

**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, April 17, 2017 at 5:30 P.M.**

**Council President Robert J. Sylvia, Presiding**

**Vice President Paul M. Rodrigues**

**Councillor Henry F. Lombardi, Jr.**

**Councillor M. Theresa Santos**

**Councillor Dennis B. Turano, arrives at 5:47 p.m.**

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

**Councillor Antone C. Viveiros, Absent**

**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.**

**5:30 P.M. - 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) Collective Bargaining (IBPO) Addendum – filed April 14, 2017 - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Potential Litigation.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 5:32 p.m.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess executive session and reconvene in open**

**session at 6:08 p.m.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said claim.**

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

**6:00 P.M. - BUDGET**

**2. Review of FY2017–2018 Proposed Budget – Library and matters related thereto.**

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

**Library Board of Trustees Chair Stephen Arendt and Librarian Theresa Coish reviewed a PowerPoint presentation of the budget, which is on file in the Office of the Town Clerk.**

**Library Board of Trustees Chair Stephen Arendt noted that on Sunday, April 23, 2017 at 3:00 p.m. there is a free music presentation at the Library.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess this meeting at 6:52 p.m.**

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

**PUBLIC FORUM**

**3. 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.**

**Allen J. Shers, 40 Roger Williams Court, Portsmouth, RI, addressed the Council with a conceptual drawing of an area on Valley Road, owned by Mr. Shers which would house a Senior Center, Library, Medical Offices and Senior Housing. Mr. Shers noted he is open to discussion regarding the concept.**

**Councillor Rodrigues requested that items #5, #6, #8 and #19 be heard under the regular portion of the agenda.**

## **CONSENT**

**4. Approval of Minutes, re: Regular Meeting, April 3, 2017.**

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

**5. At the request of Council President Sylvia, Resolution of the Council, re: Proclaiming April 2017 the Month of the Military Child in the Town.**

**Council President Sylvia presented the proclamation to Forest Avenue School Principal Steve Ponte.**

**Forest Avenue School Principal Steve Ponte noted upcoming school events to recognize the Month of the Military Child.**

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

**6. Communication of Tax Assessor and Finance Director, with enclosures, re: Cancellation of Taxes for certain Middletown residents.**

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

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

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



**8. Memorandum of Town Engineer, thru Town Administrator, with enclosure, re: Plan of No Parking Sign Layout, Indian Avenue, Peckham Avenue, and Vaocluse Avenue.**

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

**Councillor Santos inquired when the signs will be installed.**

**Town Administrator Shawn Brown, responding to Councillor Santos, noted that the signs will be ordered in the morning and installed as soon as possible.**

**Carol A. Cummings, 738 Indian Avenue, thanked the Council for the change to the parking in the Indian and Peckham Avenue area.**

**9. Memorandum of the Town Planner, re: 2017 Planning Board Officers & Committee Appointments.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said memorandum and confirm appointments.**

**10. Communication of Aaron Pugatch, Chief Financial Officer, Visiting Nurse Services of Newport and Bristol Counties, re: Appreciation of support.**

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

**11. Communication of Attorney Marisa A. Desautel, with enclosures,**

**re: The Narragansett Electric Company dba National Grid's Application to Construct the Aquidneck Island Reliability Project in Portsmouth and Middletown, Rhode Island – Docket No. SB-2016-01.**

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

**12. Documents from of Peter V. Lacouture, Robinson & Cole, re: SB-2016-01 Aquidneck Island Reliability Project – Service List and Exhibit list.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said documents.**

**13. Communication of George W. Watson, III, with enclosure, re: Narragansett Electric Company dba National Grid Aquidneck Island Reliability Project, Docket No. SB-2016-01.**

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

**14. An Ordinance of the Town of Middletown-Section XV Land Use, Chapter 152 Zoning Code, Article 7 – Adding a new Section 726 Collection Boxes. (Planning Board recommendation attached; Requires advertising for public hearing)**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to advertise said ordinance for public hearing.**

**15. Communication of Michael W. Miller, Esquire, representing Horan Building Company, Inc., with enclosures, re: Request to amend Sections 602 and 702 of the Middletown Zoning Code. (Planning Board recommendation attached; Requires Advertising, notification to abutters and tenants)**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said communication, advertise said petition, notify abutters and tenants for public hearing to be held on May 15, 2017.**

**16. Communication of Jeremiah C. Lynch, III, representing Saint Lucy's Church Middletown, Corporation, with enclosures, re: Request to Rezone Plat 107NE, Lot 11 (909 West Main Road); request includes an amendment to the Middletown Zoning Code and Comprehensive Community Plan from Medium Density Residential (R-20) to General Business Traffic Sensitive (GBA). (Requires Planning Board recommendation)**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said communication and forward the request to the Planning Board for review and recommendation.**

**17. Communication of William H. Lesser, US Department of Homeland Security, FEMA, re: Results of the National Flood Insurance Program**

**(NFIP) Community Rating System (CRS) field verification findings based on the five-year cycle application.**

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

**18. Communication from Lynn M. Hawkins, CMC, Exeter Town Clerk, re: In opposition to House Bill 2017-H5700 and Senate Bill 2017-S0422.**

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

**19. Memorandum of Dave McLaughlin, Clean Ocean Access, with enclosures, re: Plastic Bag Ordinance.**

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

**Councillor Santos inquired where Clean Ocean Access received their funding.**

**Dave McLaughlin, representing Clean Ocean Access, noted funding comes from grants and community support.**

**20. Application of AV Tech, Inc. dba Flint Audio & Video, 77 East Main Road, for RENEWAL of a Holiday Sales License for the 2017-2018 licensing year.**

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

**21. Application of Petco Animal Supplies, Inc. dba Petco #1830, 1309 West Main Road, for RENEWAL of a Holiday Sales License for the 2017-2018 licensing year.**

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

**22. Application of John Messenger dba Jay Vending Company, 305 Sachuest Point Road, for RENEWAL of a Victualling House License for the 2016-2017 licensing year.**

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

**23. Application for Special Event Permit from Robert Drought for a Summer Surf Camp to be held June 1, 2017 to September 1, 2017 (Youth Surf Camp 9:00 am to 11:00 am)- Private surf instruction held at Second Beach (Main Lot).**



**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said Special Event Permit.**

**24. Application for a Special Event Permit from Race the State, LLC - Race the State to be held on August 6, 2017 from 7:00 am – 9:00 am, event – Multi-sport across the State of RI - Competitors will arrive at 3rd beach by paddleboard and will run to Fort Adams in Newport.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said Special Event Permit.**

**25. Application for Special Event Permit received from Shelley Dungan, Yoga on the Beach, Group Classes by donation at Third Beach in Navy Lot, every Tuesday and Thursday evenings at 6:00 pm, Friday and Saturday mornings at 7:00 am from mid-June to mid-September.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said Special Event Permit.**

**26. Application for Special Event Permit from Pulse Newport, Beach Camp at Second Beach beginning May 8, 2017 through August 31, 2017, Monday through Thursday from 5:30 am to 7:30 am.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said Special Event Permit.**

**27. Application for Special Event Permit from NAPA Auto Parts, 15 Valley Road, for the NAPA Car Show to be held on Saturday, June 17, 2017 from 8:00 am to 5:00 pm.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said Special Event Permit.**

**28. Applications received from the following named persons, firms and corporations for RENEWAL of Peddler's Licenses for the 2017-2018 licensing year. (See Attached List)**

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

**29. Applications received from the following named persons, firms and corporations for RENEWAL of Hawker's Licenses for the 2017-2018 licensing year. (See Attached List)**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to grant said license renewals**

**Items # 40 and #41 were heard at this time.**

## **LICENSES**

**30. Application of Burger Works, LLC, Middletown, for a Peddlers License for the 2017-2018 licensing year. (NEW).**

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

**31. Application for Special Event Permit from the Norman Bird Sanctuary, 35th Annual Birds & Breakfast at 583 Third Beach Road, on Sunday, May 21, 2017 from 8:00 am to 11:00 am, includes a request to waive said fee.**

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

**32. Application for Special Event Permit from the Norman Bird Sanctuary, 11th Annual 5K in honor of David Leys, Jr., begins and ends at 583 Third Beach Road, on Saturday, June 17, 2017 from 8:30 am, includes a request to waive said fee.**

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

**33. Application for Special Event Permit from the Norman Bird Sanctuary, Luncheon in Paradise at 583 Third Beach Road, on Sunday, July 23, 2017 from 1:00 pm to 3:00 pm, includes a request to waive said fee.**

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

**34. Application for Special Event Permit from the Norman Bird Sanctuary, Beach Bash Third Beach property (Next to Peabody's Beach), on Friday, August 4, 2017/Rain date – Sunday, August 6, 2017 from 6:00 pm to 9:00 pm, includes a request to waive said fee.**

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

**35. Application for Special Event Permit from the Norman Bird Sanctuary, 42nd Harvest Fair at 583 Third Beach Road, on Saturday, September 30, 2017 and Sunday, October 1, 2017 from 10:00 am to 5:00 pm, includes a request to waive said fee.**

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

**PUBLIC HEARINGS**

**36. Communication of Susan E. Kelly, SRA, Appraisal Solutions, submitted by Lorraine Morse, 671 & 673 Aquidneck Avenue, with enclosures, re: Aquidneck Avenue TAP 114 Lots 108 & 109.**

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

**Lorraine Morse, 671 & 673 Aquidneck Avenue, noted she is opposed to the zoning change and suggests that the property be a residential community.**

**37. Communication of Lorraine Morse, 671 & 673 Aquidneck Avenue, with enclosures, re: Polo Center Zoning Change.**

**On motion of Vice President Rodrigues, duly seconded, it was voted**

**unanimously to receive said communication.**

**38. (Continued from March 20, 2017, Regular Meeting)**

**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 Usage, Chapter 152 Zoning Code, seeking to change the zoning classifications of Lots 108 and 109 on TAP 114 from Medium Density Residential Traffic Sensitive (R-20A) to Limited Business Traffic Sensitive (LBA) (TAP 114 Lot 108 property address is 650 Aquidneck Avenue; TAP 114 Lot 109 property is Aquidneck Avenue). (Planning Board recommendation attached)**

**Public Hearing remains open**



**Susan Kelly, 17 Wingate Road, Real Estate Broker, reviewed her communication, under item #36.**

**Frank Freitas, 28 Newman Road, addressed the Council requesting the Council to preserve the area for residential use. Mr. Freitas noted that the issue is a quality of life issue.**

**Carrie Ortner, 12 Julia Court, addressed the Council noting that she purchased the lot on Julia Court based on the zoning.**

**Robert McAlpine, 5 Julia Court, addressed the Council noting he is opposed to the Polo Center zoning change.**

**Darcy Roland, 639 Aquidneck Avenue, addressed the Council noting that the Town does not need a strip mall on Aquidneck Avenue. Ms. Roland explained there are many commercial vacancies within the Town.**

**Stephen Fasano, 11 Julia Court, addressed the Council noting he is in opposition to the change.**

**Robert Silva, Esquire, Silva, Thomas, Martland & Offenber, representing David Bazarsky, Samuel's Realty, addressed the Council explaining that the purpose of the Zoning change is to expand the Polo Center. Mr. Silva explained the area is for professional offices.**

**David Bazarsky, owner Samuel's Realty, noted that the Polo Center was built in 1984. Mr. Bazarsky explained that he gave an easement to the Julia Court developer, at no charge, to allow for a sewer line within the development. David Bazarky also noted that there are several businesses on Aquidneck Avenue, in the same area as the Polo Center, conducting their businesses in a residential zone. There were requirements set by the Planning Board, in the Polo Center 1) to limit and enclose the dumpsters 2) dumpsters cannot be emptied prior to 7:00 am and 3) nine trees are to be planted. Mr. Bazarsky noted that he has never filed a complaint or objected to any changes abutters have made to their properties.**

**Councillor Lombardi noted support for the change, explaining that Mr. Bazarsky has been running a clean operation for 30 plus years. Mr. Lombardi noted a mixed use designation will give options to the property.**

**Councillor VonVillas noted that Mr. Bazarsky has been a good neighbor by supporting others and is just requesting an extension of what already exists on the property.**

**Coucillor Santos noted that the expansion will not be overnight, it must be planned and designed.**

**Councillor Turano explained that the change in the zoning should not affect the residents in the area. Mr. Turano noted he is not in favor of the zoning change.**

**Vice President Rodrigues requests Mr. Bazarsky to consider a compromise and only develop a portion of the property and dedicate a portion to the Town for a park. Mr. Rodrigues noted that the residents in the area should be protected and he does not support the zoning change.**

**Council President Sylvia noted that Mr. Bazarsky has been a good neighbor and it is Mr. Bazarsky's option for what will be placed in the expansion of the Polo Center. Mr. Sylvia noted his support for the zoning change.**

**Robert M. Silva, Esquire, explained that if the zoning change is passed the development will still require Planning and Zoning approvals.**

**Vice President Rodrigues inquired if the property is sold before the expansion is completed what would happen.**

**Town Solicitor Peter B. Regan, responding to Vice President Rodrigues, explained that the change to the zoning is limited to the expansion of the Polo Center.**

**Susan Kelly, 17 Wingate Road, Real Estate Broker, addressed the Council noting that the values of the residential properties will be higher in her opinion without the expansion of the Polo Center.**

**Tammy Fasano, 11 Julia Court, addressed the Council explained that she expected that residents would be surrounding the Julia Court area. Ms. Fasano inquired what could be placed in a LBA zoning district.**

**Town Solicitor Peter B. Regan, responding to Ms. Fasano, explained that the zoning request is limited to an extension of the Polo Center.**

**Carrie Ortner, 12 Julia Court, addressed the Council noting that she did not realize the zoning would be changing in the area around her**

**property and does not want restaurants or tattoo parlors in the area.**

**Michael Arsenault, 685 Aquidneck Avenue, addressed the Council noting that there is no real plan and anything can happen after the change in zoning.**

**Casey Ackerman, 633 Aquidneck Avenue, addressed the Council explained that he does not want the zoning change for the Town.**

**Council President Sylvia noted that emotions are high, residents and developments require a balance across the community. The request is limited to the extension of the Polo Center.**

**There being no other persons present desiring to be heard, public hearing is declared closed.**

**On motion of Vice President Rodrigues, duly seconded, it was voted to adopt said ordinance on its second reading; Council President Sylvia, Councillor Lombardi, Councillor Santos and Councillor VonVillas voted YES; Vice President Rodrigues and Councillor Turano voted NO to said Motion.**

### **39. An Ordinance of the Town of Middletown (Second Reading)**

**(Public Hearing (Advertised; Abutters notified))**

**Public Hearing Remains Open.**

**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 - TAP 120, Lots 54, 55, 56, 57, 60, 61, 62, 63, 61A, 61B, 61C, 61D, 64, 65A, 66, 201, 202, 203, 206, 214, 215, 216, 217, 218, 219, 220, 221, 222 and 223, TAP 121, Lots 4, 5, 6, 7, 8, 8A, 12, 15, 16, 17A, 19, 20, TAP 126, Lots 12, 13A, 17A, 17B, 18, 19B, 20, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33 and 68 and TAP 127, Lots 1, 3A, 3B, 3C, 4, 19 and 20 from Residential 30,000 Sq Ft Lots (R-30) to Residential – 40,000 Sq.Ft. Lots (R-40). The following parcels are partially rezoned TAP 120, Lot 59, TAP 121, Lots 11, 13, 17, 21, TAP 126, Lots 11, 13, 15, 17, 19, 36C and 201.**

**(See Attached Map 163-600 Paradise Ave, 15-58 Paradise Brook Farm Road, 1-121 Prospect Ave.,1-12 Maidford River Rd.,431 Reservoir Road and 65 Gray Craig)**

**Public Hearing remains open**

**Vice President Rodrigues noted that this ordinance change causes a hardship for the property owners.**

**Councillor Santos inquired the reason for the zoning change.**

**Town Planner Ronald Wolanski, responding to Councillor Santos, explained that the purpose is to conform the zoning and the comprehensive community plan.**

**There being no other persons present desiring to be heard, public**



**hearing is declared closed.**

**Councillor Turano noted agreement with Vice President Rodrigues.**

**On motion of Vice President Rodrigues, duly seconded, it was voted to adopt said ordinance on its second reading Council President Sylvia, Councillor Lombardi and Councillor VonVillas voted YES; Vice President Rodrigues, Councillor Santos and Councillor Turano voted NO; MOTION FAILED TO PASS.**

**The following items # 40 and #41 were addressed after item # 29.**

## **ORDINANCES**

**40. An Ordinance of the Town of Middletown (Second Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 100 Special Events, Section 100.04.**

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

**41. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title IX, General Regulations, Chapter 92B Plastic Bag Regulations. (Planning Board recommendation attached)**

**The following sixth grade students from St. Michaels Country Day School addressed the Council:**

**Ali Vanderveer, Middletown, noting that she has been learning about negative effects of plastic bags on the environment. Please help**

**band plastic bags.**

**Hope Silverman, Saunderstown, noted that plastic bags are harmful to the environment.**

**Anna McLaughlin, Middletown, noted that the students participated in the beach cleanup with Clean Ocean Access.**

**Jacamo Brosco, Portsmouth, explained that enough plastic is thrown away each year to circle the earth four times.**

**Lily Picotte, Newport, noted that plastic is permanent, please ban plastic bags.**

**Kerry Howell, Westport, MA, Gaudet School Science teacher, addressed the Council noting that the students think that the plastic**

**bags are a big problem in the ocean.**

**Will Psaras, Middletown, noted that tons of plastic bags end up in the ocean. It is never too late to ban plastic bags.**

**Tara Aboyoun and Annika Aboyoun Stein, Middletown, representing All Saints Academy, addressed the Council noting the kindergarten students are learning about the impact of plastic bags on sea life. Plastic bags look like jelly fish, which turtles like to eat and the bags if eaten by a turtle can cause death.**

**Jimmy Flynn, 639 Aquidneck Avenue, addressed the Council noting support for the ban of plastic bags in the Town.**

**Joseph Cooper, 6 Simmons Terrace, addressed the Council noting support for the bag ban in the Town, explaining the bags can be found in shrubs along the side of the road and in the ocean, the bags never breakdown. Mr. Cooper suggested that people watch the**

## **Plastic Ocean Movie.**

**Dave McLaughlin, Johnnycake Hill Road, Middletown, representing Clean Ocean Access, thanked the Council for considering banning the plastic bags. Mr. McLaughlin requests the council to consider removing Section 5 (c) of the ordinance to be consistent with the City of Newport's ordinance.**

**Councillor VonVillas thanked the students and teachers for attending the meeting.**

**Mimi Carrellas, 127 Riverview Avenue, addressed the Council noting that next week St. Michael's Country Day School and Clean Ocean Access will sponsor the movie "Plastic Ocean".**

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

**Item #30 was addressed at this time.**

## **OTHER COMMUNICATION**

**42. Communication of Lieutenant Richard Gamache, Detective Commander, re: Request for waiver of detail fees for the Aquidneck Island Police Parade.**

**Discussion centered around the cost of the details being waived and the purpose of the Aquidneck Island Police Parade.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said communication and waive detail fees for the Aquidneck Island Police Parade.**

## **TOWN ADMINISTRATOR**

**43. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-017-014 Solar Lights at Second Beach and Campground.**

**Councillor Santos inquired the process for change orders to the contract.**

**Town Administrator Shawn Brown, responding to Councillor Santos, noted that the Council will be notified of any change orders.**

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

**44. Resolution of the Council, re: Award of contract for MIDD-017-014 Solar Lights at Second Beach and Campground.**

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

**45. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-017-013 Second Beach Dune Restoration and Walkover Paths.**

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

**Town Engineer Warren Hall reviewed the schedule for the Dune Restoration and Walkover Paths, explaining that the project will be completed by Memorial Day.**



**46. Resolution of the Council, re: Award of contract for MIDD-017-013 Second Beach Dune Restoration and Walkover Paths.**

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

**47. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-017-015 Third Beach Road Raising.**

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

**Town Engineer Warren Hall reviewed the project schedule, entered here:**

**Discussion centered around the project beginning on April 24, 2017 and will be complete in May, the purpose of the project is to protect the infrastructure from the sea level rise, the binder coat will be put down prior to beach season, the project will not affect access to the campground and sewer lines in the area.**

**48. Resolution of the Council, re: Award of contract for MIDD-017-015 Third Beach Road Raising.**

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

**49. Memorandum of Town Administrator, with enclosure, re: Rhode Island Department of Transportation (RIDOT) Dark Fiber MOU.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said memorandum and authorize the Town**

**Administrator to execute the Rhode Island Department of Transportation (RIDOT) Dark Fiber MOU.**

## **BOARDS AND COMMITTEES**

**50. Appointment of one (1) member to the Beach Commission, to complete a term expiring November 2017.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to appoint Kathleen (Kathy) Silveira to the Beach Commission, to complete a term expiring November 2017.**

**51. Appointment of one (1) member to the Personnel Review Board for a term expiring June 2020. (Bi-partisan Board)**

**On motion of Vice President Rodrigues, duly seconded, it was voted**

**unanimously to reappoint Robert Crump to the Personnel Review Board for a term expiring June 2020.**

**52. Email communication of Dick Adams, re: Resignation from the Pension Trust Fund Committee.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said resignation.**

**On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to adjourn said meeting at 9:38 P.M.**

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

**Council Clerk**

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