



Johnston Town Council

1385 Hartford Avenue, Johnston, RI

Town Council Minutes

March 12, 2018

Johnston Municipal Court Building

Councilman Russo called the meeting to order at 7:30 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 with the exception of Council President Verardo and Council Vice-President Santilli

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

With the absence of the Council President and Vice-President, Councilman Russo chaired the meeting

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

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

Pending Ordinance 2018-3

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

Pending Ordinance 2018-3

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
Pending Planning Board Advisory Opinion**

Ordinances to be Read

Ordinance 2018-8

An Ordinance amending section 220-38 of the Town of Johnston Code of Ordinances entitled "One Way Streets". Said Ordinance adds Traver Avenue to the list of One-way streets

Councilman Civetti made a motion that Ordinance 2018-8 had been read
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

At this time, Councilman DelFino made a motion to hear 2018-CP-8: Show Cause-Update for SMM New England

The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

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 February 12, 2018**

Taken out of order

Solicitor Conley addressed the Council
Discussion ensued

Councilman Civetti made a motion to amend the business hours to allow the operation of the shredder from 9:00 am to 4:00 pm Monday through Friday and from 7:00 am to 6:00 pm for the regular business hours
The motion was seconded by Councilman Russo
Motion carried; Vote: 3-0

Councilman DelFino made a motion to continue 2018-CP-8 to the April 9, 2018 meeting
The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

Licenses

2018-CP-12

**Dedar Transport / Location: 7 Calef Street
Business Operating License- Phone Calls Only
Transport
Continued from February 12, 2018**

Anthony Jackson present
Councilman DelFino made a motion to grant 2018-CP-12
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-14

**BLB, Inc d/b/a Lincoln Pest & Property Solutions / Location: 225 Putnam Pike
Business Operating License-
Holiday Sales-
Pest Control
Continued from February 12, 2018**

Glenn Martin present

Councilman DeFino made a motion to grant 2018-CP-14

The motion was seconded by Councilman Civetti

Motion carried; Vote 3-0

2018-CP-36

**The Vape Parlor / Location: 1417 Atwood Avenue, Unit #4
Business Operating License-
Holiday Sales-
Electronic Smoking Devices
Continued from February 12, 2018**

Insha Merlin present

Councilman Civetti made a motion to grant 2018-CP-36

The motion was seconded by Councilman Russo

Motion carried; Vote 3-0

2018-CP-38

**Jose Cruz d/b/a Nova Business Solutions / Location: 25 John St
Business Operating License- Phone Calls Only
Consulting Business/Tech Support**

Jose Cruz present

Councilman DeFino made a motion to grant 2018-CP-38

The motion was seconded by Councilman Civetti

Motion carried; Vote 3-0

2018-CP-39

**Emily Xuan T. Nguyen and Quang Minh Vo d/b/a Nailstudio/ Location:
1450 Atwood Ave., Unit 9
Business Operating License- Transfer
Nail Salon**

Applicant present

Councilman Civetti made a motion to grant 2018-CP-39

The motion was seconded by Councilman Russo

Motion carried; Vote 3-0

2018-CP-40

**ET Corp d/b/a Johnston Pool Supply / Location: 2949 Hartford Ave
Business Operating License- Transfer
Holiday Sales-
Pool Supplies, Service & Installation**

Patricia Johnson present

Councilman Civetti made a motion to grant 2018-CP-40

The motion was seconded by Councilman Russo

Motion carried; Vote 3-0

2018-CP-41

**Gina's Palm and Card Readings / Location: 1478 Atwood Ave
Business Operating License-
Readings-Tarot and Palm Cards**

Jaqueline Miller present

Councilman Civetti made a motion to grant 2018-CP-41

The motion was seconded by Councilman Russo

Motion carried; Vote 3-0

2018-CP-42

**Morgan Mill Metals, LLC / Location: 15B & 25 Morgan Mill Rd
Business Operating License-
Metals Processing**

Cameron McElroy present
Councilman DeFino made a motion to grant 2018-CP-42
The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

2018-CP-43

**Jounce Fitness, LLC / Location: 39 Putnam Ave
Business Operating License- Transfer
Holiday Sales-
Fitness Studio & Events**

Chelsea Ecliston present
Councilman Civetti made a motion to grant 2018-CP-43
The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

2018-CP-44

**Derderian Martial Arts, LLC d/b/a Derderian Academy of Martial Arts /
Location: 11 Commerce Way
Business Operating License- Change of Location
Martial Arts**

Raffi Derderian present
Councilman Civetti made a motion to grant 2018-CP-44
The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

2018-CP-54

**Stefano A Inc. d/b/a Town Hall Laundromat / Location: 1349 Hartford
Ave.
Business Operating License-
Holiday Sales-
Laundromat-Wash/dry/fold**

Steffano Altieri present
Councilman Civetti made a motion to grant 2018-CP-54
The motion was seconded by Councilman Russo
Motion carried; Vote 3-0

2018-CP-45

Tobacco Licenses for March, 2018

Speedway, LLC d/b/a Speedway 2817- 1783 Plainfield Pike

Councilman Civetti made a motion to grant 2018-CP-45
The motion was seconded by Councilman DeFino
Motion carried; Vote 3-0

Liquor Licensing Commission

None

Constituent Requests

District 1:

Councilman DeFino requested to have a “No Dumping” sign placed on Mill Street between the bridge and Venice Avenue
Councilman DeFino read a statement pertaining to a recent news article regarding the Music Man Café

District 2:

Absent

District 3:

Absent

District 5:

Councilman Civetti requested that a meeting be set up to discuss concerns regarding the Greenville Avenue construction project

Councilman Civetti also requested to have some limbs that were knocked down in the last storm at 8 Beechnut Drive removed

Councilman Civetti also requested/recommended that a committee be formed to coordinate and plan for possible available funding for school repairs

District 4:

None

Unfinished Business**Resolution 2018-4**

**A Resolution awarding the bid and authorizing the Mayor to enter into an agreement for Healthcare Business Services and Claims Audit
Continued from February 12, 2018**

Attorney Joseph Rodio, Jr discussed the agreement

Councilman Civetti made a motion to adopt Resolution 2018-4

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

Resolution 2018-6

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

Councilman DelFino made a motion to continue Resolution 2018-6 to the April 9, 2018 meeting

The motion was seconded by Councilman Civetti

Motion carried; Vote 3-0

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 2018-7**

A Resolution awarding a bid and authorizing the Mayor to enter into an agreement for the Statistical Reappraisal of Real Property in the Town of Johnston

This item was taken out of order

Councilman DelFino made a motion to adopt Resolution 2018-7

The motion was seconded by Councilman Civetti

Motion carried; Vote 3-0

2018-CP-54

Johnston Becoming a Heart Safe Community-Presentation by Mayor Polisena

Mayor Polisena spoke about the Town of Johnston being designated as a Heart Safe Community

John Parkman presented signs that will be placed in Town

Councilman DelFino made a motion to take a 2 minute recess for a photo

The motion was seconded by Councilman Russo

Motion carried; Vote 3-0

Council went back on the record after a two minute break

Resolution 2018-7

A Resolution awarding a bid and authorizing the Mayor to enter into an agreement for the Statistical Reappraisal of Real Property in the Town of Johnston

Taken out of order(See above)

2018-CP-53

Parmelee Poirier & Associates, LLP to discuss the audit results and findings and recommendations resulting from the audit of the Town’s financial statements for the fiscal year ended June 30, 2017

David Hansen of Parmelee Poirier & Associates reviewed the annual audit with the Council
Discussion ensued
Councilman Civetti made a motion to accept the Audited Financial Statements FY ending June 30, 2017
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Abatements

2018-TO-3

Tax Assessor Abatements – March, 2018

Councilman Civetti made a motion to grant 2018-TO-3
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Public Hearings for Ordinances

Ordinance 2018-7
Formerly 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**

Attorney William Landry represented Briarcliffe Realty and addressed the Council
Councilman Russo opened the hearing to public comment
No person spoke for or against the Ordinance

Councilman DelFino made a motion that the public hearing for Ordinance 2018-7 had been held
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Councilman DelFino made a motion to adopt Ordinance 2018-7
The motion was seconded by Councilman Civetti
Roll call vote
District 1: Aye to adopt
District 2: Absent
District 3: Absent
District 5: Aye to adopt
District 4: Aye to adopt
Motion carried; Vote 3-0

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 opened the hearing to public comment
No person spoke for or against the Ordinance

Councilman Civetti made a motion that the public hearing for Ordinance 2018-5 had been held
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Councilman Civetti made a motion to adopt Ordinance 2018-5
The motion was seconded by Councilman DelFino
Roll call vote
District 1: Aye to adopt
District 2: Absent
District 3: Absent
District 5: Aye to adopt
District 4: Aye to adopt
Motion carried; Vote 3-0

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer
September 12, 2017 Special Meeting and Executive Session

Minutes prepared by the Town Clerk:

February 12, 2018 Regular Meeting Minutes

Councilman Civetti made a motion to amend the minutes to reflect the following change: under District 5 Constituent Requests to change Roger Williams Road to Quaker Road
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Claims

- | | |
|--------------------------|--|
| <u>2018-CP-46</u> | Claim from Attorney Daniel Ruggiero on behalf of Brandon Higgins for damages |
| <u>2018-CP-47</u> | Claim from Lori Spino for damage to her vehicle |
| <u>2018-CP-48</u> | Claim from Kathleen Deery for damage to her vehicle |
| <u>2018-CP-49</u> | Claim from David Tocco regarding benefits |
| <u>2018-CP-50</u> | Claim from Attorney Nicole M. Labonte for damage to her vehicle |
| <u>2018-CP-51</u> | Claim from Joseph Carreau for damage to his property |
| <u>2018-CP-52</u> | Claim from Attorney Robert Levine on behalf of Melanie Cariglio for personal injuries |

Councilman DelFino made a motion to refer 2018-CP-46, 2018-CP-47, 2018-CP-48, 2018-CP-49, 2018-CP-50, 2018-CP-51 & 2018-CP-52 to the Solicitor
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

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 February 12, 2018**

This item was taken out of order(See above)

Adjournment

Councilman DelFino made a motion to adjourn
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

The meeting adjourned at 9:03 pm

Attest:

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