

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, September 13, 2010 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 Richard D. Santamaria, Jr., Chair
Council Vice-President Terence Livingston, Vice-Chair
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilman Emilio L. Navarro
Councilwoman Michelle Bergin-Andrews
Council President John E. Lanni, Jr.

Also Present: Major John Schaffran, Police Department
Captain Steven Antonucci, Police Department
Captain Kevin Morris, Fire Department
Gerald Cordy, Deputy Director of Administration
Michael Glucksman, 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 Council Vice-President Livingston, seconded by Council President Lanni, it was voted to approve the minutes of the last meeting and they stand approved as recorded.

III. CORRESPONDENCE:

Letter from Miller's Crossings regarding Expansion of Premises

No action needed.

Letter from Suite Rest. & Lounge re: Change of name of Restaurant

No action needed.

IV. OLD BUSINESS:

FIRE DEPT.

AUTO REPAIR LICENSE – SHOW CAUSE (Cont'd 7/12/2010 and 8/2/2010)

Atlantic Autocenter

616 Atwood Avenue

Captain Morris appeared to speak and stated that Fire Alarm has gone to this location and they have done some work to the fire alarm system, but there are a few more items that need to be taken care of and asked for a continuance.

IV. OLD BUSINESS: (Cont.)

FIRE DEPT. (Cont.)

AUTO REPAIR LICENSE – SHOW CAUSE (Cont'd 7/12/2010 and 8/2/2010)

Atlantic Autocenter

616 Atwood Avenue

On motion by Councilman Navarro, seconded by Councilman Pelletier, it was voted to continue this item.

Under Discussion:

Chair asked that Captain Morris strongly advise the business owner to complete everything that needs to be done by next month, since this has been continued for three months.

Council President Lanni motioned that if this is not done by the next meeting, at the next meeting, the paint and body shop portion of this business will be closed down.

Councilwoman Bergin-Andrews seconded the motion. Motion passed unanimously.

HOLIDAY SALES LIC. – NEW (tabled 7/12/2010 and 8/2/2010 no show)

Oceanside Mart

No one appeared to speak in favor or to oppose.

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

PUBLIC ENTERTAINMENT – NEW (cont'd from 7/12/10 & 8/2/10) for Fire Dept. capacity

Suite Restaurant & Lounge

641 Atwood Avenue

Captain Morris appeared to speak and stated that an inspection was done at this location and the applicant has placed pool table, which has reduced capacity to 98.

Chair indicated that since the capacity is now at 98, an Entertainment License is not needed.

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

NEW LICENSE APPLICATIONS:

FIREARMS DELAER LICENSE – NEW (Cont. 8/2/2010)

Line of Sight

42 Glenwood Ave.

Richard Champagne, owner of property, appeared to speak in favor.

Councilman Pelletier stated that at the last meeting, the Committee had two issues with this license application: storing firearms at this location while in transit between sale of firearm and delivery; and also a Zoning issue.

Major Schaffran stated that at the last meeting, the Police Department had concerns of public safety regarding storing of firearms in a residential area and this has not changed.

IV. OLD BUSINESS: (Cont.)

NEW LICENSE APPLICATIONS: (Cont.)

FIREARMS DELAER LICENSE – NEW (Cont. 8/2/2010) (Cont.)

Line of Sight

42 Glenwood Ave.

Solicitor stated that the Zoning Certificate is restricted by the City Code Sections 17.60.010 and 17.24.010(E). If sales were done by Internet only, Zoning would not be a problem.

Council Vice-President Livingston asked if there are any other firearms dealers in Cranston not in a residential neighborhood. Major Schaffran stated that he believes there are, but he does not believe the firearms are stored at the location.

Councilwoman Bergin-Andrews asked applicant if he is planning to store the firearms at this location.

Rolando Rios appeared to speak and stated that he would have at the most, maybe three.

Councilman Pelletier asked Mr. Rios how he will comply with the Brady Law. Mr. Rios stated that a buyer would purchase the gun from him and the buyer would then have to find another license dealer that the firearm would be shipped to and that firearm dealer would blue card the buyer.

On motion by Councilman Pelletier, seconded by Councilman Navarro, it was voted to deny this license application based on recommendation of the Solicitor and the Major. Motion passed unanimously.

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARING:

**TRANSFER OF A/E CLASS A LIQUOR LICENSE – NEW
FROM: PJC OF CRANSTON INC.**

d/b/a Rite Aid #10250

1764 Broad Street

TO: MAXI DRUG SOUTH LLC

d/b/a Rite Aid #6595

1011 Cranston Street

Chris Gosmold appeared to speak. No one appeared to oppose.

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

VI. PUBLIC HEARING: (Cont.)

EXPANSION OF PREMISES LICENSE – NEW
Rhodes on the Pawtuxet

60 Rhodes Place

Chair indicated that applicant has requested a continuance.

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

SHOW CAUSE HEARING
All-Mall Mini Mart & Pizza
All-Mall Daily Mart

41 Warwick Ave.
1814 Broad Street

Lt. Antonucci appeared to speak and stated that the only issue that was raised with this establishment is opened late. He indicated that on August 8th, an Officer did a compliance check after 1:00 A.M. and they were people in the establishment and the Officer advised the owner that they needed to be out of the business by 2:00 A.M. Since this date, the Police have checked done follow-up checks and to his knowledge, there have been no issues as to closing time. As to the parking issue, there have been no additional issues that have come up.

Council Vice-President Livingston asked, prior to August 8th, have there been any other complaints from residents. Lt. Antonucci stated that there were some parking and minor issues as to congregating.

Captain Morris stated that he did a full compliance inspection, as requested by the Committee last month. There were a number of deficiencies that were found. The back room was the major problem. It did not have occupancy. Since then, he set the occupancy to 90. As far as that room, the Fire Department, that room cannot be occupied. Letter of deficiencies were sent out today.

Solicitor addressed the smoking room. There is no license for consumption of tobacco and that is the biggest problem.

Steve Nelson, Esq. of Alice Law Office, appeared to represent the applicant of Warwick Ave. location. He stated that he would like to conduct a thorough investigation and asked for a continuance.

Applicant, appeared to speak and asked if the back room can be opened to the public. Captain Morris stated that the back room cannot be used for public. It can only be used by the owner. These two are two different stores.

Council Vice-President Livingston asked which store is asking for a 24-hour license. Applicant stated, the Warwick Ave. store.

VI. PUBLIC HEARING: (Cont.)

SHOW CAUSE HEARING (Cont.)

All-Mall Mini Mart & Pizza

All-Mall Daily Mart

41 Warwick Ave.
1814 Broad Street

On motion by Council Vice-President Livingston, seconded by Councilman Pelletier, it was voted to continue this item for one month and the room not be used for public use and can only be used for personal purposes and no smoking allowed in the business. Motion passed unanimously.

Chair clarified that both businesses are continued.

John Cioce, 29 Warwick Ave., appeared to speak and stated that since the last meeting, things have improved. He is concerned about the use of the back room, because historically, it has been used for parties.

Raymond Tomasso, Esq., appeared to represent the applicant of the business on Broad St.

Steve McGilchrist, 200 Albert Ave., appeared to speak and stated that over the past few years, the property has diminished. Noise factor with the paraphernalia they sell, is not good. He is very concerned for his wife and children. He asked that the hours of operation be limited.

Camille Cataldo, 195 Albert Ave., appeared to speak and stated she has concerns with loud noise, fights and drug paraphernalia found near her property. This brings the wrong people to the neighborhood. There is no need for extended hours at this location.

Council Vice-President Livingston stated that the hours of operation, per the City Clerk, is to close at 10:00 P.M. He asked applicant if he is aware of this. Applicant of Broad St. store stated that he was not aware of this. City Clerk indicated to the applicant that when he filed his renewal application in March, he listed the hours of operation to be 6:00 A.M. to 10:00 P.M.

Attorney Tomasso questioned what the complaints regarding noise are and what types of noise they are. Lt. Antonucci stated that the latest robbery happened at almost midnight.

Council President Lanni stated that if applicant had complied with the hours listed on his renewal application, his business would not have been robbed and he probably would not have had all these complaints about noise.

CLASS A LIQUOR LICENSE – RENEWALS

JD Cork & Bottle Liquors

Heritage Liquors

Edgewood Wine & Spirits

Phred's Drug Inc.

Discount Liquor Shoppe of RI Inc.

Healey's Liquors

Atwood Wine & Spirits

526 Pontiac Avenue

529 Reservoir Ave.

1990 Broad Street

1300 Oaklawn Ave

1294 Park Avenue

995 Pontiac Avenue

426 Atwood Avenue

VI. PUBLIC HEARING: (Cont.)

CLASS A LIQUOR LICENSE – RENEWALS (Cont.)

<i>Libations Inc</i>	2206 Broad Street
<i>Morin’s Liquor Store</i>	1621 Elmwood Ave.
<i>Cranston Liquors</i>	1219 Cranston Street
<i>Rite Aid #10250</i>	1764 Broad Street
<i>Classic Liquors</i>	1358 Plainfield Street
<i>Bob Gasbarro’s Oaklawn Discount</i>	985 Oaklawn Avenue
<i>Metro Liquors and Spirits</i>	1075 Park Avenue
<i>Alpine Wine & Spirits</i>	1 Starline Way
<i>Another Liquor Store</i>	311 Warwick Ave.

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

CLASS B LIMITED LIQUOR LICENSE – RENEWAL

<i>Culinary Affair</i>	650 Oaklawn Avenue
<i>Hong Kong Buffet</i>	1776B Cranston St
<i>Tommy’s Pizza</i>	870 Oaklawn Avenue

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

CLASS B VICTUALLING LICENSE – RENEWAL

<i>China Dynasty</i>	400 Atwood Avenue
<i>Tony Papa’s Restaurant</i>	39 Phenix Avenue
<i>Haruki Japanese Rest.</i>	1210 Oaklawn Ave.

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

CLASS D CLUB LICENSE – RENEWAL

<i>Rhode Island Ceilhide Club</i>	50 America Street
<i>Pawtuxet Athletic Club</i>	12 Aborn Street
<i>Col. Realty Corp. of Cranston</i>	1047 Park Avenue
<i>Santa Maria DiPrata</i>	29 Walnut Grove Ave
<i>Circolo Maria Del Carmine</i>	326 Union Avenue
<i>Nelson Mack VFW #4651</i>	7 Haven Avenue
<i>Alpine Country Club</i>	251 Pippin Orchard
<i>Cranston Portuguese Club</i>	20 Second Avenue
<i>Laurel Hill Social Club</i>	49 Governor Street

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

VI. PUBLIC HEARING: (Cont.)

CLASS J LICENSE – RENEWAL
Rhodes on the Pawtuxet

60 Rhodes Place

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

VII. ORDINANCES

8-10-1 Ordinance in amendment of Title 10, Chapter 12 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Crescent Ave., Wessex St. and Appleton St.).

No one appeared to speak in favor or to oppose.

On motion by Councilwoman Bergin-Andrews, seconded by Councilman Archetto, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

8-10-2 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Crescent Ave., Appleton St., Wessex St., Harmon Ave., Lowell St. and Marlborough St.).

No one appeared to speak in favor or to oppose.

On motion by Councilwoman Bergin-Andrews, seconded by Councilman Archetto, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW
Boulevard Pizza
Ebru Arda

152 Gansett Avenue

No one appeared to speak in favor or to oppose.

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

Divas Diner
Marlene Macri

195 Niantic Avenue

Applicant withdrew application.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

Major Schaffran indicated that on August 23, 2010, at approximately 1:20 A.M., Officer doing detail noticed Guyacan Lounge on Gansett Ave., was open at that time. Upon entering the establishment, the Officer found music still being played. There were in excess of ten people sitting at the bar consuming alcohol. The Officer advised the owner that this was not acceptable that he was open. The owner told the Officer that he did not notice the time and apologized. The Officer advised the owner that he was going to notify this Committee of this.

On motion by Councilman Pelletier, seconded by Councilman Archetto, it was voted to issue a show cause hearing for this establishment. Motion passed unanimously.

XI. FIRE DEPARTMENT:

No business.

XII. LICENSE RENEWAL APPLICATIONS:

VICTUALLING LICENSE – RENEWAL

Minh Hai Restaurant

Corner Café

Culinary Affair

Hong Kong Buffet

Tommy's Pizza

China Dynasty

Tony Papa's Rest.

Haruki Japanese Rest.

Santa Maria DiPrata

Alpine Country Club

Cranston Portuguese Club

Rhodes on the Pawtuxet

1096 Park Avenue

432 Atwood Avenue

650 Oaklawn Avenue

1776 Cranston St.

870 Oaklawn Avenue

400 Atwood Avenue

39 Phenix Ave

1210 Oaklawn Ave.

29 Walnut Grove Ave

251 Pippin Orchard

20 Second Ave.

60 Rhodes Place

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

HAWKERS LICENSE – RENEWAL

New England Lemonade

174 Gansett Avenue

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

XII. LICENSE RENEWAL APPLICATIONS: (Cont.)

ALL NIGHT LICENSE – RENEWAL

<i>Stop & Shop</i>	200 Atwood Avenue
<i>Tim Hortons</i>	1334 Park Avenue
<i>Dunkin Donuts</i>	630 Reservoir Avenue
<i>Wal-mart Stores</i>	1776 Plainfield Pike
<i>Honey Dew Donuts</i>	548 Reservoir Avenue
<i>Tim Hortons</i>	1774 Plainfield Pike
<i>Atwood Ave Donuts Inc d/b/a Honey Dew</i>	300 Atwood Avenue
<i>Colbea Enterprises Garden Shell</i>	1207 Pontiac Ave.
<i>Legion Bowl</i>	661 Park Avenue
<i>Ocean State Mobil</i>	1282 Elmwood Ave.

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

PUBLIC ENTERTAINMENT LICENSE – RENEWAL

<i>Temple Torat Ysrael</i>	330 Park Avenue
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On motion by Councilman Pelletier, seconded by Council President Lanni, it was voted to approve the above-listed license renewal application. Motion passed unanimously.

AUTO REPAIR LICENSE – RENEWAL

<i>Dino's Service Center</i>	265 Station Street
<i>Toro Auto Sales</i>	391 Dyer Avenue
<i>Pontiac Service</i>	734 Pontiac Avenue

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

USED CAR LICENSE – RENEWAL

<i>Toro Auto Sales</i>	391 Dyer Avenue
<i>Russo's Auto</i>	519 Dyer Avenue

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

FIREARMS DEALER LICENSE – RENEWALS

<i>On Target Firearms Dealers</i>	1 Gray Birch Dr
<i>Premium Firearms Dealers</i>	1260 Oaklawn Ave

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

XII. LICENSE RENEWAL APPLICATIONS: (Cont.)

SEPTAGE HAULER – RENEWALS

See List

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

PUBLIC ENTERTAINMENT – CLASS II – RENEWAL

Artists Exchange

50 Rolfe Square

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

XIII. MONTHLY SCHEDULES

RHODES ON THE PAWTUXET:

Schedule of Events for October and November 2010

Actual Number of Attendees July and August 2010

On motion by Councilwoman Bergin-Andrews, seconded by Councilman Archetto, 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 September and October 2010

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

El Tipico Restaurant

Schedule of Events for August and September 2010

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

The meeting adjourned at 7:50 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

LICENSES APPROVED SEPTEMBER, 2010

TRANSFER OF CLASS A LIQUOR LICENSE – NEW

From: PJC of Cranston, Inc.
d/b/a Rite Aid #10250

1764 Broad St.

To: Maxi Drug South LLC
d/b/a Rite Aid #6595

1011 Cranston St.