

Posted – June 2, 2006

REGULAR MEETING JUNE 5, 2006

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, June 5, 2006 at 7:00 P.M. (Executive Session – 6:00 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.

EXECUTIVE SESSION

Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (1) (5), RIGL, personnel (Town Administrator) land.

ACTING AS A BOARD OF LICENSE COMMISSION

1. Application of Middletown Senior Citizens Center, 650 Green End Avenue, for a 19 hour Class F-1 Alcoholic Beverage License for use at same premises on June 21, 2006.

CONSENT CALENDAR

1. Approval of Minutes – Special Meeting, April 27, 2006

2. Approval of Minutes – Regular Meeting, May 1, 2006

3. Memorandum of Finance Director, with enclosures, re: Financial Statements and Tax Collector's report for period ending April 30, 2006.

4. Notice of Public Hearing received from Zoning Board of Review, re: Application for variance to reconstruct vestibule on site located at Wave Avenue, identified as Lot 12, TAP 116NW.

5. Communication of Christopher J. Behan, Esquire, re: Claim of

Noella Brajnikoff against the Town of Middletown.

6. Application of Jose F. Andrade, dba Andrade's Catering, Warren, for RENEWAL of Industrial Caterer's License (Mobile Food Service Unit) for the 2006-2007 licensing year.

7. Memorandum of Town Clerk, Town of Charlestown, with enclosures, re: Resolution in opposition to House Bill 7280 "An Act Relating to Statutes and Statutory Construction – Publication and Distribution of Acts".

8. Memorandum of Town Clerk, Town of Charlestown, with enclosures, re: Resolution Opposing Providence Tax Plan.

9. Resolution of the Council, re: Support of proposed legislation, HousingWorks RI Legislative Platform, housing crisis in Rhode Island.

TOWN COUNCIL

1. Memorandum of Arthur Weber, Chair, Middletown Planning Board, re: Advisory recommendation concerning proposed zoning reclassification of portion of Lot 14, TAP 112, Newport Auto Center, 1235 West Main Road from Medium Density Residential (R-20) to General Business (GB).

2. Communication of Patrick O’N. Hayes, Jr., Esquire, re: Conservation easement, Newport Auto Center.

3. Public Hearing (Advertised; Abutters Notified)

An Ordinance of the Town of Middletown

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152, Zoning Code, reclassification of a portion of Lot 14, TAP 112, from Medium Density Residential (R-20) to General Business (GB). (West Main Road, Newport Auto Center)

4. Continued from Meeting of May 15, 2006

Consideration of Senior Citizens Night at the beach. (No documentation)

5. Continued from Meeting of May 15, 2006

Memorandum of Finance Director, with enclosures, re: Contract award - Arsenic in Soil Background Study.

6. Continued from Meeting of May 15, 2006

Resolution of the Council, re: Award of Contract – Arsenic in Soil Background Study.

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

An ordinance in amendment to the Town Code of the Town of Middletown, Title IX, General Regulations, Chapter 94, Streets,

Sidewalks and Public Places, Section 94.32, Other Prohibitions and Restrictions.

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

An ordinance in amendment to the Town Code of the Town of Middletown, Title IX, General Regulations, Chapter 90, Animals, Section 90.

9. Communication of Amy G. Rice, State Representative, District 72, re: Regarding resolution to rename the new Sakonnet Bridge.

10. Resolution of the Council, re: Support for renaming new Sakonnet Bridge in honor of Anne Hutchinson.

11. Memorandum of Veterans War Memorial Committee, with enclosures, re: Christopher Potts Memorial at the Middletown Recreation Complex.

12. Memorandum of Councillor Silveira, with enclosures, re: Proposed draft letter LPGA US Women's Open week.

13. Memorandum of Assistant Town Planner, re: 2005 Riparian Buffer Grants.

14. Memorandum of Town Planner, with enclosures, re: 2005 DEM Recreation Acquisition & Development Grant Awards.

15. Resolution of the Council, re: Acceptance and authorization of the 2005 DEM Recreation Acquisition & Development Grant Awards.

16. Memorandum of Human Resource Director, with enclosures, re: Entry Level – Eligibility and Residency Requirements for Police Officers.

17. Resolution of the Council, re: Entry Level – Eligibility and Residency Requirements for Police Officers.

18. Continued from meeting May 23, 2006

Memorandum of Finance Director, with enclosures, re: Potential Bond Acts. (Public Safety Facilities)

19. Memorandum of Councillor Silveira, re: Bond proposal relative to Open Space.

20. Memorandum of Finance Director, with enclosures, re: Bond Acts & Memorializing Resolutions.

21. Memorandum of Finance Director, re: Rescind of Contract – Drainage – Wolcott – South Shore Utility.

22. Resolution of the Council, re: Rescind of Contract – Drainage – Wolcott – South Shore Utility.

23. Memorandum of Finance Director, with enclosures, re: Change Order – JAM Construction.

24. Resolution of the Council, re: Change Order – JAM Construction.

25. Memorandum of Finance Director, with enclosures, re: Agreement – Rhode Island Resource Recovery Corporation (RIRR).

26. Resolution of the Council, re: Agreement – Rhode Island Resource Recovery Corporation (RIRR).

27. Memorandum of Finance Director, with enclosures, re: Award of contract for Wyatt Road Soccer Field Irrigation.

28. Resolution of the Council, re: Award of contract for Wyatt Road Soccer Field Irrigation.

29. Memorandum of Finance Director, re: Award of contract for Sampling and Analysis Services – Beach Season 2006.

30. Resolution of the Council, re: Award of contract for Sampling and Analysis Services – Beach Season 2006.

31. Memorandum of Finance Director, re: Award of contract for East Bay #2 Fuel Oil.

32. Resolution of the Council, re: Award of contract for East Bay #2 Fuel Oil.

33. Memorandum of Finance Director, with enclosures, re: Municipal Permitting Software.

34. Resolution of the Council, re: Municipal Permitting Software.

35. Memorandum of Finance Director, re: Municipal Permit Administrative Fee.

36. Memorandum of Finance Director, re: Special Assessment Chases Estates.

37. Resolution of the Council, re: Special Assessment Chases Estates.

38. Memorandum of Finance Director, re: Civilian Police Academy Fund - restricting certain donations to the Police Department.

39. Resolution of the Council, re: Civilian Police Academy Fund - restricting certain donations to the Police Department.

40. Communication of Antone C. Viveiros, 110 Indian Hill Road, re: Request to address the Council concerning Special Town Council

Meeting held on May 23, 2006.

41. Communication of Bob Jankuska, 1 Weetamoe Road, re: Birchwood Manor drainage problem.

42. Town Council Budget and Summer Meetings Schedule.

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.

Barbara L. Nash

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 this meeting.