

**Posted – October 30, 2008**

**REGULAR MEETING NOVEMBER 3, 2008**

**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, November 3, 2008 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 provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) litigation (Dicon Corp. vs. Town of Middletown), (Environment Rhode Island vs. Town of Middletown) (RIDEM – Wave Avenue Force Main NOV) (Kempen vs. Town of Middletown), (1) personnel (Town Administrator), (2) Collective Bargaining (Public**

**Works) and (5) land acquisition.**

## **ACTING AS A BOARD OF LICENSE COMMISSION**

### **1. Public Hearing (Advertised)**

**Application of Saigon Café, Inc. dba Saigon Café holder of a Class BV Alcoholic Beverage License for premises located at 823 West Main Road, Middletown, to TRANSFER 100% of stock in said corporation. (Requires Advertising for Public Hearing)**

### **2. Public Hearing (Advertised)**

**Application of Aquidneck Health, LLC dba Newport Athletic Club holder of a Class BV Alcoholic Beverage License, to reclassify its current Retailer's Alcoholic Beverage License for premises located at 66 Valley Road, Middletown, Rhode Island, from Class BV (Full Service) to Class BL (Beer and Wine).**

### **3. Public Hearing (Advertised)**

**Applications received from the following named persons, firms or corporations for RENEWAL of Alcoholic Beverage Licenses for the 2008-2009 licensing year. (See attached list)**

**4. Applications received from the following named persons, firms or corporations for RENEWAL of Alcoholic Beverage Licenses for the**

**2008-2009 licensing year. (Requires Advertising for Public Hearing)  
(See attached list)**

## **CONSENT CALENDAR**

- 1. Approval of Minutes - Regular Meeting, October 20, 2008.**
- 2. Memorandum of Town Administrator, with enclosures, re: Offshore Berth Project, Weaver's Cove Energy.**
- 3. Memorandum of Town Administrator, with enclosure, re: Informational Workshop on Asian Longhorned Beetle.**
- 4. Petition and Notice of Claim to the Town Council by Mark L. Smith, Esquire, 176 Eddie Dowling Highway, North Smithfield, RI on behalf of Grace Katherine McBride.**

## **TOWN COUNCIL**

- 1. Presentation by War Memorial/Hall of Fame Committee of Plaque honoring Town employees who are affiliated with the armed services.**
- 2. Application for Special Events Permit received from Newport Running Club, NewportFed Pie Run – 5 mile Road Race beginning at**

**the Newport County YMCA - Course is Valley Road, Aquidneck Avenue, Purgatory Road, Tuckerman Avenue and Sachuest Beach and Finishing at the Newport County YMCA on Thursday, November 27, 2008 from 7:00 AM until 11:00 AM.**

**3. Application for Special Events Permit received from Advanced Financial Services, AFS Annual Christmas Party to be held at 110 Enterprise Center on Saturday, December 6, 2008 from 11 AM until 3 PM.**

**4. Application of Saigon Café, Inc. dba Saigon Café, 823 West Main Road, for a Victualling House License for the 2007-2008 licensing year. (NEW)**

**5. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2008-2009 licensing year. (See attached list)**

**6. Public Hearing (Advertised)**

**Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, Additional Hours of Operation, for the 2008-2009 licensing year. (See attached list)**

**7. Application of Earnest R. Budlong dba Back Room Pub/Restaurant,**

**999 West Main Road, for a Mechanical Amusement Device License for the 2008-2009 licensing year. (NEW)**

**8. Communication of Councillor Santos, Representing the War Memorial/Hall of Fame Committee, with enclosure, Re: Rotary Sign at Linden Playground.**

**9. Memorandum of Town Administrator, with enclosures, re: Sole Source Purchase – New Police Facility Furniture, Fixtures & Equipment (FF&E).**

**10. Resolution of the Council, re: Approving Sole Source Procurement – New Police Facility Furniture, Fixtures & Equipment (FF&E).**

**11. Memorandum of Town Administrator, with enclosures, re: Award of contract Library Building Exterior Painting.**

**12. Resolution of the Council, re: Award of contract Library Building Exterior Painting.**

**13. Memorandum of Town Administrator, with enclosures, re: Demolition - West Main Road Complex.**

**14. Resolution of the Council, re: Approving the Demolition - West Main Road Complex.**

**15. Resolution of the Council, re: Arsenic Remediation Standards.  
(NO DOCUMENTATION)**

**16. Appointment of one (1) member to the Middletown Technology Advisory Committee for a term expiring November 2009.**

**17. Appointment of one (1) member to the Open Space and Fields Committee for a term expiring November 2011.**

## **PUBLIC FORUM SESSION**

**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.**

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

**Town**

**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.**