

Posted - September 16, 2004

REGULAR MEETING SEPTEMBER 20, 2004

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, September 20, 2004 at 7:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

ACTING AS A BOARD OF LICENSE COMMISSION

1. Application of Y.J.R., LLC, dba Over Flo's Retro Deli, 44 Wave Avenue, holder of a Retailer's Class BV Alcoholic Beverage License, to TRANSFER said license to S.K. Industries, Inc., dba Rusty's, for use at the same premises. (Requires Advertising for Public Hearing)

2. Public Hearing (Advertised; Abutters Notified)

Application of SCSJR Restaurant Corp., dba Scotty's Big Dawg's

Sports Pub, 823 West Main Road, for a Retailer's Class BV Alcoholic Beverage License for use at the same premises.

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1. Application of SCSJR Restaurant Corp., dba Scotty's Big Dawg's Sports Pub, 823 West Main Road, for a Victualling House License for the 2003-2004 licensing year. (NEW)

2. Application of SCSJR Restaurant Corp., dba Scotty's Big Dawg's Sports Pub, 823 West Main Road, for Mechanical Amusement Device License (3 games, 1 juke box) for the 2004-2005 licensing year. (NEW)

3. Application of Norman Bird Sanctuary, 583 Third Beach Road, for license to conduct a fair with live entertainment on October 2 and 3, 2004, 10:00 A.M. to 4:00 P.M.

4. Public Hearing (Advertised; Abutters Notified)

(NEED PLANNING BOARD RECOMMENDATION)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152, the Zoning Code, seeking to change the zoning classifications of Lots 89 & 90, TAP 107SE (Valley Road) from Traffic Sensitive High Density Residential (R-10A) to Traffic Sensitive Office Business (OBA).

5. Continued from Meeting of September 7, 2004

(Public Hearing Closed)

(NEED PLANNING BOARD RECOMMENDATION CONCERNING FURTHER AMENDMENT)

An Ordinance of the Town of Middletown (Second Reading)

An ordinance in amendment to the Zoning Ordinance of the Town of Middletown, Article 6, Application of District Regulations, Section 603, District Dimensional Regulations.

6. Continued from Meeting of September 7, 2004

Memorandum of Chair, Planning Board, with enclosure, re:

Release of performance bond and recommendation that Elizabeth Lane be accepted as Town road.

7. Continued from Meeting of September 7, 2004

Memorandum of Chair, Planning Board, with enclosure, re: Release of performance bond and recommendation that Island Drive and Paddock Lane be accepted as Town roads.

8. Discussion, re: Road standards and repairs (Councillor Rodrigues).

9. Discussion, re: Status of proposed improvements to Valley

Road/Green End Avenue intersection.

10. Memorandum of Councillor Karen Roarke, re: Third Beach mooring field.

11. Memorandum of Finance Director, with enclosure, re: Joel Peckham School lease agreement between Town and East Bay Community Action Program.

12. Resolution of the Council, re: Authorizing execution of Joel Peckham School lease agreement between Town and East Bay Community Action Program.

13. Memorandum of Town Solicitor, re: Proposed amendment to Impact Fee ordinance.

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

An ordinance in amendment to the Town Code of the Town of Middletown, Title 16, Planning and Development, Chapter 160, Development Impact Fees.

15. Communication of Robert M. Sabel, Freedom Housing Corporation and Stephen P. Ostiguy, Church Community Housing Corporation, re: Proposed tax exemptions for Freedom Apartments, formerly known as Pine Motel, 1409 West Main Road, TAP 112, Lot 2.

16. Commuication of Nancy S. Sheets, Nature's Goodness, East Main Road, re: Ocean Coffee Roasters emission of air contaminants at 510 East Main Road.

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17. Resolution of the Council, re: In opposition to LNG terminals in Providence - Fall River area.

18. Memorandum of Town Clerk, Town of Bristol, re: East Bay Council Collaborative.

19. Memorandum of Mason Hawes, Chair, Open Space and Fields Committee, re: Incomplete projects at West Main Road Recreation Complex.

20. Schedule of Public Information Sessions relative to 2004 Bond Referenda questions.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the Town Council 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.

EXECUTIVE SESSION

Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2), RIGL, the Council will meet in executive session to consider, discuss and act upon matters related to litigation (Shore Drive) and collective bargaining (Police Captains' Contract, Town Hall Contract).

**Barbara L. Nash, CMC
Town Clerk**

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before the meeting.