

(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 8, 2024 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

I. CALL TO ORDER BY THE CHAIR:

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

II. ROLL CALL BY THE CLERK:

Present: Councilman Richard D. Campopiano
Councilwoman Aniece Germain (left meeting at 6:45 pm)
Councilman John P. Donegan
Councilman Christopher G. Paplauskas
Councilman Daniel Wall
Council Vice-President Lammis J. Vargas, Vice-Chair (appeared at 6:15 pm)
Councilman Robert J. Ferri, Chair
Council President Jessica M. Marino

Also Present: John Verdecchia, Assistant City Solicitor
Stephen Angell, City Council Legal Counsel (appeared via zoom)
David DiMaio, City Council Budget Analyst
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

III. APPROVAL OF MINUTES

A. Approval of the minutes of the December 4, 2023 Regular meeting.

On motion by Councilman Wall, seconded by Councilwoman Germain, it was voted to approve the minutes of the December 4, 2023 regular meeting and they stand approved as recorded. Motion passed unanimously.

B. Approval of the minutes of the December 7, 2023 Special meeting.

On motion by Councilman Wall, seconded by Councilwoman Germain, it was voted to approve the minutes of the December 7, 2023 special meeting and they stand approved as recorded. Motion passed unanimously.

IV. PUBLIC COMMENT

None.

V. COMMITTEE BUSINESS MATTERS CARRIED OVER

A. CLASS BV LIQUOR LICENSE – NEW

1. *The Spot Bar and Grill* located at 20 Rolfe Square (Attorney Thomas Hanley)
(Cont. from 9/11/23, 10/2/23, 11/6/23 & 12/4/23 SSM)
(Over the Cap; requires full Council approval)

Outstanding items required prior to issuance of license by City Clerk:

- Department of Health Final Inspection
- Food Safety Managers Certificate
- Certificate of Good Standing from RI Division of Taxation
- Alcohol Training Certificates for all staff
- Certificate of Liquor Liability Insurance

Chair stated that Attorney for the applicant has requested another month extension.

On motion by Councilman Wall, seconded by Councilman Campopiano, it was voted to continue the above license application to next month's meeting. Motion passed unanimously.

B. VICTUALLING LICENSE – NEW

1. *The Spot Bar and Grill* located at 20 Rolfe Square (Attorney Thomas Hanley)
(Cont. from 9/11/23, 10/2/2023, 11/6/23 & 12/4/23 SSM)

Outstanding items required prior to issuance of license by City Clerk:

- Department of Health Final Inspection

Chair stated that Attorney for the applicant has requested another month extension.

On motion by Councilman Wall, seconded by Councilman Campopiano, it was voted to continue the above license application to next month's meeting. Motion passed unanimously.

C. AUTO REPAIR LICENSE- NEW

1. *Al Mall Motors* located at 1300 Park Ave. (Youssef Al Mall) *(Cont. from 12/4/23 SSM)*

Outstanding items required prior to issuance of license by City Clerk:

- Site Plan *(Received)*

Ahmed Al Mall and Youssef Al Mall appeared to speak. No one appeared to oppose.

On motion by Councilman Donegan, seconded by Councilwoman Germain, it was voted to approve the above license application. Motion passed unanimously.

VI. PUBLIC HEARINGS

CLASS BV LIQUOR LICENSE – RENEWAL

401 Night Life, LLC d/b/a Pregame Lounge located at 349 Dyer Ave.

Solicitor stated that this is the same establishment which had its Entertainment License revoked approximately 1-1½ years ago and that revocation was upheld by the RI Supreme Court. This is a separate license and it appears that they have fulfilled what they needed in order to renew just the liquor license.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to approve the above license renewal application. Motion passed unanimously.

Crepe Corner, LLC d/b/a Crepe Corner located at 2170 Broad St.

No one appeared to represent the establishment.

Chair asked Solicitor what he recommends the Committee do this evening.

Solicitor stated that this is strictly a matter of discretion for the Committee. His feeling is it seems to him that they have had multiple opportunities to appear and they have not. At some point in time, there has to be a line drawn. It is strictly within the Committee's discretion. In his opinion, you would be justified in continuing it, you would be justified in denying it, you would be justified in granting it subject to those conditions, but it is up to the Committee on what it would like to do. At this point, the Committee could deny it, but if it would like to give them one more chance, it can certainly do that.

On motion by Council President Marino, seconded by Councilman Donegan, it was voted to continue the above license renewal application to next month's meeting. Motion passed unanimously.

The Frosted Mug, Inc. d/b/a Pub 594 located at 594 Reservoir Ave.

Anthony Reis, 251 Knollwood Ave., appeared to speak.

Chair asked Mr. Reis what the status is on the fee owed and the letter of good standing. Mr. Reis stated that he should have the letter of good standing in the morning and the fee, he usually pays when he picks up the license. Chair stated to Mr. Reis that he has noticed posts on social media announcing that he will be opening tomorrow. He asked Mr. Reis if he is aware that if he does not provide Certificate of Good Standing and pays the fee, he cannot open. Mr. Reis stated that he understands that.

On motion by Councilman Wall, seconded by Councilman Donegan, it was voted to approve the above license application subject to payment of fee and receipt of Certificate of Good Standing. Motion passed unanimously.

VII. NEW MATTERS BEFORE THE COMMITTEE

HOLIDAY SALES LICENSE-NEW

Macabu, LLC d/b/a Curvyfit Colombian Fajas located at 145 Warwick Ave Unit 3

Johan and Mayra Caceres appeared to speak and stated hours of operation to be 9-6.

No one appeared to oppose.

On motion by Councilwoman Germain, seconded by Councilman Donegan, it was voted to approve the above license application. Motion passed unanimously.

SEPTAGE HAULER LICENSE- NEW

Rosano Davis Sanitary Pumping (9 Rocky Lane, Cohasset, MA 02025)
-3 trucks; license plate #'s 46848, SM94757, V46847)

Christian Davis appeared to speak. No one appeared to oppose.

On motion by Councilman Campopiano, seconded by Councilman Paplauskas, it was voted to approve the above license application. Motion passed unanimously.

VIII. TRAFFIC ENGINEER

No Business.

IX. SHOW CAUSE HEARINGS (*Vote will be taken to open/close each show cause hearing*)

CLASS BV LIQUOR LICENSE – RENEWAL

1. *Asia Grille* located at 140 Hillside Rd. (*Cont. from 11/27/23 Special Meeting*)

Outstanding items required prior to issuance of license by City Clerk:

- *Alcohol Training Certificates for all staff*

No one appeared to represent the establishment.

Chair asked Solicitor if this should be continued or taken off the docket. Solicitor stated that it is up to the Committee. He noted to an email he received today from the City Clerk, which is a little confusing and it indicates that the establishment produced one training certificate for an employee in order to serve alcohol and would provide the rest of the training certificates the next day, which he has not, but she also notes that there is no way that one person could serve patrons all the hours that this establishment is open. That is a little ambiguous. They are not supposed to be serving alcohol at all.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to continue the above license renewal application to next month's meeting.

Under Discussion:

Solicitor stated that they have not been renewed and with no one being present, there is no one we can question on that. That is a little concerning. It is up to the Committee on how it wants to proceed.

Chair stated that he thinks we have given them ample chances to get this done. It has been two months and they have not done it yet. He thinks we need to put in a request to find out if they are serving liquor and if they are, we need to stop it. Solicitor stated that this becomes an enforcement issue and at this point, you could either send the Police there or have someone from perhaps Inspections verify whether or not alcohol is being served. What he would recommend is if they are observed serving alcohol, the Police or whoever, report back to the Committee or the Clerk's Office or to himself, stating that and at that point in time, as Solicitor, he would advise the Police Chief to send the Police there and close them down and then Show Cause them for violating for serving liquor without a license. If they are serving, the Police Chief has the authority, he believes it is under Title 5 of the Charter, that if in his opinion it constitutes a health emergency, we can immediately close the business down.

Council Vice-President Vargas asked, if we continue this to next month for a third time as a courtesy on our end and we do know they are operating without a license and anything was to happen, are we liable? Solicitor stated that potentially, yes, but we are now crossing the line into Executive Session in terms of liability. The short answer is if you have knowledge and you are allowing them to operate, that certainly opens the door.

Council Vice-President Vargas stated that if we were to send someone from the City and deliver a letter, could we do that? Solicitor stated, no, we do that, but for Cease and Desists. He makes sure we do that because he wants to make sure they get the notice so there are no excuses that they did not receive it. He pointed out that we do not have firm evidence that they are in fact serving alcohol. We do not know that. He just found the notation in the City Clerk's email a little ambiguous and a little confusing and it is concerning and it is an issue. He believes we have already notified the business and believes we sent them a Cease and Desist notice. He asked the Clerk to confirm that. Clerk stated that the last letter that was hand-delivered to them by the Police Department was on December 5th. They were summoned to appear before the Committee at a special meeting on December 7th. The letter stated that they are legally not authorized to sell alcohol as of that date.

Council President Marino stated that she understands the concern about if they are operating right now and serving liquor and they are not supposed to be, however, she can only speak to her knowledge and her knowledge is she does not know that they are in fact doing that. This is the first she is hearing this evening of the email sent from the Clerk to the Solicitor and the Chair of the Committee and she believes what was conveyed to the members of the Committee is that it is ambiguous and it is not directly saying that they are serving alcohol. If that is in fact the conclusion and no one has evidence that they are in fact serving alcohol, then we do not have the knowledge of that. Until that happens, we are acting reasonably, in her opinion, even with just a continuance.

Solicitor agreed and clarified his earlier remarks and stated that he thinks liability would not become an issue unless and until we did have knowledge and he has not heard any evidence that we do.

Roll call was taken on motion to continue the above license renewal application to next month's meeting and motion passed unanimously.

2. LA Baileys located at 1458 Park Ave. *(Cont. from 11/27/23 Special Meeting)*

Outstanding items required prior to issuance of license by City Clerk:

- License Fees
- Certificate of Good Standing from RI Division of Taxation

Laurie Keough appeared to speak and stated that she has someone who is willing to take over the business and will be transferring the license. She is just waiting for the letter of good standing from the State.

Chair questioned if the fee of \$2,000 is still owed. Ms. Keough stated, yes.

On motion by Councilman Donegan, seconded by Council Vice-President Vargas, it was voted to approve the above license renewal application pending payment of fee and receipt of certificate of good standing. Motion passed unanimously.

Ms. Keough stated that as to the Victualling License, she applied for and paid for it and obviously could not open. She asked if she could get a refund of the \$250 for the Victualling License. Clerk stated that the Victualling License was issued and applicant has been able to serve food if she chose to without the liquor.

3. La Bandera Bistro located at 407 Laurel Hill Ave.

(Cont. from 11/27/23 Special Meeting)

Outstanding items required prior to issuance of license by City Clerk:

- Certificate of Good Standing from RI Division of Taxation

No one appeared to represent the establishment.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to continue the above license renewal application to next month's meeting. Motion passed unanimously.

4. Touch Me Lounge located at 961 Dyer Ave.

(Cont. from 11/27/23 Special Meeting)

Outstanding items required prior to issuance of license by City Clerk:

- Certificate of Liability Insurance *(Received and license issued 12/29/23)*

No action needed.

X. POLICE DEPARTMENT

No business.

XI. FIRE DEPARTMENT

No Business.

XII. LICENSE RENEWALS BEFORE THE COMMITTEE

EXTENDED HOURS LICENSE- RENEWAL

*Colbea Enterprises, LLC d/b/a Garden Shell located at 1207 Pontiac Ave.
Sellia Group, LLC d/b/a McDonald's located at 923 Cranston St.*

On motion by Councilman Donegan, seconded by Councilman Paplauskas, it was voted to take all the above-listed license renewal applications as a block. Motion passed unanimously.

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

MASSAGE THERAPIST LICENSE- RENEWAL

*Healing Elements located at 105 Sockanosset Crossroad, Suite 314
KML Therapy located at 150 Midway Rd.*

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to take all the above-listed license renewal applications as a block. Motion passed unanimously.

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to approve all the above-listed license renewal applications as a block. Motion passed unanimously.

PUBLIC ENTERTAINMENT- RENEWAL

401 Night Life, LLC d/b/a Pregame Lounge located at 349 Dyer Ave

On motion by Councilman Donegan, seconded by Council President Marino, it was voted to deny the above license renewal application. Motion passed unanimously.

Ellaham Restaurant located at 91 Rolfe Sq.

On motion by Councilman Donegan, seconded by Council President Marino, it was voted to approve the above license renewal application. Motion passed unanimously.

SEPTAGE HAULER LICENSE RENEWALS

Waste Water Services (1997 Bedford St., Bridgewater, MA 02324)

-2 trucks; license plate #'s 87122 & 32743

On motion by Councilman Donegan, seconded by Council Vice-President Vargas, it was voted to approve the above license renewal application. Motion passed unanimously.

VICTUALLING LICENSE- RENEWAL

401 Night Life, LLC d/b/a Pregame Lounge located at 349 Dyer Ave

Café International located at 675 Oaklawn Ave.

Chennai Express Indian Cuisine located at 745 Reservoir Ave.

Ellaham Restaurant located at 91 Rolfe Sq.

Garden City Nutrition located at 125 Sockanosset Crossroad.

Howley Bread Group d/b/a Panera Bread located at 4000 Chapel View Unit 150

Minh Hai Restaurant located at 1096 Park Ave.

Sellia Group, LLC d/b/a McDonald's located at 923 Cranston St.

Sufi, Inc. d/b/a Sufi Express located at 717 Park Ave.

The Protein Parlor located at 330 Atwood Ave.

XIII. MONTHLY SCHEDULES (*Votes will be taken to enter lists of events in to record*)

A. RHODES ON THE PAWTUXET

On motion by Councilman Donegan, seconded by Councilman Wall, it was voted to accept the list of events into the record. Motion passed unanimously.

B. HISTORIC PARK THEATRE

No schedule received as of 1/04/2024

C. CRANSTON STADIUM

No schedule received as of 1/04/2024

XIV. LICENSES ISSUED ADMINISTRATIVELY (*For informational purposes; no votes to be taken*)

None.

XV. COMMUNICATIONS (*No votes to be taken*) (*Informational Purposes Only*)

None.

XVI. PRESENTATIONS

None.

XVII. ADJOURNMENT

The meeting adjourned at 6:55 p.m.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees