



Johnston Town Council

1385 Hartford Avenue, Johnston, RI

Town Council Minutes	February 12, 2018	Johnston Municipal Court Building
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Council President Anthony A. Verardo called the meeting to order at 7:06 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

Invocation

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. DelFino 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

Award & Recognition Ceremonies-

Status on Public Hearings -

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”**
Pending Planning Board Advisory Opinion

Solicitor Conley requested that the public hearings at the end of this agenda for Ordinances 2018-1 & 2018-2 be deferred to be held with Ordinance 2018-3 when the advisory opinion is received

Ordinances to be Read-

Ordinance 2018-5 **An Ordinance amending section 279-6-J of the Town of Johnston Code of Ordinances entitled “Building sewers and permit requirements” Said Ordinance amends the guidelines for sewer connections**

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

Licenses

2018-CP-12

**Dedar Transport / Location: 7 Calef Street
Business Operating License- Phone Calls Only
Transport**

Applicant not present

Councilman Russo made a motion to continue 2018-CP-12 to the March meeting

The motion was seconded by Councilman DelFino

Motion carried; Vote 5-0

2018-CP-13

**Peter Mollo Fitness / Location: 1340 Hartford Avenue
Business Operating License-
Holiday Sales
Personal Training Studio**

Peter Mollo present

Councilman Santilli made a motion to grant 2018-CP-13

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-14

**BLB, Inc d/b/a Lincoln Pest & Property Solutions / Location: 225
Putnam Pike
Business Operating License-
Holiday Sales-
Pest Control**

Applicant not present

Councilman Russo made a motion to continue 2018-CP-14 to the March meeting

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

2018-CP-15

**Rosario's Multiservices, LLC d/b/a Rosario's Multiservices / Location: 71
Steuben St, Providence
Business Operating License- Phone Calls Only
Snow plowing for the Town of Johnston**

Evaristo Rosario present

Councilman Santilli made a motion to grant 2018-CP-15

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-16

**Sengduang, LLC d/b/a Bangkok Restaurant & Lounge / Location: 1369
Hartford Avenue
Restaurant License-
Holiday Sales-
Full service restaurant**

Sengkham Duangpanya present

Councilman Santilli made a motion to grant 2018-CP-16

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-18 **Christine McIntyre-Hannon d/b/a Hannon Art Works / Location: 880
Greenville Avenue
Business Operating License- Phone Calls Only
Art Instructor**

Christine McIntyre-Hannon present
Councilman Russo made a motion to grant 2018-CP-18
The motion was seconded by Councilman Civetti
Motion carried; Vote 5-0

2018-CP-19 **McKinnon / Location: 281 Morgan Avenue
Business Operating License- Phone Calls Only
Snow Removal**

Christine McKinnon present
Councilman Santilli made a motion to grant 2018-CP-19
The motion was seconded by Councilman DelFino
Motion carried; Vote 5-0

2018-CP-20 **All American Leather, Inc. / Location: 27 Mill St, #2
Business Operating License-
Packing Product-Motorcycle Accessories**

Margaret Davison present
Councilman DelFino made a motion to grant 2018-CP-20
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

2018-CP-21 **New Tobacco Licenses:
S&S Market d/b/a Shop n Go- 237 Greenville Ave
EKSII Corp d/b/a Johnston Petroil- 1401 Plainfield Pike
Coliseum Sports Bar & Grille- 23 Greenville Ave**

Councilman Russo made a motion to grant 2018-CP-21
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

2018-CP-36 **The Vape Parlor / Location: 1417 Atwood Avenue, Unit #4
Business Operating License-
Holiday Sales-
Electronic Smoking Devices**

Applicant not present
Councilman Russo made a motion to continue 2018-CP-36 to the March meeting
The motion was seconded by Councilman DelFino
Motion carried; Vote 5-0

Liquor Licensing Commission-

Councilman Russo made a motion to sit as the Johnston Liquor Licensing Commission
The motion was seconded by Council President Verardo
Motion carried; Vote 5-0

2018-L-1 **Sengduang, LLC d/b/a Bangkok Restaurant & Lounge / Location: 1369 Hartford Avenue**
Class BV Full Liquor License-
Full service restaurant- Thai Cuisine

Sengkham Duangpanya present
Councilman Santilli made a motion to grant 2018-L-1
The motion was seconded by Councilman Civetti
Motion carried; Vote 5-0

Councilman Russo made a motion to sit back as the Johnston Town Council
The motion was seconded by Councilman Santilli
Motion carried; Vote 5-0

Constituent Requests-

District 1:

Councilman DeFino requested to have a letter sent to the Pawtuxet River Authority requesting to host another annual river cleanup

District 3:

Councilman Santilli requested to have street signs installed on Manuel Avenue and Cononcha Trail
Councilman Santilli also requested to have a storm drain repaired at 14 Birchtree Drive

District 4:

Councilman Russo requested that the Public Works Director look into the snow plowing at the top of Milton Avenue for complaints of the plows not plowing far enough at the top of the road

District 5:

Councilman Civetti requested:
Have pot holes filled in on Brown Avenue
Have a drainage issue repaired at the intersection of Golini Drive and Greenville Avenue
Have Roger Road repaired
Requested to have “Slow-Children” signs installed in the area of 80-96 Belfield Drive
Requested to have an abandoned house in the vicinity of 85 Belfield Drive investigated
Requested to investigate drainage issues on Roger Williams Drive

District 2:

Council President Verardo thanked Councilman Civetti for all of his work with the Town’s annual audit

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-**2018-CP-22 Appointment to the Johnston Housing Authority to fill the vacancy created by the resignation of Deborah Fellela**

Councilman Russo made a motion to appoint James McHale to the Johnston Housing Authority
The motion was seconded by Council President Verardo
Motion carried: Vote 3-2 with Councilmen Santilli and DelFino voting against the motion

2018-CP-37 Re-appointment of Joseph Rotella to the Johnston Housing Authority

Councilman Russo made a motion to reappoint Joseph Rotella to the Johnston Housing Authority
The motion was seconded by Council President Verardo
Motion carried: Vote 5-0
Short discussion ensued

2018-CP-23 Petition from National Grid and Verizon requesting to install a joint owned pole, P-70-25 on Shun Pike

Councilman DelFino made a motion to grant 2018-CP-23
The motion was seconded by Councilman Russo
Motion carried' Vote 5-0

2018-CP-24 Petition from National Grid and Verizon requesting to install 3 joint owned poles on Shun Pike, Green Hill Road & Plainfield Pike

Councilman DelFino made a motion to grant 2018-CP-24
The motion was seconded by Councilman Russo
Motion carried' Vote 5-0

**2018-CP-11 Petition submitted by Attorney William R. Landry, Esq. on behalf of Briarcliffe Realty Two, LLC for referral to Planning
Requesting to amend the Zoning Map of the Town of Johnston as follows:
Location: Assessor's Plat 44-4, Lot 161- 54 Old Pocasset Road
Current Zone: R-40
Requesting to change to Planned District/ Continuing Care Retirement Community**

Councilman Russo made a motion to refer 2018-CP-11 to the Planning Board
The motion was seconded by Councilman Santilli
Motion carried: Vote 5-0

Resolution 2018-2 A Resolution declaring a list of vehicles from Public Works as surplus property

Councilman Civetti made a motion to adopt Resolution 2018-2
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: 5-0

Resolution 2018-3 **A Resolution releasing the performance Bond for Falcon Nest Estates and accepting the roads known as Abatecola Way and Arno Maria Court**

Councilman Civetti made a motion to adopt Resolution 2018-3

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: 5-0

Resolution 2018-4 **A Resolution awarding the bid and authorizing the Mayor to enter into an agreement for Healthcare Business Services and Claims Audit**

Solicitor Conley requested that Resolution 2018-4 be continued to the March meeting

Councilman Russo made a motion to continue Resolution 2018-4 to the March meeting

The motion was seconded by Councilman Russo

Motion carried: Vote 5-0

Resolution 2018-5 **A Resolution awarding the bid and authorizing the Mayor to enter into an agreement for Personal Property Appraisal Services**

Councilman Civetti made a motion to adopt Resolution 2018-5

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: 5-0

Resolution 2018-6 **Resolution amending Section 8 of the 2017-2019 Town Council Rules**

Discussion ensued regarding the language to be amended in the rules

Councilman Civetti made a motion to continue Resolution 2018-6 to the March meeting

The motion was seconded by Councilman Russo

Motion carried: Vote 5-0

2018-CP-17 **Petition for the abandonment of a portion of Gugliucci Street submitted by petitioners Alfred & Richard Paolantonio and Donna Smith Located on Assessor's Plat 11, Lot 184 for referral to Planning for an advisory opinion**

Councilman Russo made a motion to refer 2018-CP-17 to the Planning Board for an advisory opinion

The motion was seconded by Councilman Santilli

Motion carried: Vote 5-0

2018-CP-25**Segal Consulting to present:**

- **The Town of Johnston Police and Firefighters Pension System Actuarial Review as of June 30, 2017**
- **Review of Actuarial Experience for the three-year period July 1, 2014 to June 30, 2017**
- **GASB 67 Disclosure & GASB 68 Accounting and Financial Reporting Information for the Town's Police & Fire Pension System**

Attorney Joseph Rodio, Jr. introduced Jeanette Cooper from Segal Consulting

Ms. Cooper reviewed the reports with the Council and answered questions

Councilman Civetti made a motion to accept the reports

The motion was seconded by Councilman Russo

Motion carried: Vote 5-0

2018-CP-26**Presentation from Randy Gomez of Nyhart**

- **Actuary and Employee Benefits for the review of the GASB 74/75 Actuarial Valuation for the Fiscal Year Ending June 30, 2017**

Randy Gomez and Emily Clouse of Nyhart reviewed the reports with the Council

Councilman Civetti made a motion to accept the reports

The motion was seconded by Councilman Russo

Motion carried: Vote 5-0

Abatements**2018-TO-2****Tax Assessor Abatements – February, 2018**

Councilman Civetti made a motion to grant 2018-TO-2

The motion was seconded by Councilman DelFino

Motion carried: Vote 5-0

Short discussion ensued

Public Hearings for Ordinances-**Ordinance 2018-6****An Ordinance amending the Zoning Map of the Town of Johnston****Formerly****Petitioner: Atwood Holding****2017-CP-190****Location: Assessor's Plat 44, Lot 120- 1222 Atwood Avenue****Current Zone: R-15****Requesting to change to B-1 Zone**

Council President Verardo opened the hearing to public comment

No person spoke for or against Ordinance 2018-6

Councilman DelFino made a motion that the public hearing for Ordinance 2018-6 had been held

The motion was seconded by Councilman Santilli

Motion carried: Vote 5-0

Councilman DelFino made a motion to adopt Ordinance 2018-6

The motion was seconded by Councilman Civetti

Roll call vote:

District 1: Aye

District 3: Aye

District 4: Aye

District 5: Aye

District 2: Aye

Motion carried: Vote 5-0

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 Civetti made a motion to defer Ordinances 2018-1 & 2018-2 so that they can be considered with Ordinance 2018-3 when the advisory opinion for Ordinance 2018-3 is received
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

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

Deferred with Ordinance 2018-1 to be considered together with Ordinance 2018-3 at a future meeting

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

Council President Verardo opened the hearing to public comment

Bernard Nascenzi- Building Official spoke of parking issues on Manuel Avenue

Jean Lynch- Spoke of concerns with restricting parking in the area

Councilman Russo made a motion that the public hearing for Ordinance 2018-4 had been held

The motion was seconded by Councilman DelFino

Motion carried: Vote 5-0

Councilman Santilli made a motion to adopt Ordinance 2018-4

The motion was seconded by Councilman DelFino

Roll call vote:

District 1: Aye

District 3: Aye

District 4: Aye

District 5: Aye

District 2: Aye

Motion carried: Vote 5-0

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer

None

Minutes prepared by the Town Clerk:

January 8, 2018 Regular Meeting, Special Meeting & Executive Session

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

The motion was seconded by Councilman DelFino

Motion carried; Vote 5-0

Claims-

- 2018-CP-27** **Claim from Jenna Celio for damage to her vehicle**
- 2018-CP-28** **Claim from Stephen Riccio for damage to his snow thrower**
- 2018-CP-29** **Claim from Lesbia Vasquez for damage to her vehicle**
- 2018-CP-30** **Claim from Mackenzie Greene for damage to a vehicle**
- 2018-CP-31** **Claim from Attorney Stephen Hunter on behalf of Elsayed Elghandout for personal injuries**
- 2018-CP-32** **Claim from Cynthia Carlozzi for damage to her vehicle**
- 2018-CP-33** **Claim from Attorney Seth Adam Perlmutter on behalf of Sonia Salamone for personal injuries**
- 2018-CP-34** **Claim from Allstate Insurance on behalf of Joanne Bennett for damage to her vehicle**
- 2018-CP-35** **Claim from Heather Manuppelli for damage to her vehicle**
Councilman Russo made a motion to refer 2018-CP-27 through 2018-CP-35 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- Status Update-SMM New England Corporation
d/b/a SIMS Metal Management
Location: 14-15 Green Earth Avenue
Continued from January 8, 2018**

Ben Nascenzi, the building official reviewed the stipulations placed on the business and updated them with a status

Attorney Joseph Keogh representing SIMS discussed that actions are being taken by the company to correct the issues

Ken Marandola of SIMS spoke about the operation of the shredder and explained the possible implementation of a pre-shredder and other technology solutions

David Ruggiero-resident; spoke of noise complaints

Cynthia Davignon-resident; spoke of a metallic taste possibly coming from the plant

Discussion ensued regarding the hours of the use of heavy equipment

Councilman DeFino made a motion to continue 2018-CP-8 to the March 12, 2018 meeting

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

Adjournment

Councilman Russo made a motion to adjourn

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

The meeting adjourned at 9:35 p.m.

Attest:

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