

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, June 4, 2018 at 6:00 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

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 P.M. TAX EXEMPTION MEETING

1. Memorandum of Town Solicitor, re: Senior Tax Exemptions.

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

Town Solicitor Peter B. Regan reviewed the memorandum above. Mr. Regan noted that if a senior resident sells their property, the tax exemption goes away; which also happens if a resident passes away.

Tax Assessor George Durgin noted that if a resident has a veteran exemption and moves to another property within the town, the exemption will follow. Mr. Durgin explained if a veteran passes away, the spouse retains the exemption.

Discussion centered around that the Town should have a policy regarding exemptions, supplemental bills are sent out 7 to 8 times yearly, a supplemental bill is produced once a property transfers, applications for exemptions are filed January 1st through March 15th and applications are online or in the Tax Assessor's Office.

Arleen Kaull, 38 Willow Avenue, addressed the Council noting she had worked in the Tax Assessor's Office and the ordinance was interpreted as if you were alive as of December 31st, the exemption would continue.

Discussion centered around standardizing the ordinance, the exemption being through the following tax year unless the property is sold, 5 year residency requirement to qualify for a senior exemption, loss of senior exemption to those who leave and return, exemption switching from one property to another, the senior exemption can only be used on your primary residence, increasing the exemption amount for seniors and the Town Solicitor will prepare a draft ordinance for the July 2, 2018 Regular Meeting of the Council.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess this meeting at 6:46 p.m.

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

The Public Forum was acted on at this time.

Item #2 was acted on after the Public Forum.

7:00 P.M. REGULAR MEETING

PRESENTATIONS

2. Memorandum of Paul A. Croce, Chairman, Middletown Planning Board, re: Lower Aquidneck Avenue roadway and streetscape improvements.

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

Town Planner Ronald Wolanski addressed the Council reviewing a powerpoint presentation, which is on file in the Office of the Town Clerk which was also presented at a prior meeting of the Council.

Jamie Pisano, Engineer, for Vanasse, Hangen & Brustlin (VHB), was present to answer Council questions.

Discussion centered around the safety issues in the area, underground utilities, the bike lane, Wave Avenue being part of the project, the project expanding to the Newport City line, crosswalks in the area, funding of the underground utilities, speed limit in the area

and satellite parking (at Sachuest Beach) for the area.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to authorize the project to proceed to the 30% design phase, subject to:

- 1. The proposed roadway alignment, including 11ft. travel lanes and 4 ft. shoulders is acceptable.**
- 2. The shoulders should be marked as bike lanes.**
- 3. In addition to the crosswalks proposed at the Valley/Aquidneck, Wave Ave., and Purgatory intersections, the board recommends the addition of a crosswalk at Newport Ave.**
- 4. The plan should accommodate potential future transit stops at appropriate locations.**
- 5. The preferred sidewalk material is either standard concrete or exposed aggregate concrete.**
- 6. The board recommends that a grass/planting strip be included between the curb and sidewalk, but only in locations where a minimum 5ft. wide concrete sidewalk can also be provided.**
- 7. Granite curbing should be included in the design, rather than concrete curbing.**
- 8. Decorative, dark-sky compliant street lighting is preferred, rather than standard “cobra head” style lighting.**
- 9. The board supports pursuing the undergrounding of utility lines, with tax increment financing (TIF) as the preferred funding mechanism if use of tax dollars is necessary.**

10. The proposal to make Crescent Rd. a one-way street in the northbound direction should proceed as previously endorsed by the Town Council.

11. The project limits should be expanded to include design of improvements extending to the Newport line. The current concept plans end at the Purgatory Rd. intersection.

12. For state highway signs, more attractive alternatives to the standard metal signs and posts should be considered.

13. For the proposed redesigned Aquidneck Ave./Newport Ave. intersection, dedicated right and left turn lanes should be provided for traffic exiting Newport Ave. onto Aquidneck Ave.

14. Any existing stone walls in the project area should be preserved.

15. Wave Avenue should be included in the scope of the project.

3. Communication of Charles B. Allott, Esquire, Executive Director, Aquidneck Island Land Trust, re: Atlantic Beach District Master Plan.

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

PUBLIC FORUM

4. 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.

Philip Rondina, 379 Third Beach Road, addressed the Council thanking them for all their time and efforts devoted to the community.

Mr. Rondina noted concern that his neighbor was renting her property without being registered as a short term rental with the Town. Philip Rondina expressed concern with the number of cars and people staying at the neighbor's house, explaining it is a safety issue.

Sandra Rondina, 379 Third Beach Road, addressed the Council presenting them with the following suggestions entered below for short term rentals.

Trudy Duval, 9 Wedgewood Drive, addressed the Council reading the following into the record.

CONSENT

5. Approval of Minutes, re: Regular Meeting, May 21, 2018

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

6. Approval of Minutes, re: Special Meeting, May 23, 2018.

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

7. Communication of the Tax Assessor, with enclosure, re: Cancellation of Taxes for certain Middletown Residents.

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

8. 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.

9. Application of Peabody's Beach Enterprises dba Peabody's Beach, Third Beach Road, for RENEWAL of a Victualling House License for the 2017-2018 licensing year.

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

10. Resolution of the Town of Charlestown, re: In support of

Recommendations Submitted by the Town of Gloucester to the Special Legislative Commission to Study the Low and Moderate Income Housing Act.

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

11. Memorandum of Louise R. Phaneuf, Burrillville Town Clerk, with enclosures, re: RIGL 42-98 Energy Facility Siting Act, House Bill 2018-H8120A and Senate Bill 2018-S2905.

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

12. Resolution of the Town of Burrillville, re: Supporting Senate Bill 2018-S2905 Amendments to Chapter 42-98. Energy Facility Siting Act.

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

13. Resolution of the Town of Burrillville, re: Supporting House Bill 2018-H8120 Sub A Amendments to Chapter 42-98. Energy Facility Siting Act.

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

LICENSE

14. Application for Special Event Permit from Middletown Education Collaborative (MEC), Annual Duck Race and Family Beach Party Fundraiser to be held at Third Beach on Thursday, July 12, 2018 from 5:00 pm to 7:00 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 all fees.

Item #15 was acted on after item #2

OTHER COMMUNICATIONS

15. Communication of John Hirschboeck, Daffodillion Project Director, with enclosures, re: Donating 50,000 daffodil bulbs to the town.

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

John Hirschboeck, Daffodillion Project Director, addressed the Council noting areas around Newport and Jamestown, which have been part of the Daffodil project.

Ron Fleming, Daffodillion Project Director, addressed the Council reviewing the communication above.

Council President Sylvia noted he appreciates the offer and is in favor.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to approve the donation of the 50,000 daffodil bulbs to the town to be placed around the perimeter of the Dunlap Wheeler Park; which will be placed in the fall by the City of Newport's Building and Grounds supervisor/Tree Warden.

Item #3 was acted on at this time.

16. Communication of Kevin Lendrum, Boys Basketball Coach, Middletown High School, re: Request for funding for summer basketball league for Middletown High School in the Narragansett summer league.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said communication and appropriate \$600.00 for the Middletown High School Boys' Basketball Team to participate in the Narragansett Summer Basketball League this year.

Town Administrator Shawn Brown noted that the funding would come from the Parks and Recreation fund.

17. Communication of Bud Cicilline, Chair, James Winters, President and Victoria Johnson, Advisor, Tournament Coordinators, Newport County NAACP, re: Request for support by sponsoring a TEE for the NAACP 21st Annual Golf Tournament.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive said communication and sponsor a tee sign in the amount of \$100.00, to be appropriated from the President's Discretionary Fund.

TOWN COUNCIL

18. Memorandum of Councillor VonVillas, re: High School Consolidation.

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

Councillor VonVillas addressed the Council reviewing the memorandum above. Ms. VonVillas noted that the financially it is becoming difficult to support the town/school budget, with the state initiative this is an opportunity to collaborate with Newport.

Senator Louis P. DiPalma, 24 Sail Court, addressed the Council noting high school consolidation is a difficult topic. Mr. DiPalma

reviewed the information entered here:

Senator DiPalma explained that the total reimbursement numbers are about 58%. The legislators are able to amend RIGL Title 16, if needed by the Town.

School Committee Chair Kellie DiPalma Simeone was present to answer Council questions during the discussion.

Discussion centered around the number of students in Middletown and Rogers High Schools, the development of the Planning Commission under RIGL Title 16 being equal, current collaboration between the Aquidneck Island High Schools, being cautious with the state funding, Career Tech Programs and having a conversation with the City of Newport Administrators, School Committee Chairs and Selective Council Members regarding consolidation of the High Schools.

Bill O'Connell, 18 Continental Drive, School Committee Member, addressed the Council explaining he is not in support of High School consolidation. Mr. O'Connell noted regionalization cannot be managed well.

Lianna Ferreira Fenton, 53 Berkeley Avenue, School Committee Member, addressed the Council suggesting that the Council meet with Seth Magaziner, State Treasurer, regarding how the state

legislation bond for school construction works.

Senator DiPalma noted that the information provided to the Council was from State Treasurer Seth Magaziner.

Discussion centered around reimbursement to the Town from the Town School Bond vs. the State Bond, the funding formula, RIGL Title 16, and the 2014 non-binding referendum to consolidate High Schools being supported by Newport, not supported by Middletown.

Councillor VonVillas noted that she worked in three separate Regional School Districts. Ms. VonVillas explained that looking at consolidation of the high schools is not regionalization. The consolidation would be to help the students. Councillor VonVillas requests the Council to allow a conversation/discussion with the City of Newport regarding consolidation of high schools consisting of 2 members from each Council, both School Committee Chairs and both Administrators with Senator DiPalma as the facilitator of the meeting.

On motion of Councillor VonVillas, to request the Town Council to ask Senator DiPalma to facilitate a preliminary discussion with the City of Newport, consisting of 2 Council Members from each Community, School Committee Chairs from each community and the Middletown Town Administrator and City of Newport Administrator to look at possibilities and bring to the Town Council for review. (There was no second)

19. At the request of Council President Sylvia, re: Discussion and approval of summer schedule, June 18, 2018, July 2, 2018 and August 20, 2018. (No documentation)

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

EXECUTIVE SESSION

20. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (5) Lease (Tibbits) and (5) Land Acquisition and Addendum (2) Collective Bargaining Police.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 8:55 p.m.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess executive session and reconvene in open session at 10:12 p.m.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to renew the lease, for the last time for the Tibbits property with Louis Escobar.

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.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to adjourn said meeting at 10:15 p.m.

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

**Supporting documentation is available at
<http://clerkshq.com/default.ashx?clientsite=Middletown-ri>**