

**At a Regular Meeting of the Town Council of the Town of Middletown,
RI held at the Middletown Town Hall, 350 East Main Road,
Middletown, RI on Monday, August 15, 2016 at 6:00 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.

6:00 PM - EXECUTIVE SESSION

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Potential Litigation and (2) Potential Litigation.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 6:01 p.m.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to recess executive session and reconvene in open session at 6:22 p.m.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to receive said claim.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to seal the executive session minutes pursuant to Section 42-46-7. RIGL.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to recess this meeting at 6:25 p.m.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to reconvene this meeting at 7:00 p.m.

PRESENTATIONS

2. Citation of the Council, re: Middletown Boys Majors Baseball

All Stars.

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

Council President Sylvia, Vice President Kempenaar, Councillor Lombardi and Councillor Rodrigues presented the Middletown Boys Majors Baseball All Star Team and Coaches with a Citation and Plaque.

Carter Grimm, Middletown, addressed the Council thanking them for the upgrades to town fields.

Max Nasser, Middletown, addressed the Council thanking them for fixing the fields, bathrooms, batting cages and dugouts.

Tom Nasser, Coach, Middletown Boys Majors Baseball All Stars, addressed the Council thanking the Council for their support on the field's projects.

Luke Prochazka, Middletown, addressed the Council thanking them for the improvements to town fields.

3. Citation of the Council, re: Middletown Girls Softball 9/10 All Stars.

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

Council President Sylvia, Vice President Kempenaar, Councillor Lombardi and Councillor Rodrigues presented the Middletown Girls Softball 9/10 All Stars and Coaches with a Citation and Plaque.

Kaylee Stratford, Middletown, addressed the Council thanking them for the improvements to the fields.

Kelsey Welby, Middletown, addressed the Council noting the team had a great season, due to great fields.

Douglas Arnold, Manager of Middletown Girls Softball 9/10 All Stars noted that Town fields look great and the Girls team improved.

4. Citation of the Council, re: Middletown Youth Soccer Club U12 Girls Soccer Team.

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

Council President Sylvia, Vice President Kempenaar, Councillor Lombardi and Councillor Rodrigues presented the Middletown Youth Soccer Club U12 Girls Soccer Team and Coaches with a Citation and Council signed Soccer Ball.

Isabelle Huntoon, Middletown, addressed the Council noting this was the first time winning a championship and she enjoys her team.

Dave Huntoon, Coach Middletown Youth Soccer Club U12 Girls Soccer Team thanked the Town Council for the recognition of the team's accomplishment.

PUBLIC FORUM

5. 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

6. (Public Hearing Advertised; abutters notified)

Application of Seaview Hotel, Inc. for a Class BT Alcoholic Beverage License for the 2015-2016 licensing year on premises located at 240 Aquidneck Avenue, Middletown.

Public hearing was declared open.

Robert M. Silva, Esquire, addressed the Council noting he is representing the applicant, noting the understanding that the license will not be issued until the project/building is complete.

Councillor Rodrigues questioned a BV or BT license and suggested more of a description under the question of other businesses held by the applicant.

Councillor Santos noted concern for granting a license without the building being complete.

Vice President Kempenaar noted that the license will be in place when the building is complete and issued at that time.

Council President Sylvia explained that licenses are granted with contingencies, the license would not be issued until all requirements are met.

Councillor Viveiros suggested approving the license and not issue until the Building Official has issued the occupancy permit.

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

On motion of Vice President Kempenaar, duly seconded, it was voted to grant said license; Councillor Santos voted NO to said motion.

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

LICENSES

- 7. Application of Seaview Hotel, Inc., 240 Aquidneck Avenue, for a Victualling House License for the 2015-2016 licensing year. (NEW)**

On motion of Vice President Kempenaar, duly seconded, it was voted to grant said license contingent on Building Official, Fire Marshal, Public Works and Board of Health approvals; Councillor Santos voted NO to said motion.

- 8. Application of Danielle Charon Stroud dba SPIRIT HALLOWEEN, 288 East Main Road for a Holiday License for the 2016-2017 licensing year. (NEW)**

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

9. Application of Max Reeves and Ryan Connors dba Reds, Newport, RI for a Peddler's License (Including Special Events by invitation only) for the 2016-2017 licensing year. (NEW)

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

Vice President Kempenaar requested that item #15 be heard under the regular portion of the docket.

CONSENT

10. Approval of Minutes, re: Regular Meeting, July 18, 2016.

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

11. Communication of Tax Assessor, with enclosure, re: Cancellation of Taxes for certain Middletown residents.

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

12. 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 pass said resolution.

13. Memorandum of Finance Director, with enclosures, re: Surplus

High School Athletic Uniforms – School Department.

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

14. Resolution of the Council, re: Surplus High School Athletic Uniforms – School Department.

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

15. Memorandum of Finance Director, with enclosures, re: Surplus Audio Visual Equipment – School Department.

Councillor Santos suggested to continue this item to the next regular meeting; inquiring why the Town Council has to approve surplus

property for the School Department.

Councillor Rodrigues noted he does not see a reason to continue this item, the Town is following the rules.

Councillor Lombardi noted he understands Councillor Santos concerns, but continuing the matter may hold the School Department up from completing their task.

Council President Sylvia noted that the monies are all taxpayer funds and the Council follows the Town Charter and Ordinances.

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

16. Resolution of the Council, re: Surplus Audio Visual Equipment –

School Department.

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

17. Notice of Public Hearing from the License Commissioners for Seaview Hotel, Inc., 240 Aquidneck Avenue.

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

18. Town of Portsmouth Advisory Opinion on Application for Sound Variance, re: The Narragansett Electric Company dba National Grid (Aquidneck Island Reliability Project).

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

unanimously to receive said Town of Portsmouth Advisory Opinion.

19. Communication of Peter V. Lacouture, Robinson & Cole, with enclosure, re: The Narragansett Electric Company dba National Grid, Aquidneck Island Reliability Project, PUC Docket No. 4614.

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

20. Communication of Marisa A. Desautel, Attorney-At-Law, with enclosure, re: PUC Docket No. 4614 – PUC Advisory Opinion Regarding Need of The Narragansett Electric Co. dba National Grid to Construct and Alter Certain Transmission Components in the Towns of Portsmouth and Middletown (Aquidneck Island Reliability Project).

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

21. RI Division of Public Utilities Interrogatories and Requests for Production – Set II To Narragansett Electric Company dba National Grid.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said RI Division of Public Utilities Interrogatories and Requests for Production – Set II To Narragansett Electric Company dba National Grid.

22. Communication of Christy Hetherington, Special Assistant Attorney General, with enclosures, re: PUC Docket No. 4614 – PUC Advisory Opinion Regarding Need of The Narragansett Electric Co. dba National Grid to Construct and Alter Certain Transmission Components in the Towns of Portsmouth and Middletown (Aquidneck Island Reliability Project).

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

23. Resolution of the City of Newport, re: 226th Anniversary Celebration of “Hope Day: Birth of Our Nation”.

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

24. Application for Special Event Permit from Water Brothers for Water Brothers Pro Surf Contest – Surfing Competition to be held at Second Beach on October 15, 2016 (Rain date October 16, 2016) or October 22, 2016 (Rain date October 23, 2016).

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to grant said Special Event Permit, subject to all fees, including detail fees if applicable, to be paid prior to the event.

PUBLIC HEARINGS

25. (Continued from Regular Meeting of June 20, 2016; Public Hearing Remains Open)

Public Hearing Advertised; Abutters Notified.

Application from Narragansett Electric Company dba National Grid, for a sound variance to the Noise Ordinance for its Aquidneck Island Reliability Project – Sections 130.75 – 130.91 of the Middletown Town Code, entitled “Noise”.

Public Hearing Remains Open.

George W. Watson, III, Esquire and Dan McIntyre, Civil Engineer, representing Narragansett Electric Company, addressed the Council presented the Council with a handout which included the EFSB Order 91, Substation Construction Duration and proposed conditions on the Requested Variance entered here:

George W. Watson, III, Enquire noted the project cost for underground lines using the existing right away would be 48 million; to use public roads the cost for underground lines would be 67.5 million.

Terri Flynn, 34 Warren Avenue, suggested the Council inquire the cost and time to fix above ground lines.

Kevin Smith, 519 Jepson Lane, addressed the Council requesting them not to approve the project.

Councillor Rodrigues noted concern that if the variance is granted, it would seem the Council is in support of the project.

Town Solicitor Peter B. Regan noted that the PUC Board has directed the Town to issue an Advisory Opinion. Mr. Regan explained the

Council can make it clear for the record that the Council is not approving the relocation of the project.

Councillor Viveiros noted agreement with 72 hour notice to abutters and Town Officials if the construction activity would take place before 7 a.m. or after 9:00 pm.

Councillor Rodrigues noted concern that the project while working in Portsmouth may still effect Middletown residents.

Casey Smith, 519 Jepson Lane, addressed the Council thanking them for support and requesting the Council not grant the variance.

Councillor Viveiros noted concern that the Council would be granting a variance and is uncertain which side of Jepson Lane the substation will be built on.

Discussion centered around the Town is being directed to provide an

Advisory Opinion, the deadline for the Advisory Opinion, the conditions of the project are set for when the project is under construction and concern with the families in the area of the construction.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to impose the following conditions on the application:

1. All construction activity shall generally be performed between the hours of 7:00 a.m. and 9:00 p.m. in accordance with §130.78 (H) of the Noise Ordinance.

2. In the event that any construction activity needs to be extended to take place after 9:00 p.m. or before 7:00 a.m. on any given day, National Grid shall give the Town Administrator, the Police Chief, the Fire Chief, and all affected abutters advance notice of at least 72 hours, if practicable;

- 3. There shall be no drilling of rock after 5:00 p.m.**

- 4. There shall be no cutting of vegetation after 5:00 p.m.**

- 5. Provide a construction schedule prior to starting the project; and**

- 6. Town Council approval of the Noise Variance is not an approval of the relocation of the substation.**

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

On motion of Council President Sylvia, duly seconded, it was voted unanimously to approve National Grid's application of sound variance, subject to the following conditions:

1. All construction activity shall generally be performed between the hours of 7:00 a.m. and 9:00 p.m. in accordance with §130.78 (H) of the Noise Ordinance.

2. In the event that any construction activity needs to be extended to take place after 9:00 p.m. or before 7:00 a.m. on any given day, National Grid shall give the Town Administrator, the Police Chief, the Fire Chief, and all affected abutters advance notice of at least 72 hours, if practicable;

3. There shall be no drilling of rock after 5:00 p.m.

4. There shall be no cutting of vegetation after 5:00 p.m.

5. Provide a construction schedule prior to starting the project; and

6. Town Council approval of the Noise Variance is not an approval of the relocation of the substation.

26. (Public Hearing Advertised; Abutters Notified)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XV Land Use, Chapter 152 Zoning Code – Town’s Zoning Map. (Plat 107SW, Lot 142)

Public Hearing was declared open.

Town Planner Ronald Wolanski reviewed the Town’s Zoning Map, noting the lot at Two Mile Corner, Plat 107SW, Lot 142, owned by BankNewport is currently zoned Office Business-Traffic Sensitive (OBA) to be rezoned General Business-Traffic Sensitive (GBA) to achieve consistency with the Town’s future Land use plan.

Terri Flynn, 34 Warren Avenue, addressed the Council noting concern with the residential area behind the proposed change and the impact on the residents.

Gregory Derderian, CEO, BankNewport, addressed the Council explaining that the branch is planning on remaining as is and plan on being a longtime owner of the property. Mr. Dederian noted that the bank have no objects to the change in zoning.

Councillor Rodrigues inquired if the change would impact the area resident's property values?

Public hearing remains open.

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

unanimously to receive said ordinance on its first reading.

27. (Public Hearing Advertised; Abutters Notified)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XV Land Use, Chapter 152 Zoning Code – Town’s Zoning Map. (Plat 113, Lots 6A, 7, 8, 9, 10, 11 and 12)

Public Hearing was declared open.

Town Planner Ronald Wolanski noted the proposed Zoning change to the Town’s Map is an issue of consistency changing the current zoning Office Business (OB) to Residential – 20,000 Sq. Ft. (R-20) which is the current use in the area.

Alice Curran, 129 Forest Avenue, noted concern with West House on

Forest Avenue, remaining Office Business (OB) when the area is residential.

Town Planner Ronald Wolanski, responding to Alice Curran, explained that the process is to achieve consistency between the two maps and West House will be addressed in the future.

Councillor Rodrigues inquired if the change would impact the area resident's property values?

Public hearing will remain open

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

ORDINANCES

28. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XI Business Regulations, Chapter 110 General Provisions, Section 110.01 Issuance and Renewal of Town Licenses and Permits.

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

29. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 33 Beach Fees and Section 34 Campground Fees.

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

unanimously to receive said ordinance on its first reading.

30. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title VII Traffic Code, Chapter 70 General Provisions, Section 70.99 Penalties.

Councillor Rodrigues inquired why the increase to \$40.00.

Police Chief Anthony Pesare, responding the Councillor Rodrigues, explained that people are parking on the streets taking a chance because a parking ticket at this time is cheaper than the daily beach fee.

Payson Fugit, 1 Kent Road, addressed the Council noted concern with the fine increase.

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

31. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title VII Traffic Code, Chapter 74 Parking Schedules, Schedule I: Parking on Roadways South and East of Aquidneck Avenue.

Councillor Santos noted a change in the name of Abe Meyer Lane to Purgatory Lane.

Payson Fugit, 1 Kent Road, addressed the Council noting concern with verbiage within the ordinance, explaining that more specifics should be added for landscapers and utility vehicles. Mr. Fugit also requested the Council to remove Kent Road from the ordinance.

Councillor Rodrigues noted concern with property owners and their visitors being ticketed.

Police Chief Anthony Pesare noted that the Officers use discretion before issuing a ticket.

Council President Sylvia suggested that the Town look into resident stickers.

Councillor Lombardi noted that residential sticker parking has to be regulated and is costly.

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

32. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XI Business Regulations, Chapter 116 Body Works Services, Section 116.01 Legislative Findings And Intent, Section 116.06 Definitions, 116.17 Criminal Background Check (New Section) and 116.96 Revocation of License.

Councillor Rodrigues questioned why the Town Administrator is written into the ordinance?

Town Solicitor Peter B. Regan explained that the changes were due to enabling legislation and the ordinance can be amended at its second reading.

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

OTHER COMMUNICATIONS

Councillor Santos recused herself from acting on the following item #33 of business, due to a possible conflict of interest.

33. Communication of Gary D. Paquette/President Middletown Historical Society, re: Request for Support for a 40th Anniversary of the founding of the Middletown Historical Society and Annual Boyd's Wind Grist Mill event.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to receive said communication and authorize \$2000.00 for the 40th Anniversary Celebration of the founding of the Middletown Historical Society and Annual Boyd's Wind Grist Mill event be appropriated from the President's Discretionary Fund.

34. Communication of Beth Larcom, Pan-Mass Challenge 2016, Team

Tie-Dye, re: Request for support the 2016 Pan-Mass Challenge.

On motion of Councillor Lombardi duly seconded, it was voted unanimously to receive said communication and authorize \$250.00 for the 2016 Pan-Mass Challenge to be appropriated from the President's Discretionary Fund.

35. Memorandum of Stephen and Janine DeRoss, Middletown, re: Request for change in parking ban on Kent Road.

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

Janine Delross, 3 Kent Road, addressed the Council and presented a signed petition from residents on Kent Road requesting parking to be allowed on Kent Road.

Richard Baker, Portsmouth, RI addressed the Council explaining that his family has owned the house on Kent Road for over fifty years and has never had a parking issue on the street.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to refer this matter to the Town Administration for review and recommendation.

36. Email communication of Terri Flynn, Middletown, re: Discussion regarding contact information available on the Town website for all members of the Boards and Commissions.

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

Terri Flynn, 34 Warren Avenue, addressed the Council, reviewing the above communication and presenting the Council with a handout, entered here:

Town Solicitor Peter B. Regan noted concern with volunteer information being available to the public. Mr. Regan explained the Town must follow state law regarding open meetings and public records.

Councillor Viveiros suggested that private citizens should be able to contact board members with information.

Town Solicitor Peter B. Regan explained that information from residents should be presented at the public meetings of the board. Mr. Regan explained that residents may contact the Town Department heads with issues or concerns.

Councillor Lombardi explained that he has spoken to board members and they are not in support of personal information being available to the public.

Councillor Rodrigues noted the intension is good, but putting personal information to the public could be a liability to the Town.

Discussion centered around if a one way email could be put into effect for board chairs, encouraging the public to attend the meetings or sending letters to the boards to become part of the official committee record, transparency and concern with a rolling quorum email chain.

Carmella Geer, 10 Wood Road, member of the Juvenile Hearing Board, addressed the Council noting opposition to board members being contacted by the public, explaining that the public should contact the Town Departments with questions, concerns and information.

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to refer this matter to the Town Administration for review and recommendation.

TOWN COUNCIL

37. Communication of Councillor Viveiros, re: Posting of draft minutes by all Boards and Committees.

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

Councillor Viveiros reviewed the communication above.

Town Solicitor Peter B. Regan noted concern that a draft may contain inaccurate information.

On motion of Councillor Viveiros, duly seconded, it was voted to have

a place on the website for draft board minutes, which would give an idea of what took place at the meeting, Councillor Viveiros voted YES to said motion; Council President Sylvia, Vice President Kempenaar, Councillor Lombardi, Councillor Rodrigues, Councillor Santos and Councillor VonVillas voted NO to said motion; MOTION FAILED TO PASS.

38. Communication of Councillor Viveiros, re: Audio taping all Boards and Committee meetings and placing the meetings on the Town website.

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

Councillor Viveiros reviewed the communication above.

Arthur Weber, 145 Island Drive, Planning Board Chair, addressed the Council explaining that this initiative to tape all meetings is not a

good idea, noting the cost would be expensive.

Terri Flynn, 34 Warren Avenue, noted support for audio taping meetings because the minutes do not have much detail.

Councillor Viveiros suggests the Planning and Zoning Boards be audio taped and placed on the website.

Councillor Rodrigues noted he would like a cost analysis for audio taping.

On motion of Councillor Viveiros, duly seconded, to run the by the administrator to get cost and idea of the cost of audio taping

Councillor Viveiros withdrew said motion.

On motion of Councillor Viveiros, duly seconded, it was voted unanimously to continue this item to the next regular meeting of the Council, September 6, 2016.

39. Communication of Councillor Viveiros, re: Creation of inspection process for restrictions set by Planning and Zoning Boards.

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

Councillor Viveiros reviewed the communication above.

Town Engineer Warren Hall noted the process followed by the Town Staff for Town projects. Mr. Hall explained the inspections of each project by all departments.

Discussion centered around property owners paying for follow up inspections to make sure conditions set by the Town remain in place, the Town currently follows up with issues when contacted and the cost associated with staff for follow up inspections.

On motion of Councillor Viveiros, duly seconded, it was voted to run by the administrator to get an estimated cost to enforce restrictions on properties to prevent problems; Vice President Kempenaar voted NO to said motion.

40. Communication of Councillor Viveiros, re: To discuss a moratorium on spending not approved in the town's budgets, except for emergencies.

Councillor Viveiros reviewed the communication above. Mr. Viveiros noted that the Town is over extending itself, the economy is going to take a turn for worst.

Councillor VonVillas noted that Councillor Viveiros has presented several recommendations which should wait for the Town Administrator to review.

Council President Sylvia noted that Town funds are not spent without a resolution approved by the Council.

On motion of Councillor Viveiros, duly seconded, it was voted unanimously to receive said communication, and hold the matter over for the next meeting to give Councilor's a chance to digest my proposal and try to understand it so that we have to tighten our belts.

41. Communication of Councillor Santos, re: Recycling.

Councillor Santos reviewed the communication above.

Councillor Santos apologized to the Council, noting monies were received for recyclables. Ms. Santos inquired if it is possible to look into the expense for a smaller bag.

Operations & Facility Manager Will Cronin, responding to Councillor Santos, noted he will get information regarding small trash bags.

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

TOWN ADMINISTRATION

42. Memorandum of MPC Coordinator, through Town Administrator, with enclosure, re: Request Letter of Support for Newport County Prevention Coalition Grant.

Thomas Lyons, MPC Chair, addressed the Council requesting letter of support for Newport County Prevention Coalition Grant.

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 authorize the Town Council President to execute the letter of support for the Newport County Prevention Coalition Grant on behalf of the Town Council.

43. Memorandum of DPW Director, with enclosures, re: FY17 Capital Improvement (CIP) Project #851-2008-002 Vehicle Pool FY17 Town Engineer Vehicle: 2017 Ford Explorer.

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

unanimously to receive said memorandum.

44. Resolution of the Council, re: Approval of purchase for Town Engineer Vehicle: 2017 Ford Explorer.

Councillor Viveiros inquired what model Explorer will be purchased.

Public Works Director Tom O'Loughlin explained the vehicle is a base model, no extra's and purchased through the Master Price Agreement.

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

45. Memorandum of Police Chief, with enclosures, re: FY 2017 CIP Purchase Request-Vehicle Replacement.

Councillor Rodrigues noted that the purchase was approved in the 2017-2018 Fiscal Year Budget.

Councillor Viveiros inquired when the vehicles would be delivered.

Police Chief Anthony Pesare noted it will take six to nine months to get the vehicles.

Councillor Viveiros noted that the purchase was approved in the 2017-2018 Fiscal Year Budget.

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

46. Resolution of the Council, re: Approval of FY 2017 CIP Purchase

of Police Vehicles and Equipment.

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

47. Memorandum of Police Chief, with enclosures, re: FY 2017 CIP Purchase Request – Handgun Replacement.

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

48. Resolution of the Council, re: Approval of FY 2017 CIP Purchase Request – Handgun Replacement.

Councillor Viveiros noted that the purchase was approved in the 2017-2018 Fiscal Year (CIP) Budget.

Councillor Rodrigues inquired the number of Officers with weapons?

Police Chief Anthony Pesare explained there are 40 Officers, 10 Non-Permanent with 5 additional weapons.

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

49. Memorandum of Police Chief, with enclosures, re: FY 2017 CIP Purchase Request – Variable Message Boards.

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

50. Resolution of the Council, re: Approval of FY 2017 CIP Purchase Request – Variable Message Boards.

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

On motion of Vice President Kempenaar, duly seconded, it was voted unanimously to adjourn said meeting at 10:52 p.m.

Wendy J.W. Marshall, CMC

Council Clerk

Published by ClerkBase

©2016 by Clerkbase. No Claim to Original Government Works.