

(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 5, 2015 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: Council Vice-President Richard D. Santamaria, Jr., Chair
Councilman Michael J Farina, Vice-Chair
Council Majority Leader Paul H. Archetto
Councilman Mario Aceto
Councilman Christopher G. Paplauskas
Council Minority Leader Michael W. Favicchio
Council President John E. Lanni, Jr

Also Present: Robert Coupe, Director of Administration/Acting Personnel Director
Carlos Lopez, Chief of Staff
Captain Gerald Carnevale, Police Department
Deputy Chief, Stephen MacIntosh, 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 Aceto, seconded by Councilman 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/REPORTS:

IV. OLD BUSINESS:

MANHATTAN GOLD BUYERS

166 Atwood Ave.

Pawnbroker-Continued for Show Cause

No one appeared to represent establishment.

Chair asked if letter was sent to applicant to appear this evening. City Clerk stated, no. This item was continued at the request of the applicant's attorney because he was out of town last month.

Captain Carnevale stated that the case is still pending in the Court.

On motion by Councilman Aceto, seconded by Councilman Farina, it was voted to continue this item. Motion passed unanimously.

Chair asked that a letter be sent to applicant advising them that this is still on the agenda and was continued to next month.

V. PUBLIC HEARINGS (Including Ordinances)

TRANSFER OF CLASS BV ALCOHOLIC BEVERAGE LICENSE

FROM: Frosted Mug Inc.

594 Reservoir Ave.

Robert McCaffrey/Anthony Reis

TO: Frosted Mug Inc.

594 Reservoir Ave.

Anthony Reis

Anthony Reis appeared to speak. No one appeared to oppose.

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

FROM: 641 Food & Spirits

641 Atwood Ave.

Steven Abbate

TO: McKenna's Pub LLC

641 Atwood Ave.

Kim McKenna

Tim Robenheim, Esq., 303 Jefferson Blvd., appeared to represent transferor.

Steve Abbate and **Kim McKenna** appeared to speak.

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve this license transfer application.

Under Discussion:

Gregory Piccirilli, Esq., appeared to represent Anthony Arena, Manager of 641 Food & Spirits.

V. **PUBLIC HEARINGS (Including Ordinances) (Cont.)**

FROM: 641 Food & Spirits (Cont.)

641 Atwood Ave.

Steven Abbate

TO: McKenna's Pub LLC

641 Atwood Ave.

Kim McKenna

Anthony Arena appeared to speak.

Attorney Piccirilli stated that this afternoon, he provided a claim from Mr. Arena against Mr. Abbate for \$10,000. He asked that the Committee consider this claim or make condition in considering the transfer of this license.

City Clerk stated that the claim had not been filed. **Attorney Piccirilli** stated that it had been faxed over this afternoon.

Chair asked the Solicitor to review this claim.

Attorney Piccirilli also provided a copy of the management agreement for the Solicitor to review.

Solicitor Kirshenbaum stated that he reviewed the paperwork provided by **Attorney Piccirilli** and there was an agreement made in December, 2010. The contract appears to be between the two parties. The spirit of the RIGL is to protect the creditors. This would be similar to granting a prejudgment restraining order. He suggested that this Committee not consider this contract during the consideration of this transfer.

Attorney Piccirilli addressed Rule 25, Sect. 3.5.19 of Department of Business Regulations regarding liquor license. He stated that the City of Providence revoked a liquor license just last year, who entered into a similar type of arrangement. His client has been operating this business since December, 2010 and had complete control of these premises unbeknownst to him that that was not permitted under State Law.

Attorney Robenheim stated that there are two individuals who are arguing over a breach of contract. This belongs in the Courts. Mr. Arena had a partner and that gentleman paid the \$10,000 security deposit, not Mr. Arena. This is a civil matter and there are no creditors owed.

Captain Carnevale addressed **Attorney Piccirilli** and stated if he is suggesting that his client did not have management rights and there was an illegal contract, the police department is investigating a complaint alleging that his client stole all the equipment out of that building. **Attorney Piccirilli** stated that he finds it highly inappropriate for the Cranston Police Department involved in this type of questioning at this time.

Councilman Farina asked whose name the license is under. **City Clerk** stated, 641 Food and Spirits d/b/a The Arena, which is a corporation. **Councilman Farina** stated that, basically, we have an owner of a business transferring to a new owner. This issue belongs in the Courts.

V. **PUBLIC HEARINGS (Including Ordinances) (Cont.)**

FROM: 641 Food & Spirits (Cont.) 641 Atwood Ave.
Steven Abbate
TO: McKenna's Pub LLC 641 Atwood Ave.
Kim McKenna

Council President Lanni agreed with Councilman Farina and stated that this is a civil case to be taken up in the Courts. Our job is to either approve or deny the transfer. Our Solicitor told us it is appropriate to transfer this license.

Council Majority Leader Archetto agreed with Council President Lanni.

Council Minority Leader Favicchio stated that we, as a Committee, have no powers to issue restraining orders, the Courts do.

Councilman Paplauskas agreed with other members of the Committee who spoke.

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

CLASS A RETAIL ALCOHOLIC BEVERAGE – RENEWAL

Edgewood Liquors 1992 Broad Street
Cork & Brew Spirits 2206 Broad Street

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

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – RENEWAL

Gateways to Change d/b/a Artists Exchange Theatre 82 Café 82 Rolfe Square

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

CLASS BVICTUALLING ALCOHOLIC BEV. LICENSE - RENEWAL

Thirsty Beaver Pub & Grub 288 Atwood Ave.
Frosted Mug, Inc. 594 Reservoir Ave.
Macera's Italian Rest., Inc. 1500 Oaklawn Ave.
The Grind, Inc. 961 Dyer Ave.
Caffe Itri, Inc. 1686 Cranston St.
Cranston Country Club 69 Burlingame Rd.
Legion Pub, Inc. d/b/a Pub on Park 661 Park Ave.
Revolution American Bistro 2190 Broad St.
Effendi's Mediterranean Café LLC 160 Atwood Ave.
Delle Valle, Inc. d/b/a Potenza's Ristorante 162 Mayfield Ave.
848 Park Ave Assoc., Inc. d/b/a Stage Door Lounge 848 Park Ave.

V. **PUBLIC HEARINGS (Including Ordinances) (Cont.)**

CLASS B VICTUALLING ALCOHOLIC BEV. LICENSE – RENEWAL (Cont.)

<i>Miller's Crossings</i>	43 Bald Hill Rd.
<i>Gabriel's Italian Restaurant</i>	39 Phenix Ave.
<i>Zona Lounge & Rest LLC</i>	195 Niantic Ave.
<i>AMF Bowling Centers, Inc. d/b/a Cranston Bowl</i>	1450 Elmwood Ave.
<i>Chelo's Beef Hearth of Cranston, Inc.</i>	1275 Reservoir Ave.
<i>The Elephant Room</i>	2170 Broad St.
<i>L'Osteria</i>	1703 Cranston St.
<i>39 West Phenix Plaza LLC</i>	39 Phenix Ave.
<i>McKenna's Pub LLC</i>	641 Atwood Ave.

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

CLASS D CLUB LICENSE – RENEWALS

<i>St. Mary's Feast Society</i>	15 Phenix Ave.
<i>Santa Maria DiPrata Society</i>	29 Walnut Grove Ave.
<i>Pawtuxet Athletic Club</i>	12 Aborn St.
<i>Laurel Hill Social & Athletic Club</i>	49 Governor St.
<i>Alpine Country Club</i>	251 Pippin Orchard Rd.

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

AUTO REPAIR LICENSE – NEW

<i>A Plus Auto</i>	899 Pontiac Ave.
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No one appeared to speak.

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

<i>Park Avenue Getty</i>	266 Park Ave.
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On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to approve this license application.

Under Discussion:

Alexander Simonian appeared to speak. No one appeared to oppose.

Councilman Stycos asked applicant if he will be selling cars there. Mr. Simonian stated, no. Councilman Stycos stated that he often receives from constituents that applicant is selling cars there. Mr. Simonian stated that once in a while, a customer wants to sell a car and he helps them. He won't do that if it is not allowed.

V. **PUBLIC HEARINGS (Including Ordinances) (Cont.)**

AUTO REPAIR LICENSE – NEW (Cont.)

Park Avenue Getty (Cont.)

266 Park Ave.

Council President Lanni stated that he believes a gas station or auto repair shop can sell one, two or three cars per year annually without having a Used Car License.

Solicitor stated that he will look into this and will send applicant a letter outlining what the law states and will let the Committee know next month if the applicant objects to his letter.

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

USED CAR LICENSE – NEW

Car Lot – Annex

1400 Plainfield Pike

On Motion by Councilman Farina, seconded by Council President Lanni, it was voted to approve this license application.

Under Discussion:

Robert Corsi appeared to speak. No one appeared to oppose.

Council President Lanni asked how many vehicles applicant will have. Mr. Corsi stated, approximately 10-15.

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

VI. **NEW LICENSE APPLICATIONS:**

VICTUALLING LICENSE – NEW

City Line Convenience- 6AM – 12 AM

1015 Narragansett Blvd.

Mahr Ahmed appeared to speak and stated hours of operation would be 8:00 AM to 1:00 AM Mondays thru Sundays. No one appeared to oppose.

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

McKenna's Pub

641 Atwood Ave.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

BILLIARD TABLE LICENSE – NEW
Frosted Mug Inc. - One table

594 Reservoir Ave.

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

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE: (cont'd from 9/14/2015)

In Town Auto (Used Car and Auto Repair)

11 East Josephine St.

Wilfredo Hernandez appeared to speak.

Chair stated that inspection was done today and there were 11 cars. This was what was agreed to. He asked for update on the State Police report.

Solicitor stated that there were four pending charges and two were upheld, obtaining money under false pretenses and given one year probation on each. Solicitor asked applicant if there were any other charges pending against him. Mr. Hernandez stated, no.

Councilman Farina stated to Mr. Hernandez that he would recommend that he not come back to this Committee and keep it at 11 cars and keep the neighbors happy.

On motion by Council President Lanni, seconded by Councilman Farina, it was voted to approve the Auto Repair License application, subject to Fire inspection and Police Department to give update in three months and applicant does not need to appear. Motion passed unanimously.

Kenneth Rocha, landlord, appeared and asked for clarification of constituted eleven (11) cars. Chair stated that the restrictions states 11 cars whether the cars are for sale or for repair. That means the total number of cars parked on the property are not to exceed 11, excluding those in the bays actively being worked on.

SHOW CAUSE – NEW
Manhattan Gold buyers

166 Atwood Ave.

This item is continued.

IX. POLICE DEPARTMENT:

No business.

X. FIRE DEPARTMENT:

Zeshan Muhammad – Propane
[\[click to view\]](#)

397 Dyer Ave.

Deputy Chief MacIntosh appeared to speak.

On motion by Councilman Farina, seconded by Council President Lanni, it was voted to approve this application. Motion passed on a vote of 6-1. The following being recorded as voting “aye”: Council Vice-President Santamaria, Councilmen Farina, Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -6. The following being recorded as voting “nay”: Council Majority Leader Archetto -1.

Speedway LLC – Propane
[\[click to view\]](#)

473-479 Reservoir Ave.

Deputy Chief MacIntosh appeared to speak.

Councilman Aceto stated that his concern is that the tanks will be placed in the front of the building. Deputy Chief MacIntosh stated that he will check into this.

On motion by Councilman Aceto, seconded by Councilman Farina, it was voted to continue this application to next month. Motion passed unanimously.

XI. LICENSE RENEWALS:

AUTO REPAIR LICENSE – RENEWALS
Zink’s Auto

173 Niantic Ave.

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

TEMPORARY BUSINESS – RENEWAL
Sonya’s – tent sale 10/2-10/4

766 Oaklawn Ave.

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

XI. LICENSE RENEWALS: (Cont.)

PRIVATE DETECTIVE LICENSE – RENEWAL

Thomas Giorgio - # 324

780 Reservoir Ave.

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

VICTUALLING LICENSE – RENEWALS (Cont.)

Thirsty Beaver Pub & Grub

288 Atwood Ave.

Frosted Mug, Inc.

594 Reservoir Ave.

Macera's Italian Rest., Inc.

1500 Oaklawn Ave.

The Grind, Inc.

961 Dyer Ave.

Caffe Itri, Inc.

1686 Cranston St.

Cranston Country Club

69 Burlingame Rd.

Legion Pub, Inc. d/b/a Pub on Park

661 Park Ave.

Revolution American Bistro

2190 Broad St.

Effendi's Mediterranean Café LLC

160 Atwood Ave.

Delle Valle, Inc. d/b/a Potenza's Ristorante

162 Mayfield Ave.

848 Park Ave., Assoc., Inc. d/b/a Stage Door Lounge

848 Park Ave.

Miller's Crossings

43 Bald Hill Rd.

Gabriel's Italian Restaurant

39 Phenix Ave.

Zona Lounge & Rest. LLC

195 Niantic Ave.

AMF Bowling Centers, Inc. d/b/a Cranston Bowl

1450 Elmwood Ave.

Chelo's Beef Hearth of Cranston, Inc.

1275 Reservoir Ave.

The Elephant Room

2170 Broad St.

L'Osteria

1703 Cranston St.

39 West Phenix Plaza LLC

39 Phenix Ave.

McKenna's Pub LLC

641 Atwood Ave.

Mac's Food Store

983 Oaklawn Ave.

Dyer Mart & Deli

500 Dyer Ave.

Five Herb Pizza

500 Dyer Ave.

Freedom Seafood

840 Park Ave.

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

XII. MONTHLY SCHEDULES:

GUAYACAN LOUNGE – LIST OF EVENTS FOR SEPT – DECEMBER 2015

[\[click to view\]](#)

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve this list of events. Motion passed unanimously.

XII. MONTHLY SCHEDULES: (Cont.)

***848 PARK THEATRE – list of few events scheduled for May - November 2015 –
(Submitted in July)***

No action needed.

***LEGENDS PUB & GRUB – LIST OF EVENTS FOR SEPT – DECEMBER 2015
[\[click to view\]](#)***

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to approve this list of events. Motion passed unanimously.

***RHODES ON THE PAWTUXET – LIST FOR JUNE – SEPTEMBER 2015
Actual Number of Attendees for Actual Number of Attendees submitted last in January
(Submitted in July)***

No action needed.

XIII. MISCELLANEOUS BUSINESS

The meeting adjourned at 8:10 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees