

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 20, 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. – MEETING WITH PLANNING BOARD AND MEDAC

1. Memorandum of Director of Planning & Economic Development, with enclosures, re: Tax Increment Financing (TIF) – Joint meeting of Town Council, MEDAC and Planning Board.

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

2. Memorandum of Robert M. Silva, Esquire, Chairman, Middletown Economic Development Advisory Committee, re: Proposed Atlantic Beach Tax Increment Financing (TIF) District Boundary.

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

unanimously to receive said memorandum and begin joint meeting with the Planning Board and MEDAC.

Present representing the Planning Board were Chair Paul Croce and Members Arthur Weber, Betty Jane Owen, Elizabeth Drayton and Jim Williams.

Present representing MEDAC were Chair Robert M. Silva and Members David Lepore, John Bagwill and Lianna Ferreira Fenton.

Town Planner Ronald Wolanski was also present.

MEDAC Chair Robert M. Silva thanked the Town Council for the joint meeting. Mr. Silva noted the concentration by the committee on the Aquidneck Avenue District, the gateway to Middletown. Mr. Silva explained the area is to be renovated/upgraded and MEDAC is working with an Engineering firm and RIDOT; the traffic pattern in the area (including Wave Avenue) is being reconfigured, including a round-a-bout. MEDAC suggests the Tax Increment Financing for the upgrades, noting a Tax Incremental Bond would need to be issued.

Council President Sylvia explained that the base line taxes continue to go in to the General Fund and the portion of the increased developed property tax goes into the TIF.

Planning Board Chair Paul Croce addressed the Council requesting

the project to move forward.

Town Planner Ronald Wolanski reviewed the Proposed Atlantic Beach TIF District projects:

Enter in slide that Ron Reviewed

Karen Grande, Bond Counsel for the Town, addressed the Council explaining the TIF process, reviewing the following slides from the Powerpoint of the Proposed Atlantic Beach TIF District:

Enter in slides that Karen Reviewed

Discussion centered around the process for a TIF, the need for attention to the Proposed Atlantic Beach TIF District and the area that would be effected by the TIF.

The map is entered here:

Enter map

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to recess this meeting at 6:47 p.m.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to reconvene this meeting at 7:01 p.m.

EMERGENCY ITEMS - TOWN COUNCIL

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to add the following two items to the agenda, due to safety concerns.

1. Memorandum of Council President Sylvia, re: Lock Repairs at the Middletown Police Department.

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

Council President Sylvia read the memorandum above into the record.

2. Resolution of the Council, re: Lock Repairs at the Middletown Police Department.

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

Council President Sylvia thanked everyone who participated in the 275th Events.

Council President Sylvia read the following into the record.

Town of Middletown Rhode Island

Town Council President - Robert J. Sylvia

Thank You

I would like to extend a great big THANK YOU to the 275th Founders' Day Committee who took time from their busy lives to make this past weekend's 275th Founders Day Event an incredible success; they truly made this celebration possible. Our celebration opening on Saturday at Paradise Park had over 1,500 people in attendance, along with Federal, State and Local Dignitaries. On Sunday evening we brought our celebration to a close at 2nd beach with an estimated 2,500 people in attendance, who all enjoyed bonfires, music and a spectacular fireworks display.

Every Middletowner shares a common bond in which we all take pride in our community and this 275th celebration was Middletown at its best. I would also like to recognize and express tremendous gratitude to the local businesses, sponsors and vendors that accounted for the funding of this event. Without their financial collaboration, this event would not have been possible.

To our Town Administrator - Shawn Brown, Town Clerk - Wendy Marshall & Deputy Town Clerk – Karen Clancy, Middletown Prevention Coalition, Members of the Police and Fire Departments, Beach Staff, Recreation Department, Public Works Department and the volunteers who jumped in to help, your personal contributions are what separates Middletown from other communities, and I thank you for that.

275th Committee

Council President Robert Sylvia & Councilor M. Theresa Santos – Co-Chairs

Committee Members

Andrew Bacon – Mary Dennis Kelly - Carmela A. Geer - Gary Paquette – Kerry Seibert – Carolyn J. Silva – Atty. Robert M. Silva – Barbara L. Sylvia - Shawn Brown.

Sponsors

PLATINUM SPONSOR – Bank Newport.

Bonfire Sponsors

Embrace Home Loans

Johnny's Atlantic Resort

Saccucci Honda

Sayer, Regan & Thayer

GOLD SPONSORS

Middletown Self Storage

Frazier's Roll – Off Container Service

Newport Propane

Kempenaar Real Estate

Flynn Financial Group

Samuel's - Realty Co. Inc.

Robert and Carolyn Silva and Family

Robert and Barbara Sylvia and Family

Senator Lou DiPalma

Toner Electric

People's Credit Union

SILVER SPONSORS

Miller, Scott ,Holbrook & Jackson

St. George's School

Corp -One - Realty

Moore, Virgadamo & Lynch, LTD

A-1 Paving

NAPA – Ken Benson

Silva, Thomas, Martland & Offenberg, LTD

West Main Self – Storage

Christopher J. Behan – Attorney At Law

A1 Roofing & Construction

Brix Restaurant & Taproot - Brewing Co.

SPONSORS

Sal & Carol DeRuggiero and Family

Frosty Freeze

Middletown Historical Society

State Rep. Deb Ruggiero

Attorney Kevin O. Hagan

Donovan & Sons, Plumbing & Mechanical Contractor Inc.

Thomas B. Orr, Esq.

Slim Possible

Sweet Berry Farm Market & Café

Pickle's Deli

Michael & Terri Flynn

Newport Animal Hospital

Toppa's Food Service & Paper Supply

Lynch & Pine – Atty. Christopher Gontarz

Oral Surgery & Dental Implant Center

Matt's Local Pharmacy

Coddington Brewing Company

Moore Blooms

Fabric Connection

Big Dawg's Restaurant & Pub

Chaves Gardens, Inc.

On behalf of my colleagues on the Middletown Town Council – you, the citizens, have empowered us like Council's before with the leadership role in leading Middletown into its next chapter in our history. We humbly have accepted this role and with your support as a community we will continue the evolution of our great town.

Happy 275th Birthday Middletown

Robert J. Sylvia – Council President

The Public Forum was addressed after item #6.

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.

Kathy Creaney, 299 Oliphant Lane, addressed the Council noting concern that people who have Resident Beach passes should not have to wait in line to park at the beach.

The Consent agenda was addressed after this item.

PRESENTATIONS

4. At the request of Council President Sylvia, Citation of the Council, re: Matthew L. Sheley.

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

Matthew Sheley, his wife, Heather, his children and mother all joined Council President Sylvia and Vice President Rodrigues in the front of the dais for a presentation of a citation and a gift from the Town Council.

5. Memorandum of Chief Pesare, re: Police Officers Memorial.

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

Police Chief Anthony Pesare addressed the Council presenting the following powerpoint of the new Police Officers Memorial:

Enter powerpoint

Chief Pesare noted donations cover the cost of the project and is requesting the Town Council's support.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to support the Police Officers Memorial project.

COLLECTIVE BARGAINING

6. Memorandum of Superintendent of Schools, re: NEAM Contract.

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

Theresa Spengler, Vice Chair of the Middletown School Committee, introduced Frank Williams, former Chief Judge and Mediator between the School Department and the School Union. Ms. Spengler noted she hopes the Council will support this contract.

Frank Williams, addressed the Council, thanking them for their service. Mr. Williams explained that this is a three year contract, done in good faith, each side gave a little.

Discussion centered around the Town Council is only to consider the proposed contract and the School Department takes education seriously.

Cindy Brown, Director of Finance and Administration for the School Department, addressed the Council reviewing the Fiscal Impact Statement, entered here:

Impact statement

Discussion centered around Council requesting projected long-term savings from this contract, actuarial evaluations will be completed in October/November, 80% of the teachers are at the top step of the contract, it takes 10 years for a teacher to be vested, there are 11 steps within the contract and the pay scale.

William O'Connell, Member of the Middletown School Committee, addressed the Council requesting them to go slow and approving the contract, the contract is a big commitment.

Kimberly Saputo, 81 Teakwook Drive, Coventry, RI, addressed the Council noting the union worked in good faith for the contract. Ms. Saputo requests the Council's support for the contract.

Discussion centered around the negotiations between the Union and

School Committee are confidential under state law.

On motion of Vice President Rodrigues, duly seconded, it was voted unanimously to receive Middletown Public School Teachers – NEAM union fiscal impact statement.

The Public Forum was addressed at this time.

Vice President Rodrigues requested that items #12, 13, 14 and 16 be heard under the regular portion of the agenda.

CONSENT

7. Approval of Minutes, re: Regular Meeting, July 2, 2018.

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

8. Communication of 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.

9. 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.

10. Communication of Tax Assessor and Finance Director, 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.

11. 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.

12. Communication of Accounting Manager, with enclosure, re: Quarterly Tax Collector's Report as of 06/30/2018 – Town of Middletown.

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

Councillor Turano requested that someone from the Administration review the report.

Finance Director Marc Tanguay reviewed the report above.

13. Notice of Public Hearing from the Middletown Zoning Board of Review, Petition of Pamela M. Correia (owner) for a Variance from Sections 603, 701 & 803(G) to construct a 25' x 35' two story garage addition with a left side yard setback of 2.3' where 20' is required. Said real estate is located at 74 Oliphant Lane; TAP 111, Lot 38A.

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

Councillor Turano requested and explanation of the item.

Town Solicitor Peter B. Regan explained that it is a Notice of Public Hearing, the Town is an abutter to the property.

14. Communication of Michael Tondra, Chief, Office of Housing and Community Development, State of RI, re: Preliminarily selected to receive CDBG grant in the amount of \$84,290.

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

Councillor Turano requested an explanation of the item.

Town Administrator Shawn Brown explained that the projects are

funded by the state, the Town Council identifies the projects.

15. Communication of David W. Fish, P.E., Administrator of Project Management, Rhode Island Department of Transportation, with enclosure, re: Extension of Comment Period and Additional Public Hearing Environmental Assessment Toll Locations 3, 4 & 6 through 13; I-195, I-195, I-295, US Route 6, and RI route 146 Warwick, Providence, Pawtucket, Cranston, Johnston, Cumberland, East Providence, Lincoln and North Smithfield, Rhode Island.

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

16. Communication of Turner Scott, Esquire, re: Conservation Easement.

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

Councillor Turano requested and explanation of the item.

Town Administrator Shawn Brown explained that the Town holds and easement with the Aquidneck Land Trust; this is a notice the Town is required to receive.

17. Communication of Carrie Miranda, Executive Director, Looking Upwards and Tracey Pontes, Golf Committee Chair, re: Appreciation

for support.

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

18. Communication of J. Clement Cicilline, 1st Vice President, NAACP, re: Appreciation for support.

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

19. Communication of Natasha Harrison, Executive Director, Norman Bird Sanctuary, re: Appreciation for support.

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

20. Communication of Betsy Akin, Vice President, Fund Development, Child & Family, re: Appreciation for support.

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

21. Communication of James M. Lehane, III, President & CEO, Newport Mental Health, re: Appreciation for support.

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

22. Application of Shan Ji Jin dba Charming Nail & Spa, 957 West Main Road, for RENEWAL of a Body Works Establishment License for the 2018-2019 licensing year.

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

23. Application of Jing Zhe Qiu, Middletown, for RENEWAL of a Body Works Personnel License to be used at Charming Nail & Spa, 957 West Main Road, for the 2018-2019 licensing year.

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

24. Application for Special Event Permit from the Cape Codders Chapter of Family Motorcoach Association for the Annual Second Beach Rally - Memorial Day Weekend Motorhome Rally to be held at Second Beach Parking Lot on Thursday, May 23, 2019, thru Monday, May 27, 2019.

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

25. Application for Special Event Permit for Newport Rhode Races Marathon, on Saturday, April 13, 2019, 7:30 am – 1:30 pm on various roads in Middletown.

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 Newport FILM for an Outdoor film screening, “Unstoppable” followed by Q & A, to be held at Second Beach, 315 Sachuest Point Road, on Thursday, August 30, 2018 from 6:30 pm to 10:30 pm.

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 TD Bank for a Grand Opening Celebration, to be held at 553 West Main Road on Saturday, October 13, 2018 from 10:00 a.m. to 2:00 p.m.

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

28. Application for Special Event Permit from Bike to the Beach for autism – New England for 100 –mile charity cycling event from Boston, MA to Newport, RI to be held on Saturday, September 1, 2018

12:00 p.m. to 4:00 p.m.

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

LICENSES

29. Application of Yang Ye Han, Middletown, for a Body Works Personnel License to be used at Charming Nail & Spa, 957 West Main Road, for the 2018-2019 licensing year. (NEW)

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

30. Application of Xiaolei Li, Middletown, for a Body Works Personnel License to be used at Charming Nail & Spa, 957 West Main Road, for the 2018-2019 licensing year. (NEW)

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

31. Application of Wissam Mahmoud dba Pick Pockets Deli, 510 East Main Road, for a Victualling House License for the 2017-2018 licensing year. (NEW)

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

unanimously to grant said license subject to approvals from the Building Official, Fire Marshall and Board of Health.

OTHER COMMUNICATION

32. Memorandum of Town Administrator, with enclosures, re: Request to change street name – O'Donnell Way.

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

Town Administrator Shawn Brown reviewed the memorandum above.

Vice President Rodrigues noted concern with changing street names.

On motion of Vice President Rodrigues, duly seconded, it was voted to rename O'Donnell Way to Walter Way; Council President Sylvia, Vice President Rodrigues, Councillor Lombardi, Councillor Santos, Councillor Turano, Councillor Viveiros and Councillor VonVillas voted NO to said motion; MOTION FAILED TO PASS.

PUBLIC HEARINGS

33. (Public Hearing Advertised)

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 Usage, Chapter 152 Zoning Code, Article 4 Definitions, Article 6, § 602 and Article 27 Commercial and Industrial Performance Standards (Gravel Processing and Outdoor Storage of Bulk Materials). (See attached Ordinance)

Public Hearing was declared open.

Town Planner Ronald Wolanski reviewed the memorandum, entered here:

Enter Planning Board Recommendation

Vice President Rodrigues noted that the screening should be higher than 6 feet for a 20 foot pile.

Planning Board Chair Paul Croce noted that bigger trees become are an economic burden to the business owner.

Councillor Lombardi explained that the reason for this ordinance is due to existing operations in Town.

Discussion centered around enforcement and the ability to control operations in Town, the Building Official will enforce the ordinance and the ordinance includes existing businesses.

Michael Lopes, 42 Paquin Place, addressed the Council noting concern with the dust coming from dirt piles at business' in his area.

Mr. Lopes presented the Council with photos of the area and showed them filters he places in his windows to keep the dust and dirt out of his home. Mr. Lopes explained that there is a fire hydrant missing from the trailer park next to the dirt piles.

Council President Sylvia requested that a meeting be held with the Police Chief, Fire Chief and the Town Administrator to investigate what happened to the fire hydrant at the trailer park.

Howard Hall, 90 Morrison Avenue, addressed the Council noting he appreciates the efforts by the Town passing this ordinance. Mr. Hall suggests increasing the screening requirements in the ordinance.

Ray Alexander, 6 Coggeshall Circle, addressed the Council suggesting the ordinance rules apply also to existing businesses.

There being no other persons present desiring to be heard, public hearing remains open.

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

Vice President Rodrigues left the meeting at 9:37 p.m.

34. (Public Hearing Advertised)

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 Usage, Chapter 152 Zoning Code, Article 27 – Mixed-Use Development Project. (See attached Ordinance)

Public Hearing was declared open.

Town Planner Ronald Wolanski addressed the Council presenting a powerpoint regarding Mixed-use Development, entered here:

Enter powerpoint

Councillor Lombardi noted the importance of getting this ordinance correct the first time.

There being no other persons present desiring to be heard, public hearing remains open.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said ordinance on its first reading.

ORDINANCE

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

An Ordinance in Amendment to the Town Code, Title III, Administration, Chapter 34 Taxes. (See attached Ordinance)

On motion of Councillor Santos, duly seconded, to adopt said ordinance on its second reading.

Councillor Turano requested clarification.

Town Solicitor Peter B. Regan explained that the changes in this ordinance are due to the Town Council workshop regarding senior tax exemptions.

The motion was repeated and a vote was taken at this time.

On motion of Councillor Santos, duly seconded, it was voted unanimously to adopt said ordinance on its second reading.

TOWN COUNCIL

36. Communication of Councillor Lombardi, re: Short Term Rentals.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

John Bagwill, 587 Tuckerman Avenue, addressed the Council noting concerns of residents having quality of life issues living next to Airbnb. Mr. Bagwill suggested that the Council direct the Planning Board to establish a citizens committee to review the ordinance and make recommendations to the Council.

Councillor Lombardi explained that some do not follow the Short Term rental rule. The current ordinance needs to be enforced and improved.

Discussion centered around hotel tax in Rhode Island, how the hotel tax is collected, the number of complaints received regarding short term rentals in Town and quality of life issues for residents.

Police Chief Pesare addressed the Council noting that the Police respond to calls when people notice unusual activity at a neighbor's house.

37. Communication of Councillor Viveiros, re: Establishing a septic system management program Update.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

Councillor Viveiros requested the Town Administrator to move the establishing of a septic system management program forward.

Town Administrator Shawn Brown noted there have not been any motions from the Town Council to move the item forward.

Arthur Weber, 145 Island Drive, addressed the Council noting that the

Wastewater Management Plan was supported by the Planning Board. Mr. Weber explained the plan assists residents with low interest loans, if a repair or replacement of their septic system is required.

Discussion centered around the current Wastewater Management Plan was not supported by the Council, the Council not wanting to place another burden on the taxpayers and reviewing the ordinance, which was proposed last year.

Arleen Kaull, 27 Willow Avenue, addressed the Council noting that the Council voted NO to the Wastewater Management Plan, people are aware of their septic systems.

Council President Syliva requested the Town Administrator to start the process for a Septic System Management Plan.

38. Communication of Councillor Viveiros, re: Discussion of Charter of RI & Providence Plantations and controversy of beach behind the Newport Beach Resort.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

John Parrillo, 53 Newport Avenue, addressed the Council noting the beach is a jewel and usage of the area is getting better.

Town Solicitor Peter B. Regan noted the Atlantic Beach is privately owned, the public has a right to the shore below the mean high tide line. Mr. Regan explained CRMC has a right of way to the water east of Dunlap Wheeler Park and the portion of the beach to the west is owned by the Town. Mr. Regan noted there are also people who have deeded rights to the area above the mean high tide line.

Brian Bardorf, Esquire, addressed the Council explaining he is familiar with the beach and shore, the Newport Beach House has a policy and the right of way remains open. Mr. Bardorf noted anyone is allowed to use the beach and people should not be ordered to leave, but asked to relocate during an event at the Newport Beach House.

Discussion centered around the issues that people are being asked to relocate and the Council wanting both the people on the beach and the Beach House being satisfied.

39. Communication of Councillor Turano, re: Town Business Update.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

Councillor Turano requests a quick update on projects and requests the item be tabled to the next docket.

40. Communication of Councillor Turano, re: Middletown 2018 Property Reassessment.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

Councillor Turano requested an update at the next meeting.

41. Communication of Councillor Turano, re: Middletown Senior Citizens & Veterans Tax Exceptions.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said communication.

Arthur Weber, 145 Island Drive, addressed the Council inquiring why there is only one exemption for him and not one for his wife who is also an owner of the property.

On motion of Councillor Turano, duly seconded, it was voted unanimously for form a Town Council subcommittee to review the tax exemptions for seniors and veterans.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to appoint Councillor Lombardi, Councillor Santos and Councillor Turano to the Senior Tax Exemption and Veterans Exemption subcommittee.

42. Memorandum of Finance Director, with enclosures, re: Contract Award: MIDD-018-016 – Consultant to Assess Traffic and Environmental Impacts of Full Build Development in Middletown.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.

43. Resolution of the Council, re: Award of contract – Consultant to Assess Traffic and Environmental Impacts of Full Build Development in Middletown.

On motion of Councillor Santos, duly seconded, to pass said resolution.

Councillor Turano inquired where the study will take place, why there was only one bid and how long will the project take.

Town Administrator Shawn Brown noted that the study is Town wide.

Town Planner Ronald Wolanski noted that there was only one response to this bid and it will take approximately six months to complete the project.

The motion from above was repeated and voted on at this time.

On motion of Councillor Santos, duly seconded, it was voted to pass said resolution; Councillor Turano voted NO to said motion.

44. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: 2018 RI EMA Emergency Management Preparedness Grant (EMPG) program.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.

Town Administrator Shawn Brown noted the grant monies would be to offset normal operating expenses.

45. Resolution of the Council, re: Approval of the application to the 2018 RI EMA Emergency Management Preparedness Grant (EMPG) program.

On motion of Councillor Santos, duly seconded, it was voted unanimously to pass said resolution.

46. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-019-001Town Wide Asphalt Patching.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.

Councilor Turano inquired what projects this contract is for.

Finance Director Marc Tanguay referred to the CIP sheet, entered here.

Enter CIP

Department of Public Works Director Tom O'Loughlin noted the contract is for permanent patches, crack sealing and paving.

Councillor Viveiros noted concern about patching and inquired if asphalt or coal patch may be used for potholes.

Department of Public Works Director Tom O'Loughlin explained the project is not pothole repair, but permanent patches for large areas of road.

47. Resolution of the Council, re: Award of contract MIDD-019-001Town Wide Asphalt Patching.

On motion of Councillor Santos, duly seconded, to pass said resolution.

Councillor Turano noted the contract should be for road repair.

Department of Public Works Director Tom O'Loughlin noted the intent is to keep the town roads from failing.

The motion was restated and voted on at this time.

On motion of Councillor Santos, duly seconded, it was voted unanimously to pass said resolution.

48. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: Contract Award: MIDD-019-002-Chases and Oliphant Lanes Safety Improvements.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.

49. Resolution of the Council, re: Award of contract MIDD-019-002-Chases and Oliphant Lanes Safety Improvements.

Town Engineer Warren Hall noted that East Coast Construction has completed many successful projects and he highly recommends awarding this contract.

On motion of Councillor Santos, duly seconded, it was voted unanimously to pass said resolution.

50. Memorandum of Chief Pesare, re: VIN Check Fee.

On motion of Councillor Santos, duly seconded, it was voted unanimously to receive said memorandum.

Chief Pesare reviewed the memorandum above.

Council President Sylvia suggests residents pay \$10.00 and non-residents and commercial VIN checks pay \$20.00.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to leave the \$10.00 fee for residents and increase the VIN check fee to \$20.00 for non-residents and commercial VIN checks.

51. Communication of Recycling coordinator, Operations & Facility Manager, re: SimpleRecycling, textile collection.

On motion of Council President Sylvia, duly seconded, it was voted unanimously to continue this item to the September 4, 2018, Regular Meeting of the Council.

BOARDS AND COMMITTEES

52. Appointment of one (1) member to the Library Board of Trustees

for a term expiring September 2021.

On motion of Councillor Santos, duly seconded, it was voted unanimously to appoint Dr. William Haffner-Jones to the Library Board of Trustees for a term expiring September 2021.

53. Appointment of two (2) members to the Middletown Prevention Coalition; one (1) to the Other Organization involved in Reducing Substance Abuse and one (1) to the Faith Community Sector for terms expiring April 2021.

On motion of Councillor Santos, duly seconded, it was voted unanimously to reappoint Kathryn Manning, to the Other Organization involved in Reducing Substance Abuse Sector and reappoint Laurie Pauley to the Faith Sector to the Middletown Prevention Coalition for terms expiring April 2021.

EXECUTIVE SESSION

54. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Litigation (Town of Middletown v. Horan Building Company, Inc., Tuckerman Avenue, LLC, Coastal Living Magazine, Time Inc.; NC-2017-0254).

On motion of Councillor Santos, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 11:51 p.m.

On motion of Councillor Santos, duly seconded, it was voted unanimously to recess executive session and reconvene in open session at 12:15 p.m.

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

On motion of Councillor Santos, duly seconded, it was voted unanimously to adjourn said meeting at 12:18 p.m.

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

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