

*(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, November 4, 2019 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **I. CALL MEETING TO ORDER:**

The meeting was called to order at 6:00 P.M. by the Chair.

Present: Councilmember Steven A. Stycos  
Councilmember Edward J. Brady  
Councilmember Christopher G. Paplauskas, Chair  
Council Vice-President Michael W. Favicchio  
Council President Michael J Farina

Absent: Councilmember Lammis J. Vargas  
Councilmember Kenneth J. Hopkins, Ex-Officio

Also Present: Councilmember Paul J. McAuley  
Councilmember John P. Donegan  
Daniel Parrillo, Director of Administration  
John Verdecchia, Assistant City Solicitor  
Major Todd Patalano, Police Department  
Major Robert Quirk, Police Department  
Chief Stephen MacIntosh, Fire Department  
David Dimaio, City Council Budget Analyst  
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 Farina, seconded by Councilmember Brady, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved a recorded. Motion passed unanimously.

### **III. CORRESPONDENCE/REPORTS:**

**IV. OLD BUSINESS:**

**V. PUBLIC HEARINGS (Including Ordinances)**

**AUTO REPAIR LICENSE**

***Rolando Catalan d/b/a Stamas Auto & Truck Center***  
Rolando Catalan

1045 Cranston St.

**Lee Stamas and Rolando Catalan** appeared to speak.

**Mr. Catalan** stated that hours of operation will be Mondays thru Thursdays 8:30 – 7 p.m.; Fridays they will close at 6 p.m. and Saturdays they will close at 7 p.m.

No one appeared to oppose.

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

**EXTENDED HOURS OF OPERATION**

***7-Eleven, Inc. d/b/a 7-Eleven Store #33614L***  
Cynthia Brimmer-Manager

1394 Plainfield Ave.

**Cynthia Brimmer**, Manager, appeared to speak and stated that the hours will be 24/7. She also stated that this is a change in ownership.

No one appeared to oppose.

On motion by Councilmember Brady, seconded by Councilmember Paplauskas, it was voted to approve this license application. Motion passed on a vote of 4-1. The following being recorded as voting “aye”: Councilmembers Stycos, Brady, Paplauskas and Council Vice-President Favicchio -4. The following being recorded as voting “nay”: Council President Farina -1.

**CLASS A LIQUOR LICENSE-TRANSFER OF LOCATION**

***The Wine & Liquor Company, Inc. d/b/a The Wine & Liquor Company***  
Matthew Reay

1458-1500 Oaklawn Ave.

**Robert Murray, Esq.**, appeared to represent the applicant and stated that his client would like to relocate from 311 Warwick Ave. to this location. The Zoning Certificate was provided to the City Clerk approving the Zoning Use for this location for this type of business.

No one appeared to oppose.

On motion by Councilmember Brady, seconded by Council President Farina, it was voted to approve this license transfer application.

Under Discussion:

**Councilmember Brady** asked how long this building has been vacant. Attorney Murray stated that the building was the former Mardi Gras and it has been vacant approximately a year or so. He also

stated that the building in the front facing Oaklawn Ave. has month to month tenants including Macera's, who will be moving to Reservoir Ave. He also stated that there will be a lot of investment put into this property.

**Lucy Almborg**, 11 Jennie St., appeared to speak and stated that she is not opposed to this license application, but the neighbors have questions as to whether Catherine St. will remain Catherine St. or will they block it off and park there like Mardi Gras did. Attorney Murray stated that, right now, his client has no plans to develop back there, but it is a public street. He provided a map of the area.

**Ms. Almborg** stated that when Mustang Sally's was there, they took over the neighborhood. They were loud and it was messy back there. They parked all over the neighborhood.

**Councilmember Stycos** asked if there should be anything the Council should be concerned about when transferring a liquor license from one location to another. Solicitor stated that there are hardly any conditions attached to a transfer other than if there are any creditors that have to be paid, all fees have to be paid up to date.

Roll call was taken on motion to approve the above license transfer application and motion passed unanimously.

**CLASS BV LIQUOR LICENSE TRANSFER-NEW**

*From: Epic Lounge, LLC d/b/a Epic Lounge*

349 Dyer Ave.

*To: 401 Night Life, LLC. d/b/a PreGAME Lounge*

Hamlet Lopez and Jacqueline Blair

**Peter Petracca, Esq.**, appeared to represent the applicant and stated that present this evening are Hamlet Lopez and Jacqueline Blair. He also stated that the applicant are planning to keep this establishment as it is and looking to have food component and hours would be Wednesdays thru Sundays 6 pm to 1 am with a slow closing at 12:30. They will also have security with 2-3 security people in the building at all times.

No one appeared to speak in favor or to oppose.

Councilmember Brady motioned to approve this license transfer application for discussion. Council Vice-President Favicchio seconded the motion.

Under Discussion:

**Councilmember Brady** asked applicants to state their experience. Mr. Lopez stated that his brother had a club in Providence, which he managed for two years. Ms. Blair stated that she waitressed and bartended various clubs, such as Zona Lounge. Major Patalano stated that the protocol would be for applicant to submit security plan to the Police Department and they would make recommendation to the Safety Services and Licenses Committee. The Police Department has not seen any security plan.

**Council President Farina** stated that until we see some type of plan, he would ask for a continuance.

Councilmember Brady motioned to continue this license application. Council President Farina seconded the motion.

Under Discussion:

**Councilmember Donegan** asked that between now and the next meeting, the applicant think about closing earlier on Wednesdays since there are residents in the area.

**Councilmember Stycos** stated that they are not asking for anything different than what is already there at that location.

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

**USED CAR LICENSE**

***Rolando Catalan d/b/a Stamas Auto & Truck Center***  
Rolando Catalan

1045 Cranston St.

On motion by Council President Farina, seconded by Councilmember Brady, it was voted to approve this license application.

**10-19-05 Ordinance in amendment of Title 5, Chapter 68 of the Code of the City of Cranston, 2005, entitled "Tobacco Dealers" (Tobacco Dealers Revised 2019). Sponsored by Councilmembers Donegan and Stycos.**

**Isa Tejada**, Cranston Dean, appeared to speak along with Cranston students on behalf of the Cranston Public Schools and Substance Abuse in favor of this Ordinance. She stated that they are present this evening asking for the Council's support that we protect our future generations of Cranston.

**Jennifer Aldona**, Cranston student, appeared to speak in favor of this Ordinance and stated that the classroom environment is distracting when tobacco products are involved.

**David Madonna**, 62 Ausdale Rd., appeared to speak in favor of this Ordinance and stated that most of the vaping products are purchased from the internet. It is great that the students are present this evening, but those products are purchased through the internet and not from the local vaping stores. Most of the local stores do a great job in checking ID from the people. Retailers are not the problem. He cannot understand how kids can vape in the classroom.

**Ms. Tejada** stated that the main vaping problems are not in the classrooms, it is in the bathrooms. She also stated that they are in favor of raising the age to 21.

**Maria Antigua**, Cranston High School East student, appeared to speak and stated that vaping should not be allowed in the schools. If someone is vaping in the bathrooms, she cannot knock on the door and ask them to stop vaping because it would be violating their privacy.

**Rashid Lewis**, Cranston High School East student, appeared to speak and stated that he has seen students vaping in school.

**Resident of 171 Rachel Rd.**, appeared to speak and stated that passing this Ordinance would harm the economy in Cranston. We need to shift the burden elsewhere, possibly education.

**Neil Hytinem** of the RI Department of Health, appeared to speak and stated that this Ordinance alone will not fix the problem, but it is a start. He provided a letter from the RI Department of Health Director. Council President Farina asked for data report.

**Dayo Akianjiso**, 1356 Cranston St., appeared to speak and stated that lack of funding that is being provided for public health is one of the things that is causing this problem.

**Matt Bapa** appeared to speak and stated that more education is needed to address this issue.

**Kathleen Harrington** appeared to speak and stated that there is a lot of talk about education, but we should make it safe for the kids by raising the age to 21.

**Quli Jai**, owner of a convenience store in Cranston and in Providence, appeared to speak and stated that he does not see a difference in raising the age to 21. Educating the students will help.

**Ali Majed** appeared to speak and stated that he agrees to raising the age to 21. Parents are responsible not the small businesses.

**Jimmy Mayah**, owner of Gas N Go, 717 Park Ave., appeared to speak and stated that the retail stores have family and kids and mortgages to pay. You do not want to hurt the retail stores. Council Vice-President Favicchio asked Mr. Mayah how many of his customers are under 21. Mr. Mayah stated that most are over 21 and most smoke menthol.

**Bill Adil Alkh**, of Ocean State Job Lot, 341 Dyer Ave., appeared to speak and stated that 90% of the sales are cigarettes/menthol. As to kids smoking in schools, it is not the retail stores' issue, it is the parents' issue.

**Eli Nehme**, owner of a liquor store in Cranston, appeared to speak and stated that he thinks there should be more slack for flavors. He cannot afford to not sell tobacco products in his liquor store.

**Bobby Gasbarro** appeared to speak and stated that he sells cigarettes in his liquor store. He sells a lot of menthol cigarettes and if this is taken away, that would devastate his business and his employees. He is totally against it.

Councilmember Stycos motioned to recommend approval of this Ordinance. Council President Farina seconded the motion for discussion purposes.

Under Discussion:

**Council President Farina** stated that he is totally against cigarettes and is opposed to this Ordinance as it is written. He understands the idea raising the age to 21, however, when comparing Providence's Ordinance, it does not ban some flavored cigarettes.

**David Altieri** appeared to speak and stated that it is not just the menthol, but the menthol would kill the stores.

**Council President Farina** stated that he personally does not agree banning things. People should be able to make their own decisions. By us banning the product, people would go online and buy illegal products, which would hurt our local retail stores. He has no issue raising the age to 21. There are a few minority-owned stores in the audience who would be hurt by this.

**Councilmember Donegan** stated that in the Providence Ordinance, statistics show that it did help. This Ordinance does not ban any products. It exempts tobacco retail stores and vape shops.

**Council President Farina** stated that you are banning a product from convenience stores.

**Councilmember Donegan** stated that the intent of this is not to hurt anyone, but we are trying to protect people from a dangerous drug. This is a public health crisis.

**Council President Farina** stated that if this is a public health crisis, let's try to fix that. It is not restricting businesses.

**Council Vice-President Favicchio** stated that the problem in the schools is an enforcement issue. He does not think legislation will stop that. The way this Ordinance is written, he does not think we are protecting businesses as well as the kids. He would like to see some more statistics.

**Councilmember Stycos** stated that the way these flavored items are designed is to get kids hooked on tobacco. The goal of the manufacturers is to create lifetime smokers. This is causing insurance premiums to cost a lot, along with the illnesses. This is why it is important to target flavored tobacco products.

**Council President Farina** asked that the Solicitor address this issue.

**Solicitor** stated that regulating alcohol or tobacco is the function of the State and the local municipalities can only do what the State delegates to them. He would have to research the Providence Ordinance. He also stated that there had to be extenuating circumstances in them being able to pass such legislation. Raising the age limit is done by the State. The Town of Middletown, last year, passed such an Ordinance and it was challenged and the Judge's opinion was that they were not permitted to pass such an Ordinance and they did not have authority to pass such an Ordinance. Solicitor stated that in his opinion, this matter should be taken up at the State level. If this passed, it would cause the City some very serious legal problems if challenged and the challenger would prevail at the Court level. This really needs to be researched much much more and needs further study.

**Councilmember Brady** stated that it is important that we, as a Council, continue to debate this important topic. He thinks this conversation needs to be continued. He would like to speak to business owners that would be affected and students before he makes a decision.

On motion by Councilmember Brady, seconded by Councilmember Stycos, it was voted to continue this Ordinance for one month.

Under Discussion:

**Chair** stated that he will be voting "no" on the continuance. He thinks it is a State issue.

**Council President Farina** stated that he will also be voting "no" on the continuance as written.

**Councilmember Stycos** stated that he agrees to a continuance because we need more information and we need to hear from the Department of Health of legality or illegality of what is being proposed.

Roll call was taken on motion to continue this Ordinance for one month and motion failed on a vote of 2-3. The following being recorded as voting "aye": Councilmembers Stycos and Brady -2. The following being recorded as voting "nay": Councilmember Paplauskas, Council Vice-President Favicchio and Council President Farina -3.

Discussion took place on motion to recommend approval of this Ordinance.

**Councilmember Stycos** stated that if this Ordinance is withdrawn this evening in order for more research and redrafted, he asked for legal opinion if we would be in a better position to reconsider the issue. Solicitor stated that it would depend on whether or not the second Ordinance substantially mirrors the original one and if it is, procedurally, it would be out of order. If the second Ordinance is truly different than this one, maybe then it would be proper. It is very difficult to say without seeing it. If this Ordinance is withdrawn and if there was not vote, it would be a close call.

Motion and second to recommend approval of this Ordinance were withdrawn.

Council President Farina motioned to deny this Ordinance. Council Vice-President Favicchio seconded the motion for discussion purposes.

Under Discussion:

**Council Vice-President Favicchio** stated that since the motion to approve was withdrawn, he asked if another motion can be made. Solicitor stated that if the Ordinance is before the body, a motion would be in order.

Councilmember Donegan withdrew this Ordinance.

**VI. NEW LICENSE APPLICATIONS:**

**CLASS BV LIQUOR LICENSE**

**401 Night Life, LLC. d/b/a PreGAME Lounge**  
Hamlet Lopez and Jacqueline Blair

349 Dyer Ave.

On motion by Councilmember Brady, seconded by Council President Farina, it was voted to continue this license application to the December 2<sup>nd</sup> meeting. Motion passed unanimously.

**PRIVATE DETECTIVE LICENSE**

***Primo DePetrillo #503***

59 New Hampshire St.

**Primo DePetrillo** appeared to speak. No one appeared to oppose.

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

**PUBLIC ENTERTAINMENT LICENSE**

**401 Night Life, LLC. d/b/a PreGAME Lounge**  
Hamlet Lopez and Jacqueline Blair

349 Dyer Ave.

On motion by Councilmember Brady, seconded by Council President Farina, it was voted to continue this license application to the December 2<sup>nd</sup> meeting. Motion passed unanimously.

**SEPTAGE HAULER LICENSE-NEW**

***C&M LLC dba Alliance Restoration***  
Briana Grey

2158 Plainfield Pike

**Bill Deffley** appeared to speak. No one appeared to oppose.

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

**VICTUALLING LICENSE**

***7-Eleven, Inc. d/b/a 7-Eleven Store #33614L***

1394 Plainfield Ave.

Cynthia Brimmer-Manager

On motion by Councilmember Stycos, seconded by Councilmember Brady, it was voted to approve this license application. Motion passed unanimously.

***401 Night Life, LLC. d/b/a PreGAME Lounge***

349 Dyer Ave.

Hamlet Lopez and Jacqueline Blair

On motion by Councilmember Brady, seconded by Council President Farina, it was voted to continue this license application to the December 2<sup>nd</sup> meeting. Motion passed unanimously.

**VII. TRAFFIC ENGINEER:**

No business.

**VIII. SHOW CAUSE:**

**Florentino Auto Care, Inc.**

1769 Cranston St.

Auto Repair – violation of maximum of 11 vehicles on lot

**Chair** stated that applicant will not be present this evening due to a family emergency and he asked that the applicant be asked to attend the next meeting.

On motion by Council President Farina, seconded by Councilmember Brady, it was voted to continue this license application to the December meeting. Motion passed unanimously.

**P&C Auto-Prospero Castro**

298 Montgomery Ave.

Used Car & Auto Repair – violation of hours of operation & vehicle restrictions

**IX. POLICE DEPARTMENT:**

No business.

**X. FIRE DEPARTMENT:**

No business.



**XI. LICENSE RENEWALS:**

**BILLIARDS TABLE LICENSE**

*Legion Pub, Inc. d/b/a Pub on Park*

661 Park Ave.

**BOWLING ALLEY LICENSE**

*Legion Pub, Inc. d/b/a Pub on Park*

661 Park Ave.

**BUSINESS IN TEMPORARY STRUCTURE LICENSE**

*Color House*

1107 Reservoir Ave.

**CLASS F-1 19 HOUR LIQUOR LICENSE**

*Church of the Ascension Cranston (Ratify the Action)*

390 Pontiac Ave.

Event Date: November 2, 2019

**CLASS BV LIQUOR- RENEWAL**

*39 West Phenix Plaza, LLC. d/b/a 39 West*

39 Phenix Ave.

*Bossa LLC. d/b/a Cucina Rustica*

555 Atwood Ave.

*Buoni's LLC. d/b/a Xhale Hookah Lounge*

1375 Park Ave.

*Dani Dono Pizzeria d/b/a Catanzaro Pizzeria*

1283 Park Ave.

*Huy Hoang, LLC. d/b/a Pho Sai Gon & Bar*

1106 Pontiac Ave.

*JLC Restaurant LLC. d/b/a King's Garden*

90 Rolfe Square

*Legion Pub, Inc. d/b/a Pub on Park*

661 Park Ave.

*Macera's Italian Restaurant, Inc. d/b/a Macera's Italian Restaurant*

957 Reservoir Ave.

*Mulligan's Island LLC d/b/a Mulligan's Island Golf & Entertain.*

1000 New London Ave.

*Revival Foodworks & Brewery, LLC. d/b/a Revival Brewing*

505 Atwood Ave.

*Revolution Restaurant Consulting, LLC. d/b/a Revolution American Bistro*

2190 Broad St.

*Ted's Stadium Pub, LLC. d/b/a Ted's Stadium Pub*

1145 Park Ave.

**CLASS D LIQUOR- RENEWAL**

*Alpine Country Club, Inc. d/b/a Alpine Country Club*

251 Pippin Orchard Rd.

*Rhode Island Ceilidhe Club*

50 America St.

**EXPANSION OF PREMISE LICENSE**

*39 West Phenix Plaza, LLC. d/b/a 39 West*

39 Phenix Ave

**EXTENDED HOURS OF OPERATION LICENSE**

*Laundromax*

1025 Cranston St.

*Ocean State Mobil*

1282 Elmwood Ave.

**MASSAGE THERAPIST LICENSE**

*Therapeutic Impressions- Angela Perry-Place*

105 Sockanosset Cross Rd.

**PUBLIC ENTERTAINMENT LICENSE**

*39 West Phenix Plaza, LLC. d/b/a 39 West*

39 Phenix Ave

*Legion Pub, Inc. d/b/a Pub on Park*

661 Park Ave.

*Mulligan's Island LLC d/b/a Mulligan's Island Golf & Entertain.*

1000 New London Ave.

*Revival Foodworks & Brewery, LLC. d/b/a Revival Brewing*

505 Atwood Ave.

**Revolution Restaurant Consulting, LLC. d/b/a Revolution American Bistro** 2190 Broad St.  
**Ted's Stadium Pub, LLC. d/b/a Ted's Stadium Pub** 1145 Park Ave.

## **SEPTAGE HAULER LICENSE –RENEWALS**

### **VICTUALLING LICENSE-ONLY**

<b>Alanis Bistro</b>	74 Rolfe Sq.
<b>Al-Mall Daily Mart</b>	1814 Broad St.
<b>Al-Mall Mini Mart</b>	41 Warwick Ave.
<b>AlMall Pizza</b>	41 Warwick Ave.
<b>B.S. Management Inc. d/b/a Shore's Market</b>	435 Atwood Ave.
<b>Blaze Pizza</b>	2 Chapel View Blvd.
<b>Café International</b>	675 Oaklawn Ave.
<b>Dunkin Donuts</b>	235 Atwood Ave.
<b>Dyer Mart, Inc.</b>	500 Dyer Ave.
<b>Edgewood Café</b>	1864 Broad St.
<b>Immaculate Conception Church</b>	237 Garden Hills Dr.
<b>J&amp;K Subway, LLC.</b>	1776 Plainfield Pike
<b>J&amp;K Subway, LLC.</b>	2214 Plainfield Pike
<b>Mokhtar Kattan &amp; Khaled Kattan d/b/a Kattan Market</b>	644 Oaklawn Ave.
<b>New England Authentic Eats, LLC. d/b/a D'Angelo's</b>	875 Reservoir Ave.
<b>Poco Loco</b>	2005 Broad St.
<b>Sognalo Italian Deli &amp; Café</b>	1 Starline Way
<b>The Chocolate Boutique</b>	245 Phenix Ave.

### **VICTUALLING PLUS LIQUOR**

<b>39 West Phenix Plaza, LLC. d/b/a 39 West</b>	39 Phenix Ave
<b>Alpine Country Club, Inc. d/b/a Alpine Country Club</b>	251 Pippin Orchard Rd.
<b>Bossa LLC. d/b/a Cucina Rustica</b>	555 Atwood Ave.
<b>Buoni's LLC. d/b/a Xhale Hookah Lounge</b>	1375 Park Ave.
<b>Dani Dono Pizzeria d/b/a Catanzaro Pizzeria</b>	1283 Park Ave.
<b>Huy Hoang, LLC. d/b/a Pho Sai Gon &amp; Bar</b>	1106 Pontiac Ave.
<b>JLC Restaurant LLC. d/b/a King's Garden</b>	90 Rolfe Square
<b>Legion Pub, Inc. d/b/a Pub on Park</b>	661 Park Ave.
<b>Macera's Italian Restaurant</b>	1500 Oaklawn Ave.
<b>Mulligan's Island LLC d/b/a Mulligan's Island Golf &amp; Entertain.</b>	1000 New London Ave.
<b>Revival Foodworks &amp; Brewery, LLC. d/b/a Revival Brewing</b>	505 Atwood Ave.
<b>Revolution Restaurant Consulting, LLC. d/b/a Revolution American Bistro</b>	2190 Broad St.
<b>Ted's Stadium Pub, LLC. d/b/a Ted's Stadium Pub</b>	1145 Park Ave.

On motion by Councilmember Brady, seconded by Council President Farina, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

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

## **XII. MONTHLY SCHEDULES:**

***848 PARK THEATRE –LIST OF EVENTS FOR NOVEMBER (NO LIST PROVIDED)***

***LEGENDS PUB & GRUB – LIST OF EVENTS FOR NOVEMBER***

***RHODES ON THE PAWTUXET – LIST OF EVENTS FOR NOVEMBER***

**Chair** asked that the City Clerk reach out to Park Theatre to see why they are not providing a list of events. City Clerk stated that she sent an e-mail to them inquiring about this and has not received any response. Councilmember McAuley stated that he will contact them or stop in to speak to them.

The meeting adjourned at 8:10 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committee