

(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 3, 2016 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:10 P.M. by the Chair.

Present: Council Vice-President Richard D. Santamaria, Jr., Chair
Council Majority Leader Paul H. Archetto, Vice-Chair (left meeting at 8:35 P.M.)
Councilman Mario Aceto
Councilman Christopher G. Paplauskas
Council Minority Leader Michael W. Favicchio
Council President John E. Lanni, Jr.

Absent: Councilman Michael J Farina

Also Present: Councilman Donald Botts, Jr.
Jeffrey Barone, Constituent Affairs Director
Captain Gerard Carnevale, Police Department
Deputy Chief, Stephen MacIntosh, Fire Department
Christopher Rawson, City Solicitor
J. Patrick O'Neill, 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 Council Minority Leader Favicchio, 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:

Chair indicated that the Committee members were just provided with copies of Executive Summary from Red Lounge.

IV. OLD BUSINESS:

VICTUALLING LICENSE – NEW (Cont’d from 9/12 – NO SHOW)
Boomerang Deli hours 11-8 Mon – Sat 1674 Cranston St.

Kevin Dutra appeared to speak in favor. No one appeared to oppose.

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to approve this license application. Motion passed unanimously.

V. ADVERTISED PUBLIC HEARINGS (Including Ordinances)

9-16-01 Ordinance in amendment of Title 5 of the Code of the City of Cranston, 2005, entitled “Business Licenses and Regulations” (Massage Bodyworks Definition Amended). Sponsored by councilman Botts.

No one appeared to speak in favor or to oppose.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Botts stated that this Ordinance would bring this in compliance with enabling legislation.

City Clerk stated that there are some scrivener’s errors on lines 34 & 35.

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

ALL NIGHT LICENSE – NEW
Laundromax – open 24 hours 1025 Cranston St.

Gina Griffin appeared to speak. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to approve this license application.

Under Discussion:

Chair asked if there are any concerns from the Police Department. Captain Carnevale stated that there is already one laundromat on Cranston St. that is open 24 hours and there have been no problems.

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

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

CLASS B VICTUALLING ALCOHOLIC BEV. LICENSE - RENEWAL	
<i>Caffe Itri, Inc.</i>	1686 Cranston St.
<i>Carol & Mario's Catering</i>	20 Haven Ave.
<i>Effendi's Mediterranean Café</i>	160 Atwood Ave.
<i>Chelo's</i>	1275 Reservoir Ave.
<i>S & J Food Enterprises d/b/a Cranston House of Pizza</i>	1791 Cranston St.
<i>Brutopia LLC</i>	505 Atwood Ave.
<i>Ted's Stadium Pub</i>	1145 Park Ave.
<i>Torg LLC d/b/a Elephant Room</i>	2170 Broad St.
<i>Royal Buffet & Grill Inc.</i>	272 Garfield Ave.
<i>The Grind Inc. d/b/a Touch</i>	961 Dyer Ave.
<i>DaniDono Pizzeria d/b/a Catanzaro Pizza</i>	1283 Park Ave.
<i>Cinets Inc. d/b/a Blue Moon Pub</i>	42 Phenix Ave.
<i>Mendon Food Corp.</i>	1455 Oaklawn Ave.
<i>d/b/a Uncle Tony's Pizza & Pasta Rest.</i>	
<i>CSGS Inc. d/b/a Bistro 22</i>	22 Midway Rd.
<i>Tim & Nikki's Pizzeria + Pub</i>	2244 Plainfield Pike
<i>Fellini Pizzeria Inc.</i>	2190 Broad St.
<i>Gabriel's Italian Restaurant</i>	39 Phenix Ave.
<i>99 West LLC</i>	1171 New London
<i>Chipotle Mexican Grill of Colorado LLC</i>	87 Hillside Road
<i>Texas Roadhouse Holdings LLC</i>	99 Garfield Ave.
<i>JonMar Inc. d/b/a L'Osteria</i>	1703 Cranston St.
<i>AP & EF Associates d/b/a Guayacan Lounge</i>	349 Dyer Ave.
<i>Jacky Boy Public House LLC</i>	2190 Broad St.
<i>Delle Valle Inc. d/b/a Potenza's</i>	162 Mayfield Ave.
<i>Bossa LLC d/b/a Cucina Rustica</i>	555 Atwood Ave.

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

CLASS D CLUB ALCOHOLIC BEVERAGE LICENSE – RENEWAL	
<i>RI Ceilhide Club</i>	50 America Street
<i>Edgewood Yacht Club</i>	1 Shaw Ave.
<i>RI Yacht Club</i>	One Ocean Ave.

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

CLASS BT ALCOHOLIC BEVERAGE LICENSE – RENEWAL	
<i>Johnson & Wales University</i>	1150 Narr. Blvd.

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

VI. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

Cranston Famous Pizza – hours 10-10PM

1426 Park Ave.

Elias Lefas appeared to speak and stated that hours of operation will be 10 AM to 10 PM seven days a week.

Council President Lanni asked what the seating capacity is. Mr. Lefas stated, 16.

No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

X-Hale Hookah Lounge – hours 12 – 1 AM

1375 Park Ave.

Mouayad Alkaboui appeared to speak.

Chair asked if the Police Department have any concerns. Captain Carnevale stated that they do not have any concerns as of yet.

Chair asked applicant if other than tobacco, he sells anything else. Mr. Alkaboui stated that he sells unprepared foods, such as chips and soft drinks.

City Clerk stated that, per the State, this type of business has to drive more than 51% of the profits from sales of tobacco or tobacco products in order to have alcohol.

Councilman Aceto asked applicant if he has operated a hookah bar before. Mr. Alkaboui stated, no, but his partner has. Councilman Aceto asked applicant if he is going to have “bring your own booze”. Mr. Alkaboui stated, possibly.

Council President Lanni stated that he has a big problem about that. He questioned who monitors who drinks. He has a problem with businesses policing themselves for underage drinking. Captain Carnevale stated that he does not know too much about that at all. Hookah bar attracts people ages 18-24. No one under 21 is allowed anywhere on the premises with alcohol.

Councilman Botts stated that the difference with this business and other establishments in the City is other establishments have liquor license and have employees alcohol trained. This establishment would not have alcohol trained employees.

Chair asked applicant if he will have any kind of fee, such as pouring fee or cup fee. He stated that there are too many unanswered questions, such as he’s not sure what City Ordinances cover, what RI General Laws covers. He asked applicant what his reservations are of applying for beer and wine license. Mr. Alkaboui stated that he thought it would be easier that way.

Councilman Aceto stated that this is the first hookah bar in the City and he does not think we know how to govern this.

Chair suggested that, so the applicant is not delayed, this Committee approve this as just a hookah bar without beer and wine or “bring your own booze” and in the meantime applicant can look into applying for a beer and wine license.

Councilman Paplauskas stated that he has same concerns as Councilman Aceto since this is the first in the City.

Council Minority Leader Favicchio indicated that Poco Loco, Elephant Room and Edgewood Café are all “bring your own booze” establishments.

On motion by Council Minority Leader Favicchio, seconded by Councilman Paplauskas, it was voted to approve this license application with no liquor to be on premises. Motion passed unanimously.

HOLIDAY SALES LICENSE – NEW

Mattress Firm Inc.

1 New London Ave.

Rob Jackneywitz appeared to speak in favor. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to approve this license application. Motion passed unanimously.

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE:

CLASS B VICTUALLING LIQUOR LICENSE (cont'd from 9/12 – report from police)

Red Lounge Restaurant

355 Dyer Ave.

Attorney Louis DeSimone appeared to speak and stated that copies of the Executive Summary was hand delivered last Thursday to the Clerk’s Office.

Chair asked what the Committee’s feelings are on whether to discuss and act on this issue this evening since the Committee just received this report prior to the meeting and has not had a chance to review it.

Council Minority Leader Favicchio stated that he would rather continue this.

Solicitor stated that the Police Captain also received this report this evening and would like some time to review it.

Councilman Aceto suggested that Attorney DeSimone meet with the Solicitor and the Police Department and work it out for the October Council meeting.

Chair asked Attorney DeSimone to provide his e-mail address so if the Committee or the Police Department has any concerns or questions they can be addressed prior to the Council meeting.

Councilman Aceto asked if the Police Department has obtained the video of the night of the incident. Captain Carnevale stated that they were provided with the video after a search warrant was issued.

Council President Lanni stated that what bothers him about all this is that the tapes were provided to the Police Department by the business, but the tapes were erased so someone is covering something up that occurred there. This to him, does not look like the business wants to cooperate. He is very hesitant to go along re-opening the business based on what has taken place there.

Discussion took place on the security section of the Executive Summary.

Chair indicated to the Executive Summary and asked that the following language be added on the 13th page, last line: "and" before "or local law enforcement".

Attorney DeSimone stated that he has the Manager of the security company whom the business is looking to hire is present this evening if the Committee would like to hear him or he can come back for the City Council meeting.

Wayne Fantasia, Manager of the security company, appeared to speak and stated that he recommends camera angle changes inside the building.

Councilman Aceto asked what the length of time is on the taping. Mr. Fantasia stated, 36 hours. Councilman Aceto stated that he has a problem with that. The taping time should be longer.

Council Minority Leader Favicchio asked for Manager's background. Mr. Fantasia stated that he was in the military of thirteen years. His partner is a part-time Police Officer and he has been doing security in Providence for six years. Council Minority Leader Favicchio asked for a list of staff and their credentials. He asked Mr. Fantasia if he carries any weapons. Mr. Fantasia stated, no, the Manager and door man are allowed to carry mace.

Council Vice-President Santamaria asked Mr. Fantasia what businesses in Providence his company is currently employed by. Mr. Fantasia stated, Roxy, Rosendale, Eagle TelAviv and Aldo's.

Council Minority Leader Favicchio asked Mr. Fantasia what the protocol would be to get the patrons out of Red Lounge at closing time since Farmington Terrace is very close and the residents have had vandalism among other problems from patrons of this business. Mr. Fantasia stated that this is outlined in the Executive Summary.

On motion by Council Minority Leader Favicchio, seconded by Councilman Paplauskas, it was voted to continue this item to the Council meeting. Motion passed unanimously.

Motion and second were withdrawn.

On motion by Council Minority Leader Favicchio, seconded by Council Majority Leader Archetto, it was voted to continue this hearing to the next Safety Services and Licenses Committee meeting with suspension in effect until that time. Motion passed unanimously.

CLASS B VICTUALLING LIQUOR LICENSE

Mardi Gras – no show 9/12

1500 Oaklawn Ave.

Chair stated that an agreement was made between the applicant, Attorney Lepizzera and the Solicitor and copies of the agreement were provided to the Committee.

Solicitor Rawson stated that Attorney Lepizzera will be paid from the amount collected from Mardi Gras and not the City.

Chair asked who will monitor the payments from Mardi Gras. Solicitor Rawson stated that Attorney Lepizzera will get the payments directly and then forward them to the City.

Councilman Aceto stated that he would like the payment agreement to read that payment is due by twelve noon day of the Safety Services meeting so when it comes before the Committee, it can be reviewed and take action that day.

Council Minority Leader Favicchio suggested that maybe a special meeting could be held if necessary.

Chair asked for a voice vote to approve this agreement. All members voted to the agreement except for Councilman Aceto.

Chair asked that the Solicitor give the City Council members a heads up when the November payment is received.

Councilman Aceto indicated that he thinks this is outside the Council's pervue to approve this agreement. Council Minority Leader Favicchio stated that this Committee issues liquor licenses.

Question was asked whether the full City Council would have to vote on this agreement. Solicitor Rawson stated that given the fact that there is a license involved, the Administration felt the City Council should be made aware of the status of this.

Councilman Aceto stated that if applicant owed a liquor distributor, he would be shut down. He questioned why this Committee is not shutting this business down with a \$30,000 amount owed to the City. Chair responded that the chances of the City getting any money would be zero.

IX. POLICE DEPARTMENT:

No business.

X. FIRE DEPARTMENT:

No business.

XI. LICENSE RENEWALS:

VICTUALLING LICENSE - RENEWALS

<i>Caffe Itri Inc.</i>	1686 Cranston St.
<i>Carol & Mario's Catering</i>	20 Haven Ave .
<i>Effendi's Mediterranean Café</i>	160 Atwood Ave.
<i>Chelo's</i>	1275 Reservoir Ave.
<i>S & J Food Enterprises d/b/a Cranston House of Pizza</i>	1791 Cranston St.
<i>Brutopia LLC</i>	505 Atwood Ave.
<i>Ted's Stadium Pub</i>	1145 Park Ave.
<i>Torg LLC d/b/a Elephant Room</i>	2170 Broad St.
<i>Royal Buffet & Grill Inc.</i>	272 Garfield Ave.
<i>The Grind Inc. d/b/a Touch</i>	961 Dyer Ave.
<i>DaniDono Pizzeria d/b/a Catanzaro Pizza</i>	1283 Park Ave.
<i>Cinets Inc. d/b/a Blue Moon Pub</i>	42 Phenix Ave.
<i>Mendon Food Corp.</i>	1455 Oaklawn Ave.
<i>d/b/a Uncle Tony's Pizza & Pasta Rest.</i>	
<i>CSGS Inc. d/b/a Bistro 22</i>	22 Midway Rd.
<i>Tim & Nikki's Pizzeria + Pub</i>	2244 Plainfield Pike
<i>Fellini Pizzeria Inc.</i>	2190 Broad St.
<i>Gabriel's Italian Restaurant</i>	39 Phenix Ave.
<i>99 West LLC</i>	1171 New London
<i>Chipotle Mexican Grill of Colorado LLC</i>	87 Hillside Road
<i>Texas Roadhouse Holdings LLC</i>	99 Garfield Ave.
<i>JonMar Inc. d/b/a L'Osteria</i>	1703 Cranston St.
<i>AP & EF Associates d/b/a Guayacan Lounge</i>	349 Dyer Ave.
<i>Jacky Boy Public House LLC</i>	2190 Broad St.
<i>Delle Valle Inc. d/b/a Potenza's</i>	162 Mayfield Ave.
<i>Bossa LLC d/b/a Cucina Rustica</i>	555 Atwood Ave.
<i>Thai Orchid</i>	800 Park Ave.
<i>Miss Cranston Diner</i>	1150 Oaklawn Ave.
<i>Fit World</i>	30 Kenney Dr.
<i>Sonia's</i>	816 Park Ave.
<i>Dunkin Donuts</i>	900 Cranston St.
<i>Burger King</i>	200 Phenix Ave.
<i>Burger King</i>	1177 Pontiac Ave.
<i>Burger King</i>	660 Reservoir Ave.
<i>Kattan Market</i>	644 Oaklawn Ave.
<i>Brooklyn Brothers</i>	876 Atwood Ave.
<i>Dunkin Donuts</i>	283 Park Ave.
<i>Dunkin Donuts</i>	480 Pontiac Ave.
<i>Dunkin Donuts</i>	1288 Oaklawn Ave.
<i>China Star</i>	636 Reservoir Ave.
<i>Subway</i>	40 Sock Crsrds.
<i>Subway</i>	690 Oaklawn Ave.
<i>Subway</i>	626 Reservoir Ave.

XI. LICENSE RENEWALS: (Cont.)

VICTUALLING LICENSE – RENEWALS (Cont.)

<i>Great Wall</i>	1480 Park Ave.
<i>Chen Garden</i>	995 Pontiac Ave.
<i>5 – Herb Pizza</i>	500 Dyer Ave.
<i>Dunkin Donuts</i>	636 Reservoir Ave.
<i>Dunkin Donuts</i>	8 Chapel View Blvd.
<i>Dunkin Donuts</i>	189 Sockanosset Crsdrs.
<i>Dunkin Donuts</i>	1111 Park Avenue
<i>Carmines</i>	310 Atwood Ave.
<i>Honey Dew Donuts</i>	300 Atwood Ave.
<i>Edgewood Market & Deli</i>	1043 Narr Blvd.
<i>Kentucky Fried Chicken</i>	Reservoir Ave.
<i>Al-Mall Pizza</i>	41 Warwick Ave.
<i>Stykes NY System</i>	1617 Elmwood Ave.
<i>Boston Market</i>	185 Sock Crsdrs.
<i>Ocean Pride Seafood</i>	270 Atwood Ave.
<i>Pizza Fair</i>	685 Park Ave.
<i>Del's</i>	1260 Oaklawn Ave.
<i>Piezoni's</i>	40 Sock Crsdrs.
<i>Athena's</i>	1482 Park Ave.
<i>Walt's</i>	680 Reservoir Ave.
<i>Freedom Seafood</i>	840 Park Ave.
<i>Albanese's Delizioso</i>	1288 Oaklawn Ave.
<i>China Fun</i>	1071 Park Ave.
<i>Dairy Twirl/Del's</i>	Reservoir Ave.
<i>Dear Heart's</i>	2218 Broad St.
<i>Deluise's Bakery</i>	701 Oaklawn Ave.
<i>Stop & Shop</i>	200 Atwood Ave.
<i>Stop & Shop</i>	204 Garfield Ave.
<i>Stop & Shop</i>	275 Warwick Ave.
<i>Tony's Pizza</i>	548 Pontiac Ave.
<i>Calvitto's Bakery</i>	1401 Park Ave.
<i>Calvitto's Bakery</i>	285 Park Ave.
<i>Mega's Bakery</i>	567 Reservoir Ave.
<i>Shore's</i>	435 Atwood Ave.
<i>LaFrontera Market</i>	1522 Broad St.
<i>Caffe Bon Ami</i>	1082 Park Ave.
<i>Coffee Plus #66</i>	600 New London Ave.
<i>Coffee Plus #76</i>	1511 Pontiac Ave.
<i>Honey Dew Donuts</i>	235 Atwood Ave.

XI. LICENSE RENEWALS:

VICTUALLING LICENSE - RENEWALS

<i>Edgewood Cheese Shop</i>	1828 Broad St.
<i>House of Noodle Soup</i>	790 Reservoir Ave.
<i>Brewed Awakenings</i>	1200 Pontiac Ave.
<i>Crugnale Bakery</i>	48 Rolfe St.

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

TEMPORARY STRUCTURE LICENSE – RENEWAL

<i>Sonya's</i> – yearly tent sale	766 Oaklawn Ave.
<i>Leyden Trees</i> – 11/23 – 12/25	@ Mulligan's Island
<i>Artist's Exchange</i>	50 Rolfe Square

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

ENTERTAINMENT LICENSE – RENEWAL

<i>Artist's Exchange</i>	50 Rolfe Square
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On motion by Council Minority Leader Favicchio, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

PRIVATE DETECTIVE LICENSE – RENEWAL

<i>Thomas Giorgio</i> - #324	780 Reservoir Ave.
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On motion by Council President Lanni, seconded by Council Minority Leader Favicchio, it was voted to approve this license renewal application. Motion passed unanimously.

WASTE HAULER LICENSE – RENEWALS

See List

On motion by Council Minority Leader Favicchio, seconded by Council President Lanni, it was voted to approve this list of Waste Hauler License Renewals. Motion passed unanimously.

XII. MONTHLY SCHEDULES:

GUAYACAN LOUNGE – LIST OF EVENTS October – December 2016
(Submitted in September)

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

XII. MONTHLY SCHEDULES: (Cont.)

848 PARK THEATRE – LIST OF EVENTS updated – August – December

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

LEGENDS PUB & GRUB –list of events September – December

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

***RHODES ON THE PAWTUXET – LIST FOR September – December 2016
(submitted in Sept)***

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

XIII. MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:40 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees