

(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, December 5, 2016 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:40 P.M. by the Chair.

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

Also Present: Councilman Steven A. Stycos
Jeffrey Barone, Director of Constituent Affairs
Captain Gerard Carnevale, Police Department
Deputy Chief, Stephen MacIntosh, Fire Department
Christopher Rawson, City Solicitor
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:

None.

IV. OLD BUSINESS:

VICTUALLING LICENSE- NEW (Cont'd 9/12, 11/14- NO SHOW)
Boomerang Deli hours 11-8 Mon- Sat 1674 Cranston St.

No one appeared to speak.

Chair asked that this license application be removed from the agenda and if applicant wishes to still open this business, they need to re-apply.

VICTUALLING LICENSE- NEW (Cont'd 11/14- NO SHOW)

Gyro King- 11AM-12AM (Ratification)

400 Dyer Ave.

No one appeared to speak in favor or to oppose.

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

Mosaic Restaurant- 7AM-10PM(Ratification)

91 Rolfe Square

Fadi Tavazi 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. Motion passed unanimously.

V. ADVERTISED PUBLIC HEARINGS (Including Ordinances)

None.

VI. NEW LICENSE APPLICATIONS:

ALL NIGHT LICENSE - NEW

Zona Lounge

195 Niantic Ave.

Ismael Rodriuiz appeared to speak.

Chair indicated that this Committee only allows liquor establishments to be open until 1:00 a.m. He asked what the reason is for the request of 2:00 a.m.

Marilyn Capeda, translator and friend of Mr. Rodriuiz appeared to speak and stated that people leave this establishment at 1:00 a.m. and go to Providence and Mr. Rodriuiz is losing a lot of sales. He runs a good business, good security and has remodeled to keep good customers. He is requesting Saturdays to be open until 2:00 a.m.

Councilman Farina stated that currently, there are no liquor or food businesses that open past 1:00 a.m. If this is approved, this would be the first except for CVS, which does not serve alcohol or food.

Councilman Aceto questioned what if this Committee is allowed to stay open until 2:00 a.m. just to serve food and no alcohol. Chair stated that the problem he has is who would enforce it.

Council President Lanni stated that we have 79 other establishments who serve food and alcohol and if this is approved, then we would have all the other businesses coming before this Committee with the same request. This business has to conform with everyone else otherwise the Ordinance would have to be changed.

Councilman Papluskas stated that he will be voting against this request because he does not want to start a precedent with the other businesses.

Council Majority Leader Archetto and Council Minority Leader Favicchio agreed with Councilman Paplauskas.

On motion by Councilman Farina, seconded by Council Minority Leader Favicchio, it was voted to deny this request. Motion passed unanimously.

AUTO REPAIR LICENSE - NEW

Blanch Auto Repair Inc.

1108 Park Ave.

David Blanch appeared to speak and stated hours of operation to be 8:00 a.m. to 5:00 p.m. Mondays thru Fridays and 9:00 a.m. to 3:00 p.m. Saturdays and closed Sundays. No one appeared to oppose.

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

Phoenix Truck & Auto Service Inc.

86 Calder St.

Russell Cucio appeared to speak and stated that he is moving this business from Macklin to Calder St. He stated that his hours of operation will be 8:00 a.m. to 5:00 p.m. Mondays thru Saturdays. He also stated that he purchased the former Tyler Truck and will eventually rent out the space on Macklin St.

Sylvia Cambio, 226 Macklin St., appeared to speak and stated that her concerns are smell, odor, truck going through the street and parking on the whole street, which is a danger. She stated that no one can get through the street. Her husband's car was hit three weeks ago from a tractor trailer that is on that street. She also indicated that Mr. Cucio wants to put a tow trucking company in there, which will be right in front of her home.

Thomas Fazio, 210 Macklin St., appeared to speak and stated that tractor trailers constantly go down Macklin St. Chair indicated that it was agreed years ago that trucks are to take right onto Calder St. and they are ignoring the signs. He does not have a problem with the applicant moving to Calder St.

Paul Dercole, 22 Dean St., appeared to speak representing his mother-in-law, who lives at 252 Macklin St. and stated that the tractor trailers are going all the way down Macklin to Suez. This is a safety issue.

Louie Petrucci, 121 East View, appeared to speak and stated that trucks do go up Macklin St. He indicated that there are signs. He does not know what else can be done.

Carla Farias, 32 Butler St., applicant's girlfriend, appeared to speak and stated that ever since Mr. Cucio has been at this location, he has tried everything he can to make the neighbors happy and the neighborhood better. He is constantly cleaning up the area to make Mrs. Cambio happy. She indicated that most of Mrs. Cambio's concerns are not with Phenix Truck. There are a lot of other businesses there.

Council President Lanni stated that he is glad the applicant is moving, unfortunately, now there will be a towing company there which will cause more problems.

Mr. Cucio stated that as a gesture, any towing after 5:00 or 6:00 p.m. they will tow on Calder St. in the back. He would still need approval from the Zoning Department on the towing company.

Council President Lanni asked what guarantees do we have that years from now the rest of the property is not going to be used? Mr. Cucio stated that this could be placed as a restriction or agreement through Zoning.

Council Minority Leader Favicchio asked Mr. Cucio, if this Committee allows him to move to Calder and he rents Macklin for tow company, would it require a special use permit, which may not be approved. They should not be operating at this time. Mr. Cucio stated that they are not operating. There is nothing there at this time.

Council Majority Leader Archetto stated that a tow company on Macklin will disturb the neighbors. He is glad Mr. Cucio is moving to Calder.

Councilman Paplauskas asked Mr. Cucio what his hours of operation will be on Calder St. Mr. Cucio stated probably the same, 8:00 a.m. to 5:00 p.m. doing auto repair, although he may be there later doing paperwork.

Council Minority Leader Favicchio asked if they are required to have a special use permit. Solicitor Rawson stated, no.

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

R&R Auto Repair

125 Niantic Ave.

Robert Arias appeared to speak in favor and stated hours of operation to be 8:00 a.m. to 5:00 p.m. Sundays thru Fridays and 8:00 a.m. to 3:00 p.m. Saturdays. No one appeared to oppose.

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

CLASS B VICTUALLING LIMITED ALCHOLIC BEV. LICENSE - NEW

Mosaic Restaurant

91 Rolfe Square

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

ENTERTAINMENT - NEW

Teds Stadium Pub

1145 Park Ave.

Ted Torti appeared to speak and stated that he plans to have acoustic on Fridays with a 1-2 pieces and Saturdays 4-5 pieces. He will play it by ear to see what attracts people.

Council Majority Leader Archetto asked Mr. Torti what time he will be closing. Mr. Torti stated 1:00 a.m. and music will end 12-13:30 a.m. Council Majority Leader Archetto stated that there are homes in the back of the building and he asked that the back door be kept closed.

No one appeared to oppose.

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

SECOND HAND LICENSE - NEW

Lane's on Broad

2164 Broad St.

Julianne Lefebvre appeared to speak and stated hours of operation to be 10:00 a.m. to 7:00 p.m. Mondays thru Sundays. No one appeared to oppose.

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

TOBACCO LICENSE - NEW

Mosaic Restaurant

91 Rolfe Square

No one appeared to speak in favor or to oppose.

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

Under Discussion:

Councilman Farina asked if applicant will be serving or selling tobacco and indicated that their menu states that they will be serving. He stated that since smoking is illegal indoors, he asked how this would work. Solicitor Rawson stated that we do not have that jurisdiction. This falls under the State.

Council President Lanni asked if this could be considered a cigar bar. Council Minority Leader Favicchio stated that they would have to meet the State's regulations.

Councilman Farina stated that he wants to make sure the applicant knows he has to get special use permits from the State. He asked that the Clerk contact applicant to advise him that the approval given this evening is not giving him permission to allow smoking indoors. It is just to sell hookah and he is to go to the State.

Council President Lanni stated that if we are going to notify the applicant, we need to notify all the hookah bars in the State.

Council Minority Leader Favicchio questioned if we are going to require proof from the State before approving the license.

Motion and second to approve this license application were withdrawn.

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

VICTUALLING LICENSE - NEW

Best Way

1353 Park Ave.

Syed Asclal appeared to speak in favor. No one appeared to oppose.

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

Best Way

280 Atwood Ave.

Syed Asclal appeared to speak in favor. No one appeared to oppose.

On motion by Council Minority Leader Favicchio, seconded by Council President Lanni, 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 11/2 -Review)

Red Lounge Restaurant

355 Dyer Ave.

Jorge Delgadillo appeared to speak and stated that the dress code is working good, business is good and there have been no problems.

Councilman Paplauskas questioned Police Detail. Mr. Delgadillo stated that they have Detail Thursdays thru Saturdays 10-1.

Captain Carnevale stated that there have been no problems since the last meeting.

Council Minority Leader Favicchio asked if there has been any problem filling Details. Captain Carnevale stated that they have had problems filling two. They have filled one. The security company has been doing a good job.

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to have a six month review on this issue. Motion passed unanimously.

Chair asked that this be placed on the May 2017 agenda for review.

IX. POLICE DEPARTMENT:

Chair stated that the Park Theatre has not been requesting Police Details again. He stated that there is an event this evening and one on Wednesday and they have no Details for neither events. He asked that the Police Department speak to them tomorrow regarding Wednesday's event. Captain Carnevale stated that since the last meeting with them, they have not contacted the Police Department, although they are contacting the Fire Department. He also indicated that they have not been updating their list of events that is provided to this Committee. He noted that this evening's event and Wednesday evening's event are not even on the list of events, which was approved by this Committee in October.

Chair asked that they be contacted tomorrow and address this and if it is not addressed, Wednesday's event could be in jeopardy and he asked that the Chair be contacted back as to what their response is and he will contact the Committee members.

X. FIRE DEPARTMENT:

No business.

XI. LICENSE RENEWALS:

EXTENDED HOURS OF OPERATION- RENEWAL

<i>Kmart (Ratification)</i>	<i>Nov. 25th – midnight opening</i>	296 Garfield Ave.
<i>Walmart (Ratification)</i>	<i>Nov. 25th, Dec. 24th –midnight opening</i>	1776 Plainfield Pike

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

TEMPORARY STRUCTURE - RENEWAL

<i>Color House (Ratification)</i>	1107 Reservoir Ave.
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On motion by Councilman Farina, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

VICTUALLING LICENSE - RENEWAL

<i>Albertino's Pizza</i>	1073 Park Ave.
<i>Cold Stone Creamery</i>	100 Chapel View Blvd.
<i>Denny's (Ratification)</i>	1177 Reservoir Ave.
<i>Dunkin Donuts (Ratification)</i>	2148 Broad St.
<i>Eddie's Diner LLC.</i>	877-879 Dyer Ave.
<i>Genji Sushi Express</i>	151 Sockanosset Crsdrs.
<i>Mac's Food Store</i>	983 Oaklawn Ave.
<i>Maria's Pizza and Wings (Ratification)</i>	949 Pontiac Ave.
<i>McDonald's</i>	1820 Plainfield Pike
<i>Papi's Tacos Express</i>	342 Budlong Rd.
<i>Qdoba Mexican Eats (Ratification)</i>	4000 Chapel View Blvd.

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

XII. MONTHLY SCHEDULES:

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

*848 PARK THEATRE – LIST OF EVENTS updated – August – December
(Submitted in October)*

*LEGENDS PUB & GRUB –list of events September – December
(Submitted in October)*

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

Councilman Farina indicated that the Committee has not been provided with an updated list of events Guayacan Lounge, 848 Park Theatre and Rhodes On the Pawtuxet. These lists should be provided monthly.

XIII. MISCELLANEOUS BUSINESS

- **Waste Management** – fine paid 11/17/2016
- **Rambone Trucking** – review for payment

Chair indicated that correspondence to Rambone Trucking has been returned undeliverable. He asked that notice be resent to the correct address and it be placed on next month's agenda for update.

Council Majority Leader Archetto and **Council President Lanni** commended Chairman Santamaria in serving as Chair of this Committee and wished him well.

The meeting adjourned at 8:45 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees