

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, March 1, 2010 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 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
Council President John E. Lanni, Jr.

Also Present: Gerald Cordy, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Major John Schaffran, Police Department
Chief James Gumbley, 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 Councilwoman Bergin-Andrews, seconded by Council President Lanni, 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:

ALL NIGHT LICENSE – NEW (3 month review – from 12/21/2009 City Council)
Dad's Diner 871 Atwood Avenue
Anthony Arena

Chair asked Major Schaffran if there have been any problems at this location since the last meeting. Major Schaffran stated, none.

On motion by Council Vice-President Livingston, seconded by Councilwoman Bergin-Andrews, it was voted to approve this license and remove this item from the agenda. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

**Letter from Balls re: Grandfathering in Outdoor Entertainment as they did indoor
(Cont. 2/1/2010 – pending Solicitor’s answers to legal questions asked).**

Solicitor stated that he would prefer that applicant apply every year for this license and not be transferred or grandfathered.

USED CAR LICENSE – RENEWAL (Cont. 2/1/2010)

Corporate One

1769 Cranston St.

Gagik Mkrtchian appeared to speak.

Chair asked if the handicapped parking has been corrected. Mr. Mkrtchian stated, yes.

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

AUTO REPAIR LICENSE – RENEWAL (Cont. 2/1/2010)

Corporate One

769 Cranston St.

Gagik Mkrtchian appeared to speak.

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

V. PUBLIC HEARING:

EXPANSION OF PREMISE – RENEWAL

PJ’S Pub

1139 Pontiac Avenue

Paul Voigt

Paul Voigt appeared to speak. John Kirchorian also appeared to speak. No one appeared to oppose.

Council President Lanni asked Major Schaffran if there were any problems at this location last year. Major Schaffran stated, none that he is aware of.

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

V. PUBLIC HEARING: (Cont.)

SECONDHAND LICENSE – NEW

The Hock Spot

Joseph Pecchia

798 Atwood Avenue

Joseph Pecchia appeared to speak. No one appeared to oppose.

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

Extravaganza Kids

Cynthia Charron

187 Columbia Ave

Cynthia Charron appeared to speak. No one appeared to oppose.

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

ORDINANCES:

1-10-01 In amendment of Chapter 10.12 of Title 10 of the Code of the City of Cranston, 2005, Entitled “Motor Veh. & Traffic (Auburn Street westerly one way) – w/drawn from sponsor - Councilman Navarro.

Chair indicated that this Ordinance has been withdrawn by sponsor, Councilman Navarro.

1-10-02 In amendment of Title 6 of the Code of the City of Cranston, 2005, Entitled “Animals”.

Councilman Navarro stated that the purpose of this Ordinance is for enforcement purposes and defining authority.

Diana Gordon, 363 Pontiac Ave., appeared to speak and stated that she is in favor of this Ordinance, but what concerns her is the part about euthanizing animals. She is only in favor of this if the animal is a detriment to people, such as biting people. She questioned what Section 6.08.260 of the Ordinance means as far as euthanized of the animal.

Judy Abate, 27 Primrose Dr., appeared to speak in favor of this Ordinance and stated that we need to protect animals 24-7.

Dennis Tabella, 363 Sergeant St., Warwick, Director of Friends of Animals, appeared to speak in favor of this Ordinance and stated that this organization is a “no-kill of animals” organization. This same Ordinance is in place in Warwick and it is on the docket in the City of Providence and it is enforceable.

ORDINANCES: (Cont.)

1-10-02 In amendment of Title 6 of the Code of the City of Cranston, 2005, Entitled "Animals". (Cont.)

Emanuella Petrucci, 18 Allard St., appeared to speak in favor of this Ordinance and stated that she is owner of two dogs, which she obtained from the Cranston Animal Shelter and Pat Maxwell, Animal Control Officer, does a wonderful job.

Pat Maxwell, Animal Control Officer, appeared to speak in favor of this Ordinance and stated that this Ordinance is needed for her and her department to do their job to make sure the dogs are treated humanely. The existing State Law is too vague.

Albert Renzi, 18 Newwood St. and Denise Russo, appeared to speak in favor of this Ordinance and presented a petition of people who are also in favor of this Ordinance.

Gianna Moretti, 94 Caporal St., appeared to speak in favor of this Ordinance.

Councilman Pelletier acknowledged Ms. Maxwell for the wonderful job she does at the shelter and the Friends of Animals organization and stated that he supports this Ordinance.

Solicitor stated that he was asked to review this Ordinance. He stated that he finds no problem with the content of the Ordinance, but he did find a certain overlap with the State Law in Section 4-1-2 "penalties". He finds that the existing State penalties are harsher than what is provided in the proposed Ordinance. He would like to speak with the Council attorney regarding this. He wonders if legal issue may arise and whether this is duplication of offenses. There are other areas where the General Assembly has given jurisdiction to Cities and Towns to act. He has no problem with the intent of the Ordinance, he just wonders whether it is in this Council's province to initiate.

Council Vice-President Livingston stated that he also likes the intent of the Ordinance, but he questions whether this Ordinance should be continued for one month and have the Council attorney and the Solicitor review it and possibly make amendments to it. He also referred to the petition presented by one of the speakers and stated that the names do not mention if they are Cranston residents. There are some people from various states.

Councilwoman Bergin-Andrews stated that State Law already addresses the penalties and she would not want to decriminalize something by making it a civil fine. She would not want to infringe on any State Law.

Council President Lanni stated that he would not want to pass an Ordinance that would decriminalize existing State Statute. He asked Ms. Maxwell why we can't enforce existing State Laws. Ms. Maxwell stated that they are enforced, but they the Animal Control Officers do not have powers to arrest, they would have to get a Police Officer involved. If it is an offense, the Police is called now.

ORDINANCES: (Cont.)

1-10-02 In amendment of Title 6 of the Code of the City of Cranston, 2005, Entitled “Animals”. (Cont.)

Councilman Navarro stated that he does not think this should be put off for another month because there are cruelty acts going on now. He would agree to refer the Ordinance to the full City Council meeting. This Ordinance was drafted with the input of Ms. Maxwell and he would like support of the Council to pass it to the full City Council meeting so valuable time is not wasted for the animals that are suffering right now.

Councilman Archetto stated that if this Ordinance overlaps State Law, State Law would supersede anyway. He suggested passing this Ordinance and let the attorneys do whatever research needs to be done.

Councilman Pelletier asked how this Ordinance compares to Providence and Warwick’s Ordinance. The Director of Friends of Animals stated that Warwick passed a similar Ordinance a few months ago. East Providence’s Ordinance has been in place for a few years. This Ordinance is similar to the Ordinance passed in East Providence and Warwick and what is being proposed in Providence. It has been enforced in East Providence and Warwick.

On motion by Councilman Pelletier, seconded by Council Vice-President Livingston, it was voted to refer this Ordinance to the full City Council with recommendation to approve and attorneys to provide opinion then. Motion passed unanimously.

Solicitor asked that Ms. Maxwell forward to the Administration all referrals of neglect to the State and the outcome.

VI. NEW LICENSE APPLICATIONS:

HOLIDAY SALES LICENSE – NEW

Ocean State Job Lot #120
Jeff Mello

1441 Elmwood Ave.

Jeff Mello appeared to speak in favor. No one appeared to oppose.

Chair stated that the Traffic Engineer notified him that there is a traffic issue in the area and he asked that applicant contact the Traffic Engineer in order to address this.

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

Petco #3705
Laura Molton

10 Chapel View Blvd.

No one appeared to speak.

On motion by Councilwoman Bergin-Andrews, seconded by Councilman Pelletier, it was voted to table this license application. Motion passed unanimously.

VI. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE – NEW

Coffee Time Café LLC

200 Midway Rd. #165

Carol Cianci

Chris Cianci appeared to speak in favor. No one appeared to oppose.

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

Subway

40 Sockanosset Crsrdr.

Dolly Chouha

Dolly Chouha appeared to speak in favor. No one appeared to oppose.

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

Sushi House Japanese Rest.

1485 Park Avenue

Yong Zhang

Yong Zhang appeared to speak in favor. No one appeared to oppose.

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

PRIVATE DETECTIVE LICENSE – NEW

Michael Manni # 490

Manchester, NH

Michael Manni appeared to speak in favor. No one appeared to oppose.

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

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE HEARING:

None.

IX. POLICE DEPARTMENT:

None.

X. FIRE DEPARTMENT:

Chief Gumbley reported on the False Alarm issue and stated that seven invoices were sent out and one payment from Citizens Bank has been received.

XI. LICENSE RENEWAL APPLICATIONS:

FLOWER VENDOR'S LICENSE – RENEWALS

Alan Linsky

@135 Atwood Ave.

For Easter & Mother's Day

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

VICTUALLING LICENSE – RENEWALS

Stop & Shop

200 Atwood Avenue

Pizza Fair

685 Park Avenue

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

PEDDLER'S LICENSE – RENEWAL

Palagi's Ice Cream

55 Bacon Street

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

FIREARM'S DEALER LICENSE – RENEWAL

Post Road Guns

2158 Plainfield Pike

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

SECONDHAND LICENSE – RENEWALS

Post Road Guns

2158 Plainfield Pike

2nd Time Around Sports

328 Atwood Ave.

Continental Coin

1212 Park Avenue

Artists Exchange

50 Rolfe Square

2nd Time Around

330 Atwood Avenue

Fifth Avenue Jewelers

6 Rolfe Square

Christopher III

151 Park Avenue

CB Truck Tire Service

140 Farmington Ave.

Arlington Coin

140 Gansett Ave.

Roman Jewelers

1000 Reservoir Ave.

Yepremian Jewelers

510 Reservoir Ave.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

SECONDHAND LICENSE – RENEWALS (Cont.)

<i>Electronic Bargain Outlet</i>	1500 Oaklawn Ave.
<i>Broad Street Used Furniture</i>	164 Park Avenue
<i>Hollywood Video # 039101</i>	244 Atwood Avenue
<i>The Time Capsule</i>	537 Pontiac Avenue
<i>Twice Told Tales</i>	2210 Broad Street
<i>Easy RV Outlet</i>	1416 Park Avenue
<i>Gamestop #2349</i>	286 Garfield Ave.
<i>Gamestop #6145</i>	1000 Chapel View Bl

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

USED CAR LICENSE – RENEWALS

<i>East Side Auto Sales & Collision Center</i>	2050 Plainfield Pike
<i>Dee Auto Village</i>	1171-1173 Park Ave.
<i>Cranston Auto Ignition</i>	1152 Park Avenue
<i>JD Byrider</i>	615 Reservoir Ave.
<i>Cranston Auto Sales</i>	19 Elena Street
<i>American Auto Sales</i>	448 Dyer Ave.
<i>Mega Wheels Auto Sales</i>	1568 Broad Street
<i>Caravan Auto</i>	1185 Cranston Street
<i>Moretti's Auto Sales</i>	510 Atwood Avenue
<i>Josy Auto Repair</i>	1640 Elmwood Ave.
<i>Dyer Avenue Motors</i>	454 Dyer Avenue
<i>Miracle Auto Sales</i>	580 Reservoir Ave.
<i>The Car Lot</i>	441 Dyer Avenue
<i>Nemo Auto Sales</i>	1400 Cranston Street

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

HOLIDAY SALES LICENSE – RENEWALS

<i>Hollywood Video #039-101</i>	244 Atwood Avenue
<i>Walgreens #03491</i>	1763 Broad Street
<i>Walgreens #2850</i>	1010 Park Avenue
<i>Walgreens # 09943</i>	1279 Oaklawn Ave.
<i>Supercuts #90345</i>	181 Sock Crsdrs.
<i>Supercuts #9103</i>	230 Atwood Ave.
<i>Smartstyle #3902</i>	1776 Plainfield Pike
<i>Pier 1 Imports#535</i>	1 New London Ave.
<i>Chico's #107</i>	64 Hillside Rd.
<i>Eddie Bauer</i>	Hillside Road
<i>Blooming Mad</i>	1745 Broad Street
<i>Dollar Tree #599</i>	1400 Oaklawn Ave.
<i>The Children's Place</i>	Hillside Road

XI. LICENSE RENEWAL APPLICATIONS (CONT'D):

HOLIDAY SALES LICENSE – RENEWALS (Cont.)

Hess Express 39205

Hess Express 39500

Borders

Jos A Bank Clothiers

Bobs Store #7

Ruggieri's Market

Bath & Body Works

Victoria' Secret #586

Kmart

Reservoir Market Place

White House/Black Market

Pet Supplies Plus

Shaw's Supermarket #7625

Dots LLC

Paul Riccio Hardware

Ruggieri Flooring

Phred's Drug

Rainbow #218

The Time Capsule

CVS #212

CVS #469

CVS #1414

CVS #2021

Building #19

Christopher & Banks

The Good Earth Gardening Center

Cumberland farms #1249

Cumberland Farms #1279

Capital Liquors

Sweenor's Chocolates

Oaklawn Music Studios

Rossi's Tree Farm

Coldwater Creek

Confreda Greenhouses

The Yankee Candle Corp.

Twice Told Tales

Walmart Stores

General Oil

Gap #2237

Gap #9467

Banana Republic #8236

Rite Aid #6595

Rite Aid #10250

Rite Aid #10254

305 Phenix Avenue
473-479 Reservoir Ave.

190 Hillside Road

80 Hillside Road

1400 Oaklawn Ave.

435 Atwood Avenue

69 Hillside Rd

51 Hillside Road

296 Garfield Avenue

579 Reservoir Ave.

100 Midway Road

171 Sock Crsrds.

Chapel View Blvd.

242 Garfield Avenue

1444 Plainfield Pike

1191 Pontiac Avenue

1300 Oaklawn Ave.

1200 Oaklawn Ave.

537 Pontiac Ave.

681 Reservoir Ave.

1188 Pontiac Ave.

1195 Oaklawn Ave.

205 Atwood Ave.

155 Bald Hill Rd.

100 Midway Rd.

1800 Scituate Ave.

921 Cranston St

659 Reservoir Ave.

811 Park Avenue

43 Hillside Road

1150 Oaklawn Ave.

1936 Phenix Avenue

35 Hillside Road

2150 Scituate Avenue

73 Hillside Road

2210 Broad Street

1776 Plainfield St.

208 Gansett Avenue

81 Hillside Road

50 Hillside Road

16 Midway Rd.

1011 Cranston Street

1764 Broad Street

570 Pontiac Avenue

XI. LICENSE RENEWAL APPLICATIONS (CONT'D):

HOLIDAY SALES LICENSE – RENEWALS (Cont.)

<i>Rite Aid #10261</i>	548 Dyer Avenue
<i>Rite Aid #10262</i>	250 Atwood Avenue
<i>Rite Aid #10263</i>	1285 Reservoir Ave.
<i>Sams Food Store</i>	460 Pontiac Avenue
<i>Lowe's Home Improvement</i>	247 Garfield Avenue
<i>Scungio Classic Liquors</i>	1358 Plainfield Street
<i>Discount Liquor Shoppe</i>	1294 Park Avenue
<i>Eastern Mountain Sports</i>	176 Hillside Road
<i>Omaha Steaks</i>	1000 Chapel View Bl
<i>Honey Dew Donuts</i>	1282 Elmwood Ave.
<i>Honey Dew Donuts</i>	630 Oaklawn Avenue
<i>Below Cost</i>	480 Atwood Avenue
<i>Hallmark Creations #96</i>	63 Hillside Road
<i>Cardsmart</i>	1400 Oaklawn Ave.
<i>Ocean State Mobil</i>	1282 Elmwood Ave.
<i>Dyer Mart</i>	500 Dyer Avenue
<i>Mulligan's Island</i>	1000 New London Av
<i>The Little Gym of Cranston</i>	1400 Oaklawn Ave.
<i>RI Shriners</i>	One Rhodes Place
<i>Wandies by Pina</i>	1333 Cranston Street
<i>The Pool Source</i>	40 Freeway Drive
<i>Sonya's</i>	766 Oaklawn Avenue
<i>Sun Tan Express</i>	1083 Park Avenue
<i>Crugnale Bakery</i>	567 Reservoir Avenue
<i>Doggie Do's</i>	2190 Broad Street
<i>Lakeshore Learning</i>	1400 Oaklawn Ave.
<i>Aldi</i>	1138 Pontiac Avenue
<i>Miracle Market</i>	602 Reservoir Avenue
<i>Lumber Liquidators</i>	33 Freeway Drive
<i>Easy RV Outlet</i>	1416 Park Avenue
<i>Heritage Liquors</i>	529 Reservoir Ave
<i>Diamond Fuel</i>	1353 Park Avenue
<i>Expo Nails</i>	800 Oaklawn Avenue
<i>JD Cork & Bottle</i>	526 Pontiac Avenue
<i>Milk N More</i>	1232 Park Avenue
<i>Twins Florist</i>	1083 Park Avenue
<i>La Frontera</i>	1522 Broad Street
<i>Dyer Avenue Motors</i>	961 Dyer Avenue
<i>F. Bianco</i>	8 Midway Road
<i>Elamani Enterprises</i>	951 Pontiac Avenue
<i>Bob Gasbarro's Oaklawn Disc. Liquors</i>	985 Oaklawn Avenue
<i>Oaklawn Mart</i>	644 Oaklawn Avenue

XI. LICENSE RENEWAL APPLICATIONS (CONT'D):

HOLIDAY SALES LICENSE – RENEWALS (Cont.)

Talbots #262

Edgewood Liquors

Country Curtains

Morin's Liquors

Garden Hills Fruit & Deli

Gamestop #2349

Gamestop #6145

29 Hillside Road

1990 Broad Street

170 Hillside Road

1621 Elmwood Ave.

763 Oaklawn Ave.

286 Garfield Ave.

1000 Chapel View Blvd.

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

XII. MONTHLY SCHEDULES

RHODES ON THE PAWTUCKET:

Schedule of Events for March and April 2010

Actual Number of Attendees

On motion by Council Vice-President Livingston, seconded by Council President Lanni, it was voted to approve the above list of events. Motion passed unanimously.

SHARX BAR & GRILLE d/b/a GRILL 505

Schedule of Events for the months of March and April, 2010

On motion by Council Vice-President Livingston, seconded by Council President Lanni, it was voted to approve the above list of events. Motion passed unanimously.

El Tipico Restaurant

MISCELLANEOUS BUSINESS:

Council Vice-President Livingston suggested that during the budget process, the Council needs to review such items as charge a late fee for people who renew their license late or who don't renew and operate without a license. We also need to address the fees of possibly increasing them. City Clerk indicated that our fees are at the top in the State and a lot of the fees are State-mandated.

Councilman Navarro stated that we need to have controls set up in following up to make sure people are applying in a timely manner and are operating with a valid license.

Councilman Pelletier stated that he has consulted with the Career and Technical Center in helping to design the website in paying fines and licenses online and he has not received any response from the Administration.

The meeting adjourned at 8:00 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED FEBRUARY, 2010

SECONDHAND LICENSE

The Hock Shop
Joseph Pecchia

798 Atwood Ave.

Extravaganza Kids
Cynthia Charron

187 Columbia Ave.

HOLIDAY SALES LICENSE

Ocean State Job Lot #120
Jeff Mello

1441 Elmwood Ave.

VICTUALLING LICENSE

Coffee Time Café LLC
Carol Cianci

200 Midway Rd. #165

Subway
Dolly Chouha

40 Sockanosset Crossroad

Sushi House Japanese Restaurant
Yong Zhang

1485 Park Ave.

PRIVATE DETECTIVE LICENSE

Michael Manni #490

Manchester, NH