

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, August 4, 2008 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: Councilman John E. Lanni, Jr., Chair
Councilman Terence Livingston
Councilman Emilio L. Navarro
Councilman Jeffrey P. Barone
Councilman Richard D. Santamaria, Jr.
Council President Aram G. Garabedian

Absent: Council Member Maria A. Bucci, Vice-Chair

Also Present: Councilman Anthony J. Lupino
Major Ronald Blackmar, Police Department
Chief James Gumbley, Fire Department
Charles Garganese, Jr., 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 Barone, seconded by Councilman Navarro, 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:

City Clerk stated that the Traffic Engineer has requested that Ordinance 6-08-3 remain tabled since he needs additional time for his report.

IV. OLD BUSINESS:

VICTUALLING LICENSE – RENEWAL

Mangia Mangia

1606 Cranston Street

Applicant requested to appear by Fire Dept. (Contd. From 7/7/08)

Chief Gumbley stated that the fire alarm system has been inspected and approved.

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

IV. **OLD BUSINESS:** (Cont.)

ITINERANT FOOD VENDOR LICENSE – NEW (tabled 4/7/, 6/2/08, 7/7/08 – no one appeared)

The Dog Pound 65 Oak Street
Richard Pafume

No one appeared to speak.

On motion by Councilman Barone, seconded by Councilman Livingston, it was voted to remove this item from the table. Motion passed unanimously.

HAWKER LICENSE – NEW (tabled 6/2/08, 7/7/08 – no one appeared)

Del's Lemonade @2206 Broad St- (Cameron's) 2206 Broad Street
William Beeley

No one appeared to speak.

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

V. **PUBLIC HEARING:**

ORDINANCE – 6-08-03 Ordinance in Amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Brayton Ave., Oaklawn Ave. and Roseview Dr.).

On motion by Councilman Navarro, seconded by Councilman Livingston, it was voted to continue this Ordinance. Motion passed unanimously.

Park Cinema Project

Councilman Barone stated that at the last meeting, he asked that a representative from the Building Inspector's Office be present at this meeting to report on the Park Cinema project. This is not listed on this agenda, but there is a representative from the Building Inspector's Office present and he asked that Mr. Rioles give his report to the Committee.

Steve Rioles, Acting Building Official, appeared to present a report. He stated that his office is still waiting for welding reports. Approval has been given to board the new addition area second and third floor area.

Councilman Livingston asked Mr. Rioles what percentage of this project is completed and when he expects it to be completed. Mr. Rioles stated that he cannot honestly answer this.

Councilman Navarro stated that, based on this report, he would like to continue this to get some concrete idea of when this project will be completed.

Park Cinema Project (Cont.)

John DiBona, Esq., appeared to represent the Park Cinema and stated that this was not scheduled for this evening, it was continued to September.

Councilman Navarro asked Mr. Rioles if Park Cinema has provided him with a copy of the timetable that the Council was provided with. Mr. Rioles stated, no, he has seen it in the Cranston Herald.

Attorney DiBona stated that he will advise his client to provide Mr. Rioles with a copy of this timetable.

SECONDHAND/USED CAR LICENSE – NEW

Auto Probe Inc.

1583 Elmwood Ave.

Neil Oster

Neil Oster appeared to speak.

Councilman Navarro asked Mr. Oster if he has or needs a State license. Mr. Oster stated that he will apply to the State once the City license is approved. No one appeared to oppose.

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

Ultra Auto Sales & Service Inc.

1147 Cranston Street

Michael Hill

Michael Hill appeared to speak.

Anthony DiBiase, Esq., appeared to represent the applicant and stated that applicant plans to do auto service, safety inspection and auto sales. There will be two employees, including his client. Site plan has not been approved at this time. He asked that this be approved subject to the site plan.

Councilman Barone asked if there is going to be any changes to the operation that this applicant is going to take on that previous business did not do. Attorney DiBiase stated, yes, his client will be doing vehicle inspection, oil changes and routine maintenance on vehicles. He will start with two or three bays. Primary operation is going to be auto service and inspections.

V. **PUBLIC HEARING:** (Cont.)

Ultra Auto Sales & Service Inc (Cont.).

1147 Cranston Street

Appearing to oppose:

Debra and Charles Cox, 15 Chestnut Hill Ave. Ms. Cox stated that venting from previous business caused a lot of problems in her back yard. The previous business did auto body, she asked if this business will be doing auto body work. Mr. Oster stated, no.

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to approve this license application subject to site plan and any other inspections needed be approved.

Under Discussion:

Councilman Navarro asked that also included in the motion is denying the applicant any auto body without applicant coming back before this Committee for an auto body license.

Attorney DiBiase stated that his client has no problem addressing the vent issue.

Roll call was taken and motion passed unanimously.

AUTO REPAIR LICENSE – NEW

Ultra Auto Sales & Service Inc
Michael Hill

1147 Cranston Street

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

CLASS AS RETAIL ALCOHOLIC BEVERAGE LICENSE – NEW

Tally's
Eleanor, John, & Philip Tally

1150 Pontiac Avenue

John Tally appeared to speak.

John DiBona, Esq., appeared to represent the applicant and presented a copy of new legislation regarding the Class "A". No one appeared to oppose.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to approve this license application.

Under Discussion:

Councilman Barone questioned if this wine can be sold to anyone. Mr. Tally stated that it can only be sold to members of the Clergy.

Roll call was taken and motion passed unanimously.

VI. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

Italian Corner

Mario Bellotti

1674 Cranston Street

Mario Bellotti appeared to speak.

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

Dunkin Donuts

George Zweiger

8 Chapel View Blvd.

George Zweiger appeared to speak.

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

Great Harvest Bread Company

Raymond Page

228 Atwood Ave., Unit 1

Raymond Page appeared to speak.

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

PEDDLER LICENSE – NEW (RATIFY THE ACTION)

Novelties – Lucille Kelly- to sell at Feast and other various events 1621 Cranston St

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

PUBLIC ENTERTAINMENT CLASS II LICENSE – NEW

Annunciation Greek Church- Sept, 5-7, 2008

Ernest Kanelakos

175 Oaklawn Avenue

Ernest Kanelakos appeared to speak.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

PUBLIC ENTERTAINMENT CLASS II LICENSE – NEW (Cont.)

At the Gardens Gate Artists Exchange- Event 9/14/08 50 Rolfe Square
Christine Mealey

Elaine McKenna appeared to speak.

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to approve this license application.

Under Discussion:

Ms. McKenna stated that they will be using the Citizens Bank parking lot for this event and the event will be from 12 noon to 6:00 or 7:00 p.m. and there will be outdoor movies in the evening. She has spoken to area businesses and has received permission from them to use their parking lots for parking. Major Blackmar stated that applicant is looking at hiring detail officer for the day. Ms. McKenna added that there will be various artists and a stage and entertainment.

Roll call was taken and motion passed unanimously.

TEMPORARY STRUCTURE LICENSE – NEW

At the Gardens Gate Artists Exchange- Event 9/14/08 50 Rolfe Square
Christine Mealey

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

Sharx Bar and Grill – Class F-1 for August 29, 2008l

Chair indicated that this item is not listed on the agenda, but applicant was told to attend this meeting.

Mark Metz appeared to speak. Major Blackmar stated that not knowing any details, he asked that this not be approved prior to the Police Department being provided with details for this event. Mr. Metz stated that he will provide the information to the Police Department.

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to approve this license. Motion passed unanimously.

Chair asked that the applicant be in contact with the Police and Fire Department.

ITINERANT FOOD VENDOR LICENSE – NEW (Ratify the Action)

Del's Lemonade @ Phenix and Atwood Ave
Bruce Delucia

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to approve this license. Motion passed unanimously.

VII. TRAFFIC ENGINEER:

No business.

VIII. POLICE DEPARTMENT:

No business.

IX. FIRE DEPARTMENT:

No business.

X. LICENSE RENEWAL APPLICATIONS:

PRIVATE DETECTIVE – RENEWAL

Donald Cesserretti

109 Thunder Trail

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

BINGO LICENSE – RENEWALS

See List

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

CLASS F – 19 HOUR LIQUOR LICENSE – RENEWAL

Annunciation Greek Church – 3 days of Festival

175 Oaklawn Avenue

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

Southside Community Land Trust

31 Pippin Orchard Rd.

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

TEMPORARY STRUCTURE LICENSE – RENEWAL

Annunciation Greek Church – for festival

175 Oaklawn Avenue

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

BAZAAR LICENSE – RENEWAL

Annunciation Greek Church

175 Oaklawn Avenue

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL

Annunciation Greek Church

175 Oaklawn Avenue

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

HOE DOWN LICENSE – RENEWAL

Southside Community Land Trust

31 Pippin Orchard Rd.

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

AMUSEMENT MACHINE LICENSE – RENEWAL

Pizza Hut

1112 Reservoir Ave.

Classic Laundromat

1116 Cranston St.

Classic Enterprises

1125 Cranston St.

Billy's Frosted Mug

594 Reservoir Ave.

Uncle Tony's Pizza

1455 Oaklawn Ave.

Nino's Pizza

500 Atwood Ave.

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

AUTO REPAIR LICENSE – RENEWAL

Lanni's Auto Body

1283 Park Avenue

Park Avenue Auto Sales

716 Park Avenue

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

VICTUALLING LICENSE – RENEWAL (Ratify the Action)

Del's Lemonade

1260 Oaklawn Ave.

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

PEDDLER/HAWKER – RENEWAL (Ratify the Action)

Del's Lemonade

1260 Oaklawn Ave.

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

PEDDLER LICENSE – RENEWAL (Ratify the Action)

Del's Lemonade – 3 trucks

1260 Oaklawn Ave.

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

BAZAAR LICENSE – RENEWAL

Cranston Historical Society- Event 10/4/08

1351 Cranston St.

Lydia Raposa

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

XI. RHODES ON THE PAWTUXET:

Schedule of Events for August and September 2008

Actual Number of Attendees from June 2008

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to approve the above list of events. Motion passed unanimously.

XII. SHOW CAUSE HEARINGS:

CLASS A RETAIL ALCOHOLIC BEVERAGE LICENSE

Cameron's Pawtuxet Pharmacy

2206 Broad Street

Dawn Albanese appeared to speak. Major Blackmar stated that an incident took place during the Gaspee Days whereby alcohol, a can of beer with a cover, was being served through a window. Ms. Albanese stated that she was not aware that this was illegal. This has been done every year even before she took over this business.

On motion by Council President Garabedian, seconded by Councilman Livingston, it was voted to issue a warning to the applicant.

Under Discussion:

Councilman Barone stated that to him, that is taking advantage. This is total violation of the law.

City Clerk stated to the applicant that she needs to review the Rules and Regulations from Liquor Control with her attorney.

Councilman Navarro asked that this be tabled and the Solicitor to review what is required or allowed with a Class "A".

On motion by Councilman Livingston, seconded by Council President Garabedian, it was voted to move the question. Motion passed on a vote of 4-2. The following being recorded as voting "aye": Councilmen Lanni, Livingston, Santamaria and Council President Garabedian -4. The following being recorded as voting "nay": Councilmen Navarro and Barone -2.

Roll call was taken on motion to issue a warning to the applicant was approved and passed on a vote of 5-1. The following being recorded as voting "aye": Councilmen Lanni, Livingston, Navarro, Santamaria and Council President Garabedian -5. The following being recorded as voting "nay": Councilman Barone -1.

XII. SHOW CAUSE HEARINGS: (Cont.)

CLASS B VICTUALLING ALCOHOLIC BEVERAGE LICENSE

Knightsville Pub

1669 Cranston Street

Paul Votta, Esq., appeared to represent the applicant. Major Blackmar stated that this establishment was cited for serving after hours on July 21, 2008. An Officer went into this establishment at 1:13 A.M. and witnessed patrons being served, which is a violation of the City Ordinance. Prior to this incident, there have been no incidents like this at this establishment.

Councilman Livingston asked how long this applicant has been in business. Attorney Votta stated, eight years at this location. His client was not on the premises at the time of this incident, but he has spoken to his employees and it will not happen again.

On motion by Councilman Santamaria, seconded by Councilman Livingston, it was voted to issue extreme stern warning to the application. Motion passed unanimously.

Major Blackmar indicated that the Police Officers will be more vigilant on this establishment since there was a violation to make sure that they are in compliance.

AUTO REPAIR LICENSE

Chestnut Hill Truck + Auto LLC

21 Calef Street

Primo DiPetrillo appeared to speak. Chief Gumbley stated that this show cause was requested by the Fire Department. He stated that the fire alarm system has not been installed yet. Mr. DiPetrillo stated that this has been done and the Fire Department is scheduled to do the inspection on Wednesday. Chief Gumbley stated that in light of this, he suggested a continuance of one month.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to continue this item for one month. Motion passed unanimously.

Chair asked that if inspection is done by Wednesday, he asked that Chief Gumbley notify the City Clerk so this can be taken off the agenda for next month's meeting.

Russo's Auto

579 Dyer Avenue

Chief Gumbley stated that applicant has appealed the Fire Department's inspection and asked that it be continued.

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

XII. SHOW CAUSE HEARINGS: (Cont.)

AUTO REPAIR LICENSE (Cont.)

Omen Auto Repair

1400 Cranston Street

Vincent Volpe appeared to speak and stated that he was requested to appear because he has not had a license for four years, which could be possible. He has an Auto Sales License and thought he was all set. Chief Gumbley stated that the fire alarm is the issue, it is not being tested and maintained regularly. He stated that he will review it and contact the City Clerk as to if it is all set or not. If it is all set, it will not be placed on next month's agenda.

Councilman Navarro asked Chief Gumbley, when the Fire Department goes into the businesses, do they check to see if they have a State License. Chief Gumbley stated that he is not sure, he does not believe they do. His department would have to have a check list from the Clerk's Office as to what licenses they would need.

Corporate One Auto

1769 Cranston Street

No one appeared to speak.

City Clerk stated that this show cause was requested by the Zoning Department because this establishment is not complying with the Site Plan.

On motion by Councilman Navarro, seconded by Councilman Barone, it was voted to suspend the license for this establishment until they appear before this Committee, as they were asked.

Under Discussion:

City Clerk stated that this establishment was cited May 11, 2007 by Sharon of the Zoning Department for a zoning violation.

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

Chair asked that the Major inform applicant that their license has been suspended.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED AUGUST 2008

SECONDHAND/USED CAR LICENSE

Auto Probe, Inc. 1583 Elmwood Ave.
Neil Oster

Ultra Auto Sales & Service, Inc. 1147 Cranston St.
Michael Hill

AUTO REPAIR LICENSE

Ultra Auto Sales & Service, Inc. 1147 Cranston St.
Michael Hill

CLASS A RETAIL ALCOHOLIC BEVERAGE LICENSE

Tally's 1150 Pontiac Ave.
Eleanor, John & Philip Tally

VICTUALLING LICENSE

Italian Corner 1674 Cranston St.
Mario Vellotti

Dunkin Donuts 8 Chapel View Blvd.
George Zweiger

Great Harvest Bread Company 228 Atwood Ave., Unit 1
Raymond Page

PEDDLER LICENSE

Novelties – Lucille Kelly (to sell for Feast and other various
Events) 1621 Cranston St.

PUBLIC ENTERTAINMENT LICENSE

Annunciation Greek Church - Sept. 5-7, 2008 175 Oaklawn Ave.
Ernest Kanelakos

At the Gardens Gate Artists Exchange – Sept. 14, 2008 50 Rolfe Square
Christine Mealey

TEMPORARY STRUCTURE LICENSE

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ITINERANT FOOD VENDOR LICENSE

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