

**At a Regular Meeting of the Town Council of the Town of Middletown,
RI held at the Middletown Town Hall on Tuesday, January 19, 2016 at
5:00 P.M.**

Council President Robert J. Sylvia, Presiding

Vice President Robert Kempenaar, II

Councillor Henry F. Lombardi, Jr.

Councillor Paul M. Rodrigues

Councillor M. Theresa Santos

Councillor Antone C. Viveiros

Councillor Barbara A. VonVillas, Members Present

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

There were no reconsiderations.

5:00 PM - EXECUTIVE SESSION - CANCELLED

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (1) Personnel (Town Administrator) and (2) Collective Bargaining (Town Hall - NEARI).

6:00 PM - SCHOOL COMMITTEE - PRE-BUDGET CONSULTATION

2. Pursuant to - “§ 16-2-21 Pre-budget consultation – Annual reports – Appropriation requests – Budgets. – (a) At least sixty (60) days but not more than ninety (90) days prior to the formal submission of the school budget to the appropriate city or town officials by the school committee, there shall be a joint pre-budget meeting between the school committee and the city or town council(s). At or before this meeting:”

(1) “The highest elected official of the city or town shall submit to the school committee an estimate, prepared in a manner approved by the department of administration, of projected revenues for the next fiscal year. In the case of the property tax, the projections shall include only changes in the property tax base, not property tax rates;“

(2) “The school committee shall submit to the city or town council a statement for the next ensuing fiscal year of anticipated total expenditures, projected enrollments with resultant staff and facility requirements, and any necessary or mandated changes in school programs or operations”.

Also, present were Acting Town Administrator Police Chief Anthony Pesare, Finance Director Lynne Dible, Deputy Finance Director Marc Tanguay, Deputy Town Clerk Karin Clancey and Town Solicitor Peter B. Regan.

Present, representing the School Department, were Superintendent Rosemarie Kraeger, Assistant Superintendent Linda Savastano,

Business Manager Raquel Pellerin, School Committee Chair Theresa Spengler, Vice Chair Kellie DiPalma, and members Liana Ferreira Fenton and Douglas Arnold.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to begin said meeting with the School Committee and Administration.

Council President Sylvia welcomed all and noted the importance of this meeting with the School Department.

School Committee Chair Theresa Spengler, Superintendent Rosemarie Kraeger and Business Manager Raquel Pellerin reviewed the memorandum, dated January 19, 2016, item #5, entered below.

Discussion centered around the funding formula, what the School Department would need for an appropriation as of today would be a little over 2%, facilities projects, RIDE reimbursement for facility

projects, budget options for 2016 to be prepared by the School Department and dual enrollment courses (College Courses available at the High School).

3.

Communication of Robert J. Sylvia, President, Middletown Town Council, with enclosure, re: Information in accordance with RIGL 16-2-21.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

4. Receipt of Revenue Manual.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said Revenue Manual.

5. Memorandum of Theresa Spengler, School Committee Chair, with enclosures, re: Pre-Budget Consultation FY 2016-2017. (Documentation to follow)

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Robert Walker, 11 Porter Road, addressed the Council noting objections to closing school libraries.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to recess this meeting at 6:52 pm.

On motion of Councillor Rodrigues, duly seconded, it was voted unanimously to reconvene this meeting at 7:00 pm.

7:00 PM - PRESENTATIONS

6. (Continued from December 7, 2015, Regular Meeting)

Citation of the Council, re: St. George's Football Team.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to begin presentation and present said citation.

Councillor Lombardi read and presented the citation to Coach MacKay and the Football Team.

Council President Sylvia presented Coach MacKay and the Football Team with a Football signed by the Town Council.

Coach MacKay thanked the Council, introduced the other Team

Coaches and noted how proud he is of the Team.

7. Citation of the Council, re: Middletown High School Teacher – Jennifer Vaillancourt.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to begin presentation and present said citation.

Ms. Vaillancourt was not present, Council decided to hold the matter until she is able to attend.

8. Citation of the Council, re: Finance Director Lynne Dible – Years of Service.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to begin presentation and present said citation.

Council President Sylvia presented the citation, Vice President Kempenaar presented flowers and Councillor Rodrigues presented a photo of the Town Windmill to Ms. Dible.

Ms. Dible thanked everyone for the generous gifts and noted that she has learned a great deal from all she has worked with.

9.

Memorandum of Lori Verderosa, MPC Coordinator, re: Project Purple Week Proclamation.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Hannah Gibbison, Middletown High School Student, Member of PUSH and Morgan Rice, Middletown High School Student, representing Islanders Committed, addressed the Council thanking them for support and reviewed upcoming events throughout Project Purple week.

10. Resolution of the Council, re: Proclaiming January 25-29, 2016 as Project Purple Week in the Town.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to pass said resolution.

PUBLIC FORUM

11. 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. All items discussed during this session will not be voted upon.

No one spoke during this session.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to act as a board of license commission.

BOARD OF LICENSE COMMISSION

12. Application of Johnny's Atlantic Beach, Inc. dba Atlantic Beach Club, 53-55 Purgatory Road, holder of a Class BV Alcoholic Beverage License to TRANSFER said License to Newport Beach House, Inc., dba Newport Beach House for use at the same premises. (Requires Advertising for Public Hearing)

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said application and advertise for public hearing for February 16, 2016, regular meeting of the board.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to reconvene as a Town Council.

Vice President Kempenaar requested that items # 14- #21 be continued to the next Regular Meeting, February 1, 2016 and items #25, #27, #29 and #36 be heard under the regular portion of the docket.

CONSENT - ADOPT

13. Approval of Minutes, re: Regular Meeting, December 7, 2015.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to approve said minutes.

14. (Continued from December 7, 2015, Regular Meeting)

Communication of Tax Assessor, dated December 1, 2015, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

15. (Continued from December 7, 2015, Regular Meeting)

Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

16. Communication of Tax Assessor, dated December 29, 2015, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

17. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the

Council, to be held on February 1, 2016.

18. Communication of Tax Assessor, dated January 12, 2016, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

19. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

20. Communication of Tax Assessor and Finance Director, dated January 11, 2016, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

21. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to continue this item to the next Regular Meeting of the Council, to be held on February 1, 2016.

22.

Communication of Accounting Manager, thru Finance Director, with enclosure, re: Quarterly Tax Collector's Report as of 12/31/2015 – Town of Middletown.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication and report.

23. Memorandum of Finance Director, with enclosures, re: Donation of Surplus Fire 2002 Ford Explorer and DPW 1988 and 2000 Dump Trucks.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

24. Resolution of the Council, re: Surplus Fire 2002 Ford Explorer and DPW 1988 and 2000 Dump Trucks.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to pass said resolution.

25. Memorandum of Karen S.D. Grande, Locke Lord, with enclosure, re: Town of Middletown, RI Bond Act.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Finance Director Lynne Dible explained that the Bond now will be submitted to the General Assembly for approval for a referendum on the November 2016 ballot.

Councillor Rodrigues suggested instead of a bond, the Council consider increasing the CIP fund for town road work. Mr. Rodrigues noted concern that the bond will compound on the tax rate.

Discussion centered around placing the bond item on the next agenda for discussion, adopting a pay as you go system instead of bonds and review the amortization over the course of the bond.

On motion of Councillor Rodrigues, duly seconded, it was voted unanimously to look at spending \$650,000 over the next 5 years, currently in the CIP and add \$185,000 to the CIP for a total of \$835,000, instead of going out to bond and continue with the bond process, which is currently in place for the November 2016 election.

26. Memorandum of Town Administrator, with enclosure, re: Appointment of Interim Finance Director – Marc Tanguay.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum and confirm said appointment of Interim Finance Director – Marc Tanguay.

27. Communication of Council President Sylvia, re: Letter to RI Resource Recovery Corporation in opposition to the municipal solid waste disposal fee price structuring.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Rodrigues noted concern that the trash dividends may be eliminated and an increase tipping fees. Mr. Rodrigues suggests looking for trash alternatives.

28. Resolution of the Town of Charlestown, re: Requesting support of legislation on controlling blasting.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said resolution.

29. Communication of Sarah R. DeStefano, Project Manager, Weston & Sampson, re: Notification to Abutters, Proposed Remedial Alternative – RIDEM Case No. 2008-002, Town Center in the Valley Site, High Street & Adelaide Avenue, AP 108, Lot 4 (Parcels A & A1) & Lot 556, Middletown, RI.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Carol Cummings, 738 Indian Avenue, addressed the Council noting concern with contamination at the Valley property. Ms. Cummings presented the Council with a handout, entered here:

30. Communication of Gary Jablonski, Principal Engineer, Office of Waste Management, RI Department of Environmental Management, with enclosure, re: Town Center in the Valley, Plat 108, Lots 4 and 554 (formerly portion of Lot 1), High Street and Adelaide Avenue, Middletown.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

31. Communication of Denise Panichas, Executive Director, Samaritans of Rhode Island, re: Appreciation for support.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

32. Memorandum of Denise Panichas, Executive Director, Samaritans of Rhode Island, with enclosure, re: Requesting support to build awareness in the community.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

33. Communication of James Winters, President, Newport County NAACP, with enclosure, re: Appreciation for support.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

34. Communication of Sara Churgin, on behalf of Russ Smith, Chair, Eastern RI Conservation District, with enclosure, re: Requesting support for the Eastern Rhode Island Conservation District (ERICD).

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

35. Communication of Joseph A. Keough, Jr., re: City of Newport Utilities Department, Water Division Proposed Rate Increase. (A copy

of the Newport Water's filing is on file for viewing in the Office of the Town Clerk)

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

36. Communication of Peter V. Lacouture, with enclosures, re: The Narragansett Electric Company dba National Grid Aquidneck Island Reliability Project EFSB Application. (A copy of the complete application is on file for viewing in the Office of the Town Clerk)

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Rodrigues inquired the status of the Jepson Lane project.

Town Solicitor Peter B. Regan, responding to Councillor Rodrigues, explained that the application is the first step by Narragansett Electric Company for the project on Jepson Lane.

37. Memorandum of Clean Ocean Access, re: Quarterly Report on Adopted CRMC Public Rights of Way (2015/Q3 & Q4).

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum and Quarterly Report.

38. Notice of Public Hearing, Middletown Zoning Board of Review, Petition of Seaview Inn, LLC (owners) – by their attorney David P. Martland, Esquire – for a Special Use Permit from Sections 602, 725 & 1106 – to allow the installation of a ground-mounted solar photovoltaic facility in Zone 1 of the Watershed Protection District. Said real estate located at 240 Aquidneck Avenue, John Clarke Road & Valley Road and further identified as Lots 54 on Tax Assessor's Plat 115.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said Notice of Public Hearing.

39. License of Burial, re: Megan Surber – Section 53, Graves 17 & 18.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said license.

40. License of Burial, re: Emily Ferris – Section 52 East, Graves 191 & 192.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said license.

41. Application of Middletown Senior Center, Middletown, for

RENEWAL of a Bingo License for the 2016-2107 licensing year.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said license renewal and waive said fee.

42. Application of James J. Gaston, Middletown, for RENEWAL of a Private Detective License for the 2016-2017 licensing year.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said license renewal.

LICENSES

Councillor Santos recused herself from acting on the following item of business #43, due to a possible conflict of interest.

43. Application for Special Event Permit – Middletown Founder’s Day 2016 submitted by Gary Paquette for a joint Town/Historical Society event commemorating the founding of Middletown, to be held on Saturday, August 20, 2016 and Sunday, August 21, 2016 from 9:00 AM to 6:00 PM at Paradise Park. (Applicant requests Council to waive permit fee)

Council President Sylvia noted that the Middletown Historical Society is looking for volunteers for the event.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said Special Event Permit and waive said fee.

PUBLIC HEARING

44. (Public Hearing Advertised; Abutters notified)

(Public Hearing Remains Open)

An Ordinance of the Town of Middletown (Second Reading)

An

ordinance in Amendment to the Town Code of the Town of Middletown, Title XV, Land Use, A Temporary Moratorium on Construction and Development of Large Scale Shopping Centers & Buildings with Footprints Exceeding 35,000 Square Feet in the General Business and Traffic Sensitive General Business Zoning Districts.

Public Hearing remains open.

Claudia Gorman, 180 Vernon Avenue, addressed the Council noting support for the moratorium and concern with open space being developed.

Jim Cronin, 904 Fairway Drive, addressed the Council, noting opposition to big box stores and supports the moratorium.

There being no other persons desiring to be heard, public hearing was declared closed.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to adopt said ordinance on its second reading.

OTHER COMMUNICATIONS

45.

Communication of St. Patrick's Day Parade Committee, re: Request for support by placing an ad in the Parade Bulletin or donating to the parade committee.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication and place a ½ page ad in the St. Patrick's Parade Bulletin (\$130.00) to be appropriated from the Council President's discretionary fund.

46. Communication of Olivia Cheever, Emilie Isaacson and Aniyah Jones, Brownie Troop #85, re: Sidewalks on Purgatory Road.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication and forward said request to the Town Administration for review.

Councillor Santos recused herself from acting on the following item of business #47, due to a possible conflict of interest.

Councillor Rodrigues recused himself from acting on the following item of business #47, due to a possible conflict of interest.

47. Communication of William H. Nedderman, Jr., Building and Grounds, Middletown Historical Society, with enclosure, re: Requesting support by the Town Council to gain Land Trust consent to build a small forge barn on Paradise Park.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Bill Nedderman, 31 Perry Avenue, Building and Grounds for the Middletown Historical Society, reviewed the communication above and requested Council support.

Town Solicitor Peter B. Regan noted that the property is subject to a Conservation Easement, which does not allow for a building to be constructed.

48. Memorandum of Charlene Rose-Cirillo, Chair, Middletown Planning Board, with enclosure, re: GrowSmart RI offer to technical assistance – Agricultural Overlay District.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Town Planner Ronald Wolanski reviewed the memorandum, above.

Art Weber, Vice Chairman of the Middletown Planner Board, addressed the Council in support of the technical assistance offered by GrowSmart RI.

Discussion centered around that there will be no requirement for the Town to follow any suggestions provided, GrowSmart RI has been involved with other Rhode Island communities establishing Agricultural Overlay districts, and the amendment will give farmers

the ability to pursue other business opportunities.

49. Resolution of the Council, re: Accepting GrowSmart RI's Offer of technical assistance to draft an agricultural business overlay district.

Discussion centered around investigating tax exemptions for farmers.

On motion of Vice President Kempenaar, duly seconded, it was voted to pass said resolution; Councillor Santos and Councillor Viveiros voted NO to said motion.

50. Communication of Charlene Rose-Cirillo, Chair, Middletown Planning Board, re: Proposed public informational workshop on land use and development matters.

On motion of Vice President Kempenaar, duly seconded, it was voted

unanimously to receive said communication.

Town Planner Ronald Wolanski reviewed the memorandum above.

TOWN COUNCIL

Councillor Santos recused herself from acting on the following item of business #51, due to a possible conflict of interest.

Councillor Rodrigues recused himself from acting on the following item of business #51, due to a possible conflict of interest.

51. At the request of Council President Sylvia,

Memorandum of Town Administrator, with enclosure, re: Middletown Historical Society request for funds.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

52. Communication of Councillor Viveiros, with enclosure, re: Discussion of proposed restorations of dunes at 3rd Beach.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Viveiros reviewed the memorandum and enclosure above.

Discussion centered around the Town Engineer and DPW Director working on the Second Beach Walk over project with the Beach Commission and CRMC, the design of the walk overs and the project being part of the Sandy Hurricane Resiliency Grant.

53. Communication of Councillor Viveiros, re: Discussion of stopping spending not approved by the Council, in both the Operational and CIP budgets.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Viveiros reviewed the memorandum above. Mr. Viveiros noted that just because the money is in the budget, does not mean it has to be spent.

Council President Sylvia explained that all projects are brought before the Council by resolution for approval before the money is spent.

Councillor Rodrigues noted that monies should be reallocated, if needed. Mr. Rodrigues explained that monies should be spent on what is necessary, not nice.

54. Communication of Councillor Viveiros, re: Comprehensive Plan and Zoning still remains non-compatible.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Art Weber, 145 Island Drive, Planning Board Vice Chair, explained the process of changing the zoning ordinance and noted that there is no need for a meeting.

Councillor Viveiros suggests a meeting with the Planning Board and Town Council to review zoning changes in the Comprehensive Community Plan.

Councillor VonVillas explained that she would be uncomfortable having a meeting because there is a structure in place to eliminate political interference. Ms. VonVillas noted she does not support having a meeting.

Council President Sylvia explained that there is a well-defined process to bring the Zoning ordinances in compliance with the Middletown Comprehensive Community Plan.

Councillor Rodrigues suggest the process be followed.

55. Communication of Councillor Viveiros, re: Discuss exploring a new property tax collection system.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Viveiros reviewed the communication above. Mr. Viveiros explained that he would like the Council to form a sub-committee, consisting of 3 Councillors and 4 Residents, to explore another form of tax collection and report back to the Council.

On motion of Councillor Viveiros, duly seconded, it was voted to form a seven person sub-committee, consisting of 3 Councillors and 4 Residents, to explore another form of how we tax our property and how other communities tax property and report back to the Council

Town Solicitor Peter B. Regan explained that legislation would be required to allow Middletown to tax differently because the tax collection process is set by State law.

Vote was taken at this time

Repeat of motion –

On motion of Councillor Viveiros, duly seconded, it was voted to form a seven person sub-committee consisting of 3 Councillors and 4 Residents to explore another form of how we tax our property and how other communities tax property and report back to the Council; Councillor Rodrigues, Councillor Santos and Councillor Viveiros voted YES; Council President Sylvia, Vice President Kempenaar, Councillor Lombardi and Councillor VonVillas voted NO to said motion; MOTION FAILED TO PASS.

56. Communication of Councillor Viveiros, re: Discuss a resolution in opposition to the Governor's Rhode Works proposal.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication.

Councillor Viveiros reviewed the memorandum above.

On motion of Councillor Viveiros, duly seconded, it was voted to prepare a resolution in opposition to the Governor's proposal; Councillor VonVillas voted NO to said motion.

TOWN ADMINISTRATOR

57.

Memorandum of the Town Administrator, with enclosures, re: Draft Report: Impact Fee Study for Sanitary Sewer. (Planning Board Recommendation attached)

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Town Solicitor Peter B. Regan reviewed the memorandum above.

58. Memorandum of Town Administrator, re: Impact Fees Schedule Recommendation.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to request the Town Solicitor draft ordinance language as necessary to adopt the proposed impact fees listed in the Memorandum of the Town Administrator, dated January 11, 2016.

59. Memorandum of Town Planner, re: EPA Southeast New England Program for Coastal Watershed Restoration.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said memorandum.

Town Planner Ronald Wolanski reviewed the memorandum above.

Tom Ardito, Executive Director of the Aquidneck Island Planning Commission, addressed the Council requesting the town to authorize the administration to submit letter of support, including commitment of town participation and contribution of up to \$25,000 of in-kind service, with any additional town in-kind or cash match requests subject to Town Council authorization for Coastal Watershed Restoration.

Discussion centered around how the money is divided between Portsmouth, Middletown and Newport, that the program is a three proposal program which will come back to the Council for approval and that the in-kind service fee may be decreased.

60. Resolution of the Council, re: Authorizing administration to submit letter of support, including commitment of town participation and contribution of up to \$25,000 of in-kind service, with any additional town in-kind or cash match requests subject to Town Council authorization.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to pass said resolution.

61. Audit Committee Presentation.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive and review said Audit Committee Presentation.

Finance Director Lynne Dible reviewed the presentation, which is on file in the Office of the Town Clerk.

62. Town of Middletown Audit – Year Ending June 30, 2015.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said Town of Middletown Audit – Year Ended June 30, 2015.

APPOINTMENT TO BOARDS AND COMMITTEES

63. Appointment of one (1) member to the Open Space and Fields Committee, to complete a term expiring November 2016.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to reappoint Michael Richard to the Open Space and Fields Committee, to complete a term expiring November 2016.

64. Appointment of Tree Warden for the 2016 calendar year.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to reappoint Alan Kirby as Tree Warden for the 2016 calendar year.

65. Appointment of Alternate Council Members to the Budget Sub-Committee.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to appointed Councillor Lombardi, Councillor Viveiros and Councillor VonVillas as Alternates to the Budget Sub-Committee.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to adjourn said meeting at 9:47 pm.

Wendy J.W. Marshall, CMC

Town Clerk

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