



Johnston Town Council

1385 Hartford Avenue, Johnston, RI

Town Council Minutes	January 8, 2018	Johnston Municipal Court Building
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Council President Anthony A. Verardo called the meeting to order at 7:00 PM. at the Johnston Municipal Court Building located at 1600 Atwood Avenue, Johnston, RI 02919
Town Sergeant Stephen Mallane led with the Pledge of Allegiance

Please note: pursuant to *Rule 3 Section E* of the Town Council Rules, adopted by Resolution 2017-4, the Council shall adjourn at 10:30 p.m. and any unfinished business shall be carried to the fourth Monday of the month or to a date agreed upon by the Council.

Roll Call

- District 1 – Councilman Richard J. DeFino III**
- District 2 – Council President Anthony A. Verardo**
- District 3 – Council Vice President David J. Santilli**
- District 4 – Councilman Robert V. Russo**
- District 5 – Councilman Robert J. Civetti**

All Councilmembers were present

Also present were: William J. Conley, Jr., Esq., Vincent P. Baccari, Jr. and Donna Dumont, stenographer

Council President Verardo noted that the Council held an executive session before the regular meeting and that a vote was taken and unanimously passed

Award & Recognition Ceremonies-

Citation-in Recognition of Sydney DeCesare becoming Salve Regina’s Cross Country Rookie of the Year

Councilman DeFino recognized Sydney DeCesare and presented her with a Citation from the Council

Status on Public Hearings -

2017-CP-190

Petition for a change to the Zone Map of the Town of Johnston
Petitioner: Atwood Holding
Location: Assessor’s Plat 44, Lot 120- 1222 Atwood Avenue
Current Zone: R-15
Requesting to change to B-1 Zone
Pending Planning Board Advisory Opinion

Ordinances to be Read-

Ordinance 2018-1 An Ordinance amending Chapter 192 of the Town of Johnston Code of Ordinances entitled “Hotel Motel and Rooming House Registrants. Said Ordinance adds “Room Sellers” to the chapter

Councilman Russo made a motion that Ordinance 2018-1 had been read
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

Ordinance 2018-2 An Ordinance adding Chapter 265 of the Town of Johnston Code of Ordinances entitled “Residential Unit Offered for Tourist or Transient Use. Said Ordinance sets provisions for room rentals

Councilman Civetti made a motion that Ordinance 2018-2 had been read
The motion was seconded by Councilman Russo
Motion carried; Vote 5-0

Ordinance 2018-3 An Ordinance amending Chapter 340-4 of the Town of Johnston Code of Ordinances entitled “Definitions and Word Usage”. Said Ordinance adds a definition for “Room Reseller”

Councilman Russo made a motion to refer Ordinance 2018-3 to the Planning Board for an advisory opinion
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

Ordinance 2018-4 An Ordinance adding subsection 220-73.2 to the Town of Johnston Code of Ordinances entitled “Tow Away Zones”. Said Ordinance designates Manuel Avenue between poles 1 and 3 as a Tow-Away Zone

Councilman Russo made a motion that Ordinance 2018-4 had been read
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

Licenses

**2018-CP-1 Joyfull Bliss Yoga, LLC / Location: 1395 Atwood Avenue, Suite 202
Business Operating License- Change of Location
Yoga Studio, Classes**

Christina Geruso present
Councilman Russo made a motion to grant 2018-CP-1
The motion was seconded by Councilman Civetti
Motion carried; Vote 5-0

**2018-CP-2 MR3, LLC d/b/a Union Fence / Location: 1340 Hartford Avenue
Business Operating License-
Fence Company Sub-Contractor**

Michael Rizzo, Jr present
Councilman Russo made a motion to grant 2018-CP-2
The motion was seconded by Councilman DelFino
Motion carried; Vote 5-0

2018-CP-3

**New Tobacco Licenses:
Plainfield Pike Mobil- 1897 Plainfield Pike
Fuel n Go- 2701 Hartford Avenue
Plainfield Pike Gulf- 1889 Plainfield Pike
Art Jim Smoke shop- 1465 Atwood Avenue
Road Runners Food Mart- 2862 Hartford Avenue**

Councilman DelFino made a motion to grant 2018-CP-3
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

2018-CP-9

**Transitional Movement / Location: 49 Roger Williams Drive
Business Operating License-
One on one personal training**

Tyler Mello present
Councilman Civetti made a motion to grant 2018-CP-9
The motion was seconded by Councilman Russo
Motion carried; Vote 5-0

2018-CP-10

**Scruffy Paws Animal Rescue / Location: 21 Macera Farm Road
Business Operating License- Phone Calls Only
Animal Rescue-Phone Calls Only**

Stephanie Pinto present
Councilman DelFino made a motion to grant 2018-CP-10
The motion was seconded by Councilman Russo
Motion carried; Vote 5-0

Liquor Licensing Commission-

None

Constituent Requests-

District 1:

Councilman DelFino requested to have speed enforcement performed on Morgan Avenue and have the speed trailer placed near 315 Morgan Avenue

District 3:

None

District 4:

None

District 5:

None

District 2:

None

Unfinished Business-

Resolution 2017-41

**Resolution for the acceptance by the Town of a private road known as Santa Circle located on Assessor's Plat 57, Lot 85
Continued from October 10, 2017 pending the road improvements being brought to Town standards**

New Business-

Resolution 2018-1 **A Resolution awarding a bid for meeting agenda assembly and meeting minutes hosting services**

Councilman Civetti made a motion to adopt Resolution 2018-1

The motion was seconded by Councilman Russo

Roll call vote:

District 1: Aye

District 3: Aye

District 4: Aye

District 5: Aye

District 2: Aye

Motion carried; Vote 5-0

Abatements

2018-TO-1 **Tax Assessor Abatements – January, 2018**

Councilman Russo made a motion to grant 2018-TO-1

The motion was seconded by Councilman DelFino

Motion carried; Vote 5-0

Public Hearings for Ordinances-

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer

October 10, Regular Meeting, Special Meeting & Executive Session

Councilman Civetti made a motion to accept the transcripts and to place them on file

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

Minutes prepared by the Town Clerk:

December 11, 2017 Regular Meeting

Councilman Civetti made a motion to accept the minutes and to place them on file

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

Claims-

2018-CP-4 **Claim from Jonathan Teixeira for damage caused by a sewer backup**

2018-CP-5 **Claim from Attorney Clare Jabour, esq. on behalf of Carol Laflamme for personal injuries**

2018-CP-6 **Claim from Attorney Robert A. D’Alfonso, III on behalf of Erin DeAraujo for personal injuries**

2018-CP-7 **Claim from Evan Thompson regarding fee for a variance**

Councilman Russo made a motion to refer 2018-CP-4, 2018-CP-5, 2018-CP-6 & 2018-CP-7 to the Solicitor

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

Requests to be heard-

Please note: pursuant to Resolution 2017-4 of the Johnston Town Council, any person requesting to address the Council shall be heard for a maximum of 3 minutes. This will be strictly enforced. Pursuant to RI Open Meetings act, Councilmembers may not engage in discussion or comment, including dialog, questions and opinions on matters not properly noticed to the public. The Council may not take any action on matters appearing in the request to be heard portion of the agenda.

Show Cause Hearing

2018-CP-8 Show Cause Hearing- SMM New England Corporation d/b/a SIMS Metal Management

Location: 14-15 Green Earth Avenue

Solicitor Conley requested that the notice that was sent to the business be made a part of the record

Councilman Civetti made a motion to make the notice sent to SIMS Metal Management a part of the record(Attached hereto as “Exhibit 1”

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

Councilman DeFino made a motion to make a letter from Cindy Davignon a part of the record(Attached hereto as “Exhibit 2”)

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

The Building Official, Bernard Nascenzi spoke about the issues at the business

The Council President invited anyone to come forward that would like to speak

Valerie Jackavone: spoke about concerns of explosions and the condition of her home’s foundation

Joseph Lembo: spoke about concerns of odors and noise

Tony Pacito: spoke about concerns of explosions and the resale value of his home

Attorney’s Joshua Celeste and Christian Jenner represented SIMS and spoke about the issues and discussed some action plan steps

Steven Parrillo: spoke about concerns of explosions and the resale value of his home

Alfred Russo: spoke about concerns of air pollution

Stephanie Pinto: spoke about concerns of explosions shaking her home causing damage and air quality concerns

Councilman DeFino made a motion to place the following stipulations on the business license:

- No Explosions at the facility
- Hours of operation for the shredder and heavy equipment shall be from 9 am to 4 pm Monday through Friday
- Air quality and acoustical engineers are to be hired by the Town at the expense of the business and the business must abide by the findings of the hired engineers
- The business must hire additional inspectors
- The noise wall must be repaired
- All truck loads to the facility must remain covered until entering the facility
- The matter will be placed on the Town Council’s February 12, 2018 agenda for a status update

The motion was seconded by Councilman Santilli

Roll call vote:

District 1: Aye

District 3: Aye

District 4: Aye

District 5: Aye

District 2: Aye

Motion carried; Vote 5-0

Adjournment

Councilman Russo made motion to adjourn

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

The meeting adjourned at 8:58 p.m.

Attest:

**Vincent P. Baccari, Jr.,
Town Clerk**