

## **SAFETY SERVICES & LICENSES COMMITTEE**

Regular meeting of the Safety Services and Licenses Committee was held on Monday, September 8, 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 Terence Livingston  
Councilman Emilio L. Navarro  
Councilman Jeffrey P. Barone  
Councilman Richard D. Santamaria, Jr.  
Council President Aram G. Garabedian

Also Present: Major Ronald Blackmar, Police Department  
Chief James Gumbley, Fire Department  
Officer Jeff Duclos  
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 Councilman Santamaria, 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:**

### **IV. OLD BUSINESS:**

**HAWKER LICENSE – NEW (Tabled 6/2/08, 7/7/08, 8/4/08– no one appeared)**  
*Del's Lemonade @2206 Broad St- (Cameron's)* 2206 Broad Street  
William Beeley

No one appeared.

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

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

**CLASS B VICTUALLING LICENSE (CONT'D FROM 8/4/08)**

*Park Theatre LLC*

848 Park Avenue

**John DiBona, Esq.**, appeared to represent the applicant and presented an updated schedule. He stated that one of the issues that caused a delay in the project was the balcony and arch. His client is hoping that if there are no more delays, the project should be completed by October. His client will try his best to abide by this schedule.

On motion by Councilman Barone, seconded by councilman Navarro, it was voted to continue this item for thirty days. Motion passed unanimously.

**AUTO REPAIR LICENSE**

*Chestnut Hill Truck* – Show Cause cont'd from 8/4/08

No one appeared.

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

*Russo's Auto* (Show Cause cont'd from 8/4/08)

for committee to take action – applicant has appeal in process with Fire Dept.

No one appeared.

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

*Corporate One Auto*- Show Cause cont'd from 8/4/08

**Gadi Mkrтчhian** appeared to speak and indicated that he has not re-opened since the Police Department closed him down.

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

**V. PUBLIC HEARING**

**ORDINANCES**

**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'd 7/6/08 and 8/4/08.

City Clerk stated that the Traffic Engineer has requested a continuance for additional time to complete his report due to some restrictions.

## V. PUBLIC HEARING (Cont.)

### ORDINANCES (Cont.)

**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’d 7/6/08 and 8/4/08.

**Councilman Barone** stated that there is an amendment to this Ordinance that he will be making. He is not sure the Traffic Engineer is aware of this amendment.

On motion by Councilman Barone, seconded by Councilman Livingston, it was voted to amend this Ordinance as follows: delete “southern side from Oaklawn Ave. to Roseview Dr.” and add “northern side from Oaklawn Ave. and Warman Ave.”

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

**Naomi Gentiel**, 218 Brayton Ave., appeared to speak in favor of this Ordinance and stated that there is a safety issue in this area. **Carlo Gentiel** also appeared to speak and stated that every time he backs out of his driveway, there is a safety of him getting hit by another vehicle.

**Cheryl Mesolella**, 205 Brayton Ave., owner of apartment in the area, appeared to speak and stated that this is a safety issue for her tenants. This has been ongoing for years. Council President Garabedian suggested getting the owner of the restaurant and the Traffic Engineer to meet with the Committee and try to address this issue and try to come up with a solution. Councilman Barone stated that there have been numerous violations and the Major can provide this proof. He would like to place “no parking” signs on both sides.

**Councilman Barone** stated that maybe there should be signs of “no parking” on both sides.

**Mary O’Rourke** area resident, appeared to speak and stated that this is a severe safety problem.

**Robert Murray, Esq.**, appeared to represent the restaurant, Campanella. He stated that a few moments ago, Councilman Barone mentioned adding “no parking” on both sides. The amendment he made did not do that.

**Councilman Barone** stated that after hearing the residents, instead of deleting the “southern side from Oaklawn Ave. to Roseview Dr.”, keep this in the Ordinance and add “northerly side from Oaklawn Ave. to Warman Ave.”

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to amend the amendment he made earlier to add “northerly side from Oaklawn Ave. easterly to Warman Ave. and northerly side from Oaklawn Ave. to Warman Ave.” Motion passed unanimously.

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

**ORDINANCES** (Cont.)

**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'd 7/6/08 and 8/4/08.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to continue this Ordinance to next month's meeting. Motion passed unanimously..

**Council Member Bucci** asked how many accidents there have been in the area when coming out of Wilbur Ave. and taking a right and then left into the parking lot of the restaurant. She would like this information for next month's meeting. Major Blackmar stated that he will provide this information at next month's meeting. He asked Council Member Bucci how far back she would like this report from. Council Member Bucci stated in the last three years.

**8-08-6 Will not be heard - Ordinance Withdrawn by Sponsor.**

Ordinance in amendment of Title 5 of the Code of the City of Cranston, 2005, entitled "Business Licenses and Regulations-Alcoholic Beverage Licenses" (Alcohol-BYOB Prohibited).

**Chair** stated that he, as the sponsor of this Ordinance, is withdrawing this Ordinance and no hearing will be held.

**8-08-7** Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Arthur St., Orchard St. and Hodsell St.).

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.

**8-08-8** Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Garden St., Hodsell St. and Arthur St.).

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.

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

**ORDINANCES (Cont.)**

**8-08-9** Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Salem Ave. and West View Ave.).

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to remove this Ordinance from the agenda and refer it to the Ordinance Committee, since there is no Traffic Report at this time. Motion passed unanimously.

**EXPANSION OF PREMISE – NEW**

***Sharx Bar & Grill***

505 Atwood Avenue

Mark Nemptzow

**Mark Nemptzow** appeared to speak. No one appeared to oppose.

**Councilman Santamaria** stated that he has received a telephone call from a constituent regarding an advertisement of a Club 505 at this establishment. He asked what this Club 505 is. Mr. Nemptzow stated that this is a banquet room. It is given this name as a marketing for private parties. This is not for a nightclub.

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

**TRANSFER OF CLASS BV ALCOHOLIC BEVERAGE LICENSE – NEW**

**From: *Debra Hall Ardente***

1785 Cranston Street

**Ardente's Bar & Grill**

**To: *Ardente's Hospitality III, Inc.***

1785 Cranston Street

**d/b/a Ardente's Bar & Grill**

**Debra Ardente, Bianca Ardente, Ciana Ardente**

**Debra Ardente** appeared to speak. No one appeared to oppose.

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

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

**TRANSFER OF CLASS BV ALCOHOLIC BEVERAGE LICENSE – NEW (Cont.)**

**From: 3 Guys Pizza Inc.** 1099 Park Avenue  
**d/b/a Feast or Famine**  
**Alexander Tomasso**

**To: *SBL. LLC*** 1099 Park Avenue  
**d/b/a Thai Lanna Restaurant**  
**Sophan Charoenying**

**Sophan Charoenying** appeared to speak. No one appeared to oppose.

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

**CLASS BV ALCOHOLIC BEVERAGE LICENSE – RENEWALS**

***Dean Nicholas Inc. d/b/a Campanella's*** 930 Oaklawn Ave.  
***Don's Restaurant*** 1106 Pontiac Ave.  
***Frankly Pizza LLC D/b/a Boulevard Pizza*** 1031 Narragansett Blvd.

No one appeared to oppose.

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

**AUTO REPAIR LICENSE – NEW**

***Corporate One Auto Sales*** 1769 Cranston Street  
**Gagik Mkrthcian**

This license application was continued.

***Ultra Auto Sales+ Service*** 1045 Cranston Street  
**Michael Hill**

No one appeared to speak in favor or to oppose.

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

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

**AUTO REPAIR LICENSE – NEW (Cont.)**

*Caravan Auto*

1185 Cranston Street

Ayad Jamous

**Ayad Jamous** appeared to speak.

**Chair** stated that he received an e-mail from Council Vice-President McFarland stating that residents are concerned of further expansion of this business in this location. This business has been cited for violation of restrictions in place. Mr. Jamous stated that he has a lease signed today with Stamas Auto and will move most of his vehicles to that location to comply with the restrictions. He also rented another lot across from the Hamilton Building on Cranston St. Councilman Santamaria questioned if Stamas's property can be used, per Zoning. City Clerk stated that the Site Plan on record does not show any other property but the Cranston St. Pavilion property. Applicant would need a Zoning Variance. Chair stated that there is overgrown greens and he asked that applicant take care of this. Mr. Jamous stated that he does not have more than 28 cars on his property at this time. He was not cited, he was only told that he was violating restrictions.

**Virginia Giacomini**, 17 Pavilion Ave., appeared to speak and stated that she would like to make sure that applicant will not be spray painting cars. She also stated that the overgrown greens do need to be taken care of.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to approve this license application with same restrictions on record. Motion passed unanimously.

**USED CAR LICENSE – NEW**

*Corporate One Auto Sales*

1769 Cranston Street

Gagik Mkrtchian

This license application was continued.

*Ultra Auto Sales + Service*

1045 Cranston Street

Michael Hill

No one appeared.

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

**VI. NEW LICENSE APPLICATIONS:**

**PUBLIC ENTERTAINMENT CLASS I LIC.**

*Sharx Bar & Grill*

505 Atwood Avenue

**Ratification** - Applicant appeared August 4, 2008

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

**PUBLIC ENTERTAINMENT CLASS II LIC.**

*Saint Mary's Church- event 9/12/-9/14/08*

1525 Cranston St.

**John Schino** appeared to speak.

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

**BINGO LICENSE- NEW**

*Saint Mary's Church- event 9/12/-9/14/08*

1525 Cranston St.

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

**VICTUALLING LICENSE – NEW**

*Top of the Hill Deli*

407 Laurel Hill Ave.

Sandra Maddalena

**Sandra Maddalena** appeared to speak.

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

**ITINERANT FOOD VENDOR LICENSE – NEW**

*Artists Exchange*

50 Rolfe Street

Cathy McGillvray

No one appeared to speak.

**Councilman Navarro** stated that the applicant was not able to attend this meeting, but he spoke on their behalf.

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

**VII. TRAFFIC ENGINEER:**

No business.



**VIII. POLICE DEPARTMENT:**

No business.

**IX. FIRE DEPARTMENT:**

**Chief Gumbley** presented two applications for storage tanks: 1) 40 Kenney Dr.  
2) 900 Phenix Ave.

**X. LICENSE RENEWAL APPLICATIONS:**

**SHOW CAUSE HEARING – TOBACCO RENEWAL**

*Pontiac Food Mart*

527 Pontiac Avenue

**Chair** indicated that the hearing on the following Tobacco License Renewals will be taken together. Councilman Barone asked that the Major make a presentation for all these license renewals and discuss them all together. No one objected.

**Major Blackmar** stated that over the month of July, the Police Department participated in the Statewide survey. His concern is we have fifteen licensed facilities that were caught selling tobacco to minors. We need to know how they are going to stop that and the Police Department would like to make this Committee aware of this.

**Chair** stated that the following businesses should be listed as Show Cause hearing on the agenda. Major Blackmar stated that this was part of a Statewide survey and this is just to make the business aware and put them on notice by giving them a warning and ask them what they will do to assure the Police Department and the Committee that this will not happen again. The plan is to place them on notice this evening.

**TOBACCO LICENSE -RENEWALS**

*Walgreen's #03491*

1763 Broad Street

*Walgreen's #02850*

1010 Park Avenue

**Renee Warner** of 1010 Park Ave. and **David Arena** of 1763 Broad St., appeared to speak. Ms. Warner stated that at her store, an employee did sell to a minor. She has put this employee on a fired warning and has implemented a program. She ordered signs of "We Card" to be placed throughout the store. Major Blackmar commended Walgreen's for their extra effort.

*Cranston Liquors*

1219 Cranston Street

**Ilesh Patel** appeared to speak. Chair asked what she will do to correct the action of selling to minors. Major Blackmar indicated that they were not cited, they were just part of the survey. Ms. Patel stated that her employees make judgment on who they card, if they look like a minor, they card them, depending on their height. Elias Patel, Co-Owner, appeared to speak and stated that he always takes all the necessary steps. There is no proof that his business sold to a minor and is not aware that this even happened.

**X. LICENSE RENEWAL APPLICATIONS: (Cont.)**

**TOBACCO LICENSE –RENEWALS (Cont.)**

*Another Liquor Store*

311 Warwick Avenue

**Paul Gagne**, owner, appeared to speak and stated that after viewing a surveillance tape, it was noticed that his son sold to a minor. This was unfortunate, but unintentional. His son does feel bad about it and apologized for this.

*Atwood Wine & Spirits*

453 Atwood Avenue

**David Bochner** appeared to speak and apologized for this infraction. He has a machine that electronically cards for alcohol, but was not aware it also works for tobacco and now they use it for tobacco also.

*American Performance Petroleum*

964 Cranston Street

**Joe Rouhana** appeared to speak and stated that he is aware that tobacco was sold to a minor. This occurred by accident and apologized.

*Paradise Mart*

742 Dyer Avenue

No one appeared.

*CVS Pharmacy #36*

675 Park Avenue

No one appeared. City Clerk stated that applicant notified her and asked for a continuance as the Manager is out of the Country.

*7-Eleven*

535 Reservoir Avenue

No one appeared.

*One Stop Shop*

880 Oaklawn Avenue

No one appeared.

*AAA Gas*

717 Park Avenue

**Bassam Naiefeh** appeared to speak and stated that this is the first time this occurred and has no explanation for it. He has spoken to all his employees about carding people.

*US Food Mart*

1200 Pontiac Avenue

No one appeared.

**X. LICENSE RENEWAL APPLICATIONS: (Cont.)**

**TOBACCO LICENSE –RENEWALS (Cont.)**

*Garden Shell*

1207 Pontiac Avenue

**Norman Leway** appeared to speak and stated that his company has a very active program and presented the Committee with a packet. He also stated that his company has a 45-minute CD and a test, which needs to be taken before the employee goes out in the field. He obtained the records from the Police Department and there were two employees involved in selling to the minor, one left before he or she could be terminated and the other person has been disciplined.

**Major Blackmar** stated that there are three other businesses who were notified: Sunoco at Pontiac Ave., Hess at Reservoir Ave. and Pontiac Getty

**Councilman Barone** stated that these are not listed on the agenda.

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to approve all the above-listed license renewal applications who are in compliance. Motion passed unanimously.

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to continue the ones who did not appear and place them on next month's agenda. Motion passed unanimously.

**CLASS F – 19 HOUR LIQUOR LICENSE – RENEWAL**

*St. Mary's Church*

1525 Cranston Street

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

**ITINERANT FOOD VENDOR'S LICENSE – RENEWAL**

*St. Mary's Church*

1525 Cranston Street

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

**SECONDHAND LICENSE – RENEWAL**

*The Artists Exchange*

50 Rolfe Street

This license renewal application was tabled.

**X. LICENSE RENEWAL APPLICATIONS: (Cont.)**

**AUTO REPAIR LICENSE – RENEWAL**

*Arlington Auto Body d/b/a Pavilion*

1211 Cranston Street

*Auto Probe Inc.*

1583 Elmwood Ave.

*Greg's Oaklawn Service Inc d/b/a Oaklawn Village-3yrs* 908 Oaklawn Avenue

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

**AMUSEMENT MACHINE LICENSE – RENEWAL**

*Legion Pub d/b/a Marshall's Pub*

661 Park Avenue

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

**VICTUALLING LICENSE – RENEWAL**

*Don's Restaurant*

1106 Pontiac Ave

*Boulevard Pizza*

1031 Narr. Blvd.

*Campanella's*

930 Oaklawn Ave.

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

**BINGO LICENSE – RENEWAL**

*Scituate Vista Association*

115 Scituate Vista Drive

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

**XI. RHODES ON THE PAWTUXET:**

**Schedule of Events for September and October 2008**

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

**Actual Number of Attendees from July 2008**

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

The meeting adjourned at 8:45P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees