

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Tuesday, September 8, 2009 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:35 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Terence Livingston, Vice-President
Councilman Paul H. Archetto
Councilman Robert J. Pelletier
Councilwoman Michelle Bergin-Andrews

Absent: Councilman Emilio L. Navarro

Also Present: Gerald Cordy, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Captain John Schaffran, Police Department
Chief James Gumbley, Fire Department
Pat Quinlan, City Council Legal Counsel
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 Pelletier, seconded by Council Member Bergin-Andrews, 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:

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

Chair stated that this item will be continued to the November meeting.

Powers Pub (contd. from 8/3/09) 2190 Broad Street
Jennifer Powers

Martha Holt, Esq., of Angell, Palmer & Dodge, appeared to represent the applicant and stated that her client was able to obtain a copy of L'Attitude's License and they never applied for an Expansion of Service, yet they continue to serve alcohol outside.

IV. OLD BUSINESS: (Cont.)

Powers Pub (contd. from 8/3/09) (Cont.)
Jennifer Powers

2190 Broad Street

Council Vice-President Livingston stated that when this Committee approved Powers Pub's license, in January, 2008, they never submitted a diagram or sketch of seating to be placed outside. It is his position, that this business is not grandfathered-in.

Attorney Holt presented a schematic and stated that it is her client's contention that it was filed with the initial application.

Council Vice-President Livingston stated that the drawing shows four tables and he does not think you could fit four tables outside of this business and it does not show when this drawing was filed.

City Clerk stated that after reviewing the file, to the best of her knowledge, she cannot ascertain whether this drawing was filed when the applicant applied for the license or later. The license was not issued until October.

Chair asked if the tables have been removed. Attorney Volpe stated that they have been removed from outside, based on last month's meeting.

Donald and Melissa Centracchio, 9 Druie Rd., Warwick, appeared to speak. Mr. Centracchio stated that his property abuts this business. It is a residential home and families live there and the sidewalk is extremely narrow.

Mrs. Centracchio stated that at past meetings, it was discussed that doors of this establishment should be closed to keep the noise out and to this date, the doors still remain open to all hours of the night.

Sharon Flanagan, 23 Aborn St., appeared to speak and stated that table outside are a hazard and music is a problem. People are taking chairs from inside to outside. This is a huge safety problem.

Attorney Holt stated that the show cause notice was just to address the outdoor seating issue. In reviewing the minutes of the meetings of this Committee, the noise issues were resolved in June. She indicated that the neighbors who live directly above this establishment have not complained about this business once.

Solicitor Kirshenbaum stated that after he and Mr. Quinlan spoke, he requests two to three weeks to provide an opinion to the Council.

On motion by Council Vice-President Livingston, seconded by Councilman Pelletier, it was voted to continue this item to the October meeting for a written decision from the Solicitor and Mr. Quinlan with same condition that tables not be placed outside until that opinion is given. Motion passed unanimously.

V. PUBLIC HEARING:

EXPANSION OF PREMISE – NEW

PJ'S PUB
Paul Voigt

1139 Pontiac Avenue

Robert Murray, Esq., appeared to represent the applicant.

Councilman Pelletier addressed the tent being set up and asked what will be done with the parking. Attorney Murray stated that there is additional parking to the rear of the establishment. From experience from last year, there should not be a problem, but Police will be present.

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 approve this license application. Motion passed unanimously.

CLASS B VICTUALLING LICENSE – NEW *OVER THE CAP FULL COUNCIL APPROVAL REQUIRED #BV 71

Chipotle Mexican Grill
M. Steven

83 Hillside Road

John Garrahy, Esq., appeared to represent the applicant.

Brad Twothee, Manager, appeared to speak. No one appeared to oppose.

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

Praise Tabernacle Church
Discussion of Community Concerns

251 Magnolia Street

Councilman Navarro had requested that this item be placed on the agenda to discuss the parking issues with this establishment.

Chair deferred to Captain Schaffran.

Captain Schaffran stated that he does not have any update on this issue this evening.

Arlene Jernquist appeared to speak. She stated that since the last Council meeting, parking is still an issue.

Chair asked if anyone is present from Praise Tabernacle Church. No one appeared to represent the Church.

Ms. Jernquist stated that the Church buses in homeless people, who wander the neighborhood.

V. PUBLIC HEARING: (Cont.)

**Praise Tabernacle Church (Cont.)
Discussion of Community Concerns**

251 Magnolia Street

Chair asked that the Police Department notify the Church that if they bring in visitors, they stay in the confines of the Church property and not wander the neighborhoods.

Councilman Navarro stated that he will patrol the area and asked that the Police Department do the same and maybe have a neighborhood meeting and invite the Church to attend.

Chair asked that this item be placed on next month's agenda.

Sharon DePetrillo, 237 Magnolia St., appeared to speak and stated that people have parked in her neighbor's driveway and the Police have driven by and not cited anyone.

ORDINANCES:

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).

Chair asked that this Ordinance be continued. No one objected.

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).

Chair asked that this Ordinance be continued. No one objected.

8-09-1 Ordinance in amendment of TITLE 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Chestnut Hill Ave. and Laurel Hill Ave.).

8-09-2 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (West Blue Ridge and Summit Dr.).

8-09-3 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Garland Ave. and Spenstone Rd.).

8-09-4 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Davis Ave. and Summer St.).

8-09-5 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (No Parking After 5:00 P.M.-Park Ave.).

V. PUBLIC HEARING: (Cont.)

8-09-6 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Cutting Ave. and Cranston St.).

Chair indicated that he has been notified by the Administration that Ordinances 8-09-1 thru 8-09-4 do not have a Traffic Engineer's Report.

On motion by Councilman Pelletier, seconded by Councilman Archetto, it was voted to continue Ordinances 8-09-1 thru 8-09-4. Motion passed unanimously.

On motion by Councilman Pelletier, seconded by Councilman Archetto, it was voted to recommend approval of Ordinances 8-09-5 and 8-09-6. Motion passed unanimously.

VI. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE – NEW

Chipotle Mexican Grill

83 Hillside Road

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

Small World Café

195 Niantic Ave

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

Pontiac Food Mart

527 Pontiac Avenue

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

PRIVATE DETECTIVE LICENSE – NEW

Alan J. Piccirilli

9 Williston Street

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

PUBLIC ENTERTAINMENT LICENSE –CLASS II

Holy Apostles Church – Event 9/25-9/27

800 Pippin Orchard Rd.

Manny Silva

John Faella appeared to speak. No one appeared to oppose.

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

VI. NEW LICENSE APPLICATIONS: (Cont.)

HAWKER LICENSE – NEW (Ratify the Action)

Accessorize Your Space

Jeffrey Mastrobuono

September 1-8, 2009

860 Reservoir Ave.

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

VII. TRAFFIC ENGINEER:

No business.

VIII. SHOW CAUSE HEARING:

No business.

IX. POLICE DEPARTMENT:

No business.

X. FIRE DEPARTMENT:

Chief Gumbley stated that the department has sent out three warning letters regarding the false alarm Ordinance, recently passed. These were for commercials.

XI. LICENSE RENEWAL APPLICATIONS:

TEMPORARY STRUCTURE – RENEWAL

St. Mary's feasts Society – sausage stand

For June – August and August – November

15 Phenix Ave

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

CLASS A RETAIL ALCOHOLIC BEV.LIC. – RENEWAL

KKSD Inc.

d/b/a Metro Liquors

1075 Park Avenue

C2tl Liquors, Inc.

d/b/a Capital Liquors

811 Park Avenue

Oaklawn Liquors Inc.

d/b/a Bob Gasbarro's Oaklawn Discount Liquors

985 Oaklawn Avenue

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

CLASS A RETAIL ALCOHOLIC BEV.LIC. – RENEWAL (Cont.)

Phred's Drug	1300 Oaklawn Ave.
Vipra Inc. d/b/a Morin's Liquor Store	1621 Elmwood Ave.
MAB Liquors d/b/a Atwood Wine & Spirits	453 Atwood Avenue
AUM Shakti Inc. d/b/a Cranston Liquors	1219 Cranston Street
PJS Liquors Inc, d/b/a Scungio Liquors	1358 Plainfield Pike
A & T Casali Liquors d/b/a A & T Casali Discount Liquors	1776B Cranston St.
JD Cork & Bottle Liquors Inc. d/b/a/ JD Cork & Bottle Liquors	526 Pontiac Avenue
Healey's Liquors	995 Pontiac Avenue
PJC of Cranston Inc d/b/a Rite Aid #10250	1764 Broad Street
Edgewood Liquors Inc.	1990 Broad Street
Heritage Liquors Inc.	529 Reservoir Avenue
Gagnier Associates d/b/a Another Liquor Store	311 Warwick Avenue
Discount Liquor Shoppe of RI Inc	1294 Park Avenue

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.

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE –RENEWAL

Tommy's Pizza II Inc. d/b/a Tommy's Pizza Too	870 Oaklawn Avenue
Comida Enterprises Inc. d/b/a Café Luna	22 Midway Road
Metro Enterprises LLC d/b/a Rim Nahm Thai Cuisine	2212 Broad Street

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE –RENEWAL (Cont.)

T's Inc. d/b/a T's Restaurant & Catering	1059 Park Avenue
Hong Kong Buffet	1776 Cranston Street
PJ'S PUB	1139 Pontiac Avenue
Yuang Hing Restaurant	1369 Park Avenue
Grill 505 LLC d/b/a Sharx Bar & Grill	505 Atwood Avenue
Big Cheese & Pub	606 Reservoir Avenue
Ocean Island Inc. d/b/a China Dynasty	400 Atwood Avenue
Antonio's Restaurant	1710 Cranston Street
Café Itri	1686 Cranston Street
CCC Inc. d/b/a/ Cranston Country Club	69 Burlingame Road
Avalon Inc.	1492 Park Avenue
Tony Papa's Restaurant	39 Phenix Avenue
Twin Oaks Inc. Ichiban Restaurant	100 Sabra Street 146 Gansett Avenue
Hot Tamale LLC d/b/a L'Attitude	2190 Broad Street
Efendi Mediterranean Grill	1255 Reservoir Ave.
99 West Inc.	1171 New London Av
Gemini Partners LLC d/b/a Mulligan's Island	1000 New London Ave.
Benedetti BG, LLC d/b/a Gilda's Italian Restaurant	355 Dyer Avenue
39 West Phenix Plaza Inc. d/b/a 39 West	39 Phenix Avenue

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE –RENEWAL (Cont.)

Michael-John Culinary Affair, Inc d/b/a Culinary Affair	650 Oaklawn Avenue
The Grind Inc.	1401 Park Avenue
Japanese Rest. Perry Inc. d/b/a Haruki Restaurant	1210 Oaklawn Ave
JH Investments LLC d/b/a Balls Sports Bar & Grill	1150 Oaklawn Ave
Kelly Gazzero VFW Post	1418 Plainfield Street
7 Letters Inc. d/b/a Billy's Frosted Mug	594 Reservoir Avenue
BBRG Rhode Island Rest. Inc. d/b/a Papa Razzi	One Papa Razzi Way
Nuevo Vallarta Inc. d/b/a El Tapatio	355 Atwood Avenue
Riviera Main Event & Pub LLC d/b/a Riviera Main Event & Pub	1612 Elmwood Ave
Dean Nicholas Inc d/b/a Campanella's	930 Oaklawn Avenue
Fitzpatricks Pub Inc.	1145 Park Avenue
Mendon Foods Corp. d/b/a Uncle Tony's Pizza & Pasta Rest.	1455 Oaklawn Ave
RI Shriners Holding Corp.	One Rhodes Place
Vesuvio Restaurant	1401 Park Avenue
Don's Restaurant	1106 Pontiac Avenue
Diamond Enterprises Inc. d/b/a Marchetti's Restaurant	1463 Park Avenue
Tabor Franchi Canti Inc d/b/a Tabor Franchi Post	170 Randall Street
Russ Liquor Associates Inc. d/b/a Knightsville Pub	1669 Cranston Street

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

CLASS B LIMITED ALCOHOLIC BEVERAGE LICENSE –RENEWAL (Cont.)

Millers Crossings	43 Bald Hill Road
Chelo's Inc	1275 Reservoir Ave
Legion Pub Inc	661 Park Avenue
Royal Buffet of Cranston	272 Garfield Avenue
Stefano's Inc d/b/a Nicole's Tuscany Grill	555 Atwood Avenue
Ted's Montana Grill	2 Chapel View Blvd
Texas Roadhouse	99 Garfield Avenue
Carol & Mario's Catering d/b a Mario's Risto Bar	20 Haven Avenue
JHR Nightclub Inc	1500 Oaklawn Ave.
Mc Shawn's Pub	1336 Cranston Street
Travco Inc d/b/a Meatball Mike's	1280 Cranston Street

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.

CLASS BT ALCOHOLIC BEVERAGE LICENSE – RENEWAL

Johnson & Wales University	1150 Narragansett Bl.
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On motion by Council Member Bergin-Andrews, seconded by Councilman Pelletier, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

CLASS J ALCOHOLIC BEVERAGE LICENSE – RENEWAL

Rhodes on the Pawtuxet Inc.	60 Rhodes Place
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On motion by Council Member Bergin-Andrews, seconded by Councilman Pelletier, it was voted to approve all the above-listed license renewal application. Motion passed unanimously.

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

CLASS E LICENSE – RENEWAL

PJC of Cranston Inc.
d/b/a Rite-Aid #10250

1764 Broad Street

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

CLASS D CLUB ALCOHOLIC BEVERAGE LICENSES – RENEWAL

Cranston Portuguese Club

20 Second Avenue

Alpine Country Club

251 Pippin Orchard Rd

Pawtuxet Athletic Club

12 Aborn Street

Mount Carmel Club

326 Union Avenue

Nelson Mack VFW #4651

7 Haven Avenue

Santa Maria DiPrata Society

29 Walnut Grove Ave

Laurel Hill Social Club

49 Governor Street

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.

BINGO LICENSE RENEWALS – SEE LIST

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

SEPTAGE HAULER LIST RENEWALS – SEE LIST

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

PUBLIC ENTERTAINMENT LICENSE – RENEWAL

Artists Exchange – event 9/20
Temple Torat Yisrael

50 Rolfe Square
330 Park Avenue

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

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

TEMPORARY STRUCTURE LICENSE – RENEWAL

Artists Exchange

50 Rolfe Square

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

PRIVATE DETECTIVE LICENSE – RENEWALS

Thomas Giorgio

780 Reservoir Ave.

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

Donald Cesseretti

109 Thunder Trail

Captain Schaffran stated that he does not have a copy of this application and could not do a BCI check and he suggested that this be continued to next month's meeting.

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

CARNIVAL LICENSE – RENEWAL

Holy Apostles Church – festival 9/25-9/27

800 Pippin Orchard Road

On motion by Councilman Pelletier, seconded by Council Member Bergin-Andrews, it was voted to approve this license renewal application. Motion passed unanimously.

CLASS F- 19 HOUR LIQUOR LICENSE – RENEWAL

Holy Apostles Church – festival 9/25/-9/27

800 Pippin Orchard Road

On motion by Councilman Pelletier, seconded by Council Member Bergin-Andrews, it was voted to approve this license renewal application. Motion passed unanimously.

Temple Torat Ysrael- event in October

330 Park Avenue

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

XI. LICENSE RENEWAL APPLICATIONS: (Cont.)

VICTUALLING LICENSE – RENEWAL

Holy Apostles Church

800 Pippin Orchard Road

On motion by Councilman Pelletier, seconded by Council Member Bergin-Andrews, it was voted to approve this license renewal application. Motion passed unanimously.

AUTO REPAIR LICENSE – RENEWAL

Knightsville Super Service

1487 Park Avenue

NE Detroit Diesel

1 So. Ind. Drive

Josy's Auto Repair

1640 Elmwood Ave.

Elmwood Sunoco

1054 Narr. Blvd

Oaklawn Village

908 Oaklawn Avenue

Rocket Auto Sales

886 Cranston Street

Gershkoff Enterprises

1085 Cranston Street

Elmwood Service

1647 Broad Street

Perry Bros. Auto

460 Atwood Avenue

Arlington Auto Body`

1211 Cranston Street

Cranston Automotive Services

519 Dyer Avenue

Jiffy Lube

1440 Park Avenue

First Choice Auto Sales

1586 Broad Street

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

ALL NIGHT LICENSE – RENWAL

Legion Alley

661 Park 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. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of Events for October 2009

Actual Number of Attendees July 2009

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

XII. MONTHLY SCHEDULES: (Cont.)

**SHARX BAR & GRILLE /d/b/a GRILL 505
Schedule of Events for**

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

MISCELLANEOUS BUSINESS:

Councilman Pelletier stated that over the weekend, he was contacted by Michael Marcello, who

The meeting adjourned at 7:30 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

**See Stenographer's Transcript attached*

LICENSES APPROVED SEPTEMBER, 2009

EXPANSION OF PREMISE LICENSE

PJ's Pub
Paul Voigt
1139 Pontiac Ave.

CLASS B VICTUALLING LICENSE

Chipotle Mexican Grill
M. Steven
83 Hillside Rd.

VICTUALLING LICENSE

Chipotle Mexican Grill
83 Hillside Rd.

Small World Café
195 Niantic Ave.

Pontiac Food Mart
527 Pontiac Ave.

PRIVATE DETECTIVE LICENSE

Alan J. Piccirilli
9 Williston St.

PUBLIC ENTERTAINMENT LICENSE – CLASS II

Holy Apostles Church (9/25 – 9/27)
Manny Silva
800 Pippin Orchard Rd.

HAWKERS LICENSE

Accessorize Your Space
Jeffrey Mastrobuono
September 1-8, 2009
860 Reservoir Ave.