

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

SAFETY SERVICES & LICENSES COMMITTEE

Regular meeting of the Safety Services and Licenses Committee was held on Monday, January 6, 2014 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER:

The meeting was called to order at 7:30 P.M. by the Chair.

Present: Councilman Richard D. Santamaria, Jr., Chair
Councilman Mario Aceto, Vice-Chair
Council Majority Leader Paul H. Archetto
Councilwoman Sarah Kales Lee
Council Minority Leader Michael W. Favicchio
Council Vice-President Michael J Farina
Council President John E. Lanni, Jr.

Also Present: Councilman Steven Stycos
Jeffrey Barone, Director of Constituent and Government Affairs
Major Robert Ryan, Police Department
Deputy Chief, Stephen MacIntosh, Fire Department
Evan Kirshenbaum, 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 Farina, seconded by Council President Lanni, 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 Sunshine Consignment* in regards to extension of Hours from 10 - 6 to 8AM- 8PM

Chair stated that he received a letter from Lori Carlino, a constituent who owns property adjacent to this business stating concerns and issues with the operation of this business. He asked that the Administration have the Inspections Department look at these issues and asked that this item be continued to next month's meeting.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to continue this item. Motion passed unanimously.

III. CORRESPONDENCE: (Cont.)

Letter from 5 Herb Pizza - extension of hours to 3AM

Chair stated that State Law prohibits Victualling License holders from staying open after 2:00 A.M.

Solicitor Kirshenbaum stated that State Law does in fact state that, and anything after 2:00 A.M., the Committee has discretion to approve an All-Night License.

On motion by Council President Lanni, seconded by Councilman Aceto, it was voted to deny this request. Motion passed unanimously.

IV. OLD BUSINESS:

**CLASS B VICTUALLING - Cont'd for General Assembly Decision
(Cont'd from 12/2/2013)**

The Elephant Room 2170 Broad Street

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to continue this license application to the March meeting. Motion passed unanimously.

**VICTUALLING LICENSE - NEW (Cont'd from 12/2/13 – No Show)
*Bader Market - hours 7:00 AM - 11:00 PM*** 120 East Street

No one appeared to speak.

This license application remains tabled.

**SHOW CAUSE HEARING REVIEW - (Cont'd from 12/2/2013 – for review)
*Guayacan Lounge*** 349 Dyer Ave.

Major Ryan appeared to speak and reported that from December 2nd to the present, there has been one incident that was reported on December 23rd at 1:30 A.M. This was based on a passing motorist. The Police responded and the establishment was in darkness.

Attorney for applicant appeared to represent the applicant and stated that his client closes by 1:00 A.M. and there was no incident that his client is aware of.

Council Minority Leader Favicchio asked applicant's attorney if his client feels more comfortable with Police detail present. Attorney stated that his client would feel comfortable having detail on Saturdays, but this is a financial burden, but if the Committee requires having the detail both days, his client would not object to it.

Major Ryan stated that he feels that the Police detail seemed to work and he would like Police detail remain in effect for both Fridays and Saturdays.

IV. OLD BUSINESS: (Cont.)

SHOW CAUSE HEARING REVIEW - (Cont'd from 12/2/2013 – for review)
Guayacan Lounge 349 Dyer Ave.

Council President Lanni stated that he agrees to have Police detail remain for Fridays and Saturdays for another month for another review.

Attorney stated that his client agreed to Police detail last month to see if there were any additional issues. Not having any incidents since then, he feels detail for Fridays and Saturdays is not necessary. This is a burden on his client. If the Committee wishes to have detail for Saturdays with a review in a month, his client would agree to that.

Chair questioned applicant's attorney if his client is not leaving himself open to something happening on Friday nights by having detail just on Saturdays.

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to continue having Police detail on Friday and Saturday evenings for the next month and review by the Committee next month. Motion passed unanimously.

EXPANSION OF PREMISE - NEW (Cont'd from 12/2/2013)
Café Itri 1686 Cranston St.

No one appeared.

This license application remains tabled.

V. MISCELLANEOUS BUSINESS:

None.

VI. PUBLIC HEARINGS (including Ordinances) :

TRANSFER OF CLASS BY LIQUOR LICENSE - NEW
FROM: Cranston Tavern, LLC 1106 Pontiac Ave.

TO: 1106 Pontiac, LLC 1106 Pontiac Ave.

Robert Murray, Esq., appeared to represent transferee and stated that the attorney for the transferor has been delayed because he is coming from out of State. Attorney Murray stated that if the Committee wishes to proceed with this, he is prepared to proceed.

No one appeared to oppose.

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

VI. PUBLIC HEARINGS (including Ordinances) : (Cont.)

CLASS BV LIQUOR LICENSE - RENEWAL

Cranston Tavern, LLC

1106 Pontiac Ave.

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

1106 Pontiac, LLC

1106 Pontiac Ave.

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

Minerva, Inc.

1460 Oaklawn Ave.

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

CLASS B V LIQUOR LIC - NEW - ABOVE THE CAP REQUIRES FULL COUNCIL

Fresco, TOO LLC a/k/a John Walrond

149 Comstock Parkway

Timothy Dodd, Esq., appeared to represent applicant.

John Walrond appeared to speak and stated hours of operation to be Mondays thru Sundays 4:00 P.M. to 1:00 A.M.

No one appeared to oppose.

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

ALL NIGHT LICENSE - NEW

Boulevard Pizza - extend hours to 4 AM

1027-1031 Narr Blvd.

Everett Brooks, Communications Director of Johnson & Wales University, appeared to oppose to this license application.

Chair asked how the Police Department feels about this application as far as enforcement. Major Ryan stated that the Police Department has concerns of late hours and the close location to Johnson & Wales University and the population of college students from Johnson & Wales University. He also stated that there have been incidents at this business including a drive by shooting on November 24, 2012 and another incident on October 21, 2011. He indicated that we will be asking for trouble if this is approved. This is a public safety concern.

Applicant appeared to speak.

On motion by Councilwoman Lee, seconded by Council Majority Leader, it was voted to deny this license application.

VI. PUBLIC HEARINGS (including Ordinances) : (Cont.)

ALL NIGHT LICENSE – NEW (Cont.)
Boulevard Pizza - extend hours to 4 AM

1027-1031 Narr Blvd.

Under Discussion:

Applicant stated that he just wants to make deliveries after 2:00 A.M. He will close his doors at 2:00 A.M.

Chair stated to the applicant that he will still be open.

Roll call was taken on motion to deny this license application and motion passed unanimously.

AUTO REPAIR LICENSE - NEW
Woodward Auto

8 + 9 Cutting Ave.

John Reis, Esq., appeared to represent the applicant. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve this license application.

Under Discussion:

Chair asked what the hours of operation will be. Applicant stated Mondays thru Fridays 8:00 A.M. to 5:00 P.M. and Saturdays 8:00 A.M. to Noon. Motion passed unanimously.

VII. ORDINANCES:

12-13-03 Ordinance in amendment of Title 5, Chapter 68 of the Code of the City of Cranston, 2005, entitled “Tobacco Dealers” (Cigar Sales Regulated). [\[click to view\]](#)

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to recommend approval of this Ordinance.

Under Discussion:

Discussion took place on whether increasing the fee per cigar would deter minors from purchasing the cigars.

Roll call was taken on motion to recommend approval of this Ordinance and motion failed on a voted of 3-4. The following being recorded as voting “aye”: Councilmen Santamaria, Aceto and Council President Lanni -3. The following being recorded as voting “nay”: Councilwoman Lee, Council Majority Leader Archetto, Council Minority Leader Favicchio and Council Vice-President Farina -4.

VIII. NEW LICENSE APPLICATIONS:

VICTUALLING LICENSE - NEW

Sweet Indulgence - hours 8:30 AM - 10PM

2202 Broad Street

Terry Smith appeared to speak and stated hours of operation to be 6:00 A.M. to 11:00 P.M. Mondays thru Sundays. No one appeared to oppose.

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

1106 Pontiac, LLC

1106 Pontiac Ave.

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

Fresco Too 4PM - 1AM

149 Comstock Pkwy.

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

Carina e Dolce, Specialty Cakes & Cookies - hours by appt only 1402 Plainfield St.

Applicant appeared to speak and stated hours of operation to be 9:00 A.M. to 5:00 P.M. Wednesdays thru Sundays and 9:00 A.M. to 7:00 P.M. Thursdays and Fridays. No one appeared to oppose.

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

L & V Food Market 7AM - 9PM

1382 Plainfield St.

Steven DeLuca, Esq., appeared to represent applicant and stated hours of operation to be 8:00 A.M. to 9:00 P.M. Mondays thru Saturdays and 8:30 A.M. to 7:00 P.M. Sundays. No one appeared to oppose.

On motion by Council Minority Leader Favicchio, seconded by Council Majority Leader Archetto, it was voted to approve this license application. Motion passed unanimously.

Pizza Hut - hours 11- 11PM

1112 Reservoir Ave.

No one appeared to speak.

On motion by Council Minority Leader Favicchio, seconded by Council President Lanni, it was voted to continue this license application. Motion passed unanimously.

VIII. NEW LICENSE APPLICATIONS: (Cont.)

TOBACCO LICENSE - NEW

Vapor Ronnie's
L & V Food Market

153 Park Ave.
1382 Plainfield St.

City Clerk indicated that the above two applications were placed on the agenda in error. Tobacco Licenses are issued administratively and do not need Committee approval.

No action taken.

ENTERTAINMENT LICENSE - NEW

The Frosted Mug

594 Reservoir Ave.

On motion by Council Minority Leader Favicchio, seconded by Council Majority Leader Archetto, it was voted to approve this license application. Motion passed unanimously.

Legion Pub Inc

661 Park Ave.

On motion by Council Minority Leader Favicchio, seconded by Council Majority Leader Archetto, it was voted to approve this license application. Motion passed unanimously.

HOLIDAY SALES LICENSE - NEW

LULU Lemons

30 Hillside Road

No one appeared to speak.

On motion by Council Minority Leader Favicchio, seconded by Council Majority Leader Archetto, it was voted to approve this license application. Motion passed unanimously.

IX. TRAFFIC ENGINEER:

No business.

X. POLICE DEPARTMENT:

No business.

XI. FIRE DEPARTMENT:

N G Babbas LLC - 2 gasoline tanks
Change of owner only

397 Dyer Ave.

On motion by Council Minority Leader Favicchio, seconded by Council President Lanni, it was voted to approve this application. Motion passed unanimously.

XII. LICENSE RENEWALS:

USED CAR LICENSE - RENEWAL (RATIFY THE ACTION)

Volare Motors 1003 Park Ave.

On motion by Councilwoman Lee, seconded by Council Minority Leader Favicchio, it was voted to approve this license renewal application. Motion passed unanimously.

VICTUALLING LICENSE - RENEWALS

<i>Edgewood Café</i>	1864 Broad St.
<i>Domino's Pizza</i>	1360 Park Ave.
<i>Panera Bread</i>	5 New London Ave.
<i>Pizza Hut</i>	1112 Reservoir Ave.
<i>AJ Seabra Supermarket</i>	550 Pontiac Ave.
<i>Cold Stone Creamery</i>	1000 Chapel View
<i>Brewed Awakenings</i>	1200 Pontiac Ave.
<i>Cupcakerie</i>	1860 Broad St.
<i>5 Herb Pizza</i>	500 Dyer Ave.
<i>Al-Mall Pizza</i>	41 Warwick Ave.
<i>Minerva, Inc.</i>	1460 Oaklawn Ave.
<i>Emmanuel's Bakery</i>	492 Dyer Ave.
<i>Subway</i>	40 Sockanoset Crsrd.
<i>Subway</i>	626 Reservoir Ave.
<i>Subway</i>	690 Oaklawn Ave.

On motion by Council President Lanni, seconded by Council Minority Leader Favicchio, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

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

ENTERTAINMENT LICENSE - RENEWAL

Chapel Grill 3000 Chapel View

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

AUTO REPAIR LICENSE - RENEWAL

Valvoline Instant Oil Change 520 Reservoir Ave.

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

EMPLOYMENT AGENCY LICENSE - RENEWAL

Kelly Services 95 Sockanoset Crsrd.

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

XIII. MONTHLY SCHEDULES:

RHODES ON THE PAWTUXET:

Schedule of events for January through April 2014 [[click to view](#)]

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to approve this list of events. Motion passed unanimously.

TIPICO RESTAURANT & LOUNGE

No list submitted

Chair questioned why there is not list submitted.

Deputy Chief MacIntosh stated that this establishment is closed.

PARK THEATRE

No list submitted

Chair asked Deputy Chief MacIntosh to contact this establishment and strongly urge them to comply with submitting monthly list of events. If there are no events for a certain month, they are to submit a notice indicating no events.

GUAYACAN LOUNGE:

No Scheduled events for December or January 2014

No action needed.

MISCELLANEOUS BUSINESS;

Al Mahmoud, owner of 5 Herb Pizza appeared to ask if he can stay open until 2:00 A.M., even though his request to be open later was denied.

Chair stated that State Law states that he can stay open until 2:00 A.M.

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, it was voted to amend the denial of the request made by the applicant from 3:00 A.M. to 2:00 A.M. Motion passed unanimously.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees