

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, January 7, 2008 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:00 P.M. by the Chair.

Present: Councilman John E. Lanni, Jr., Chair
Council Member Maria A. Bucci, Vice-Chair (Appeared at 7:10 P.M.)
Councilman Emilio L. Navarro
Councilman Jeffrey P. Barone
Councilman Richard D. Santamaria, Jr.
Council President Aram G. Garabedian

Absent: Councilman Terence Livingston

Also Present: Frank Migliorelli, Deputy Director of Administration
Commander Kevin Lynch, Police Department
Chief Richard Delgado, Fire Department
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 Navarro, seconded by Councilman Barone, 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: Letter from MAB Liquors Ltd. requesting to change d/b/a To d/b/a Atwood Wine & Spirits

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

IV. OLD BUSINESS:

JFJ Ent. Inc d/b/a Jimmy D's
James DeAngelus, Alfred Cairone, Joseph Miele

1785 Cranston St.

Class B Victualling License Renewal (*cont'd from 12/3/07*)
Victualling license renewal (*cont'd from 12/3/07*)

Continuing review

Chair stated that this is in receivership and he asked for a motion to remove this item from the agenda.

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

CLASS B VICTUALLING LICENSE (Cont. from 12/3/07) –

Report from Building Inspections

Park Cinema LLC

848 Park Ave.

Status update and review

John DiBona, Esq., appeared to represent the applicant and gave progress update on project. He presented a packet showing final Building permit issued December 6, 2007 and timeline schedule. He stated that significant amount of work has been done since this permit was issued. Completion should be May 10, 2008.

Chair asked Attorney DiBona when he anticipates the barrels to be removed so the street can be re-opened. Attorney DiBona stated that he is not sure, this is being worked out with the Traffic Engineer and it is up to the Traffic Engineer to determine when they can be removed.

Chair stated that he will contact the Traffic Engineer tomorrow morning to see if he can give him an idea of when the barrels can be removed and street re-opened.

Mr. Migliorelli stated that the City anticipates re-opening the road very soon. If the street needs to be closed on a daily basis, it is up to the Park Cinema to hire Police detail.

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

CLASS B VICTUALLING LICENSE (Cont. from 12/3/07) – (Cont.)

Report from Building Inspections

Park Cinema LLC

848 Park Ave.

Attorney DiBona asked for a three-month review rather than having the applicant appear each month.

On motion by Councilman Santamaria, seconded by Council Member Bucci, it was voted to continue this item for three months.

Under Discussion:

Diana Gordon, 363 Pontiac Ave., owner of Antiques In The Attic, appeared to speak and stated that she would like to know when the road will be re-opened. Chair stated that once he speaks with the Traffic Engineer and obtains a possible date, he will have the Administration notify her.

Roll call was taken on motion to continue this item for three months and motion passed unanimously.

CLASS A RETAIL ALCOHOLIC BEVERAGE LICENSE – TRANSFER –

NEW (Cont'd from 12/3/2007)

From: *People's Liquor Warehouse LLC*

200 Garfield Avenue

Emily Haronian

To: *Chapel View Liquors LLC*

10-16 Chapel View Blvd.

Alfred Carpionato

Status update and review (In Receivership)

Chair stated that this establishment is in receivership and he asked for motion to remove it from the agenda.

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

CLASS A RETAIL ALCOHOLIC BEVERAGE LIC. – RENEWAL (Cont'd from 11/5/07)

People's Liquor Warehouse

200 Garfield Ave.

Status update and review (In Receivership)

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

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

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – NEW

Sonia's Near East Market

816 Park Ave.

Aram Avagy/Gregory Lefian

Reconsideration of December 3, 2007 approval

Chair stated that this item is before this Committee because after it was approved at a previous meeting, we were made aware that this is near a Church, which violates State Law.

On motion by Council President Garabedian, seconded by Councilman Barone, it was voted to withdraw the previous approval of this license. Motion passed unanimously.

CLASS B VICTUALLING ALCOHOLIC BEV. LIC, (Review from 10/2007 mtg)

LaCascade Restaurant

31-33 Gansett Avenue

Reina Taracena

Councilman Santamaria recused from any discussion or vote on this item.

Commander Lynch appeared to speak and gave update. He stated that he spoke to Colonel McGrath and he indicated that there have been no incidents in the last three months or since August 30, 2007 at this location. The Colonel's recommendation is a six-month review since there have not been any recent incidents at this location.

Mr. Taracena and Mrs. Taracena appeared to speak.

Councilman Navarro stated that part of the last hearing there was detail requested to be present. He asked if this will continue. Commander Lynch stated that it would be the Police Department's recommendation to continue the Police detail. He also asked that he stands corrected, there have been incidents at this location on the following dates: 10/8/07, 10/20/07 and 10/29/07 of disturbances and no arrests were made, but the Police was summoned.

On motion by Councilman Navarro, seconded by Council President Garabedian, it was voted to review this item in three months and in the meantime, Police detail will continue. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

CLASS B VICTUALLING ALCOHOLIC BEV. LIC. (Cont'd from 7/2007)

641 Food & Spirits

641 Atwood Avenue

Steven Abbate appeared to speak and stated that construction should be completed in seven to eight weeks.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve this renewal application subject to Certificate of Occupancy being issued. Motion passed unanimously.

Applicant indicated that he filed a fictitious name certificate with the City Clerk's Office.

AUTO REPAIR LICENSE – RENEWAL (Cont'd from 11/2007)

Vito's Service Station

963 Cranston St.

USED CAR LICENSE – RENEWAL (Cont'd from 11/2007)

Vito's Service Station

963 Cranston St.

Chief Delgado stated that this establishment complies with all State and local fire codes.

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

ORDINANCES:

3-07-2 Ordinance in Amendment of Title 10 of the Code of the City of Cranston, 2005 Entitled "Motor Vehicles and Traffic" (Honeysuckle Dr.) (Referred From Nov. 27, 2007 Council). Cont'd from 12/3/07.

On motion by Council Member Bucci, seconded by Council President Garabedian, it was voted to continue this Ordinance since there is no Traffic Report. Motion passed unanimously.

8-07-03 Ordinance in Amendment of Title 5.12 of the Code of the City of Cranston, 2005, entitled "Alcoholic Beverage Licenses" (Expansion of Service Permit). Cont'd from 12/3/07 (Report from solicitor).

Chair stated that the Solicitor has asked that this Ordinance be continued so he can do more research.

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

IV. OLD BUSINESS: (Cont.)

ORDINANCES: (Cont.)

11-07-01 Ordinance in Amendment of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Birchwood Dr. and Lake Garden Drive – 3 way Stop). Tabled 12/3/07.

On motion by Councilman Santamaria, seconded by Councilman Barone, it was voted to remove this Ordinance from the agenda since this was approved by the full City Council on December 17, 2007 and placed on the agenda in error. Motion passed unanimously.

V. PUBLIC HEARINGS:

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – NEW

HONS LLC d/b/a House of Noodle Soup

790 Reservoir Avenue

Quyem Lee

No one appeared to speak.

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

SPIGA INC.

162 Mayfield Avenue

Walter Potenza

Alice Petrone appeared to represent the applicant. No one appeared to oppose.

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

V. PUBLIC HEARINGS (Cont'd):

CLASS A RETAIL ALCOHOLIC BEVERAGE LICENSE – TRANSFER – NEW

From: Ung Inc. 1075 Park Avenue
d/b/a Park Avenue Liquors
Huy Ung/Kim Ung

To: KKSD Inc. 1075 Park Avenue
d/b/a Metro Liquors and Spirits
Ratha Men

George Cappello, Esq., appeared to represent the transferee.

Chair stated that the transferor was charged for serving to minors and he has appealed this and this went to Court. He does not know what the result was and he does not know how it affects this transfer. He asked for Solicitor's opinion regarding this. Solicitor Garganese stated that he does not know the outcome of this case. The transferor, appeared to speak and stated that his attorney did appeal, but he has not said anything to him on that.

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

CLASS B VICTUALLING ALCOHOLIC BEVERAGE LICENSE – NEW

****ABOVE THE CAP**

69 Point St. LLC d/b/a Powers Pub 2190 Broad Street
Jennifer Powers

Chair stated that the Victualling application is not listed on the agenda and notification to neighbors has not been completed and he asked for continuance to January 10th Special meeting at 5:45 p.m.

On motion by Council President Garabedian, seconded by Councilman Barone, it was voted to continue this item to the January 10th Special meeting at 5:45 p.m. Motion passed unanimously.

VI. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

Spiga Inc d/b/a Spiga 162 Mayfield Avenue
Walter Potenza

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

HOLIDAY SALES LICENSE – NEW
KKKSD INC d/b/a Metro Liquors & Spirits
Ratha Men

1075 Park Avenue

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

Dollar Tree # 1599
John Cote

1400 Oaklawn Ave.

No one appeared to speak.

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

HOLIDAY SALES LICENSE – NEW (RATIFY THE ACTION)
Lumber Liquidators
Ryan Baker

33 Freeway Drive

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

PRIVATE DETECTIVE LICENSE – NEW
Michael Solitro

72 Tomahawk Trail

Michael Solitro appeared to speak. Chair asked if there are any objections from the Police Department. Commander Lynch stated that the Police Department has no objections approving this license application. Motion passed unanimously.

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

VII. TRAFFIC ENGINEER:

No business.

VIII. POLICE DEPARTMENT:

No business.

IX. FIRE DEPARTMENT:

No business.

X. LICENSE RENEWAL APPLICATIONS:

FIREARMS DEALER LICENSE – RENEWAL (APPLICANT REQUEST TO APPEAR)

Continental Firearms Dealer
Anthony Mancini

1065 Park Avenue

Alfred Medici, Esq., appeared to represent the applicant.

Commander Lynch appeared to speak and stated that present this evening are Detective Kevin Grant of the City of Cranston and Detective Michael Naylor of Newport Police Department, who are present to provide testimony to the Committee as to why the Cranston Police Department has objections to the renewal of this license application. Commander Lynch advised the Detectives that if they feel they cannot discuss pertinent information which the Federal Government does not wish to release at this point, they should advise the Committee.

Councilman Navarro asked that Attorney Medici be given a chance to make a statement prior to going into Executive Session.

Councilman Barone stated that since this is a pending investigation, we should continue this matter until next month.

Attorney Medici stated that this case is pending in the Federal District Court. His client has not been indicted. The issue of not renewing the City license has already been heard by the Magistrate. To postpone this matter is exactly what the Judge stated not to do. He suggests that his client be allowed to renew his license while the case is pending. He will not be selling firearms in the meantime.

Solicitor Garganese stated that what went on in Court is completely irrelevant to the this Committee's authority. His recommendation is to go into Executive Session so the Committee can get preliminary information.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to suspend the Rules so the remainder of the items on the agenda can be acted on prior to going into Executive Session. Motion passed unanimously.

AMUSEMENT MACHINE LICENSE – RENEWAL
Cranston Portuguese Club

20 Second Avenue

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

PRIVATE DETECTIVE LICENSE - RENEWAL

Joseph Matarese - #464

90 Mollie Drive

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

VICTUALLING LICENSE – RENEWAL

Hons LLC d/b/a House of Noodle Soup

790 Reservoir Avenue

Dear Hearts Ice Cream

2218 Broad Street

Al-Mall Pizza

41 Warwick Ave.

Friendly's Restaurant

1177 Reservoir Ave.

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

Mangia Mangia

1606 Cranston Street

Chief Delgado asked that this license renewal application be continued.

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

VICTUALLING LICENSE – RENEWAL (RATIFY THE ACTION)

Ball's Sports Bar & Grill

1150 Oaklawn Ave.

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

USED CAR LICENSE – RENEWAL (RATIFY THE ACTION) for 2007-2008

SASA Ent. Inc. d/b/a SASA Auto Sales

550 Atwood Ave.

Mega Wheels Auto Sales

1568 Broad Street

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

USED CAR LICENSE – RENEWAL for 2008-2009

SASA Ent. Inc d/b/a SASA Auto Sales
Mega Wheels Auto

550 Atwood Ave.
1568 Broad Street

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

AUTO REPAIR LICENSE – RENEWAL (Ratify the Action) for 2007-2008

SASA Ent. Inc. d/b/a SASA Auto Sales

550 Atwood Ave.

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

ALL NIGHT LICENSE – RENEWAL

Atwood Ave. Donuts d/b/a Honey Dew
Honey Dew Donuts
7-Eleven Inc

300 Atwood Ave.
548 Reservoir Ave.
1394 Plainfield Pike

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

HOLIDAY SALES LICENSE – RENEWAL

Park & Shop Convenience

285 Park Avenue

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

DANCEHALL LICENSE – RENEWAL

Rhodes on the Pawtuxet

60 Rhodes Place

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

XI. RHODES ON THE PAWTUXET:

Amended January Schedule

Actual Number of Attendees for November 2007

Schedule of Events for January & February 2008

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

XII. MISCELLANEOUS:

None.

**FIREARMS DEALER LICENSE – RENEWAL (APPLICANT REQUEST TO
APPEAR) (Cont.)**

Continental Firearms Dealer
Anthony Mancini

1065 Park Avenue

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to go into Executive Session under RIGL 42-46-5(a)(4). Motion passed unanimously.

The meeting went into Executive Session at 8:32 P.M.

Present in Executive Session: Councilmen John E. Lanni, Jr.; Council Member Maria A. Bucci (Appeared at 7:10 P.M.); Councilmen Emilio L. Navarro; Jeffrey P. Barone; Richard D. Santamaria, Jr.; Council President Aram G. Garabedian; Frank Migliorelli, Deputy Director of Administration; Commander Kevin Lynch, Police Department; Chief Richard Delgado, Fire Department; Detective Kevin Grant, Cranston Police Department; Detective Michael Naylor, Newport Police Department; Maria Medeiros Wall, City Clerk; Rosalba Zanni, Assistant City Clerk/Clerk of Committees.

**FIREARMS DEALER LICENSE – RENEWAL (APPLICANT REQUEST TO
APPEAR) (Cont.)**

Continental Firearms Dealer
Anthony Mancini

1065 Park Avenue

The meeting came out of Executive Session at 8:30 P.M.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to come out of Executive Session. Motion passed unanimously.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to seal the minutes of Executive Session. Motion passed unanimously.

The meeting adjourned at 8:32 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED JANUARY, 2008

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE

SPIGA, INC. 162 Mayfield Ave.
Walter Potenza

VICTUALLING LICENSE

SPIGA, INC. 162 Mayfield Ave.
Walter Potenza

HOLIDAY LICENSE

Lumber Liquidators 43 Freeway Dr.
Ryan Baker

PRIVATE DETECTIVE LICENSE

Michael Solitro 72 Tomahawk Trail