

SAFETY SERVICES & LICENSES COMMITTEE

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

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:05 P.M. by the Chair.

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

Absent: Councilman Terence Livingston

Also Present: Major Ronald Blackmar, Police Department
Deputy Chief Vincent Matrumalo, 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 Council President Garabedian, 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 BRP Enterprises changing d/b/a from N'Joi to 39 West

Chair indicated that this is just for information only and no vote is needed.

IV. OLD BUSINESS:

CLASS B VICTUALLING LICENSE (CONT'D FROM 6/2/08)

Report from Building Inspections
Park Theatre LLC

848 Park Avenue

John DiBona, Esq., appeared to represent the applicant and gave status update from the last meeting. He stated that since the last meeting: 100% of the plumbing has been completed, transformer is done and wiring will be done this week, 100% of electrical will be done by then and air conditioning should be done by the end of the week. By the end of July, the outside of the restaurant portion of the building should be completed. The entire project should be completed by the end of August, as long as there are no delays. He asked that, if the Committee wishes his client to appear back before the Committee, he be asked to appear in 60 days rather than 30 days.

IV. OLD BUSINESS: (Cont.)

CLASS B VICTUALLING LICENSE (CONT'D FROM 6/2/08) (Cont.)

Report from Building Inspections
Park Theatre LLC

848 Park Avenue

Councilman Barone stated that every month the agenda states “report from the Building Inspector”. We have not heard from the Building Inspector nor received a report from him or heard any report from the City side. Every time we get a status update, it is from the applicant’s side. If this item is to come back to this Committee, he asked that the Building Inspector give an update and report. Chair agreed. He stated that Steve Rioles and Gary Stepalavich, of the Building Inspector’s Office, are both on vacation. He asked the City Clerk to notify the Building Inspector and inform them to appear at the next meeting to give an update and status report and applicant does not need to appear next month.

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to continue this item for 60 days. Motion passed unanimously.

Cranston Country Club – cont’d for fire dept. update

69 Burlingame Road

Vincent Martucci appeared to speak.

Deputy Chief Matrumalo appeared to speak and stated that applicant is in compliance and his department has no objections to approving this item.

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

Discussion regarding safety on the bike path:

Chair asked that the Rules be suspended and take out of order Mr. Cattani, who is not listed on the agenda, but wishes to address the Committee regarding an incident that occurred on the bike path. No one objected.

Anthony Cattani, 176 Vallette St., appeared to speak and stated that he has discussed this issue with Major Blackmar and has addressed it, but he would like to address this to the Committee, as well. He stated that in October, five individuals approached his son and other families along the bike path stating that they were going to take their bikes. Mr. Cattani stated that they did steal two of his mountain bikes. This has occurred in the area of Uxbridge and Vallette St. Three of the eight members have been apprehended. He stated that something has to be done, either more patrol on the bike path, or community policing or more monitoring be installed along the bike path. He is concerned that we have a bike path that you can’t utilize or you can’t cross the street without an incident.

Discussion regarding safety on the bike path: (Cont.)

Councilman Lanni stated that we have community police in Cranston. He asked if they can be used. **Major Blackmar** stated, yes, we have one, currently. We will do what we can to do to get someone out there.

Council President Garabedian asked that the Major report back to this Committee on how many incidents there have been on the bike path and with recommendations on what can be done with this problem. Chair asked that the Major compile a report on what occurred with this incident and with suggestions on how to make the bike path safer. Major Blackmar indicated that of the individuals that were apprehended, they were all minors and charged in Juvenile Court.

IV. OLD BUSINESS: (Cont.)

VICTUALLING LICENSE – RENEWAL

Mangia Mangia

1606 Cranston Street

Applicant requested to appear by Fire Dept. (Contd. from 6/2/08)

No one appeared to speak.

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

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

The Dog Pound

65 Oak Street

Richard Pafume

No one appeared to speak.

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

HAWKER LICENSE – NEW (tabled 6/2/08 – 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 Barone, seconded by Council President Garabedian, it was voted to table this license application. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

HAWKER LICENSE – NEW (tabled 6/2/08 – no one appeared) (Cont.)
***GJ's Lemonade and Ice Cream* (tabled 6/2/08- no one appeared)** 43 Clyde Street
Tom Gjergj

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

Tom Gjergj appeared to speak.

On motion by Council President Garabedian, seconded by Councilman Barone, it was voted to approve this license application. 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.).**

Councilman Barone asked that this Ordinance be amended as follows: second paragraph, after “Roseview Dr.”, add “northerly side from Oaklawn Ave., easterly to Warman St.”.

Robert Murray, Esq., appeared to represent Brooklyn Heights Associates, LLC and Campanella’s Restaurant of 930 Oaklawn Ave., who are opposed to this Ordinance and he asked that the Committee be sympathetic to the commercial properties along Oaklawn Ave. Currently, there is a restriction at the corner of Roseview Dr.

Councilman Santamaria motioned to continue this Ordinance since we do not have a report from the Traffic Engineer. Councilman Navarro seconded the motion.

Under Discussion:

Councilman Barone stated that he does not know why Attorney Murray thinks he is targeting Campanella’s, he is not. People are parking within the 25’ of the corner, which is a violation. Campanella’s has plenty of parking. He does not know if the people that are parking illegally are customers of Campanella’s or not.

Attorney Murray stated that this Ordinance affects his client’s business, this is why he has to draw this conclusion.

Councilman Navarro asked if there have been complaints of parking in this area. Councilman Barone stated that he has received numerous complaints from people on both Roseview Dr. and the apartment on the corner of Warman Ave. and Brayton Ave.

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

***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.). (Cont.)**

Chair asked if there are any violations and how many. Major Blackmar stated that there have been approximately 13 violations, mostly violations of parking on sidewalk and within 25’ to the corner.

Chair stated that this Ordinance will be amended and re-submitted. Attorney Murray stated that as of 45 minutes ago, when he was out to the area, and there is a sign posted half-way up the hill prohibiting parking from Oaklawn Ave. to Pole #1 and there is a sign approximately 25’ from the corner next to lot 1118 on the map, which states ‘no parking from here to corner’ on Brayton Ave.

Roll call was taken on motion to continue this Ordinance and motion passed unanimously.

****ALL NIGHT LICENSE – NEW**

Miss Cranston Diner

1224 Oaklawn Ave.

Levon Tovmasian, owner and **James Spader**, Manager, appeared to speak.

Councilman Santamaria questioned Mr. Tovmasian why he would want to stay open all night. Mr. Spader stated that this request is being made just to save the business. The hours would be 7:00 AM to 4:00 AM Friday and Saturday only.

Councilman Lanni indicated that when he was young, Miss Cranston Diner used to be open all night on weekends.

Major Blackmar stated that he has been with the Police Department for 24 years and he does not recall this business ever being open all night, but it could have been.

Councilman Barone stated that there are people present in the audience who are opposed to this request and also indicated that there have been problems with the past owner. He asked the applicant what he is prepared to do so there are no problems. Mr. Spader stated that the owner is willing to do whatever it takes. Hiring detail officer or security guard, if needed. He also stated that he will be on site all night and there are a lot of police officers and correctional officers who frequent the business, but the owner is willing to do whatever is needed to prevent any problems. He is just trying to save his business. Councilman Barone stated that there would be different types of element of people that would frequent this establishment if it were open all night. He believes this is bad for the neighborhood.

Councilman Navarro questioned applicant whether he just recently obtained a liquor license. Mr. Spader stated that the owner of the establishment returned the liquor license back to the City since he wished to apply for an All Night license and he could not have both. Councilman Navarro asked what the current hours of operation are. Mr. Spader stated, Monday thru Sunday 7:00 AM to 3:00 PM and Friday 7:00 AM to 9:00 PM.

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

****ALL NIGHT LICENSE – NEW (Cont.)**

Miss Cranston Diner

1224 Oaklawn Ave.

The following appeared to oppose:

Rachel McNally, 113 Hilltop Dr., appeared to speak and stated that Oaklawn Ave. may be a main road, but Rosehill is a neighborhood area. She read a statement for the record. She stated that she is opposed to this license application because it does not fit with the other businesses in the area.

Lynn Kasyan, Hilltop Dr., appeared to speak and stated that she and her husband own a sound system business, which they set up and take down the music equipment in bars. She has had a few experiences where when the bars close and they take down the equipment and they have stopped in such establishments as IHOP and Bickfords on Reservoir Ave., which both held an All Night License, and she experienced very uncomfortable atmosphere at both places with drunks there.

Robin Ladoucer, 59 Oakhill Dr., appeared to speak and stated that her opposition has nothing to do with the business. There are homes right behind this business and the people do not want this in their neighborhood.

Lori Schairer, 82 Hilltop Dr., appeared to oppose.

Ms. McDevitt, 14 Oakhill Dr., appeared to oppose and indicated that the City has a history of late night venues not making it. This is the wrong thing to do for that neighborhood.

On motion by Council Member Bucci, seconded by Council President Garabedian, it was voted to approve this license application with a three month review.

Under Discussion:

Councilman Santamaria suggested having police detail on the premises.

Council President Garabedian stated that applicant has indicated that he is struggling and if the Committee requires police detail, that is another expense for the applicant. If there are any problems or issues within those 90 days, he is sure the neighbors will contact the Council members.

Roll call was taken on motion to approve this license application with a three month review and motion passed on a vote of 4-2. The following being recorded as voting “aye”: Councilmen Lanni, Navarro, Council Member Bucci and Council President Garabedian -4. The following being recorded as voting “nay”: Councilmen Barone and Santamaria -2.

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

SECONDHAND LICENSE – NEW

Tazi's

Abderraham Tazi

685 Oaklawn Ave

Abderraham Tazi appeared to speak. No one appeared to oppose.

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

C.B. Truck Tire Service

Carlos Borja

140 Farmington Ave.

Carlos Borja appeared to speak. No one appeared to oppose.

Councilman Barone asked what the zoning is for this address. City Clerk stated that this property is zoned C-4 and the Certificate states that although this type of business is allowed, Zoning Board of Review approval is required.

Suzanne Carlino appeared to speak on behalf of her parents, Mario and Lucille Lupo, 32 Simmonsville Ave. and owner of 120-124 Farmington Ave., who are opposed. She also stated that her parent's property abuts the City of Cranston and Providence. City Clerk indicated that the Zoning Certificate does approve zoning for auto repair service and garages with four bays or less, although allowed Zoning Board of Review approval is required and the only restriction is that there be no outside tire storage.

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

AUTO REPAIR LICENSE – NEW

C.B. Truck Tire Service

Carlos Borja

140 Farmington Ave.

Carlos Borja appeared to speak. No one appeared to oppose.

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

VI. **NEW LICENSE APPLICATIONS:**

HOLIDAY SALES LICENSE – NEW

The Florentine Flower & Gift Shoppe

Michael Carpenter

1478 Park Avenue

Michael Charpenter appeared to speak.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

SEPTAGE HAULER – NEW

J & M Transfer Inc.

315 Nooseneck Hill

John Slivey

John Slivey appeared to speak.

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

PEDDLER'S LICENSE – NEW

Mike's Ice

P O BOX 844, E.G.

Mike Rodriguez

Mike Rodriguez, 940 Quaker Lane, Warwick, appeared to speak.

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

Uncle Freddy's

58 Whitehall St.

Freddy Morales

Freddy Morales appeared to speak.

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

PUBLIC ENTERTAINMENT CLASS I – NEW

RI SHRINERS- Event 7/13/2008

1 Rhodes Place

David Bradley

David Bradley appeared to represent the Shriners.

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

VII. TRAFFIC ENGINEER:

Council Member Bucci asked for a copy of a traffic study that was done for Phenix and Natick Ave. regarding the proposed housing project. Council President Garabedian recused himself due to the fact that he is a Trustee of this property. Chair indicated that this issue is before the Planning Commission and he is not sure if we can take this up at this point in time.

VII. TRAFFIC ENGINEER: (Cont.)

On motion by Council Santamaria, seconded by Council Member Bucci, it was voted that the Council be provided with a copy of the traffic study for Natick and Phenix for the proposed housing project and request that the Traffic Engineer be present at the next meeting.

Under Discussion:

Councilman Navarro questioned if this Committee is required to see that study. Council Member Bucci stated that there are area residents who are very concerned about the safety of the area and because this is a safety services committee, she is requesting this study. City Clerk indicated that per the Code, the Safety Services Committee deals with safety and welfare issue only on matters that are before the Council. Before the Committee proceeds with this, she asked that the Solicitor research this.

Council Member Bucci stated that this Committee is not voting on anything. This Committee should be made aware of what is going on in the City and be provided with any type of reports.

On motion by Council Member Bucci, seconded by Councilman Barone, it was voted to request a copy of the traffic study for this area. Motion passed unanimously.

VIII. POLICE DEPARTMENT:

No business.

IX. FIRE DEPARTMENT:

No business.

X. LICENSE RENEWAL APPLICATIONS:

PRIVATE DETECTIVE LICENSE – RENEWALS

James Lynch -#452

25 Ash Avenue

Francis L. Fitzpatrick - #398

52 Lyndon Road

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

FIREWORKS LICENSE – RENEWAL

Santa Maria DiPrata Society

29 Walnut Grove Ave

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

PARADE LICENSE – RENEWAL

Santa Maria DiPrata Society

29 Walnut Grove Ave

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL

Coffee Plus #72
Coffee Plus #42
Coffee Plus #76

645 New London Ave
600 New London Ave
1511 Pontiac Avenue

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

AMUSEMENT MACHINE LICENSE – RENEWAL

Cranston Portuguese Club
Fitz-Patricks Pub
McShawn's Pub
Chelo's
Starz Bar & Grill
Lang's Bowl
Cranston Bowl

20 Second Avenue
1145 Park Avenue
1336 Cranston Street
1275 Reservoir Ave.
1458 Park Avenue
225 Niantic Avenue
1450 Elmwood Ave.

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

AUTO REPAIR LICENSE – RENEWAL

Harold Crook's Garage
Precision Collision
Centry Auto Body
Valvoline Instant Oil Change
Precision Collision
Spring Green Auto
Mollo's Auto

10 Gansett Avenue
30 Walnut Grove Ave
310 Atwood Avenue
520 Reservoir Avenue
350 Wellington Ave.
1664 Elmwood Ave.
1163 Cranston St.

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

USED CAR LICENSE – RENEWAL

Mega Wheels Auto Sales

1568 Broad Street

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

19-HOUR LIQUOR LICENSE – RENEWAL (Ratify the Action)

Immaculate Conception- event 6/28/08

237 Garden Hills Dr.

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

X. LICENSE RENEWAL APPLICATIONS:

PEDDLER'S LICENSE – RENEWALS

NE Lemonade- 3 trucks

174 Gansett Avenue

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

BOWLING ALLEY LICENSE – RENEWAL

AMF Bowling d/b/a Lang's

225 Niantic Avenue

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

REFUSE HAULER LICENSE – RENEWALS

See List

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

SEPTAGE HAULER LICENSE – RENEWALS

See List

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

XI. RHODES ON THE PAWTUXET:

Schedule of Events for June, July and August 2008

Amended Events for May 2008

Actual Number of Attendees from March and April 2008

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

XII. MISCELLANEOUS:

*****St. Mary's Feast Society Hours of Entertainment Discussion***

No one appeared to speak. No discussion was held.

The meeting adjourned at 8:50 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED JULY, 2008

HAWKERS LICENSE

GJ's Lemonade and Ice Cream
Tom Gjergi

43 Clyde St.

ALL NIGHT LICENSE

Miss Cranston Diner
Levon Tovmasian

1224 Oaklawn Ave.

SECONDHAND LICENSE

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1478 Park Ave.

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PEDDLER'S LICENSE

Mike's Ice
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P.O. Box 844, E. Greenwich

Uncle Freddy's
Freddy Morales

58 Whitehall St.

PUBLIC ENTERTAINMENT LICENSE

RI Shriners
David Bradley

1 Rhodes Place
Event – July 13, 2008