

(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, 2019 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 P.M. by the Chair.

Present: Councilmember Steven A. Stycos
Councilmember Lammis J. Vargas
Councilmember Edward J. Brady
Councilmember Kenneth J. Hopkins, Vice-Chair
Councilmember Christopher G. Paplauskas, Chair
Council Vice-President Michael W. Favicchio
Council President Michael J Farina

Also Present: Councilmember Paul J. McAuley
Councilmember John P. Donegan
John Psilopoulos, Deputy Director of Administration
Major Todd Patalano, Police Department
Deputy Chief, Stephen MacIntosh, Fire Department
John Verdecchia, Asst. City Solicitor
David Dimaio, City Council Auditor/Budget Analyst
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 Council President Farina, seconded by Council Vice-President Favicchio, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved a recorded. Motion passed unanimously.

III. CORRESPONDENCE/REPORTS:

None.

IV. OLD BUSINESS:

VICTUALLING LICENSE

Dough Bros

490 Atwood Ave.

Pat DiRaimo (Cont'd from March 4, 2019 for No Show)

Pat DiRaimo appeared to speak and stated hours of operation to be 6:30 – 3:30 seven days a week.

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

V. PUBLIC HEARINGS (Including Ordinances)

AUTO REPAIR

Ramoncito Auto Imports Solutions

19-21 Calef St.

Ramon Cepeda

No one appeared to speak in favor or to oppose.

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

CLASS B VICTUALLING LIQUOR LICENSE-NEW (requires Council approval)

The Griddle, LLC d/b/a The Griddle BV

2244 Plainfield Pike

Andrew Tenerella

Andrew Tenerella appeared to speak and stated hours of operation to be 6-2 every day and closed on Tuesdays. No one appeared to oppose.

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

VI. NEW LICENSE APPLICATIONS:

BODY WORKS ESTABLISHMENT

Mobile Rub, Inc.

1150 Oaklawn Ave.

Qiu L. Deng

Qiu Deng appeared to speak. No one appeared to oppose.

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

Under Discussion:

Council Vice-President Favicchio asked applicant if he has a license from the State. Mr. Deng stated, no. Council Vice-President Favicchio asked if this is a storefront. Mr. Deng stated, yes. Council Vice-President Favicchio asked what the hours of operation will be. Mr. Deng stated 10-7 Mondays thru Saturdays.

City Clerk stated that Body Works is a City required license. There is enabling legislation and there is no State license issued for these types of establishments. The question is there is no application for the employees. She suggested continuing this license application until we have applications for employees who will be working there.

Council President Farina suggested continuing this license application to give applicant opportunity to have a translator present so he understands what is being discussed.

Council Vice-President Favicchio withdrew his motion to approve this license and Council President Farina withdrew his second.

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

MOBILE FOOD TRUCK

Del's Lemonade

300 Park Ave.

Dionisios Sampalis

Costantina Sampalis appeared to speak.

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

Under Discussion:

Ms. Sampalis stated that the hours of operation will be seven days a week depending on the weather.

Councilmember Brady asked if there are restrictions of where these mobile food trucks can operate. City Clerk stated that under new State Statute, the City can enforce and regulate this by setting zoning districts and approving the locations.

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

Dels Lemonade (4 licenses)
Bruce DeLucia

1260 Oaklawn Ave.

No one appeared to speak.

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

****Juice Junkie***
Richard Badessa, Jr.

55 Frankfort St.

Richard Badessa appeared to speak.

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

Under Discussion:

City Clerk stated that we would need to know what locations the applicant wants to be at and this can be approved at the next meeting.

Council President Farina suggested that the applicant provide the City Clerk with a list of locations within the next few days and this Committee can ratify those locations at the next meeting.

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

Moo-Mobile (2 licenses)
James Iannelli & Anthony DeFusco

12Alderbrook Dr.

James Iannelli and Anthony DeFusco appeared to speak.

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

Under Discussion:

Council President Farina asked Solicitor how we should proceed with this application since this is an ice cream truck and these have been moved from peddlers/hawkers to mobile food truck, which they have to tell the City the locations they are going to be at.

Solicitor suggested letting them continue to operate under the current license until July 1st.

Council President Farina motioned to continue these license applications to July 1st and allow them to operate under the current license until that time. Council Vice-President Favicchio seconded the motion. Motion passed unanimously.

Palagi's Ice Cream
Alejandro Arteaga

55 Bacon St., Pawtucket

On motion by Council President Farina, seconded by Council Vice-President Favicchio, it was voted to continue this license application to July 1st and allow applicant to operate under the current license until then. Motion passed unanimously.

Rhode Island Kona LLC
Bob and Joyce Bouchard

7 Cider Lane

Bob and Joyce Bouchard appeared to speak.

On motion by Council President Farina, seconded by Council Vice-President Favicchio, it was voted to continue this license application to July 1st and allow applicant to operate under the current license until then. Motion passed unanimously.

VICTUALLING
Aminia LLC d/b/a Speedy Mart
Mian Umar Saleem

95 Warwick Ave.

Mian Umar Saleem appeared to speak. No one appeared to oppose.

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

Under Discussion:

Mr. Saleem stated hours of operation to be 6-midnight and operation will be the same as prior business.

Councilmember Vargas asked applicant if he would be willing to keep the hours the same as current hours and close at 11 since there is a home behind this business. Mr. Saleem stated that he has no problem with that.

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

Pizza Hut
Tammy Reid

257 Atwood Ave.

Tammy Reid appeared to speak. No one appeared to oppose.

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

The Griddle, LLC d/b/a The Griddle
Andrew Tenerella

2244 Plainfield Pike

Andrew Tenerella appeared to speak.

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

Sweet Indulgence
Donal Smith

2202 Broad St.

No one appeared to speak.

City Clerk indicated that this business has been operating without a license and this is the reason they are on the agenda this evening. They never had a license to operate.

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

Under Discussion:

Council President Farina suggested issuing this business a show cause hearing for next month and at that time, take appropriate action.

On motion by Council President Farina, seconded by Council Vice-President Favicchio, it was voted to continue this item and issue show cause hearing. Motion passed unanimously.

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE:

Organix Recycling LLC

19065 Hickory Creek Dr. Moneka, IL

Operating without a license and in violation of time restrictions.

City Clerk stated that she spoke to a representative from the company and their corporate office is out of State and they had no one locally in Rhode Island to attend this meeting. The representative also stated to her that they just took over the business and were not aware of local regulations.

Councilmember Stycos asked how long this business has been operating without a license. City Clerk stated that she was told by the person she spoke to that they have been in operation for eighteen months. Councilmember Stycos stated that if this license is granted, it be effected retroactive to when they opened.

Council President Farina suggested that a thirty day notice be sent to this business indicating that if they do not attend the next meeting, a cease and desist notice to operate in Cranston be issued to them. They have been operating without a license and violating the Code.

Councilmember Stycos asked that also included in that notice be language that they owe the City one and a half times the annual license for the time they have operated without a license plus any fines.

On motion by Council President Farina, seconded by Council Vice-President Favicchio, it was voted to issue thirty day notice and also indicate that a fee of one and a half times the annual license fee be imposed for time they have operated without a license in addition to fines.

Under Discussion:

Solicitor suggested that someone from the Building Inspector's Office verify the number of trucks they have before any amount is fined them. Council President Farina agreed that someone verify that before the letter goes out to them.

Roll call was taken on above motion and motion passed unanimously.

Walmart #1873

1776 Plainfield Pike

Noise ordinance violation-(Cont'd from March 4, 2019)

Mr. Orlando, Manager, and Melissa Horan appeared to speak. Ms. Horan stated that Walmart has general policies that they try to keep within the noise level between 10 pm and 7 am.

Chair asked representatives from Walmart if any action has been taken. Mr. Orlando stated that he met with his staff and they will make sure this does not happen again.

Ms. Horan provided copies of a sign that they have posted of "no overnight parking".

Councilmember Brady motioned to issue a warning based on the fact that they have taken corrective actions and have had no further issues or complaints. Council President Farina seconded the motion.

Under Discussion:

Councilmember Stycos questioned how we would make sure that these policies get passed on to future Managers. Ms. Horan stated that they make sure that there is a training process and can make sure that this is included as part of that.

Councilmember Hopkins recused from any discussion or vote on this matter due to a pending family litigation with Walmart.

Roll call was taken on motion to issue a warning to Walmart and motioned passed on a vote of 6-0 with 1 recusal. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -6. Councilmember Hopkins recused.

IX. POLICE DEPARTMENT:

Councilmember Donegan addressed the new DOT project at Budlong/Park and Dyer and asked if the Police can monitor the stop signs at Trainor and Oak. Major Patalano stated that the Police Detail was put there last week.

Councilmember Hopkins addressed complaints of cars speeding at the top of the hill near 147 Vinton. Major Patalano stated that the Police did speed monitoring and highest speed was 57 mph and they have coverage in that area also. Councilmember Hopkins asked if there is a possibility of extending some of the blinking lights of speed limits to 147 Vinton. Deputy Director Psilopoulos stated that he will speak to the Major and look at it.

X. FIRE DEPARTMENT:

No business.

XI. LICENSE RENEWALS:

BILLIARDS TABLE LICENSE

Miller's Crossing

43 Bald Hill Rd.

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

BUSINESS IN TEMPORARY STRUCTURE LICENSE

Pawtuxet Village Farmers Market

William Hall Library, 1825 Broad St.

(June 8, 2019 only)

On motion by Council President Farina, seconded by Council Vice-President Favicchio, it was voted to approve this license renewal application. Motion passed on a vote of 6-0 with 1 recusal. The following being recorded as voting "aye": Councilmembers Vargas, Brady, Hopkins, Paplauskas, Council Vice-President Favicchio and Council President Farina -6. Councilmember Stycos recused.

Santilli's

1224 Oaklawn Ave.

(June 1- September 1, 2019)

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

CARNIVAL LICENSE

Rockwell Amusements @ Mulligans Island

1000 New London Ave.

(May 23 – May 27, 2019/ hours: 1p.m. to 11p.m.)

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

EXTENDED HOURS OF OPERATION LICENSE

Classic Enterprise, Inc. d/b/a Coffee Bean Express
(24 hours)

1111 Cranston St.

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

Cumberland Farms
(24 hours/7 days)

659 Reservoir Ave.

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

Wendy's
(10:30a.m. to 4:00a.m.)

110 Garfield Ave.

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

HOLIDAY SALES LICENSE

Advance Auto Parts

250 Atwood Ave.

APB Vape, LLC

285 Park Ave.

Chico's #107

64 Hillside Rd.

Cork & Bottle

526 Pontiac Ave.

GNC (Store #1995)

1000 Chapel View Blvd.

Rossi Tree Farm

1936 Phenix Ave.

Soma #5304

16 Hillside Rd.

WhiteHouse Black Market #3106

45 Hillside Rd.

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

PARADE LICENSE

Gaspee Days Committee

Pilgrim Station, Warwick

(June 8, 2019)

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

PRIVATE DETECTIVE LICENSE

Lawrence Pezza, Jr.

336 Comstock Pkwy

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

ROAD RACE LICENSE
Gaspee Days Committee
(June 8, 2019)

Pilgrim Station, Warwick

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

SECONDHAND LICENSE
CB Truck Tire Service

140 Farmington Ave.

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

Finders Keepers Resale

10 Budlong Rd.

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

USED CAR LICENSE
American Auto Sales & Auto Body, Inc.
Atlantic Autocenter
Funes Towing
R&S Auto Sales
Ted's Wholesale d/b/a Calder Street Auto

448 Dyer Ave.
616 Atwood Ave.
32 Dewey St.
950 Wellington Ave.
121 Calder St.

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

VICTUALLING LICENSE
Country Side Creamery

1105 Scituate Ave.

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

Pawtuxet Village Farmer's Market

37 Ferncrest Ave.

On motion by Councilmember Brady, seconded by Council Vice-President Favicchio, it was voted to approve this license renewal application. Motion passed on a vote of 6-0 with 1 recusal. The following being recorded as voting "aye": Councilmembers Vargas, Brady, Hopkins, Paplauskas, Council Vice-President Favicchio and Council President Farina -6. Councilmember Stycos recused.

XII. MONTHLY SCHEDULES:

848 PARK THEATRE – no shows scheduled for April

LEGENDS PUB & GRUB – LIST OF EVENTS FOR APRIL

RHODES ON THE PAWTUXET – LIST OF EVENTS FOR APRIL

On motion by Councilmember Brady, seconded by Council Vice-President Favicchio, it was voted to accept the above schedules of events. Motion passed unanimously.

XIII. MISCELLANEOUS BUSINESS:

Yardworks – update

Deputy Director Psilopoulos stated that the Building Inspector will be out there this week to make sure that they are in compliance. The City is still seeking a thirty party zoning expert. The City is also in the process of hiring a Building Official. One has been chosen and will be before the Finance Committee on April 10th and to be confirmed on April 25th by the full City Council. The storage units have been anchored.

Robert Wilson, 114 Mayflower Dr. appeared to speak and stated that he would like someone to get measurements of all the trailers. He also asked what proof the City and the residents have that those units are actually anchored down. Deputy Director Psilopoulos stated that he will follow up with Mr. Pikul. Mr. Wilson questioned if license can be required for the heavy equipment on that property.

Council President Farina urged that any Inspector that goes out to the site and say the issue has been resolved, they take pictures because the City Council is getting lots of e-mails and photos from residents that say things are not resolved and the Inspector is saying they are. He also urged the Administration to get an expert to explain to the Council what can and cannot go on that property.

Councilmember Vargas suggested that the new Building Official or Director do a walk through with the neighbors and she would like to be there also along with any other Council members who would like to be present.

Councilmember Stycos stated that he would like to know what vehicles are being assessed from this business.

Chair asked Solicitor to do some research on the Building Code and Temporary Structure Permits. Solicitor stated that he will certainly do what the Committee asks, but he is scheduled to meet with Mr. Pikul this Friday regarding Yardworks. If there is evidence and the facts supporting it, he suggested filing a Declaratory Judgement with Superior Court and once and for all, obtain an opinion from the Court as to the legality of what they are doing at this location and get a definitive answer once and for all.

Council President Farina asked if the residents could present the case if the City does not decide to. Solicitor stated that any resident who is an abutter and is within the zoning effectiveness has that right or option to take them to Court. Council President Farina stated that his fear is if you have a Building Official saying that they are in compliance, then you will have a Judge say that they are in compliance.

Council President Farina requested that Mr. Pikul be present at the next City Council meeting to give an update on Yardworks.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Rosalba Zanni". The signature is written in a cursive, flowing style.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees