

SAFETY SERVICES & LICENSES COMMITTEE

A special meeting of the Safety Services and Licenses Committee was held on Monday, February 8, 2010 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:30 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Council Vice-President Terence Livingston
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilman Emilio L. Navarro
Councilwoman Michelle Bergin-Andrews (appeared at 6:40 P.M.)
Council President John E. Lanni, Jr.

Also Present: Gerald Cordy, Deputy Director of Administration
Chris Rawlson, Assistant City Solicitor
Major John Schaffran, Police Department
Acting Lt. Steven Antonucci, Police Department
Chief James Gumbley, Fire Department
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

SHOW CAUSE HEARING:

848 Park Avenue Associates, LLC
Paul Plourde, Esq.

848 Park Avenue

Chair presented a copy of the Police Report with three alleged violations and also referred to a letter sent to Mr. Plourde advising him of this Show Cause Hearing.

Solicitor Rawlson stated that portions of the Police Report is redacted and incident is still open and this matter is still under investigation and some of the answers from the Police Department may be limited, since the case is still under investigation.

Major Schaffran stated that Acting Lt. Antonucci was present the evening of the incident and is available to answer questions.

Acting Lt. Antonucci gave a brief overview of the incident. He stated that there were five patrol officers, in addition to himself, who responded to the incident. Thirty to forty people were involved in the incident. The first call the Police Department received was at 1:38 A.M. By State Law, everyone is to be out of the establishment by 1:30 A.M. Last call is to be at 12:45 A.M.

Chair asked what time the last person was out of the building. Acting Lt. Antonucci stated before 2:00 A.M. he advised Mr. Tahajian, Manager, that he was in violation of the Ordinance. The doors were locked and the Police Officers could not get into the building. The Manager was the last to leave the building at 2:35 A.M.

Councilman Navarro asked what the Law is for closing of liquor establishments. City Clerk read Rule 18 of the Liquor Control Board's rules.

John DiBona, Esq., appeared to represent the applicant and stated that after speaking to his client, he explained the nature of the parties at this establishment the night of the incident. He spoke to Mr. Tahajian and the principals of the business. His client has stated to him that a patron who was a regular patron of this establishment asked to have a birthday party there and approximately 50 people were present and there was one party. The party last approximately three to four hours with no problems. There was an altercation, but it was outside the establishment. The Manager tried to disperse the crowd. His client is aware of the responsibilities of liquor license holder and apologizes for anything that the Police felt was not proper. Every weekend they will have detail present if that is the wishes of this Committee. There is a question a question on the interpretation of the hours when everyone is to be out of the building. His interpretation and his client's is thirty minutes after all the patrons leave, everyone else has to be out of the building.

Council Vice-President Livingston asked for Solicitor's interpretation regarding this issue. Solicitor Rawlson stated that he interprets Rule 18 as employees have until 1:30 A.M. to leave the building.

Leo Tahajian, Manager, appeared to speak.

Council Vice-President Livingston stated that what bothers him right now, is reading the Police Report, he is not happy by the way he responded to the Police or the situation. He is not happy that the doors were locked and the Police could not get into the building to question the employees. He asked Mr. Tahajian if he felt this was proper action by him. Mr. Tahajian stated that everything that he stated to the Police was taken out of context. He did go out in the street to try to break up the incident. He apologized if he was disrespectful to the Police. He wants to protect the business and the patrons. The reason the people were still in the building was because they were waiting for their cars from the valet and they were being kept out of harms way.

Councilman Pelletier asked who made the call to 911. Mr. Tahajian stated that he does not know, it was not him personally. He was outside trying to break up the incident.

Acting Lt. Antonucci stated that dispatch list the call as anonymous.

Councilman Pelletier stated that this whole matter could have been a lot worse. All it would have taken is one gun. Mr. Tahajian should have called the Police immediately.

Council President Lanni stated that he served on the Council back when this project first started. A lot of work went into this and a lot of patience on the City's side. After all that work, it is very disappointing to him personally. He expected this to be a first class operation. This is the first time this establishment is before this Committee. He addressed the applicant and stated that if there is another incident at this establishment, and he is on this Council and this Committee, do not expect a break from him.

Councilman Navarro stated that he is also very disappointed. To have this happen in such a short time, after all the hard work that was done to get this business open, is very disappointing. He indicated to the applicant that he has to be responsible. He also indicated that Mr. Tahajian states in the report that he is not responsible for people outside, he is, since he has valet service. Until the people have the key in their hands and are in their cars, he is responsible. He wants to see this business succeed after all the hard work that was put into getting this business in operation.

Councilwoman Bergin-Andrews echoed the concerns stated by Council members who spoke before her. She finds it inexcusable that Mr. Tahajian was hostile when the Police responded, as stated in the Police Report. She asked Mr. Tahajian if he agrees that if there was Police detail there, this incident would not have occurred. Mr. Tahajian stated, yes, this is why he agreed to have detail every weekend.

Chair stated that he feels Police detail should start Friday and Saturday and list of events should be subject to Police approval.

Councilman Pelletier requested that Mr. Tahajian write a letter to Acting Lt. Antonucci and Patrolman Lee apologizing for his actions.

Council President Lanni stated that in addition to Police detail and list of events be provided, valet service should be looked at to see if they can handle the volume of cars.

On motion by Council President Lanni, seconded by Council Vice-President Livingston, it was voted that applicant provide a list of events to the Police Department and also have Police detail on Fridays and Saturdays, four hours minimum, until closing. Motion passed unanimously.

The meeting adjourned at 7:15 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees