

## **Town Council Agenda August 13, 2013 Johnston Municipal Court Building**

**Council President Robert V. Russo will call 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 will lead with the Pledge of Allegiance**

**Please note: pursuant to Rule 3 Section E of the Town Council Rules, adopted by**

**Resolution 2013-4, 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 – Councilwoman Eileen Fuoco**

**District 2 – Councilman Anthony A. Verardo**

**District 3 – Councilman David J. Santilli**

**District 4 – Council President Robert V. Russo**

**District 5 – Council Vice President Stephanie P. Manzi**

**Award & Recognition Ceremonies-**

**Status on Public Hearings -**

**2013-CP-121 Petition for an amendment to the zone map and text submitted by Andrew M. Teitz, Esq., on behalf of Rhode Island Resource Recovery Corporation, LLC and Auto Parts Group Southwest, LLC.**

**Assessor's Plat :31 Lots: 66, 67 & 68**

**Address of Property: Green Earth Avenue**

**Zone to be changed from: IL (Light Industrial) to I (Industrial)**

**Zone Text Change to add a new use for "Automotive Recycling Facility"**

**Pending Planning Board Advisory Opinion**

**Ordinances to be Read-**

**Ordinance 2013-16 An Ordinance amending Section 27-20 of the Town of Johnston Code of Ordinances. Said Ordinance would create a "Capital Projects Fund" for the purpose of acquiring fire equipment apparatus**

**Licenses**

**2013-CP-95 Lovelace Motor Sports, LLC/ Location: 316 Greenville Ave.**

**Business Operating License-**

**Race Car Building, Fabrication and Storage**

**Re-consideration of application after removal from a previous agenda**

**2013-CP-122 Super Sonic Pets/ Location: 1465 Atwood, Ave.**

**Business Operating License–**

**Holiday Sales-**

**Pet Store and supplies**

**2013-CP-123 Jonosa Engineering/ Location: 6 Beacon St.**

**Business Operating License–Phone Calls Only**

**Engineering Consultant-No foot traffic**

**2013-CP-124 Koi Japanese Restaurant, LLC d/b/a Koi Japanese Cuisine Grill , Steak, Seafood and Sushi Bar/ Location: 1369 Hartford Ave.**

**Restaurant License–**

**Holiday Sales-**

**Japanese Restaurant**

**2013-CP-125 CMJ Urban Ladies, LLC d/b/a CMJ Urban Ladies/  
Location: 1478 Atwood Ave., Suite #111**

**Business Operating License–**

**Holiday Sales-**

**Retail Clothing, Shoes and Accessories**

**Re-consideration of application after removal from a previous agenda**

**2013-CP-126 Gold Nail/ Location: 1463 Atwood Ave., Unit 1A**

**Business Operating License–**

**Holiday Sales-**

**Nail Salon/Pedi Spa**

**2013-CP-127 Ok...Lets Grow, Inc/ Location: 1 Hillside Ave.**

**Business Operating License–**

**Holiday Sales-**

**Indoor Growing Supplies, Gardening Supplies, Lighting, Soils and Nutrients**

**2013-CP-128 Lilly's Cleaning Services/ Location: 138 Bishop Hill Rd.**

**Business Operating License– Phone Calls Only**

**Cleaning Services**

**2013-CP-129 Kehew & Vaillancourt Insurance-Allstate/ Location: 1478 Atwood Ave.**

**Business Operating License–**

**Insurance**

**2013-CP-130 Either Ore Jewelers/ Location: 1500 Atwood Ave., Unit # 125**

**Business Operating License– Change of Location**

**Retail Jewelry**

**2013-CP-131 Munchies/ Location: 1500 Atwood Ave., Unit # 125**

**Hawker/Peddler License–**

**Food and drinks**

**2013-CP-132 SMM New England Corporation d/b/a SIMS Metal Management/ Location: 37 ½ Scituate Ave.**

**Recycling License–**

**Scrap Metal and Recycling Operation**

**2013-CP-133 SMM New England Corporation d/b/a SIMS Metal Management/ Location: 15 Green Earth Ave.**

**Second Hand Dealers License–**

**Metal Processing Facility**

**2013-CP-134 PRRC, Inc. d/b/a PriceRite of Johnston/ Location: 1450 Hartford Ave.**

**Business Operating License–**

**Holiday Sales License-**

**Retail Grocery Store**

**2013-CP-135 RehabExperts Massage Therapy, LLC/ Location: 217 Putnam Pike.**

**Business Operating License–**

**Therapeutic Massage, Reiki, Infant Massage, Classes, workshops, etc**

**2013-CP-136 Renewal of all Bingo Licenses**

**Liquor Licensing Commission-**

**2013-L-6 El Paisano Panaderia & Restaurant, LLC/ Location: 928 Plainfield St.**

**Class BV-Full Liquor License–**

**Restaurant**

**3 Month review of liquor license as requested by the Council**

**2013-L-10 Johnston Senior Center/ Location: 1291 Hartford Ave.**

**Special Class F Liquor License–**

**Serving Wine-Big Band Swing Dance on September 16, 2013**

**2013-L-11 Our Lady of Grace Church-La Madonna Della Difesa/  
Location: 4 Lafayette St.**

**Special Class F Liquor License–Beer and Wine**

**Annual Feast to be held from September 5th to 8th, 2013**

**2013-L-12 Koi Japanese Restaurant, LLC d/b/a Koi Japanese Cuisine Grill , Steak, Seafood and Sushi Bar/ Location: 1369 Hartford Ave.**

**Class BV Full Liquor License–**

**Japanese Restaurant and Sushi Bar**

**2013-L-13 Fried Enterprises d/b/a Mr. Biggs Saloon/ Location: 1463 Atwood Ave.**

**Patio License–**

**Limited use of the Patio for Party's Only**

**Constituent Requests-**

## **Unfinished Business-**

**Resolution 2013-26 Easement agreement between the Town and Gary Simas of 9 Niverville Street for a connection to the sewer line through Antwerp Street and Marne Street**

**Pending Planning Board Advisory Opinion**

## **New Business-**

**Resolution 2013-27 A Resolution ratifying an agreement with Blue Cross blue Shield of Rhode Island for Stop-Loss coverage for the Town of Johnston**

**2013-CP-137 Petition from Verizon New England, Inc and Narragansett Electric Company to place one new joint mid-span pole on Alcazar Avenue**

## **Abatements**

**2013-TO-8 Tax Assessor Abatements – August, 2013**

## **Public Hearings for Ordinances-**

**Ordinance 2013-10 An Ordinance amending section 47-48 of the Town of Johnston Code of Ordinances entitled Eligibility for retirement;**

**retirement allowance**

**Continued from July 8, 2013**

**Ordinance 2013-11 An Ordinance amending Article VII of Chapter 47 of the Town of Johnston Code of Ordinances entitled Fire Fighter and Police Officer Pension Fund**

**Said Ordinance proposes to reserve sections 47-62 through 47-70**

**Continued from July 8, 2013**

**Ordinance 2013-12 An Ordinance amending Chapter 47 of the Town of Johnston Code of Ordinances entitled “Personnel Policies”-**

**Implementation of the Funding Improvement Plan for the Johnston Fire Fighter and Police Officer Pension Fund**

**Continued from July 8, 2013**

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

**Transcripts Prepared by the Stenographer**

**June 10, 2013 Regular Meeting**

**Minutes prepared by the Town Clerk:**

**July 8, 2013 Regular Meeting**

**Claims-**

**2013-CP-138 Claim from Selective Insurance Company of America on**

**behalf of their insured Matthew Tresca**

**2013-CP-139 Claim from Gregory J. Acciardo, Esq. on behalf of Tammy & Emelio Cardillo and Ocean State Peeled Potatoes, Inc.**

**2013-CP-140 Claim from Mario Tella for damage to his vehicle**

**2013-CP-141 Claim from Diane Voccola for basement damage caused by a sewer line**

**2013-CP-142 Claim from Antonio Braga for damage to his mailbox caused by a plow**

**Requests to be heard-**

**Please note: pursuant to Resolution 2005-1 of the Johnston Town Council, any person requesting to address the Council shall be heard for a maximum of 10 minutes. This will be strictly enforced.**

**Executive Session**

**Council shall seek to enter into Executive Session Pursuant to Rhode Island General Laws of 1956, as amended pursuant to § 42-46-5 (a) (2) for discussion /action on:**

- Litigation-Pingatore v. Town of Johnston, et al C.A. No. 11-068**

- **Collective Bargaining Negotiations with Local 1491 of Council 94 Town Employees**

- **BJ's/Johnston Associates, LLC v. Kim Gallonio, et al. C.A. No. 13-1342**

**Return to open session:**

**Sealing of the minutes of the August 14, 2013 Executive Session**

**Resolution 2013-28: Ratification of a collective bargaining agreement between the Town of Johnston and the Rhode Island Council 94, AFSCME, AFL-CIO on behalf of Johnston Town Employees Local Union 1491**

**Adjournment**

**Attest:**

**Vincent P. Baccari, Jr.**

**Town Clerk**