



Johnston Town Council

1385 Hartford Avenue, Johnston, RI

Town Council Minutes

July 9, 2018

Johnston Municipal Court Building

Council Vice-President David J. Santilli called the meeting to order at 7:56 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

Present were Council Vice-President Santilli, Councilman Civetti and Councilman DelFino
Council President Verardo and Councilman Russo were absent

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

Award & Recognition Ceremonies

Status on Public Hearings

2018-CP-119

Petition submitted by Zisis Arsoniadis to purchase a portion of Old Pippin Orchard Road abutting 2338 Plainfield Pike for referral to the Planning Department
Pending Planning Board Advisory Opinion

Ordinances to be Read

Licenses

2018-CP-111

Michelle L. McGuire LMHC/ Location: 1395 Atwood Avenue, Ste 209D
Business Operating License-
Mental Health Counseling
Continued from June 11, 2018

Michelle McGuire present
Councilman Civetti made a motion to grant 2018-CP-111
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-114

**Pat's Auto Sales, Auto body, Inc./ Location: 363 George Waterman Road
Business Operating License- Transfer
Used Car Sales License-
Auto body License-
Auto Sales and Auto body
Continued from June 11, 2018**

Pat Matarese present
Councilman Civetti made a motion to grant 2018-CP-114
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-124

**A Star Quality Cleaning Services, LLC/ Location: 1200 Hartford Ave,
#106
Business Operating License-
Residential and Commercial Cleaning**

Tracey Baez present
Councilman Civetti made a motion to grant 2018-CP-124
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-125

**Extra Space Management, Inc. d/b/a Extra Space Storage # 0741/
Location: 1640 Hartford Ave
Business Operating License-
Holiday Sales-
Self-Storage Facility**

Amy Cotoia present
Councilman Civetti made a motion to grant 2018-CP-125
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-126

**Daddy's Auto Repair/ Location: 53 Greenville Ave.
Business Operating License- Transfer
Automotive Repair Shop**

Michael Greene present
Councilman DelFino made a motion to grant 2018-CP-126
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-127

**Alwaysrendingshop.com/ Location: 10 Enfield St.
Business Operating License- Phone Calls Only
Real Estate Sales- No Foot Traffic**

Tina Chan present
Councilman Civetti made a motion to grant 2018-CP-127
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-128

**Grieco Hyundai, LLC d/b/a Grieco Hyundai/ Location: 1890 Hartford Ave
New Car License-
Used Car License-
Holiday Sales-
Auto Dealership**

Michael Grieco present
Councilman DelFino made a motion to grant 2018-CP-128
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-129

**Metro Motors, Inc. d/b/a Grieco Collision Center/ Location: 19 Industrial Lane
Autobody License-
Holiday Sales-
Collision Repair Facility**

Michael Grieco present
Councilman DelFino made a motion to grant 2018-CP-129
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-132

**Patriot Custom Manufacturing/ Location: 8 Industrial Lane, Suite 6
Firearm License-
Manufacturing, assembly, repairs, wholesale sales and gunsmithing**

Frank Saccoccio present
Councilman Civetti made a motion to grant 2018-CP-132
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Liquor Licensing Commission

None

At this time, Councilman DelFino made a motion to move 2018-CP-8 up on the agenda
The motion was seconded by Councilman Civetti
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 May 14, 2018**

Taken out of order

Chris Duhamel of DiPrete Engineering discussed some preliminary findings regarding a study of air quality and noise levels in the area of the business
Jeff Sotek of Wood Environmental answered questions from the Council
Steven Parrillo from the audience, questioned about when the South East Sound Barrier would be completed
Attorney Joseph Keough requested the final engineering report findings
Ken Marandola addresses when the Sound Barrier would be completed

Councilman DelFino made a motion to schedule a hearing with SIMS Metal Management for the earliest possible date
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

Constituent Requests

District 1:

Councilman DelFino requested:
Speed enforcement on Mill Street
Brush cutting on Water and Genoa Streets
Traffic study for “No-Thru Trucking” on Joy Street

District 5:

Councilman Civetti requested:
Brush cutting on Brown and Woodvale Ave.
Status of a request for the deflection of bright lights on top of the gas pumps at the Citgo Station on Greenville Avenue
A list from Public Works of the streets that are slated to be re-paved this year

District 3:

Councilman Santilli requested:
Traffic study for “No-Thru Trucking” on Marne Street
Replacement of missing street sign for Elsie Drive

Unfinished Business

New Business

2018-CP-130

Petition from the Johnston Planning Department to amend the Zoning Code for Unified Development Review for referral to the Planning Board for an advisory opinion

Councilman DelFino made a motion to refer 2018-CP-130 to the Planning Board for an Advisory Opinion
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-123

**Petition submitted by Alfred A. Russo, Jr., Esq on behalf of the petitioner-Jerome Vinagro, Trustee of the Louis Vinagro, Jr. Revocable Trust dated 1/31/18/ & NG Advantage, LLC
Petition for a zone map and text change:
Assessor’s Plat: 44/4- Lot-293
Old Pocasset Road to change the zone from R-40 to Industrial I
Natural Gas Flow metering building**

Councilman DelFino made a motion to refer 2018-CP-123 to the Planning Board for an Advisory Opinion
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

2018-CP-131

Petition for the abandonment of a portion of Garner Avenue located on Assessor’s Plat 37, Lot 24 submitted by Richard Zamborano, Jr. for referral to the Planning Board for an advisory opinion

Councilman Civetti made a motion to refer 2018-CP-131 to the Planning Board for an Advisory Opinion
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

2018-CP-133

Petition from National Grid and Verizon for the installation of a new Pole # 73-25 on Shun Pike

Councilman DelFino made a motion to grant 2018-CP-133
The motion was seconded by Councilman Civetti
Motion carried; Vote 3-0

Resolution 2018-20

A Resolution ratifying a mutual aid agreement between the Johnston Police Department and the Scituate Police Department for reciprocal police services

Councilman Civetti made a motion to adopt Resolution 2018-20
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Resolution 2018-21

A Resolution ratifying a mutual aid agreement between the Johnston Police Department and the Providence Police Department for reciprocal police services

Councilman Civetti made a motion to adopt Resolution 2018-21
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Resolution 2018-22

A Resolution ratifying a renewal of the July 1, 2015 agreement for Refuse/Recyclable Yard Waste Collections and Disposal Services

Councilman Civetti made a motion to adopt Resolution 2018-22
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Resolution 2018-23

A resolution awarding a bid and authorizing the Mayor to execute an agreement for professional audit services of the Town's financial statements for Fiscal Years 2018, 2019 & 2020

Finance Director, Joseph Chiodo spoke about the audit services
Councilman Civetti made a motion to adopt Resolution 2018-23
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Abatements

2018-TO-7

Tax Assessor Abatements – July, 2018

Councilman Civetti made a motion to grant 2018-TO-7
The motion was seconded by Councilman DelFino
Motion carried; Vote 3-0

Public Hearings for Ordinances

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”**

Discussion ensued regarding Ordinances 2018-3,1 & 2

Council Vice-President opened up the hearing for public comment for Ordinances 2018-1,2018-2 & 2018-3

No person spoke for or against Ordinances 2018-1,2018-2 & 2018-3

Councilman Civetti made a motion that the public hearings were held for Ordinances 2018-1,2018-2 & 2018-3

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

The Town clerk requested that section 265-2, d of Ordinance 2018-2 below, be amended to change the expiration of the licenses from June 30 to May 31st

(This motion is for Ordinance 2018-2 below)

Councilman Civetti made a motion to amend Ordinance 2018-2 below, to change the expiration date in section 265-2,d from June 30th to May 31st

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

Councilman Civetti made a motion to adopt Ordinance 2018-3

The motion was seconded by Councilman DelFino

Roll call vote:

District 1: Aye

District 2: Absent

District 4: Absent

District 5: Aye

District 3: Aye

Motion carried; Vote 3-0

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**

This public hearing was held together with Ordinances 2018-3 & 2018-2

Councilman Civetti made a motion to adopt Ordinance 2018-1

The motion was seconded by Councilman DelFino

Roll call vote:

District 1: Aye

District 2: Absent

District 4: Absent

District 5: Aye

District 3: Aye

Motion carried; Vote 3-0

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

This public hearing was held together with Ordinances 2018-3 & 2018-2

At the request of the Town Clerk, Councilman Civetti made a motion to amend Ordinance 2018-2 to change the expiration date in section 265-2,d from June 30th to May 31st

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

Councilman Civetti made a motion to adopt Ordinance 2018-2 as amended

The motion was seconded by Councilman DelFino

Roll call vote:

District 1: Aye

District 2: Absent

District 4: Absent

District 5: Aye

District 3: Aye

Motion carried; Vote 3-0

Ordinance 2018-12

An Ordinance ordering the assessment and collection of property tax on the ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers

Council Vice-President opened up the hearing for Ordinance 2018-12 to public comment

No person spoke for or against Ordinances 2018-12

Councilman Civetti made a motion that the public hearing was held for Ordinances 2018-12

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

Councilman Civetti made a motion to adopt Ordinance 2018-12

The motion was seconded by Councilman DelFino

Roll call vote:

District 1: Aye

District 2: Absent

District 4: Absent

District 5: Aye

District 3: Aye

Motion carried; Vote 3-0

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer**February 12, 2018 Regular Meeting**

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

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

March 12, 2018 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 DelFino

Motion carried; Vote 3-0

Minutes prepared by the Town Clerk:**June 11, 2018 Regular Meeting Minutes**

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

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

June 25th, 2018 Special Meeting/Budget Hearing

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

The motion was seconded by Councilman DelFino

Motion carried; Vote 3-0

Claims**2018-CP-134**

Claim from Attorney Joseph J. Altieri on behalf of Denise Lurigo Ragosta for personal injuries

2018-CP-135

Claim from Barbara Corelli for damage to her vehicle

2018-CP-136

Claim from Attorney Ralph R. Liguori on behalf of Joshua Benoit for personal injuries

2018-CP-137

Claim from Attorney Sean M McAteer on behalf of Michael Anthony for damages

2018-CP-138

Claim from Andrew Arriaga for damage to his vehicle

Councilman Civetti made a motion to refer 2018-CP-134, 2018-CP-135, 2018-CP-136, 2018-CP-137 and 2018-CP-138 to the Solicitor

The motion was seconded by Councilman DelFino

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.

2018-CP-139

Jean Lynch to discuss: Fuoco v. Polisena

Jean Lynch spoke about Indemnification

Solicitor William Conley addressed the issues that Ms. Lynch discussed

Discussion ensued

2018-CP-140

Jean Lynch to discuss: Councilman running for re-election

Ms. Lynch did not discuss this item

2018-CP-141

Robert Joyce to discuss: Phone calls only license violation of Top to Bottom Cleaning Services

Robert Joyce spoke about a possible violation to a phone calls only license

Mr. Conley addresses the issue

It was determined that the Code enforcement Office will investigate for any violations

2018-CP-142

Anthony Sisto to discuss: Little Angels Daycare-Use of large vinyl trash bins instead of having a dumpster

Applicant left before this item was heard

2018-CP-143

Christin Cronan to discuss: concerns of the use of trash cans at the Little Angels Daycare Center

Applicant left before this item was heard

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 May 14, 2018

This was moved up and discussed before Constituent Requests

Adjournment

Councilman DelFino made a motion to adjourn

The motion was seconded by Councilman Civetti

Motion carried; Vote 3-0

The meeting adjourned at 9:15 p.m.

Attest:

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