

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, November 2, 2009 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
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilman Emilio L. Navarro
Councilwoman Michelle Bergin-Andrews
Council President John E. Lanni, Jr.

Absent: Councilman Terence Livingston, Vice-President

Also Present: Gerald Cordy, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Captain Robert Carnevale, 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 Council President Lanni, seconded by Councilman Pelletier, 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 Café Latte regarding change of name

No action needed

IV. OLD BUSINESS:

ORDINANCES: (Cont. from 10/5/09)

7-09-6 Ordinance in amendment of Title 5.12 of the Code of the City of Cranston, 2005, entitled "Alcoholic Beverage Licenses" (Expansion of Service Grandfather Provision).

On motion by Council President Lanni, seconded by Council Member Bergin-Andrews, it was voted to continue this Ordinance as the Solicitor has some concerns with the wording. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

ORDINANCES: (Cont. from 10/5/09) (Cont.)

7-09-7 Ordinance in amendment of Title 5.64 of the Code of the City of Cranston, 2005, entitled "Business Licenses and Regulations" (Public Entertainment Grandfather Provision).

On motion by Council President Lanni, seconded by Council Member Bergin-Andrews, it was voted to continue this Ordinance as the solicitor has some concerns with the wording. Motion passed unanimously.

9-09-1 Ordinance of the City Council in Amendment of Title 10 Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Chester & Urbana).

No one appeared to speak in favor or to oppose.

On motion by Councilman Archetto, seconded by Councilman Pelletier, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

9-09-2 Ordinance of the City Council in Amendment of Title 10 Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Holland & Curry).

No one appeared to speak in favor or to oppose.

On motion by Council President Lanni, seconded by Councilman Pelletier, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

10-09-2 Ordinance of the City Council in Amendment of Title 10 of the Code of the City Of Cranston, 2005, Entitled "Motor Vehicles & Traffic(South Comstock & Moccasin Trail)

No one appeared to speak in favor or to oppose.

On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

10-9-3 Ordinance of the City Council in Amendment of Title 10 of the Code of the City Of Cranston, 2005, Entitled "Motor Vehicles & Traffic"(Glenham Road with Cohasset Lane)

No one appeared to speak in favor or to oppose.

On motion by Councilman Pelletier, seconded by Council Member Bergin-Andrews, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

IV. OLD BUSINESS: (Cont.)

ORDINANCES: (Cont. from 10/5/09) (Cont.)

10-9-4 Ordinance of the City Council in Amendment of Title 10 of the Code of the City Of Cranston, 2005, entitled "Fire Department" (False Fire Alarm Penalties)

No one appeared to speak in favor or to oppose.

On motion by Councilman Pelletier, seconded by Council Member Bergin-Andrews, it was voted to recommend approval of the above Ordinance. Motion passed unanimously.

FIREARMS DEALER LICENSE – (cont'd from 10/5/2009)

On Target Firearms

1 Gray Birch Drive

Michael Marcello

Councilman Pelletier stated that applicant called him this afternoon and stated that he still has not received his FFL License and asked for a one month continuance.

On motion by Councilman Navarro, seconded by Council Member Bergin-Andrews, it was voted to continue this item for one month. Motion passed unanimously.

El Tipico

16 Gansett Avenue

Jose Ruiz

Cont'd 4/6/09, 5/4/09, 6/1/09, 7/6, 8/3

Show Cause: Site Plan & Parking review for Entertainment license

Mark Gershkoff, Esq., appeared to represent the applicant and stated that his client is still pursuing alternative parking and asked that this matter be continued.

Jose Ruiz appeared to speak.

Council President Lanni stated that this has been on the agenda for five months. He suggested applicant apply for Site Plan Review and once this has been done, applicant can come back.

Attorney Gershkoff withdrew application.

V. PUBLIC HEARING:

CLASS A RETAIL ALCOHOLIC BEV.LIC. – RENEWAL

Wines & More of RI Inc.

125 Sockanstt Crsrds

MAB Liquors LTD. d/b/a Atwood Wine & Spirits

426 Atwood Avenue

D & M Liquors Inc. d/b/a Alpine Wine & Spirits

1 Starline Way

Libations Inc.

2206 Broad Street

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

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

CLASS AS ALCOHOLIC BEVERAGE LICENSE – RENEWAL

Joseph V. Tally Inc. 1150 Pontiac Avenue

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

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE –RENEWAL

CPAA Inc d/b/a Neo Pizza 2244 Plainfield Pike
Franco Bros Inc. d/b/a Nino’s Pizza 500 Atwood Avenue
Basil’s Pizza 1270 Cranston Street

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

CLASS B VICTUALLING ALCOHOLIC BEVERAGE LICENSE – RENEWAL

69 Point St LLC d/b/a Powers Pub 2190 Broad Street
Ronny’s Place 1540 Elmwood Av
Applebee’s Neighborhood Grill & Bar 24 Midway Road
King’s Garden 90 Rolfe Square
Nati Inc. d/b/a/ El Tipico 16 Gansett Avenue
Ardente’s Hospitality III Inc. 1785 Cranston Street
Basta Inc. 2195 Broad Street
Macera’s Italian Rest. 1500 Oaklawn Av
Spain III Inc. 1073 Reservoir Av
Frankly Pizza LLC d/b/a Boulevard Pizza 1031 Narrgnstt Blvd.
Fabrizi’s Fast Food Inc. 31 Gansett Avenue
La Cascade Rest. Inc d/b/a Panchos Margaritas 288 Atwood Avenue
The Frosted Mug Inc. 594 Reservoir Avenue
848 Park Avenue Associates 848 Park Avenue
AMF Bowling Centers Inc d/b/a Cranston Bowl 1450 Elmwood Av.
AMF Bowling Centers Inc d/b/a Lang’s 225 Niantic Avenue
Cranston House of Pizza 1791 Cranston Street
L’Osteria 1703 Cranston Street
Cinets Inc d/b/a Blue Moon 42 Phenix Avenue
Guayacan Lounge 349 Dyer Avenue
Starz Bar & Grill d/b/a Tributes 1458 Park Avenue
Chipotle Mexican Grille 83 Hillside Road

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

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

CLASS D CLUB ALCOHOLIC BEVERAGE LICENSE – RENEWAL

<i>Rhode Island Yacht Club</i>	One Ocean Avenue
<i>St. Mary's Feast Recreation Society</i>	15 Phenix Avenue
<i>RI Ceilhide Club</i>	50 America Street
<i>Columbian Realty Corp. d/b/a Knights of Columbus</i>	1047 Park Avenue
<i>Edgewood Yacht Club</i>	3 Shaw Avenue

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

TRANSFER OF LIQUOR LICENSE - NEW

FROM: CLASS B VICTUALLING ALCOHOLIC BEV. LICENSE-

La Cascade Inc. 288 Atwood Ave.
d/b/a Panchos Margaritas
Reina Taracena – 50 %
Marco Castellanos – 50%

TO: CLASS B VICTUALLING ALCOHOLIC BEVERAGE LICENSE –

La Cascade Inc 288 Atwood Ave.
d/b/a Panchos Margaritas
Marco Castellanos- 50 %
Haydee Franco – 50 %

No one appeared to speak in favor or to oppose.

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

SECONDHAND/USED CAR LICENSE – NEW

Action Autosport Sales & Collision 640 Atwood Avenue
Anthony Renzi

Anthony Renzi 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.

VI. **NEW LICENSE APPLICATIONS:**

VICTUALLING LICENSE – NEW

Fit World 30 Kenney Drive

Robert Murray, Esq., appeared to represent the applicant. No one appeared to oppose.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

VICTUALLING LICENSE – NEW (Ratify the Action)

Dunkin Donuts

283 Park Avenue

Dunkin Donuts

480 Pontiac Avenue

Dunkin Donuts

1288 Oaklawn Ave.

Steve Gabellieri

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

HOLIDAY SALES LICENSE – NEW

Wines & More of RI Inc.

125 Sockanosset Crossroads

No one appeared to speak in favor or to oppose.

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

Bath & Body Works

69 Hillside Rd.

A Female Representative from the establishment appeared to speak.

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

TOBACCO LICENSE – NEW

Wines & More of RI Inc.

125 Sockanosset Crossroads

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

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE HEARING:

CLASS BVICTUALLING ALCOHOLIC BEV. LIC. –

Suite Restaurant & Lounge

641 Atwood Avenue

Steven Abbate, President and owner, appeared to speak. He stated that he has operated a business at this location for thirteen years and capacity has never been over 100. He has never received anything in writing stating that capacity was changed and floor plans have never changed. City's Fire Marshall has capacity at 100. (Applicant presented Nov. 14, 2006 decision from the Fire Safety Code Board of Appeal & Review).

Chief Gumbley stated that capacity from his office is 106 with four employees for total of 110.

VIII. SHOW CAUSE HEARING: (Cont.)

CLASS BVICTUALLING ALCOHOLIC BEV. LIC. – (Cont.)

Suite Restaurant & Lounge

641 Atwood Avenue

Allan Fera of Suite Restaurant and Lounge, appeared to speak.

Chief Gumbley stated that the proper place for appeal is at the State level.

Mr. Abbate questioned why capacity has been changed after thirteen years, since floor plans are the same.

Chief Gumbley stated that his decision is based on RI State Fire Code. Based on history of this building, capacity was at 140 in 1986 and 95 in 1996.

Solicitor Kirshenbaum stated to Mr. Abbate that the decision from the Board of Appeals of November, 2007, he petitioned the Board to lower the capacity to 100, his capacity was 165.

Mr. Fera stated that when they became “Suite Restaurant and Lounge” before they had Entertainment, City Deputy Fire Marshall Storti set the capacity at 100 and the State Fire Marshall also set the capacity at 100 and so they continued with Entertainment. Chair asked Chief Gumbley to respond to this. Chief Gumbley stated that he is the final authority and has to determine the capacity.

Dennis Parrillo of Suite Restaurant and Lounge also appeared to speak and stated that the certificate on the wall of the restaurant states capacity at 100. They have a two-piece band on Thursday nights that play during dinner and there is no dance floor and they also do not advertise for Entertainment. The floor plans the Fire Department has on file for 641 Atwood Ave. for the past two years is completely wrong.

Chair stated that capacity stays at over 100 and if applicant continues to have Entertainment, they will have to apply for an Entertainment License.

IX. POLICE DEPARTMENT:

No business.

X. FIRE DEPARTMENT:

Chief Gumbley presented three applications:

- 1195 Oaklawn Ave.
- 1163 Cranston St.
- 167 Mill St.

Chief Gumbley stated that the Fire Department has no objections to the first two applications; the third application, the Fire Department is asking for a one-month continuance.

On motion by Councilman Navarro, seconded by Council President Lanni, it was voted to continue the application for 167 Mill St. motion passed unanimously.

XI. LICENSE RENEWAL APPLICATIONS:

VICTUALLING LICENSE – RENEWAL

Cranston Public Schools – all filed

Tim Hortons

Starbucks

Citizens Bank Café

Papa Gino's

D'Angelo's

Scramblers

Wai Wai House

Café International

Al-Mall Pizza

Brews Brothers Café

Thai Orchid

Walmart

Solitro's bakery

Calvitto's Bakery

Curly's

Vivaldi's Pizza

Great Harvest bread Company

The Inside Scoop

RI Pizza Company

Tim Hortons

Oddly Compatible

Weinorama

Tony's Pizza

Subway

Subway

Subway

Parkside Steak & Wings

Tomaselli's

T-Co Depot

Chen Garden

K- Mart

China Star

Great Wall

Friendly's

D & S Sandwiches d/b/a Subway

Subway

Pier Pizza Co.

Johnny Rockets

Mangia Mangia

Carmine's Sub Shop

Walt's Roast Beef

Freedom Seafood

Ronzio Pizza

Whole Foods Market

859 Park Ave.

1334 Park Ave

4 Midway Road

100 Sockanosset Crsr

624 Reservoir Avenue

875 Reservoir Avenue

1045 Reservoir Ave

1850 Broad Street

675 Oaklawn Avenue

41 Warwick Avenue

935 Park Avenue

800 Park Avenue

1776 Plainfield St.

1594 Cranston Street

1401 Park Avenue

208 Main Street

1826 Broad Street

228 Atwood Avenue

1105 Scituate Ave

1402 Plainfield Pike

2174 Plainfield Pike

2005 Broad Street

1009 Oaklawn Ave

548 Pontiac Ave.

1776 Plainfield Pike

2244 Plainfield St

475 Atwood Avenue

285 Park Avenue

693 Oaklawn Avenue

495 Phenix Avenue

995 Pontiac Avenue

296 Garfield Avenue

636 Reservoir Ave.

1480 Park Avenue

1177 Reservoir Ave.

626 Reservoir Avenue

690 Oaklawn Avenue

152 Gansett Ave.

2 Chapel View Blvd.

1606 Cranston Street

310 Atwood Avenue

680 Reservoir Avenue

840 Park Avenue

1461 Park Avenue

151 Sock Crsrds.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL (Cont.)

<i>Saint Paul's Church</i>	1 St. Paul Place
<i>Spike's Junkyard Dogs</i>	640 Reservoir Avenue
<i>Donut Bazaar</i>	823 Reservoir Ave.
<i>Stykes NY System</i>	1617 Elmwood Ave.
<i>Subway</i>	300 Park Avenue
<i>Café Bon Ami</i>	1082 Park Avenue
<i>McDonald's</i>	1099 Reservoir Ave.
<i>Steve's Pizza</i>	155 Park Avenue
<i>KFC</i>	822 Reservoir Avenue
<i>Michelangelo's</i>	995 Pontiac Avenue
<i>Stadium Fish & Chips</i>	1079 Park Avenue
<i>Ocean Pride Seafood of Cranston</i>	270 Atwood Avenue
<i>Del's</i>	1260 Oaklawn Ave.
<i>Rainbow Bakery</i>	800 Reservoir Avenue
<i>Honey Dew Donuts</i>	300 Atwood Avenue
<i>Pop's Place</i>	877 Dyer Avenue
<i>John's NY System</i>	827 Park Avenue
<i>Domino's Pizza</i>	1360 Park Avenue
<i>Calvitto's</i>	285 Park Avenue
<i>Miss Cranston Diner</i>	1224 Oaklawn Ave.
<i>Genji Sushi</i>	151 Sock. Crsrds.
<i>Oriental Taste</i>	2244 Plainfield Pike
<i>Moon House Restaurant</i>	741 Oaklawn Avenue
<i>Dunkin Donuts</i>	630 Reservoir Avenue
<i>Dunkin Donuts</i>	8 Chapel View Blvd.
<i>Dunkin Donuts</i>	1111 Park Avenue
<i>Dunkin Donuts</i>	189 Sock Crsrds.
<i>Coffee Plus (3 locations)</i>	600 New London Ave
<i>Quizno's</i>	763 Reservoir Ave.
<i>McDonald's</i>	Cranston Street
<i>China Fun</i>	1071 Park Avenue
<i>Edgewood Café</i>	1864 Broad Street
<i>Honey Dew Donuts</i>	548 Reservoir Avenue
<i>CPAA Inc d/b/a Neo Pizza</i>	2244 Plainfield Pike
<i>Franco Bros Inc. d/b/a Nino's Pizza</i>	500 Atwood Avenue
<i>Basil's Pizza</i>	1270 Cranston Street
<i>69 Point St LLC d/b/a Powers Pub</i>	2190 Broad Street
<i>Ronny's Place</i>	1540 Elmwood Ave.
<i>Applebee's Neighborhood Grill & Bar</i>	24 Midway Road
<i>King's Garden</i>	90 Rolfe Square
<i>Nati Inc. d/b/a/ El Tipico</i>	16 Gansett Avenue
<i>Ardente's Hospitality III Inc.</i>	1785 Cranston Street
<i>Basta Inc.</i>	2195 Broad Street
<i>Macera's Italian Rest.</i>	1500 Oaklawn Ave.
<i>Spain III Inc.</i>	1073 Reservoir Ave.
<i>Frankly Pizza LLC d/b/a Boulevard Pizza</i>	1031 Narragntt Blvd.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL (Cont.)

<i>Fabrizi's Fast Food Inc.</i>	31 Gansett Avenue
<i>La Cascade Rest. Inc d/b/a Panchos Margaritas</i>	288 Atwood Avenue
<i>The Frosted Mug Inc.</i>	594 Reservoir Avenue
<i>848 Park Avenue Associates</i>	848 Park Avenue
<i>AMF Bowling Centers Inc d/b/a Cranston Bowl</i>	1450 Elmwood Ave.
<i>AMF Bowling Centers Inc d/b/a Lang's</i>	225 Niantic Avenue
<i>Cranston House of Pizza</i>	1791 Cranston Street
<i>L'Osteria</i>	1703 Cranston Street
<i>Cinets Inc d/b/a Blue Moon</i>	42 Phenix Avenue
<i>Guayacan Lounge</i>	349 Dyer Avenue
<i>Starz Bar & Grill d/b/a Tributes</i>	83 Hillside Road
<i>George's Grill – 2 years</i>	716 Reservoir Avenue
<i>At The Waters Edge</i>	2190 Broad Street

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

19 – HOUR LIQUOR LICENSE – RENEWAL

<i>Temple Sinai- event 11/7</i>	30 Hagen Avenue
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On motion by Council Member Bergin-Andrews, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

AUTO REPAIR LICENSE – RENEWAL (Ratify the Action)

<i>Passport Auto Body</i>	85 Budlong Road
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On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

BAZAAR LICENSE – RENEWAL

<i>Annunciation Greek Church</i>	175 Oaklawn Ave.
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On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve this license renewal application. Motion passed unanimously.

AMUSEMENT MACHINE LICENSE – RENEWALS

<i>Lang's Lanes</i>	225 Niantic Avenue
<i>Cranston Bowl</i>	1450 Elmwood Ave.

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

XII. MONTHLY SCHEDULES

RHODES ON THE PAWTUXET:

Schedule of Events for December 2009

Actual Number of Attendees

On motion by Council President Lanni, seconded by Council Member Bergin-Andrews, it was voted to approve the above lists of events. Motion passed unanimously.

SHARX BAR & GRILLE /d/b/a GRILL 505

Schedule of Events for November and December 2009

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

The meeting adjourned at 7:45 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED NOVEMBER, 2009

SECONDHAND/USED CAR LICENSE

Action Autosport Sales & Collision
Anthony Renzi 640 Atwood Ave.

VICTUALLING LICENSE

Fit World 30 Kenney Dr.

Dunkin Donuts 283 Park Ave.

Dunkin Donuts 480 Pontiac Ave.

Dunkin Donuts 1288 Oaklawn Ave.

HOLIDAY SALES LICENSE

Wines & More of RI, Inc. 125 Sockanosset Crossroads

Bath & Body Works 69 Hillside Rd.

TOBACCO LICENSE

Wines & More of RI, Inc. 125 Sockanosset Crossroads