.
<i>Men's Wearhouse</i>	508 Reservoir Ave.

Council Vice-President Farina recused from any discussion or vote on the license renewal applications for the 5 CVS locations.

On motion by Councilman Aceto, seconded by Councilman Favicchio, it was voted to approve the license renewal applications for the five CVS locations. Motion passed on a vote of 6-0 with 1 recusal. The following being recorded as voting "aye": Councilmen Santamaria, Aceto, Archetto, Favicchio, Councilwoman Lee and Council President Lanni -6. Council Vice-President Farina recused.

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

SECONDHAND LICENSE – RENEWAL

<i>Cranston Gold & More</i>	703 Park Ave.
<i>CB Truck n Tire</i>	140 Farmington Ave.
<i>Men's Wearhouse</i>	508 Reservoir Ave.

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

XI. LICENSE RENEWALS: (Cont.)

VICTUALLING LICENSE - RENEWAL

Pawtuxet Village Farmers Mkt
The Lunch Box
Stop & Shop

3 Rhodes Place
751 Park Ave.
275 Warwick Ave.

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

TEMPORARY STRUCTURES - RENEWAL

Pawtuxet Village Farmers Mkt
St. Mary's Feast Society

3 Rhodes Place
15 Phenix Ave.

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to approve all the above-listed license renewal applications (which include two extensions, the additional extension is permitted due to the nature of the operation, which is a farmer's market). Motion passed unanimously.

PARADE LICENSE - RENEWAL

St. Mary's Feast Society- feast 7/21

15 Phenix Ave.

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

CANDLELIGHT PROCESSION - RENEWAL

St. Mary's Feast Society- feast 7/19

15 Phenix Ave.

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

FIREWORKS LICENSE - RENEWAL

St. Mary's Feast Society- feast 7/21

15 Phenix Ave.

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

CARNIVAL LICENSE - RENEWAL

St. Mary's Feast Society- five days 7/17/-721

15 Phenix Ave.

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

LEASING OF MOTOR VEHICLE - RENEWAL

Enterprise Rent a Car

333 Niantic Ave.

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

XI. LICENSE RENEWALS: (Cont.)

FLOWER VENDOR LICENSE - RENEWAL (RATIFY THE ACTION)

Santilli flowers -- for Easter and Mothers Day @1500 Oaklawn Ave.

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

Lucille Kelly - For Easter and Mothers Day @ 1321 Cranston St.

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

USED CAR LICENSE - RENEWAL

Miracle Auto Sales 580 Reservoir Ave.
Hillside Auto Sales 44 Gansett Ave.
First Choice Auto Sales 1586 Broad St.

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

ALL NIGHT LICENSE – RENEWAL

Ocean State Mobil 1282 Elmwood Ave.

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

ITINERANT FOOD VENDOR - RENEWAL

Del's 1260 Oaklawn Ave.
St. Mary's Feast Society- feast 7/17- 7/21 15 Phenix Ave.

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

PEDDLER'S LICENSE - RENEWAL

Del's - 4 trucks 1260 Oaklawn Ave.
Palagi's ice Cream 55 Bacon St.

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

ITINERANT FOOD VENDOR - RENEWAL

Del's 1260 Oaklawn Ave.
19 HOUR LICENSE - RENEWAL
Temple Sinai - event May 4th 30 Hagen Ave.
Holy Apostle Church - event 4/6 300 Pippin Orchard Rd.

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

XII. SHOW CAUSE HEARING: (Cont'd from 3/4/2013)

P D Auto

598 Atwood Avenue

Peter Rizzo, Esq., appeared to represent the applicant.

Chair stated that the reason this establishment is before this committee is due to a complaint of hours of operation. The hours on record are Mondays thru Saturdays 8:00 A.M. to 5:00 P.M.

Chair stated that incidents of operating after 5:00 P.M. occurred on August 6, 2012 and again on January 27, 2013.

Attorney Rizzo stated that the alleged violations were heard in Municipal Court and were dismissed. The Court found that they could not be substantiated. There seems to be some confusion because there are two licenses at this location: Auto Body Repair License issued by the State and Auto Repair License issued by the City. When speaking of the hours, he questioned if they are for the Auto Repair or Auto Body.

Philip Drukker, applicant, appeared to speak and stated that the hours on record are the hours he is open. The incidents, which the abutter complained of, he was there by himself catching up with the paperwork after 5:00 P.M. He is aware of the abutter and his complaints. He has been more than courteous, but the abutter complains because he sees his car parked out in front of the building. He does quiet work, such as sanding the cars.

Attorney Rizzo stated that as to the Auto Body License issued by the State, he did not find any hours restriction except in a residential area, which his client is not in.

Chair suggested that Mr. Drukker continue reaching out and work with the abutter and he considers this matter closed.

Dollar Tree (early morning dumpster pickup)

1776 Plainfield Pike

This item was discussed at the beginning of the meeting.

Patriots Disposal (contd 3/4/2013 for review)

1776 Plainfield Pike

This item was discussed at the beginning of the meeting.

Waste Management of Rhode Island Inc.

101 Fannin St, Houston, TX

Dumpers pick ups: Taco Bell

1076 Reservoir Ave.

Spain's Restaurant

1073 Reservoir Ave.

Scramblers

1045 Reservoir Ave.

McDonalds

1099 Reservoir Ave

The above items were discussed at the beginning of the meeting.

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of events for March to June 2013

January and February 2013 - actuals

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

TIPICO RESTAURANT & LOUNGE

Schedule of Events for April and May 2013

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

PARK THEATRE

Schedule of Events for April and May 2013

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

EL TAPATIO

Events for April and May 2013

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

The meeting adjourned at 8:35 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees