



Johnston Town Council

1385 Hartford Avenue, Johnston, RI

Town Council Minutes

September 10, 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: Dylan Conley, 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

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

Pending Planning Board Advisory Opinion

2018-CP-162

Petition submitted by Attorney Carol Ricker, Esq. on behalf of Norman Diamante to re-record an Easement of Record for 65 Downing Drive- for referral to Planning

Pending Planning Board Advisory Opinion

Ordinances to be Read

Licenses

2018-CP-145 **Deep, LLC d/b/a The Punjab Indian Cuisine / Location: 1565 Plainfield Pike**
Restaurant License-
Catering License-
Indian Restaurant with Bar and Catering Service
Continued from August 14, 2018

This item was entertained later in the meeting to allow time for the applicant's attorney to arrive
See 2018-CP-145 after item 2018-CP-178 below

2018-CP-146 **Deep, LLC d/b/a The Punjab Indian Cuisine / Location: 1565 Plainfield Pike**
Entertainment License-
1-3 people, Musicians, Background Music for Dining-Violin, Flute,
Guitar: Stand-up Comedy
Continued from August 14, 2018

This item was entertained later in the meeting to allow time for the applicant's attorney to arrive
See 2018-CP-146 after item 2018-CP-145 below

2018-CP-147 **Future Fashion Clothing, Incorporated/ Location: 1555 Plainfield Pike**
Business Operating License-
Retail-Selling Clothing and Shoes
Continued from August 14, 2018

Attorney Frank Saccoccio represented the applicant

A copy of a parking plan and a parking sign was presented to the Council

Councilman Russo made a motion to make the parking plan and parking sign a part of the record(attached hereto as Exhibit 1)

The motion was seconded by Council President Verardo

Motion carried; Vote 5-0

Councilman DelFino made a motion to grant 2018-CP-147 based on the installation of the parking sign in front of the building

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-164 **Canaan Consulting, LLC d/b/a Prime Pizza & Convenience/ Location: 58 Greenville Avenue**
Business Operating License-
Holiday Sales-
Fast Food Pizza and Convenience Store

Applicant not present at this time so a motion was made by Councilman Russo and seconded by Councilman Civetti to continue 2018-CP-164 to the October meeting

Motion carried; Vote 5-0

Applicant appeared later in the meeting and the license was granted(See 2018-CP-164 below)

2018-CP-165 **Spirit Halloween/ Location: 11 Commerce Way**
Business Operating License-
Seasonal Halloween Store

Jennifer Zilka present

Councilman Russo made a motion to grant 2018-CP-165

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

2018-CP-166

**CSL Plasma, Inc./ Location: 1450 Hartford Avenue
Business Operating License-
Manufacturer of Human Blood Plasma**

Applicant present

Councilman Russo made a motion to grant 2018-CP-166

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

2018-CP-167

**Lauren Hawkins Photography/ Location: 47 Dean Avenue
Business Operating License- Phone Calls Only
Computer Based Photography Business**

Lauren Hawkins present

Councilman Russo made a motion to grant 2018-CP-167

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

2018-CP-178

**Eastern Recovery, Inc/ Location: 27 Oakdale Avenue
Business Operating License-
Repossession Company**

Alicia Hanosky present

Councilman Santilli made a motion to grant 2018-CP-178

The motion was seconded by Councilman DelFino

Motion carried; Vote 5-0

2018-CP-145

**Deep, LLC d/b/a The Punjab Indian Cuisine / Location: 1565 Plainfield
Pike
Restaurant License-
Catering License-
Indian Restaurant with Bar and Catering Service
Continued from August 14, 2018**

A parking plan and parking sign was presented to the Council

Attorney Al Russo spoke on behalf of the applicant and requested that the parking plan and parking sign be made a part of the record

Councilman Russo made a motion to make the parking plan and sign a part of the record(Attached hereto as Exhibit 1)

The motion was seconded by Councilman Verardo

Motion carried; Vote 5-0

Councilman DelFino made a motion to grant 2018-CP-145 based on the submitted parking plan and the addition of parking sign in front of the building and to have the license reviewed in 6 months

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-146

**Deep, LLC d/b/a The Punjab Indian Cuisine / Location: 1565 Plainfield Pike
Entertainment License-
1-3 people, Musicians, Background Music for Dining-Violin, Flute,
Guitar: Stand-up Comedy
Continued from August 14, 2018**

Councilman DeFino made a motion to grant 2018-CP-146 based on the submitted parking plan and the addition of parking sign in front of the building and to have the license reviewed in 6 months
The motion was seconded by Councilman Russo
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 Councilman Civetti
Motion carried; Vote 5-0

2018-L-4

**Deep, LLC d/b/a The Punjab Indian Cuisine/ Location: 1565 Plainfield Pike
Class BV Full Liquor License-
Indian Restaurant with Bar and Catering Service
Continued from August 14, 2018**

Applicant addressed the Council
Councilman DeFino made a motion to grant 2018-L-4 based on the submitted parking plan and the addition of parking sign in front of the building and to have the license reviewed in 6 months
The motion was seconded by Councilman Russo
Motion carried; Vote 5-0

2018-L-6

**A Center Stage Co, LLC d/b/a This Guy's Pizza/ Location: 80 Greenville Avenue
Class BV Full Liquor License-
Pizza Shop with Dine-in, Carry-out and Delivery**

Patrick Russell present
Councilman Santilli made a motion to grant 2018-L-6
The motion was seconded by Councilman DeFino
Motion carried; Vote 5-0

2018-L-7

**Friends of the Johnston Senior Citizens Center/ Location: 1291 Hartford Avenue
Special Class F Liquor License-
Serving Beer and Wine at the Annual Pasta Dinner- September 20, 2018**

Councilman Santilli made a motion to grant 2018-L-7
The motion was seconded by Councilman Russo
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 DelFino requested:

The DPW Director check with National Grid to repair the road in the area of Simmons and Miller Circle

Requested a traffic study for stop signs at Simmons and Miller Circle

Requested a traffic study for the placement of “No Parking” signs on Nardolillo Street with an update by the next Council Meeting

District 3:

Councilman Santilli requested:

An update on the installation of the street sign for Elsie Drive

Requested a traffic study for “No Parking Anytime” on Oneida and Fairmount Ave

District 4:

None

District 5:

Councilman Civetti requested:

Requested a police detail for the construction at the corner of Central Ave and Bishop Hill Rd

Requested that the DPW Director provide contact information regarding concerns with blasting in the Poppy Hill Farms area

District 2:

Council President Verardo thanked the DPW Director for the brush cutting that he requested

Unfinished Business

New Business

2018-CP-168

Petition from National Grid and Verizon for the installation of a new jointly owned Pole # 184-50 on Central Ave

Councilman Russo made a motion to grant 2018-CP-168

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

2018-CP-169

Appointment to the Johnston Housing Authority to fill a vacant position created by a resignation

Councilman Russo made a motion to appoint Kevin Millonzi to the Johnston Housing Authority

The motion was seconded by Councilman Civetti

Motion carried; Vote 4-1 with Councilman Santilli voting no

2018-CP-177

Re-appointment to the Johnston Zoning Board to fill an expiring term

Councilman Russo made a motion to re-appoint Joseph Anzelone to the Zoning Board for another term

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

Resolution 2018-27

A Resolution authorizing the Mayor to enter into PILOT and Consent Agreements between the Town and Southern Sky Renewable Energy RI-250kw, LLC, Southern Sky Renewable Energy RI A Street 1 Johnston, LLC, Southern Sky Renewable Energy RI A Street 2 Johnston, LLC and Southern Sky Renewable Energy RI- Plainfield Pike-Johnston, LLC

Robert Palumbo represented Southern Sky and spoke to the Council

Councilman Russo made a motion to adopt Resolution 2018-27

The motion was seconded by Councilmen Santilli and DelFino

Roll call vote:

District 1: Aye to adopt

District 2: Aye to adopt

District 3: Aye to adopt

District 5: Aye to adopt

District 2: Aye to adopt

Motion carried; Vote 5-0

Abatements

2018-TO-9

Tax Assessor Abatements – September, 2018

Councilman Russo made a motion to grant 2018-TO-9

The motion was seconded by Councilman DelFino

Motion carried; Vote 5-0

Public Hearings for Ordinances

Ordinance 2018-15

(Formerly 2018-CP-130)

An Ordinance amending Chapter 340, Article II Section 1 - Definitions”; Article III Section 5 (H) - Interchange Business B-3 District”, Section 8 – “Table of Use Regulations”; Article V, “Supplementary Regulations”; and Article XIV – “Regulations for Interchange Business B-3 District” of the Town of Johnston Code of Ordinances.

Continued from August 14, 2018

Dylan Conley spoke about the Ordinance

Discussion ensued

Council President Verardo opened the hearing to public comment

Ernest Pitochelli-Requested to know who sponsored the Ordinance

Councilman Russo made a motion that the hearing for Ordinance 2018-15 had been held

The motion was seconded by Councilman Santilli

Motion carried; Vote 5-0

Councilman Russo made a motion to adopt Ordinance 2018-15

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 2: No

Motion carried; Vote 4-1

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer**Minutes prepared by the Town Clerk:****August 14, 2018 Regular Meeting**

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 5-0

Councilman Russo made a motion to entertain 2018-CP-8 out of order

The motion was seconded by Councilman Santilli

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 August 14, 2018**

Attorney Joseph Keough and Ken Marandola from SIMS addressed the Council

Councilman DeFino made a motion to accept the Noise and Air Quality studies as submitted from DiPrete Engineering

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

Chris Duhamel of DiPrete Engineering reviewed the findings of the air quality and noise studies that were performed

Attorney Keough questioned Mr. Duhamel regarding the studies

Public Comment:

Henry Felella: had concerns pertaining to who paid for the study

Steven Parrillo: questioned if the study results were available for review

Discussion ensued regarding resolving the issues and having a vote at the present meeting

Councilman DeFino made a motion to schedule a full Show-cause hearing on September 24th at 6:30 p.m.

The motion was seconded by Councilman Russo

Motion carried; Vote 5-0

2018-CP-164**Canaan Consulting, LLC d/b/a Prime Pizza & Convenience/ Location: 58
Greenville Avenue****Business Operating License-****Holiday Sales-****Fast Food Pizza and Convenience Store**

The applicant appeared late and this item was taken at this time

Councilman Santilli made a motion to grant 2018-CP-164

The motion was seconded by Council President Verardo

Motion carried; Vote 5-0

Claims**2018-CP-170****Claim from EMC Insurance on behalf of Caputo and Wick Ltd and
Rumfordholdings, LLC for equipment damage**

2018-CP-171

Claim from Angela Barletta for damage to lawn sprinklers

2018-CP-172

Claim from Attorney Stephen A Izzi, Esq. for damage to his vehicle

2018-CP-173

Claim from Angelo Greco for damage to his vehicle

Councilman Civetti made a motion to refer 2018-CP-170, 2018-CP-171, 2018-CP-172 and 2018-CP-173 to the Solicitor

The motion was seconded by Councilman Russo

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-174

Jean Lynch to discuss: Councilman running for re-election

Jean Lynch spoke to the Council

2018-CP-175

Ernest F. Pitochelli, Sr. to discuss: Time and Truth

Ernest Pitochelli read a letter to the Council

2018-CP-176

Robert Joyce to discuss: Top to Bottom Cleaning Services operating without a license

Robert Joyce alleged that the business is operating without a license

Peter DelPonte, Code Enforcement Officer spoke about the allegation

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 August 14, 2018

This item as taken earlier in the meeting(See 2018-CP-8 above)

Adjournment

Councilman Russo made a motion to adjourn

The motion was seconded by Councilman Civetti

Motion carried; Vote 5-0

The meeting adjourned at 9:21 p.m.

Attest:

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