

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, March 2, 2009 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:09 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Council Vice-President Terence Livingston, Vice-Chair (appeared at 7:11 PM)
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilman, Emilio Navarro
Councilwoman Michelle Bergin-Andrews
Council President John E. Lanni, Jr.

Also Present: Gerald Cordy, Deputy Director of Administration
Major Ronald Blackmar, Police Department
Chief James Gumbley, Fire Department
Evan Kirshenbaum, Assistant City Solicitor
Maria Medeiros Wall, City Clerk
Kimberly O'Brien, Clerk
Heather Finger, Stenographer

II. MINUTES OF THE LAST MEETING:

On motion by Councilman Pelletier, seconded by Councilman Navarro, 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 Ball's regarding Entertainment Letter from Cranston Portuguese Club re: Entertainment

Chairman Santamaria referred to Council President Lanni regarding this issue due to the fact that he was the chair when the entertainment license was introduced and approved and wanted his opinion on the grandfathering rights to these and other businesses that were already doing entertainment at the time of the passage of the Entertainment Ordinance in 2007. Council President Lanni explained that due to the fact that there were businesses that were already providing entertainment prior to passage of this requirements, that they were considered to be grandfathered and it was not intended that they would need to apply for this license. Per the chair have the Clerk send a letter to advise the above businesses they fall into this category.

IV. OLD BUSINESS:

AUTO REPAIR LICENSE – RENEWAL (show cause cont'd from 9/2008- appeal in process)

Russo's Auto Sales

519 Dyer Avenue

Fired Dept. appeared to speak regarding this issue.

Chief Gumbley appeared and stated that the business has been cooperating with the fire department and should be done with work there in a couple of weeks. Councilman Navarro was questioning what was the status with the appeal and the Fire Chief explained to the committee that they have since dropped their appeal and have been working on getting up to code with the Fire Department. A motion was made by Councilman Navarro to continue this item for one Month and seconded by Councilman Pelletier. Motion passed unanimously.

EXPANISON & ENTERTAINMENT LICENSE (CONT'D FROM 2/10/09)-

Sharx Bar & Grill

505 Atwood Avenue

Chairman Santamaria stated that this matter was continued from the meeting on the 10th of February for the applicant to hand in a stamped copy of his site plan from either a PE or RLS which the applicant had done and was reviewed at the meeting by Solicitor Kirshenbaum for his approval and no one had any problems with approving this submitted site plan.

V. PUBLIC HEARING

EXPANSION OF PREMISE LICENSE – RENEWAL

Ball's Sports Bar & Grill

1150 Oaklawn Ave.

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

VI. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

NY Halal Fried Chicken

1592 Broad Street

No one appeared to speak.

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

Franco's Pizza

889 Dyer Avenue

William Mitry appeared to speak. Council President Lanni had a few questions for the owner regarding his seating and his hours.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE – NEW (Cont.)

Ray's Pasta Sauce & Deli

1674 Cranston Street

Raymond Pekzarek appeared to speak.

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

PUBLIC ENTERTAINMENT LICENSE – NEW

Temple Torat Ysrael

330 Park Avenue

Barry Goldmen appeared to speak on behalf of the organization.

Council Vice-President Livingston had a few questions for the applicant.

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

VII. TRAFFIC ENGINEER:

None.

VIII. SHOW CAUSE HEARING:

IX. POLICE DEPARTMENT:

Tipico Restaurant & Lounge

16 Gansett Avenue

Attorney Mark Gertsacov appeared on behalf of this establishment. Major Blackmar spoke on behalf of the Cranston Police Department regarding the fact that as of late, they have been receiving numerous complaints from the neighbors about beer bottles outside this establishment in the parking lot and use of the neighbors' parking lots. He requested that they consider the idea of having a police detail to help cope with the problems. Attorney Gertsacov stated that he is in complete agreement with this and the owner, Jose Ruiz, also present, stated they would work with the patrons to not park in any other parking lots and they are looking into other options to solve the parking issues. Both parties agreed on having police details on their busier nights.

Councilman Livingston asked Mr. Ruiz if he knows that he is going to be responsible to pay for these police details himself and Mr. Ruiz under it was his obligation and wanted to fully cooperate with the City. .

IX. POLICE DEPARTMENT: (Cont.)

Tipico Restaurant & Lounge (Cont.)

16 Gansett Avenue

Council President Lanni had some questions regarding the seating capacity and if the parking lot is adequate to accommodate the number of people he is allowed to have. The seating capacity is 138 people so they should have 46 spaces but unfortunately they only have 20 spaces so they are looking into the idea of possibly having a valet service. Council President Lanni stated that this is definitely something they need to look into to be able to provide adequate parking for the allowed number of patron..

Councilman Navarro was inquiring of the Major how long they thought that this police detail would be required and the Major stated that it would definitely have to be for the late night hours from 9:30PM – 1:30 AM a typical 4 hour detail block. The Major also stated that if they do this for Fridays during the month of March they would be able to see if this was helping the situations at this establishment.

Chairman Santamaria inquired to Mr. Ruiz how the containers were getting outside, were they from his establishment or from something else. Mr. Ruiz stated that he thinks people are coming to his establishment and drinking in his parking lot before they are coming in, definitely not from taking them out of his restaurant.

Major Blackmar agreed with Mr. Ruiz that yhry ertr definitely not coming from them coming out of the establishment but from them drinking in the parking lot to save money on alcohol inside. He also questioned which night Mr. Ruiz thought would be the busiest of his nights. Mr. Ruiz stated that it is not usually consistent for every Friday night, it depends on if he is having special events. His schedule varies sometimes it would be Friday and sometimes other days.

Chairman Santamaria, also raised the issue of his application for the Entertainment license that is in the process as of right now and that this is going to have to be put on hold until he gets the parking issues straightened out.

Solicitor Kirshenbaum, advised Mr. Ruiz to approach the garage next door and perhaps he could come up with some kind of lease agreement to resolve the parking issues.

Councilman Navarro motioned to approve the police detail.

Under Discussion:

Councilman Pelletier raised the question as to why only on Friday nights to have the detail and not Saturday. Attorney Gertsacov interjected by stating that for this month he has no events at this time on Friday nights and again, it all depends on who has something planned and on which particular night the detail would be better.

They were advised by the chair to submit their event schedule to the Clerk's Office and to the Police Department and also to sit down with the Major to figure out which nights would be better to schedule the police detail. Matter was continued to April to review parking as it pertains to their Entertainment license which is pending issuance.

IX. POLICE DEPARTMENT: (Cont.)

Tipico Restaurant & Lounge (Cont.)

16 Gansett Avenue

Councilman Navarro made a motion to work out these issues with the Police Department and Councilwoman Bergin-Andrews wanted to make a motion regarding the parking issues so it was agreed to make a motion to continue this matter for one month review on all issues by Councilman Navarro and seconded by Council Vice-President Livingston.

X. FIRE DEPARTMENT:

Chief Gumbley, advised the committee they are installing six hydrogen tanks at 89 Worthington Road.

XI. LICENSE RENEWAL APPLICATIONS:

BOWLING ALLEY LICENSE – RENEWAL

Legion Alley

661 Park Avenue

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

HOLIDAY SALES LICENSE - RENEWALS

CVS Pharmacy #36

675 Park Avenue

CVS Pharmacy #212

681 Reservoir Avenue

CVS Pharmacy #469

1188 Pontiac Avenue

CVS Pharmacy #1414

1195 Oaklawn Avenue

CVS Pharmacy #2021

205 Atwood Avenue

Smartstyle #3902

1776 Plainfield Pike

JD Cork & Bottle

526 Pontiac Avenue

Chinese American Mini Market

834 Park Avenue

Reservoir Market Place

579 Reservoir Avenue

Rhode Island Shriners

One Rhodes Place

Morins Liquor Store

1621 Elmwood Avenue

Rite-Aid #10250

1764 Broad Street

Rite-Aid #10254

570 Pontiac Avenue

Rite-Aid #10261

548 Dyer Avenue

Rite-Aid #10262

250 Atwood Avenue

Rite-Aid #10263

1285 Reservoir Avenue

Shaw's Supermarkets

8 Chapel View Blvd.

Sonia's

766 Oaklawn Avenue

Hollywood Video #039101

244 Atwood Avenue

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

HOLIDAY SALES LICENSE – RENEWALS (Cont.)

<i>Hollywood Video #039110</i>	173 Sock. Cross Roads
<i>Building 19</i>	155 Bald Hill Road
<i>Expo Nails</i>	800 Oaklawn Avenue
<i>European Food Mart</i>	102 Rolfe Square
<i>Quik Mart</i>	164 Park Avenue
<i>The Childrens Place</i>	72 Hillside Road
<i>Coldwater Creek</i>	35 Hillside Road
<i>Christopher & Banks</i>	100 Midway Road
<i>Al-Mall Mini Mart</i>	41 Warwick Avenue
<i>Al-Mall Daily Mart</i>	1814 Broad Street
<i>Durfee Hardware</i>	65 Rolfe Street
<i>Zaccagnini's Pastries</i>	701 Oaklawn Avenue
<i>National Pet Center</i>	726 Reservoir Avenue
<i>Gap #2237</i>	81 Hillside Road
<i>Banana Republic#8236</i>	16 Midway Road
<i>Gapkids #9467</i>	50 Hillside Road
<i>Rainbow #218</i>	1200 Oaklawn Avenue
<i>Talbots #262</i>	29 Hillside Road
<i>Syms</i>	155 Bald Hill Road
<i>Hess Express #39500</i>	473-479 Reservoir Avenue
<i>Church of the Annunciation</i>	175 Oaklawn Avenue
<i>The Time Capsule</i>	537 Pontiac Avenue
<i>Sun Tan Express</i>	1083 Park Avenue
<i>Cardsmart</i>	1400 Oaklawn Avenue
<i>Mulligan's Island</i>	1000 New London Avenue
<i>Benny's of RI</i>	148 Atwood Avenue
<i>Lakeshore Learning Center</i>	1400 Oaklawn Avenue
<i>The Yankee Candle Co.</i>	73 Hillside Road
<i>Dyer Mart Convenience</i>	300 Dyer Avenue
<i>The Little Gym of Cranston</i>	1400 Oaklawn Avenue
<i>Phred's Drug</i>	1300 Oaklawn Avenue
<i>Park & Shop</i>	285 Park Avenue
<i>Blooming Mad</i>	1745 Broad Street
<i>Ruggieri Flooring</i>	1191 Pontiac Avenue
<i>Dyer Avenue Florist</i>	961 Dyer Avenue
<i>Dots LLC</i>	242 Garfield Avenue
<i>Scungio Classic Liquors</i>	1358 Plainfield Street
<i>Sweenor's Chocolates</i>	43 Hillside Road
<i>Pet Supplies Plus</i>	171 Sock. Cross Rds.
<i>Ruggieri's Market</i>	435 Atwood Avenue
<i>Another Liquor Store</i>	311 Warwick Avenue
<i>Country Curtains</i>	170 Hillside Road
<i>Edgewood Liquors</i>	1990 Broad Street
<i>Hallmark Creations #96</i>	63 Hillside Road
<i>Pea in the Pod</i>	14 Hillside Road
<i>Below Cost</i>	480 Atwood Avenue
<i>Up With Learning</i>	71 Hillside Road

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

HOLIDAY SALES LICENSE – RENEWALS (Cont.)

<i>Speedy Mart</i>	95 Warwick Avenue
<i>J. Jill LLC</i>	78 Hillside Road
<i>Color House</i>	1107 Reservoir Avenue
<i>Paul's Shell</i>	1036 Reservoir Avenue
<i>Oaklawn Music Studio</i>	1150 Oaklawn Avenue
<i>Milk N More</i>	1232 Park Avenue
<i>Stadium View Mart</i>	1103 Park Avenue
<i>LaFrontera</i>	1527 Broad Street
<i>Ocean State Concessions</i>	1282 Elmwood Avenue
<i>Cumberland Farms #1249</i>	921 Cranston Street
<i>Cumberland Farms# 1279</i>	659 Reservoir Avenue
<i>Bob Gasbarro's Oaklawn Discount Liquors</i>	985 Oaklawn Avenue
<i>Cohoes Fashions of Cranston</i>	156 Hillside Road
<i>Rossi's Tree Farm</i>	1936 Phenix Avenue
<i>Victoria's Secret</i>	51 Hillside Road
<i>Comstock Gardens</i>	1105 Scituate Avenue
<i>Benny's</i>	819 Park Avenue
<i>F.Bianco</i>	8 Midway Road
<i>Discount Liquor Shoppe</i>	1294 Park Avenue
<i>Twin Pine Farms</i>	1884 Phenix Avenue
<i>Bahras Market</i>	987 Oaklawn Avenue
<i>The Bahras Market</i>	1478 Park Avenue
<i>Doggie Do's Grooming Salon</i>	2190 Broad Street
<i>Kmart #9447</i>	296 Garfield Avenue
<i>Lumber Liquidators</i>	33 Freeway Drive
<i>Elamani Enterprises</i>	951 Pontiac Avenue
<i>Diamond Fuel</i>	1353 Park Avenue
<i>Jos A. Bank Clothiers Inc</i>	80 Hillside Road
<i>Oaklawn Mart</i>	644 Oaklawn Avenue
<i>Payless #4501</i>	1400 Oaklawn Avenue
<i>Payless #4691</i>	1784 Plainfield Pike
<i>Paul Riccio Hardware</i>	1444 Plainfield Street
<i>Eastern Mountain Sports</i>	176 Hillside Road
<i>Honey Dew Donuts</i>	1282 Elmwood Avenue
<i>Honey Dew Donuts</i>	630 Oaklawn Avenue
<i>Supercuts #9103</i>	230 Atwood Avenue
<i>Tolchinsky Furs</i>	73 Hillside Road
<i>Bread Unlimited d/b/a Crugnale</i>	Reservoir Avenue
<i>Confreda Greenhouses</i>	2150 Scituate Avenue
<i>REI</i>	22 Chapel View Blvd.
<i>AT & T New Cingular</i>	540 Reservoir Avenue
<i>Food Mart</i>	1200 Pontiac Avenue

On motion by Council Vice-President Livingston, seconded by Councilman Navarro, it was voted to approve these renewal applications as a block. Motion passed unanimously.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

SECONDHAND LICENSE – RENEWALS

<i>Sports Heroes</i>	661 Oaklawn Avenue
<i>Arlington Coin</i>	140 Gansett Avenue
<i>Village Art & Antiques</i>	2145 Broad Street
<i>Fifth Avenue Jewelers</i>	6 Rolfe Square
<i>Hollywood Video #039110</i>	173 Sock. Cross Roads
<i>Hollywood Video # 039101</i>	244 Atwood Avenue
<i>Broad Street Used Furniture</i>	164 Park Avenue
<i>Twice Told Tales</i>	2210 Broad Street
<i>The Time Capsule</i>	537 Pontiac Avenue
<i>Artists Exchange</i>	50 Rolfe Street

On motion by Council Vice-President Livingston, seconded by Councilman Pelletier, it was voted to approve these renewal applications as a block. Motion passed unanimously.

USED CAR LICENSE – RENEWALS

<i>D & M Motor Sales</i>	178 Phenix Avenue
<i>Auto mart Inc.</i>	1108 Park Avenue
<i>JD Byrider</i>	615 Reservoir Avenue
<i>Miracle Auto Sales</i>	580 Reservoir Avenue
<i>First Choice Auto Sales</i>	1586 Broad Street
<i>The Car Lot</i>	441 Dyer Avenue
<i>Rocket Auto Sales</i>	886 Cranston Street
<i>Tasca Automotive</i>	1300 Pontiac Avenue
<i>Russo's Auto Sales</i>	519 Dyer Avenue
<i>Hillside Auto Sales</i>	44 Gansett Avenue
<i>American Auto Sales</i>	448 Dyer Avenue
<i>Jay Motors</i>	420 Atwood Avenue
<i>Pavillion Auto Sales</i>	1211 Cranston Street
<i>Perry Bros. Auto Sales</i>	460 Atwood Avenue
<i>Josy's Auto Repair</i>	1640 Elmwood Avenue

On motion by Council Vice-President Livingston, seconded by Councilwoman Bergin-Andrews, it was voted to approve these license renewal applications as a block. Motion passed unanimously.

BILLIARD TABLES – RENEWAL

<i>Pawtuxet Athletic Club</i>	12 Aborn Street
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On motion by Council Vice-President Livingston, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

TRAILER CAMP LICENSE – RENEWAL

Connetta's Mobile Home Park

443 Dyer Avenue

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

ALL NIGHT LICENSE – RENEWAL

CVS #212

681 Reservoir Avenue

Dunkin Donuts

630 Reservoir Avenue

Atwood Xtra Mart

280 Atwood Avenue

Walmart

1776 Plainfield Pike

Legion Alley

661 Park Avenue

Cumberland Farms

659 Reservoir Avenue

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

PEDDLER'S LICENSE – RENEWAL

Palagi's Ice Cream

55 Bacon Street

Mike's Ice

P O BOX 844 E.G., RI

Andy's

48 Colonial Road

Del's

298 Park Avenue

GJ's Lemonade

43 Clyde St., WW, RI

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

HAWKER'S LICENSE – RENEWAL

Papa Pasquale

181 Arnold Avenue

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

FIREARM'S DEALER LICENSE – RENEWAL

Palombo Atwood Antiques

786 Atwood Avenue

Chairman Santamaria asked Major Blackmar if he had any concerns regarding this renewal but he did not.

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

ITINERANT FOOD VENDOR – RENEWAL

Del's

1260 Oaklawn Avenue

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

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL

Boston Market

185 Sock. Crs. Rds.

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

VICTUALLING LICENSE – RENEWAL (RATIFY THE ACTION)

Athenian Market & Deli

1242 Oaklawn Avenue

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

XII. RHODES ON THE PAWTUXET:

Schedule of Events for April and May

Actual Number of Attendees from January 2009

On motion by Councilman Pelletier, and seconded by Councilwoman Bergin-Andrews it was voted to approve the above list of events as a block. Motion passed unanimously.

The meeting adjourned at 7:40 P.M.

Respectfully submitted,

Kimberly O'Brien
Clerk