

## **May 3, 2010 - Regular Town Council Meeting**

**At a Regular Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Monday, May 3, 2010 at 7:00 P.M.**

**Council President Christopher T. Semonelli, Presiding**

**Vice Chairman Richard Cambra**

**Councillor Frank A. Bozyan**

**Councillor M. Theresa Santos**

**Councillor Edward J. Silveira, Jr.**

**Councillor Robert J. Sylvia**

**Councillor Barbara A. VonVillas, Members Present**

**CONSENT CALENDAR**

**1. Approval of Minutes – Special Meeting, April 12, 2010.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to approve said minutes.**

**2. Approval of Minutes – Special Meeting, April 19, 2010.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to approve said minutes.**

**3. Approval of Minutes – Regular Meeting, April 19, 2010.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to approve said minutes.**

**4. Memorandum of Acting Tax Assessor, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said memorandum.**

**5. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to pass said resolution.**

**6. Memorandum of Town Administrator, with enclosures, re: Financial Statements for period ending March 31, 2010.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said memorandum and financial statements.**

**7. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation, RIDE Funding Formula, Hess LNG proposal and Returning America's Cup Challenge to Newport. (See Attached List with enclosures)**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said resolutions.**

**8. Resolution of the Council, re: Proclaiming the week of May 2, 2010 to May 8, 2010 as Municipal Clerks Week within the Town.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to pass said resolution.**

**9. Communication of Cheryl G. Robinson, President, Turning Around Ministries, Inc., re: Appreciation for support of placing an advertisement in this year's TAM Weekend Souvenir Booklet.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said communication.**

**10. Memorandum of Town Planner, re: Planning Board Representative to the Tree Commission.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said memorandum and appoint Betty Jane Owen to said board for a term expiring January 2013.**

**TOWN COUNCIL**

**1. Resolution of the Council, re: Proclaiming August 12th in the Town as a day to mourn, reflect and dedicate ourselves to the pursuit of pedestrian safety in the name of Shantel Bailey.**

**Vice Chairman Cambra read and presented said proclamation to Lisa Bailey, mother, and family members of Shantel Bailey. Mr. Cambra on behalf of State Representative Deborah Ruggerio read and presented a State Citation.**

**Senator Louis P. DiPalma read and presented a Senate Citation to Lisa Bailey, mother of Shantel Bailey.**

**Lisa Bailey addressed the Council noting that in 1990 the Bailey Family became part of the Middletown community. Ms. Bailey explained that her daughter, Shantel, was an excellent student, a well grounded, compassionate young lady. She thanked the Council for proclaiming August 12th, Shantel's birthday, as a day to mourn, reflect and dedicate the day to the pursuit of pedestrian safety in the**

**Town.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to pass said resolution.**

**2. Resolution of the Council, re: Commendation for Chyleene O'Connor.**

**Council President Semonelli read the following memorandum into the Council record entered here:**

**Mr. Semonelli read and presented Chyleene O'Connor with said proclamation.**

**Chyleene O'Connor thanked all for the proclamation and recognized Debbie Christenson for all her assistance with making the Summer**

**Camp Program a success. Ms. O'Connor acknowledged Superintendent Rosemarie Kraeger for use of school facilities.**

**Senator Louis P. DiPalma read and presented a Senate Citation to Chyleene O'Connor.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to pass said resolution.**

**3. Application for Special Events Permit from Lynn and Andrew Nicoletta, Sarah Nicoletta and Robert Portsche Wedding Reception to be held at Webster Stables, 216 Gray Craig Road on Saturday, October 9, 2010 beginning at 5:00 pm and ending at 12:00 midnight.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to grant said special event permit.**

**4. Email communication of Rich Wolfe, Project Manager, Narragansett Bay Coyote Study, re: Presentation to the Council reporting recent progress with the Coyote Best Management Practices.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said email communication.**

**Rich Wolfe, Project Manager, NBCS, joined by Dr. Numi Mitchell, Lead Scientist, NBCS and Lynne Mallonee, Director of Education, Robert J. Potter League and Michelle Brown, Potter League Volunteer and Middletown Resident, addressed the Council concerning Coyotes in the area.**

**Dr. Numi Mitchell, Lead Scientist, NBCS reviewed the Best Management Practices for Coexistence with Coyotes on Aquidneck and Conanicut Islands entered here:**

**Ms. Mitchell requested the Council to adopt the Best Management Practices and to work with the NBCS to transport deceased animals, when needed to a composting facility.**

**Lynne Mallonee, Director of Education, Robert J. Potter League, addressed the Council explaining that the Potter League educates Middletown School third and seventh grades concerning coyotes in the Town. Ms. Mallonee noted that the Potter League supports the Best Management Practice Plan established by NBCS.**

**Michelle Brown, North Gate Resident, Potter League volunteer, pet owner and parent, addressed the Council noting her support of Dr. Numi Mitchell's recommendation, explaining there have been several sightings of coyotes, both day and night, in her area and believes this is a public safety issue.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to refer this request to the Town Administrator for review and recommendation.**

**5. Memorandum of Councillor VonVillas, re: Request the Town Council to appoint a Regional Planning Committee to explore the concept of School Regionalization.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said memorandum.**

**Antone Viveiros, 110 Indian Hill Road, addressed the Council expressing support of consolidation, but not regionalization. Mr. Viveiros reviewed the following entered here:**

**Mr. Viveiros requests the Council to reject the proposal, noting the proposal is not in the best interest of the taxpayer.**

**Council President Semonelli noted his support for the formation of**

**the Regional Planning Committee.**

**Councillor VonVillas noted that the formation of the Regional Planning Committee is only part one of legislation to explore the regionalization concept.**

**Town Solicitor Michael W. Miller explained that the committee will only explore the concept of regionalization.**

**Councillor Bozyan expressed his support.**

**Councillor Sylvia noted his support for exploring the concept of regionalization.**

**On motion of Councillor VonVillas, duly seconded, it was voted unanimously to appoint a Regional School District Planning**

**Committee in accordance with the State Statute consisting of five (5) members, three members to be appointed by the Town Council President, two (2) members to be appointed by the School Committee Chair.**

**6. Email communication of Councillor Silveira, re: Discuss current budget proposal and proposed increase.**

**Councillor Silveira noted the request, at an earlier meeting, that the Council voted to submit budget suggestions, within the next fourteen (14) days to the Town Administrator, with the goal to achieve a (0%) zero percent tax increase.**

**Antone Viveiros, 110 Indian Hill Road, addressed the Council requesting the School Department employees not take a pay raise and extend current contracts one year.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted**

**unanimously to receive said email communication.**

**Town Administrator Shawn Brown requested that the items #7, #8 & #9 be continued to a later date.**

**On motion of Councillor Sylvia, duly seconded, it was voted unanimously to continue items #7, #8 & #9, to a later date.**

**7. Memorandum of Town Administrator, re: Bond Act and Memorializing Resolution – Middletown Road Construction, Drainage & Sidewalk Improvements and Resolution – Middletown Wastewater System Improvements.**

**8. Resolution of the Council, re: Memorializing the General Assembly to Enact Legislation Authorizing the Town of Middletown, with the approval of the Qualified Electors, To Issue Bonds and Notes for Road Construction and Drainage and Sidewalk Improvements in the Town.**

**9. Resolution of the Council, re: Approving the Financing of Improvements to the Middletown Wastewater system and Approving the Issuance of Wastewater System Revenue Bonds and Notes therefore in an Amount not to exceed \$2,000,000.**

**10. Memorandum of Town Clerk, with enclosure, re: Waiving Recording Fees for Victims of the March Floods.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said memorandum.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to waive said recording fees for Victims of the March Floods.**

**11. Communication of Michael Schnack, President, Jamestown Town Council, re: Requesting Councillor's to dedicate dates during the week of June 21st or July 12th to meet regarding plans for Hess to build an LNG terminal in Mt. Hope Bay.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said communication.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to request the Clerk to review the calendar and with fellow councilors, to identify appropriate meeting dates regarding said Hess plans.**

## **PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than**

**five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**No one addressed the Council at this session.**

## **EXECUTIVE SESSION**

**Executive Session Pursuant to provisions of RIGL, Sections 42-46-2.,42-46-4. and 42-46-5. (a) (5) Land Acquisition (Linden Park), (5) Land Acquisition (Tuckerman Avenue) and (2) Collective Bargaining (Police, Fire, Public Works and Town Hall Unions).**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to recess this meeting at 8:17 P.M. and reconvene in executive session.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted**

**unanimously to reconvene this meeting in open session at 8:57 P.M.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to move forward with the recommendation of the Town Administrator.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to seal the minutes of the executive session pursuant to Section 42-46-7.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to adjourn this meeting at 8:59 P.M.**

**Wendy J.W. Marshall, CMC**

## **Council Clerk**

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