

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, July 12, 2010 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:10 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilman Emilio L. Navarro
Councilwoman Michelle Bergin-Andrews
Council President John E. Lanni, Jr.

Absent: Council Vice-President Terence Livingston

Also Present: Major John Schaffran, Police Department
Chief James Gumbley, Fire Department
Gerald Cordy, Deputy Director of Administration
Evan Kirshenbaum, 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 Pelletier, seconded by Councilwoman Bergin-Andrews, it was voted to approve the minutes of the last meeting and they stand approved as recorded.

III. CORRESPONDENCE:

None.

IV. OLD BUSINESS:

None.

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARING:

EXPANSION OF SERVICE CLASS BY LIQUOR LICENSE – NEW

PJ's Pub
Paul Voigt

1139 Pontiac Ave

John Krikorian, partner of PJ's Pub, appeared to speak.

Robert Murray, Esq., appeared to represent applicant.

Councilwoman Bergin-Andrews asked how many more people are expected with this license. Attorney Murray stated that applicant will have 4-5 tables outside and the Fire Department has indicated capacity of no more than 30 people, but that is inside and outside. Parking spaces meets requirements.

Council President Lanni asked if the structure will be temporary or permanent. Attorney Murray stated that it will be permanent, similar to the one at Marchetti's Restaurant.

No one appeared to oppose.

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

EXPANSION OF SERVICE CLASS BY LIQUOR LICENSE – NEW

Tony Papa's Restaurant
Anthony Papa

39 Phenix Ave

Anthony Papa appeared to speak.

Chair indicated that this is a new plan from last month's. The set-up will be in front of the restaurant with five tables. This is temporary, just for St. Mary's Feast.

Councilman Pelletier asked Mr. Papa if he will be providing Police detail. Mr. Papa stated, yes, if it is required.

No one appeared to oppose.

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

SECONDHAND LICENSE – NEW

Cranston Gold & More LLC
Mathew Marotto

703 Park Ave.

Matthew Marotto appeared to speak. No one appeared to oppose.

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

VII. ORDINANCES

5-10-3 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Phenix Ave. and Rossi Lane). Cont'd 6/7/2010 for Traffic Engineer's Report.

No one appeared to speak in favor or to oppose.

Council President Lanni asked how big this street is. Councilman Pelletier stated that this is approximately 500' dead-end street.

Council President Lanni stated that since this is a dead-end street, he cannot support placing a stop sign at this location. He indicated that the Traffic Engineer's report states that there have been no accidents at this location and he asked for Police Department's opinion regarding this Ordinance.

Major Schaffran stated that he has reviewed the Traffic Engineer's report and he found the same number of accidents at this location, -0-. His concern would be putting a stop sign on a straight-a-way on Phenix Ave. and this would cause more problems. A better course of action would be to place a Police Officer at this location to cite speeders, if this is the reason for this stop sign.

Councilman Pelletier motioned to recommend approval of this Ordinance. Councilman Navarro seconded the motion for discussion.

No discussion was held.

Roll call was taken on motion to recommend approval of this Ordinance and motion failed on a vote of 1-5. The following being recorded as voting "aye": Councilman Pelletier -1. The following being recorded as voting "nay": Councilmen Santamaria, Archetto, Navarro, Councilwoman Bergin-Andrews and Council President Lanni -5.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW
Restaurants Associates

100 Sockanosset Crsd

Louie Mollocone appeared to speak. No one appeared to oppose.

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

Cold Stone Creamery

1000 Chapel View

David Guarino appeared to speak. No one appeared to oppose.

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

VIII. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE – NEW (Cont.)

Emmanuels Bakery

492 Dyer Ave

Jesus Lagos appeared to speak. No one appeared to oppose.

On motion by Council President Lanni, seconded by Councilwoman Bergin-Andrews, it was voted to approve this license application. Motion passed unanimously.

ITINERANT FOOD VENDOR LICENSE – NEW (Ratify the Action)

Culinary Entertainment- @ Gaspee parade

75 Independence Way

Anthony Monte

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

HOLIDAY SALES LICNESE – NEW

Oceanside Fuel

2148 Broad Street

Terence Fracassa

No one appeared to speak in favor or to oppose.

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

PUBLIC ENTERTAINMENT CLASS I – NEW

Suite Restaurant & Lounge

641 Atwood Avenue

Stephen Abbate

Stephen Abbate appeared to speak.

Council President Lanni asked Mr. Abbate if he is a new owner. Mr. Abbate stated, no, he has been the owner for thirteen years. The reason he needs this license is because Chief Gumbley has increased the capacity from 99/100 to 110.

Councilman Navarro asked what cause this increase. Chief Gumbley stated that this was caused by the way the establishment is set up. The capacity at this time is at 110.

Mr. Abbate stated that he is planning to place a few pool tables in the establishment, which would probably decrease the capacity. Council President Lanni stated to Mr. Abbate that if he places pool tables and it would decrease the capacity, he questioned if this Committee would have to rescind the Public Entertainment License at that time. He asked Mr. Abbate if the establishment is closed at this time. Mr. Abbate stated, yes. Solicitor Kirshenbaum stated that if the applicant is planning to place pool tables, would it not make sense to wait while renovation is being done, to see if the capacity changes, instead of paying for this license.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

PUBLIC ENTERTAINMENT CLASS I – NEW (Cont.)

Suite Restaurant & Lounge (Cont.)

641 Atwood Avenue

Stephen Abbate

The Committee and the applicant both agreed to continue this license application to next month when renovations are completed and see if capacity decreases, this license may not be necessary.

On motion by Council President Lanni, seconded by Councilman Archetto, it was voted to continue this license application to next month's meeting. Motion passed unanimously.

Chair indicated that if after inspection is done by the Fire Department, the capacity drops below requirement and this license is not necessary, Mr. Abbate does not need to appear at the next meeting.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

Councilman Navarro asked to address an issue that was brought to his attention regarding the Noise Ordinance and decibel readings. He referred to Section 8.20.010 of the City Code and asked for Solicitor's opinion in terms of enforcement.

Solicitor Kirshenbaum stated that going back approximately six, seven or eight years ago, discussion was held where if two people made the complaint, the Police discretion would be hampered. This is generally the problem with this Ordinance.

Council President Lanni stated that he remembers that discussion and this is why the decibel level is used. Maybe we have to re-write the Ordinance striking that portion. He thinks the Ordinance was poorly written, but it was better than nothing at the time.

Councilman Navarro stated that his understanding is former Councilwoman Maria Bucci introduced this Ordinance back then and there was never a decibel reading placed in the Ordinance. Based on the Code as it is now, if two people filed two formal written complaints, he asked what the responsibility of the Police Department would be. Solicitor Kirshenbaum stated that it would be at the discretion of the Police once they respond. He agrees with Council President Lanni that this is a poorly drafted Ordinance.

Chair asked Councilman Navarro if he still wishes to have a legal opinion regarding this issue. Councilman Navarro stated, no.

XI. FIRE DEPARTMENT:

SHOW CAUSE HEARING:

ATLANTIC AUTO CENTER
Charles Russo

616 Atwood Avenue

Chair asked Chief Gumbley for update.

Chief Gumbley stated that the owner has contacted the Fire Department for inspection and he has no objections to continuing this issue to next month's meeting.

XII. LICENSE RENEWAL APPLICATIONS:

PEDDLER'S LICENSE – RENEWAL

New England Lemonade- 3 trucks
Frenchy's Popcorn

174 Gansett Avenue
780 Reservoir Ave.

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

AUTO REPAIR LICENSE – RENEWAL

City of Cranston
Classic Car & Van Sales
Steven's Auto Service
Oil & Grease on Wheels
Joe's Service
S & K Autobody
Spring Green Auto body
Anderson Auto Body
Harold Crook's Garage
Vang Auto Repair
Andy's East Coast Speed
Elmwood Sunoco
BMC Petroleum
Bautista Auto Repair
Arlington Auto Body
SASA Enterprises
Zink's Auto
Passport Auto Body
Hero Auto

929 Phenix Avenue
971 Cranston Street
90 Liberia Street
154 Fletcher Avenue
855 Atwood Ave
1006 Cranston Street
1664 Elmwood Ave.
45 Hodsell Street
10 Gansett Avenue
790 Park Avenue
1528 Elmwood Ave
1050 Narr. Blvd
905 Cranston St
107 Fletcher Avenue
1211 Cranston Street
550 Atwood Avenue
173 Niantic Ave
55 Budlong Rd.
1650 Cranston St.

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

XII. LICENSE RENEWAL APPLICATIONS: (Cont.)

USED CAR LICENSE – RENEWALS

<i>Perry Bros. auto Sales</i>	460 Atwood Avenue
<i>Tasca Automotive</i>	1300 Pontiac Avenue
<i>Westview Auto & Truck</i>	1141 Cranston Street
<i>Rocket Auto Sales</i>	886 Cranston Street
<i>SASA Auto Sales</i>	550 Atwood Avenue
<i>Pavillion Auto Sales</i>	1211 Cranston Street

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

AMUSEMENT MACHINE LICENSE – RENEWAL

<i>Classic</i>	1116 Cranston Street
<i>Classic</i>	1110 Cranston Street
<i>Pizza Hut</i>	1112 Reservoir Ave.
<i>Uncle Tony's</i>	1455 Oaklawn Ave.
<i>Miller's Crossings</i>	43 Old Bald Hill Rd.

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

PARADE LICENSE – RENEWAL

<i>Santa Maria DiPrata</i>	29 Walnut Grove
----------------------------	-----------------

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

FIREWORKS LICENSE – RENEWAL

<i>Santa Maria DiPrata</i>	29 Walnut Grove
----------------------------	-----------------

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

PUBLIC ENTERTAINMENT CLASS I LICENSE – RENEWAL

<i>Sharx</i>	505 Atwood Avenue
<i>Annunciation Greek Church</i>	175 Oaklawn Avenue
<i>Miller's Crossings</i>	43 Old Bald Hill Rd.

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

XII. LICENSE RENEWAL APPLICATIONS: (Cont.)

FIREARMS DEALERS LICENSE – RENEWAL

Palombo Atwood Antiques

786 Atwood Ave.

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

SECONDHAND LICENSE – RENEWAL

Palombo Atwood Antiques

786 Atwood Ave.

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

VICTUALLING LICENSE – RENEWAL

Athena's

1482 Park Ave

Annunciation Greek Church

175 Oaklawn Ave.

New England Lemonade

174 Gansett Ave

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

PRIVATE DETECTIVE- RENEWAL

James Lynch - #253

25 Ash Avenue

Lawrence Pezza- #450

336 Comstk. Pkwy.

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

BAZAAR LICENSE – RENEWAL

Greek Annunciation Church

175 Oaklawn Ave.

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

19 HOUR LIQUOR LICENSE – RENEWAL

Greek Annunciation Church

175 Oaklawn Ave.

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

TEMPORARY BUSINESS LICENSE – RENEWAL

Annunciation Greek Church

175 Oaklawn Ave.

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

XII. LICENSE RENEWAL APPLICATIONS: (Cont.)

BILLIARD TABLE LICENSE – RENEWAL

*Miller’s Crossings
Cranston Portuguese Club*

43 Old Bald Hill Rd.
CPF Founders Way

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

XIII. MONTHLY SCHEDULES

Councilman Pelletier asked if Sharx Bar and Grille can be removed from the monthly agendas, since there have been no incidents at this establishments in the last year or year and a half. Chair did not agree. He suggested leaving it on the monthly agenda as a precaution. As to Rhodes, this has gone on for years; as for El Tipico will be relocating , and it was part of a Court Order. Solicitor Kirshenbaum agreed. He stated that as to Sharx Bar and Grille, leaving it on the monthly agenda gives this Committee knowledge of what types of events are being held there monthly in case there is an incident.

RHODES ON THE PAWTUXET:

Schedule of Events for July and August 2010

Actual Number of Attendees April through June 2010

On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve these lists of events. Motion passed unanimously.

SHARX BAR & GRILLE d/b/a GRILL 505

Schedule of Events for the month of July 2010

On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve these lists of events. Motion passed unanimously.

El Tipico Restaurant

Schedule of events for July 2010

On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve these lists of events. Motion passed unanimously.

The meeting adjourned at 8:05 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED JULY, 2010

EXPANSION OF SERVICE CLASS BV LIQUOR LICENSE – NEW

PJ's Pub 1139 Pontiac Ave
Paul Voigt

Tony Papa's Restaurant 39 Phenix Ave
Anthony Papa

SECONDHAND LICENSE – NEW

Cranston Gold & More LLC 703 Park Ave.
Mathew Marotto

VICTUALLING LICENSE – NEW

Restaurants Associates 100 Sockanosset Crsd

Cold Stone Creamery 1000 Chapel View

Emmanuel's Bakery 492 Dyer Ave

ITINERANT FOOD VENDOR LICENSE – NEW (Ratify the Action)

Culinary Entertainment- @ Gaspee parade 75 Independence Way
Anthony Monte