

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, March 3, 2008 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 John E. Lanni, Jr., Chair
Council Member Maria A. Bucci, Vice-Chair
Councilman Terence Livingston
Councilman Emilio L. Navarro (appeared at 7:20 P.M.)
Councilman Jeffrey P. Barone
Councilman Richard D. Santamaria, Jr.
Council President Aram G. Garabedian

Also Present: Councilman Anthony J. Lupino
Major Ronald Blackmar, Police Department
Chief Richard Delgado, Fire Department
Vito Sciolto, City Solicitor
Charles Garganese, Jr., Assistant City Solicitor
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

II. MINUTES OF THE LAST MEETING:

On motion by Councilman Santamaria, 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:

None.

IV. OLD BUSINESS:

CLASS A LIQUOR LICENSE

Cameron's Pawtuxet Pharmacy

2206 Broad Street

Review: Submission of plans and timetable (cont'd from 2/4/08)

Robert Murray, Esq., appeared to represent the applicant and presented a preliminary plan. He stated that since the last meeting, he met with the Building Official, who offered some preliminary comments. He has also spoken to the Fire Chief this evening prior to this meeting and will meet with the Fire Marshall for his comments. As to the question of whether his client has a timetable of when the work will be completed, he can give a timetable after he meets with the Fire Department this week and obtains final approval from the Building Inspector.

Mr. Sciolto stated that he agrees with the concept that this is a temporary situation until this is resolved.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to review this issue in one month. Motion passed unanimously.

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – NEW

HONS LLC d/b/a House of Noodle Soup

790 Reservoir Avenue

Quyen Lee

(Tabled 1/7/08, 2/4/08 - No one appeared)

Quyen Lee appeared to speak.

Councilman Livingston asked Ms. Lee if her establishment is serving alcohol at this time. Ms. Lee stated, no.

Major Blackmar stated that an hour or so ago, he ordered two undercover officers at this establishment and both officers were served beer and consumed on premises. Ms. Lee stated that she has advised her employees not to serve alcohol until she came to this meeting. Major Blackmar stated that the officers who went into this establishment stated that the menu have alcohol listed as items for sale. Charges will be brought against the establishment and this business will probably be back before this Committee next month.

Councilman Barone indicated that Ms. Lee filed a letter for the file signed by her stating that all alcohol would be removed as of December 1, 2007. Councilman Livingston asked Ms. Lee where the alcohol that was served to the undercover officers this evening came from. Ms. Lee stated that the alcohol is stored in the basement.

Chair indicated that one thing that disturbs him is that the menu in this establishment lists beer knowing that they are not supposed to serve any alcohol.

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

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE – NEW (Cont.)

HONS LLC d/b/a House of Noodle Soup

790 Reservoir Avenue

Quyem Lee

(Tabled 1/7/08, 2/4/08 - No one appeared)

Councilman Livingston stated that he finds this egregious because there is a letter in the file indicating that alcohol would not be served and would be removed from the establishment and this item has been on the agenda before this Committee for two months and no one from the establishment has appeared, but the applicant continues to serve alcohol.

On motion by Councilman Barone, seconded by Councilman Livingston, it was voted to continue this license application until the Police Department completes their investigation.

Under Discussion:

Major Blackmar stated that he will request the applicant to be present next month for a show cause hearing. Councilman Barone asked that Ms. Lee advise make all her employees aware that no alcohol is to be served and the alcohol is to be removed from the premises and from the menu.

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

CLASS D ALCOHOLIC BEVERAGE LICENSE:

Vasa Music Hall Association and Miller's Crossing

43 Old Bald Hill Rd.

Arthur Holmberg and David Miller - licensee requested to appear (Contd. from 2/4/08)

Status review: Relationship with Miller's Crossing; Disorderly conduct and disturbances

Robert Murray, Esq., appeared to represent the applicant and stated that at the last meeting, the Committee requested that there be paid police detail presence on Friday and Saturday evenings and no incidents have occurred that would reflect negatively on Miller's Crossings. He suggested the following:

- The Committee suspend the paid police detail requirement and revisit the issue if the Police Department deems necessary. He has submitted to the Council an application for Miller's Crossings for a Class B License for the April Committee meeting.
- Permit for fence to be installed between Vasa Hall and the neighbors' property has been issued.
- His client has entered into an agreement to purchase some property to expand away from the residents' parking area.

Major Blackmar stated that Miller's Crossings and Attorney Murray have been very cooperative with the Police Department. He has seen a number of calls coming into the Police Department drop since last month.

IV. OLD BUSINESS: (Cont.)

CLASS D ALCOHOLIC BEVERAGE LICENSE: (Cont.)

Vasa Music Hall Association and Miller's Crossing 43 Old Bald Hill Rd.
Arthur Holmberg and David Miller - licensee requested to appear (Contd. from 2/4/08)

David Miller of Miller's Crossings appeared to speak.

Major Blackmar stated that he does not have a problem suspending the police detail and, if necessary, it will be revisited.

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

VICTUALLING LICENSE – RENEWAL

Mangia Mangia 1606 Cranston Street
Applicant requested to appear by Fire Dept. (Contd. from 2/4/08)

No one appeared to speak.

Chief Delgado stated that as of today, the Fire Department has not received any plan of action form the owner of the establishment.

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

V. ORDINANCES - PUBLIC HEARING:

1-08-03 Ordinance in Amendment of Chapter 10 of the Code of the City of Cranston, 2005 Entitled "Motor Vehicles & Traffic"(Garden City Dr).
(Amended by Full Council 2/25/08)

No one appeared to speak in favor or to oppose.

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

2-08-02 Ordinance in Amendment of Chapter 10.32.040 of Title 10 of the Code of the City of Cranston, 2005, Entitled "Motor Vehicles and Traffic"(Kneeland Avenue)

No one appeared to speak in favor or to oppose.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

V. ORDINANCES - PUBLIC HEARING: (Cont.)

2-08-03 Ordinance in Amendment of Chapter 10.12 of Title 10 of the code of the City of Cranston, 2005, Entitled "Motor Vehicles and Traffic" (Sock. Crossroad, Power Rd., Midway Rd., Cranston St., Carolina St., Wilbur Rd., Natick Ave., Garfield Ave., Tyler Rd.)

No one appeared to speak in favor or to oppose.

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

2-08-04 Ordinance in Amendment of Chapter 10.12 of Title 10 of the code of the City of Cranston, 2005, Entitled "Motor Vehicles and Traffic"(Sock. Crossroad and Power Rd)

No one appeared to speak in favor or to oppose.

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

ORDINANCES - CONTINUED

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 1/7/08.

Council Member Bucci stated that she would like to continue this Ordinance in order for her to speak to the Traffic Engineer to see if another solution can be found to resolve this problem because there are two residents who are having problems with their mail delivery since this is a one-way street.

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

VI. NEW LICENSE APPLICATIONS:

USED CAR - NEW

Alyssa Auto Group Inc. Used Car license
Brian Cinq-Mars –

11 East Josephine St.

Gregory Acciardo, Esq., appeared to represent the applicant and stated that at the last meeting, the Police Department indicated the various problems that occurred at this location. He had asked the Colonel's Office and the Clerk's Office for documents relating to these problems that occurred and the Colonel's Office and the Clerk's Office have provided all the documents with regards to that establishment. He reviewed these documents and had a discussion with Mr. Sciolto. There has been no action, criminal or other, against this applicant. There were a few complaints regarding the business transactions and they were sent to the Dealer's Commission. This application has been advertised and there are no traffic problems, no schools in the area and there are no residents present who are opposed to this business. This location has been used as a Used Car dealership for twenty years. There is nothing before this Committee as to why this business should not continue to operate as a Used Car business.

Councilman Navarro asked Attorney Acciardo if Mr. Aloisio will be involved in this business. Attorney Acciardo stated, no, but if he were to be hired as an employee, his name would have to be listed on the State license application.

Councilman Navarro stated that he feels there are enough checks and balances at the State level as far as BCI checks. At this time, he is in favor of approving this license application so that this business can go forward and apply at the State level.

Major Blackmar stated that because of complaints made against Mr. Aloisio in the past, his concern is, will he be involved in the operation of this business besides being an employee. Attorney Acciardo stated that Mr. Aloisio will remain the property owner. If he will have any involvement in the day to day operation of the business, he has to be licensed by the State.

Chief Delgado stated that if the property opens as a car dealership, it would have to get all the Fire Code regulations approvals. Since it has been vacant for so long, the building would have to meet all current Fire Codes and it is the responsibility of the property owner. Chief Delgado read an email from Lt. Bathgate addressed to the City Clerk, indicating that this business has been in violation of the Fire Codes for years and have not addressed any of these violations.

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to continue this license application until Fire Department approval.

Under Discussion:

Chair stated that this Committee cannot approve a license application for a Used Car subject to any and all approvals, especially Fire Department approval, due to all the chemicals that could be stored and without Fire Code safety. This is a safety issue.

VI. NEW LICENSE APPLICATIONS: (Cont.)

USED CAR – NEW (Cont.)

Alyssa Auto Group Inc. Used Car license

11 East Josephine St.

Brian Cinq-Mars –

Councilman Livingston stated that if the question of whether Mr. Aloisio will have a role in this business is an issue, he asked if the Committee can make it a condition that Mr. Aloisio not have any part in this business. Mr. Sciolto stated that he would be reluctant to make this a condition. If the Committee would like to approve this license application subject to all requirements be met, they can do that, as was done by past Safety Services Committees.

On motion by Council Member Bucci, seconded by Councilman Livingston, it was voted to move the question. Motion passed unanimously.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted that application be granted, but not issued until all requirements are met. Motion passed on a vote of 6-1. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Santamaria, Council Member Bucci and Council President Garabedian -6. The following being recorded as voting “nay”: Councilman Barone -1.

Chief Delgado asked Attorney Acciardo to have the owner of the property bring in plans to the Fire Department so this can be moved forward. Attorney Acciardo stated that he will instruct his client to do so.

VII. TRAFFIC ENGINEER:

No business.

VIII. POLICE DEPARTMENT:

No business.

IX. FIRE DEPARTMENT:

Chief Delgado presented an application for storage tank at 60 Kenney Dr.

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

X. LICENSE RENEWAL APPLICATIONS:

ALL NIGHT LICENSE – RENEWAL

Walmart # 1873

1776 Plainfield Pike

Cumberland Farms #1279i

659 Reservoir Ave.

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

FIREARMS DEALER LICENSE – RENEWAL

A.Palombo & Sons

786 Atwood Avenue

Post Road Guns

2158 Plainfield Pike

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

19-HOUR CLASS F LIQUOR LICENSE – RENEWAL

Temple Torat Ysrael – Event March 15, 2007

330 Park Avenue

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

PRIVATE DETECTIVE LICENSE – RENEWAL

Allyn Reynold #479

151 Ocean Avenue

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

HOLIDAY SALES LICENSE – RENEWAL

Tedeschi's Greenhouses

47 Church Street

Mr. Tux

508 Reservoir Ave.

Speedy Mart

95 Warwick Ave.

Victoria's Secret

51 Hillside Road

Borders Inc.

190 Hillside Road

The Yankee Candle Corp.

73 Hillside Road

Twin Pine Farms

1850 Phenix Ave.

Walmart

1776 Plainfield Pike

Talbots #262

29 Hillside Road

Bobs Store #7

1400 Oaklawn Ave.

Jos. A. Bank Clothing

80 Hillside Road

Golfers Warehouse

60 Freeway Drive

Chico's #107

64 Hillside Road

J. Jill LLC

78 Hillside Road

Circuit City

140 Hillside Road

Verizon Wireless

190 Hillside Road

Stop & Shop Supermarkets

204 Garfield Avenue

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

HOLIDAY SALES LICENSE – RENEWAL (Cont.)

<i>Walgreens #2850</i>	1010 Park Avenue
<i>Walgreens #03491</i>	1763 Broad Street
<i>Walgreens #09943</i>	1279 Oaklawn Ave.
<i>GameStop #2349</i>	282 Garfield Avenue
<i>Country Curtains</i>	170 Hillside Road
<i>Ruggieri's Market</i>	435 Atwood Avenue
<i>Sams Food Store</i>	460 Pontiac Avenue
<i>Paul Riccio Hardware</i>	1444 Plainfield Pike
<i>Sun Tan Express</i>	1083 Park Avenue
<i>Phred's Drug</i>	1300 Oaklawn Ave.
<i>The Pool Source</i>	40 Freeway Drive
<i>Elamani Enterrprises</i>	951 Pontiac Avenue
<i>A & J Seabra Supermarkets</i>	550 Pontiac Avenue
<i>Capital Liquors</i>	811 Park Avenue
<i>Payless Shoesource #4501</i>	1400 Oaklawn Ave.
<i>Payless Shoesource #4691</i>	1784 Plainfield Pike
<i>Dyer Avenue Florist</i>	961 Dyer Avenue
<i>Recreational Equipment Inc.</i>	22 Chapel View Blvd.
<i>Edgewood Liquors</i>	1992 Broad Street
<i>Rossi's Tree Farm</i>	1936 Phenix Avenue
<i>Honey Dew Donuts</i>	1282 Elmwood Ave.
<i>Blooming Mad</i>	1745 Broad Street
<i>Sweenor's Chocolates</i>	43 Hillside Road

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

SECONDHAND LICENSE – RENEWALS

<i>The Water's Edge</i>	2190 Broad Street
<i>Mr. Tux #5158</i>	508 Reservoir Ave
<i>Hollywood Video #039110</i>	173 Sock. Crsrs.
<i>Hollywood Video #039101</i>	250 Atwood Avenue
<i>Electronic Bargain Outlet</i>	1500 Oaklawn Ave.
<i>2nd Time Around</i>	330 Atwood Avenue
<i>Gold N Tiques</i>	728 Pontiac Avenue

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

X. LICENSE RENEWAL APPLICATIONS: (Cont.)

USED CAR LICENSE – RENEWALS

<i>Volare Motors</i>	1003 Park Avenue
<i>D & M Tyre Sales</i>	178 Phenix Avenue
<i>First Choice Auto Sales</i>	1586 Broad Street
<i>Chestnut Hill Truck & Auto Sales</i>	21 Calef Street
<i>Classic Car & Van Sales</i>	971 Cranston Street
<i>Atlantic Autocenter</i>	616 Atwood Avenue

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

FLOWER VENDOR'S LICENSE – RENEWAL

<i>Santilli Flowers</i>	1300 Oaklawn Ave.
<i>Alan Linsky</i>	435 Atwood Ave.

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

XI. RHODES ON THE PAWTUXET:

Actual Number of Attendees from January

Schedule of Events for March and April

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

XII. MISCELLANEOUS:

The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED MARCH, 2008

USED CAR – NEW

Alyssa Auto Group, Inc.
Brian Cinq-Mars

11 East Josephine St.