



# **Johnston Town Council**

## **1385 Hartford Avenue, Johnston, RI**

**Town Council Minutes**

**April 9, 2018**

**Johnston Municipal Court Building**

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

### **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, Mayor Joseph M. Polisena, Andrew Cormier, Esq., Vincent P. Baccari, Jr. and Donna Dumont, stenographer

Councilman DelFino made a motion to move 2018-CP-8 to the beginning of the agenda

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

### **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 March 12, 2018**

Attorney Joseph Keogh represented SIMS and discussed the status of operations and compliance

Short discussion ensued

Councilman DelFino made a motion to continue 2018-CP-8 to the May 14, 2018 agenda

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

### **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**

**Ordinances to be Read**  
**Licenses**

**2018-CP-55**                    **Antonia, Inc / Location: 1206 Hartford Avenue**  
**Business Operating License-**  
**Carding, Box**

Giovanni Rizzo present  
Councilman Russo made a motion to grant 2018-CP-55  
The motion was seconded by Councilman Civetti  
Motion carried; Vote 5-0

**2018-CP-56**                    **Cucinotta Construction, LLC / Location: 212 Cherry Hill Rd.**  
**Business Operating License- Phone Calls Only**  
**Construction and Snow Plowing**

Applicant not present  
Councilman Russo made a motion to grant 2018-CP-56  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

At this time, Council President Verardo mentioned that before the regular meeting, the Council held a closed session and that one vote was taken and unanimously passed

**2018-CP-57**                    **M&M’s Diner and Pizzeria, LLC d/b/a M&M’s Diner and Pizzeria /**  
**Location: 1031 Plainfield Street**  
**Restaurant License-**  
**Holiday Sales-**  
**Full Service Restaurant**

Mario and Michael Kiros present  
Councilman DelFino made a motion to grant 2018-CP-57  
The motion was seconded by Councilman Russo  
Motion carried; Vote 5-0

**2018-CP-58**

**Eastern Screw Company, Inc. / Location: 71 Mill St  
Business Operating License-  
Manufacturer of Fasteners**

Kevin Ricci present  
Councilman DelFino made a motion to grant 2018-CP-58  
The motion was seconded by Councilman Santilli  
Motion carried; Vote 5-0

**2018-CP-59**

**Keystone Novelty Distributors, LLC d/b/a Keystone Fireworks: 1395  
Atwood Ave.  
Hawkers/ Peddlers License-  
Fireworks Sales 6/28/18 to 7/5/18**

Applicant present  
Councilman Russo made a motion to grant 2018-CP-59  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

**2018-CP-60**

**Koosi Starzs Inc. / Location: 68 Lincoln St  
Hawkers/ Peddlers License-  
Mobile Ice Cream Truck**

Omar Sabally present  
Councilman Russo made a motion to grant 2018-CP-60 with the stipulation of no parking on school property during school hours  
The motion was seconded by Councilman Civetti  
Motion carried; Vote 5-0

**2018-CP-61**

**3G Deli Group, Inc. d/b/a Schroder's Deli and Catering / Location: 1302  
Atwood Ave  
Business Operating License- Transfer  
Catering License-  
Deli and Catering**

Theresa and Daniel Decoste present  
Councilman Russo made a motion to grant 2018-CP-61 to also include Holiday Sales  
The motion was seconded by Councilman Civetti  
Motion carried; Vote 5-0

**2018-CP-62**

**Haven Brothers Mobile, LLC d/b/a Firehouse Hot Dogs / Location: 39  
Putnam Avenue  
Restaurant License- Transfer  
Holiday Sales-  
Fast Food**

Patricia Prew present  
Councilman Russo made a motion to grant 2018-CP-62  
The motion was seconded by Councilman Santilli  
Motion carried; Vote 5-0

**2018-CP-63**

**A Center Stage Co, LLC d/b/a This Guy's Pizza/ Location 80 Greenville Avenue  
Entertainment License-  
Open mic Night and Acoustic Performers**

Patrick Russel present

Councilman Santilli made a motion to grant 2018-CP-63

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

**Liquor Licensing Commission**

None

**Resolution 2018-6**

**Resolution amending Section 8 of the 2017-2019 Town Council Rules  
Continued from March 12, 2018**

*This item was taken out of order before the Constituent Requests*

Councilman Civetti made a motion to adopt Resolution 2018-6

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

**District 1:**

Councilman DelFino requested to have large potholes filled in the area of Morgan Avenue and Vincent Drive

Councilman DelFino also requested to send a letter to DOT requesting that a sign prohibiting the use of trucks Jake Brakes on Rt 295 North in the area of Plainfield Pike late at night

**District 3:**

Councilman Santilli requested a status on the filling of potholes

**District 4:**

Councilman Russo requested to have the parking of tractor trailers in the parking lot of the vacant building across from the address of 225 George Waterman Road investigated

Councilman Russo asked the Mayor to speak about the Charda Properties development

**District 5:**

Councilman Civetti requested that a letter be sent to the State DOT requesting the installation of a left turn signal on Hartford Avenue-Eastbound to turn left onto Memorial Avenue

Councilman Civetti also requested the placement of the speed trailer on Rollingwood Drive

Councilman Civetti commended the Johnston Police Department regarding their assistance with the quick recovery of a woman's lost purse

**District 2:**

Council President Verardo Requested that the speed trailer be placed on Morgan Avenue with a periodic placement of an officer

Council President Verardo also requested an update from the RIDOT pertaining to a former request to study the traffic on Atwood Avenue and the light timing of the signal on Killingly Street near the car wash

**Unfinished Business**

**Resolution 2018-6**

**Resolution amending Section 8 of the 2017-2019 Town Council Rules  
Continued from March 12, 2018**

*Adopted, See above*

**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 2018-8**

**Resolution recognizing the tax exemption status under IRS Code Section  
501(c) (3) for the Local 57 Operating Engineers Apprenticeship and Skill  
Improvement Fund located at 873 Central Avenue**

Mayor Polisena discussed the agreement

Councilman Russo made a motion to adopt Resolution 2018-8

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: 5-0

**Resolution 2018-9**

**A Resolution authorizing the Mayor to enter into PILOT agreements  
between the Town and Peck Hill Realty, LLC, Southern Sky Renewable  
Energy RI-250kw, LLC, Southern Sky Renewable Energy RI, LLC and  
Southern Sky Renewable Energy RI- Plainfield Pike-Johnston, LLC to also  
include two Scholarship agreements**

Mayor Polisena discussed the agreements

Councilman Santilli made a motion to adopt Resolution 2018-9

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: 5-0

**Resolution 2018-10**

**A Resolution awarding a bid and authorizing the Mayor to enter into an agreement for the monitoring of the Town's sewer pumping stations**

Councilman Russo made a motion to adopt Resolution 2018-10  
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

**2018-CP-64**

**Petition from National Grid requesting the installation of a new pole (P8-75) and anchor near the intersection of Green Hill Road and Shun Pike**

Councilman DelFino made a motion to grant 2018-CP-64  
The motion was seconded by Councilman Russo  
Motion carried' Vote 5-0

**2018-CP-65**

**Petition from National Grid requesting the installation of a new pole (P439-50) and anchor on Plainfield Pike**

Councilman Russo made a motion to grant 2018-CP-65  
The motion was seconded by Councilman DelFino  
Motion carried' Vote 5-0

**2018-CP-66**

**Petition from National Grid requesting the installation of a new pole (P1-50) and anchor on Green Hill Road**

Councilman Russo made a motion to grant 2018-CP-66  
The motion was seconded by Councilman DelFino  
Motion carried' Vote 5-0

**2018-CP-67**

**Petition from National Grid requesting the installation of new poles (P-30,31, 32, P40-84 and P50-1) and anchors and the relocations of Poles (P34,35,36,37,38,39 and P50-3 on Shun Pike and A Street**

Councilman Russo made a motion to grant 2018-CP-67  
The motion was seconded by Councilman DelFino  
Motion carried' Vote 5-0

**2018-CP-68**

**Democratic Re-appointment of an alternate member to the Johnston Board of Canvassers**

Councilman Russo made a motion to reappoint Julia Jacavone to the Board of Canvassers  
The motion was seconded by Councilman Civetti  
Motion carried' Vote 5-0

**2018-CP-77**

**Reappointment to the Assessment Board of Review for an expired term**

Councilman Civetti made a motion to adopt 2018-CP-77 reappointing Daniel Robbins to the Assessment Board of Review  
The motion was seconded by Councilman DelFino  
Motion carried' Vote 5-0

**2018-CP-78**

**Reappointment to the Johnston Library Board for an expired term**

Councilman DeFino made a motion to reappoint Lisa Fillipeli to the Library Board  
The motion was seconded by Councilman Santilli  
Motion carried? Vote 5-0

**2018-CP-79**

**Reappointment to the Johnston Retirement Board for an expired term**

Councilman DeFino made a motion to reappoint Susanna Carlino to the Retirement Board  
The motion was seconded by Councilman Santilli  
Motion carried? Vote 5-0

**2018-CP-80**

**Reappointment of the two alternate members of the Johnston Zoning Board**

Councilman DeFino made a motion to approve 2018-CP-80 reappointing Dennis Cardillo and Thomas Colannino as alternates to the Zoning Board  
The motion was seconded by Councilman Russo  
Motion carried? Vote 5-0

**2018-CP-81**

**Republican re-appointments of an alternate member and a full member to the Board of Canvassers**

Councilman Russo made a motion to reappoint Richard Fascia as an alternate and Doreen Pezza as a full member to the Board of Canvassers  
The motion was seconded by Councilman Santilli  
Motion carried? Vote 5-0

**Abatements**

**2018-TO-4**

**Tax Assessor Abatements – April, 2018**

Councilman Russo made a motion to grant 2018-TO-4  
The motion was seconded by Councilman Civetti  
Motion carried? Vote 5-0

**Public Hearings for Ordinances**

**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**

Council President Verardo opened the hearing to public comment  
No person spoke for or against Ordinance 2018-8

Councilman Russo made a motion that the public hearing for Ordinance 2018-8 had been held  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

Councilman Santilli made a motion to adopt Ordinance 2018-8  
The motion was seconded by Councilman Russo  
Roll call vote  
District 1: Aye to adopt  
District 2: Aye to adopt  
District 3: Aye to adopt  
District 5: Aye to adopt  
District 4: Aye to adopt  
Motion carried; Vote 5-0

**Ordinance 2018-9**      **An Ordinance for Street Abandonment**  
**Formerly 2018-CP-17**      **Petitioners: Alfred and Richard Paolantonio**  
   **Requesting to abandon Gugliucci Street located on Assessor’s Plat 11**

Council President Verardo opened the hearing to public comment  
Steven French spoke in favor of the Ordinance  
Richard Paolantonio spoke and clarified the name of the street to be abandoned

Councilman Russo made a motion that the public hearing for Ordinance 2018-9 had been held  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

Councilman Russo made a motion to adopt Ordinance 2018-9  
The motion was seconded by Councilman Santilli  
Roll call vote  
District 1: Aye to adopt  
District 2: Aye to adopt  
District 3: Aye to adopt  
District 5: Aye to adopt  
District 4: Aye to adopt  
Motion carried; Vote 5-0

**Approval of the minutes and transcripts from previous meetings**

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

Councilman Russo made a motion to accept the transcripts and to place them on file  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

**January 8, 2018 Regular Meeting and Show Cause Hearing**

Councilman Russo made a motion to accept the transcripts and to place them on file  
The motion was seconded by Councilman Civetti  
Motion carried; Vote 5-0



**Minutes prepared by the Town Clerk:****March 12, 2018 Regular Meeting, Special Meeting and Executive Session**

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

The motion was seconded by Councilman Civetti

Motion carried; Vote 4-0 with Council President Verardo abstaining

**Claims**

**2018-CP-69**                      **Claim from Steven Robitaille for damage to his vehicle**

**2018-CP-70**                      **Claim from James Silva for damage to his mailbox**

**2018-CP-71**                      **Claim from Jennifer Walstead for damage to her vehicle**

**2018-CP-72**                      **Claim from David Vargas for damage to his home**

**2018-CP-73**                      **Claim from Angelo Capobianco for damage to his vehicle**

**2018-CP-76**                      **Claim from Joseph Matthews for damage to his vehicle**

Councilman Russo made a motion to refer 2018-CP-69, 2018-CP-70, 2018-CP-71, 2018-CP-72, 2018-CP-73 & 2018-CP-76 to the Solicitor

The motion was seconded by Councilman Santilli

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.*

**2018-CP-74**                      **Jean Lynch to discuss: The Closing of Al's Music Man Café with Councilman DelFino's 3/12/18 comments**

Jean Lynch discussed the closing of Al's Music Man Café

Short discussion ensued

**2018-CP-75**                      **Jean Lynch to discuss: Sewer damage to 39 Colony Drive**

Jean Lynch discussed sewer damage at 39 Colony Drive

Short discussion ensued

**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 March 12, 2018**

This item was moved to the beginning of the agenda and was discussed

**Adjournment**

Councilman Russo made a motion to adjourn  
The motion was seconded by Councilman DelFino  
Motion carried; Vote 5-0

The meeting adjourned at 8:00 p.m.

**Attest:**

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