

**Posted – December 10, 2008**

**REGULAR MEETING DECEMBER 15, 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, December 15, 2008 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.**

**CONSENT CALENDAR**

**1. Approval of Minutes – Regular Meeting, December 1, 2008.**

**2. Application of Newport Mart, Inc., 52 East Main Road, for RENEWAL of Victualling House License for the 2008-2009 licensing year.**

**3. Memorandum of Town Administrator, with enclosures, re: Executed Consent Agreement with RIDEM.**

## **TOWN COUNCIL**

**1. Memorandum of Police Chief, re: Swearing in ceremony.**

**2. Resolution of the Council, re: Commendation for Senator June N. Gibbs.**

**3. Resolution of the Council, re: Commendation for Barbara Walton-Faria.**

**4. Memorandum of Town Administrator, with enclosures, re: Repairs for Witherbee School.**

**5. Resolution of the Council, re: Award of contract for repairs at Witherbee School.**

**6. Communication of Town Administrator, with enclosures, re: BRAC 2005 (Navy Land) – Proposed Aquidneck Island Re-Use Planning Authority.**

**7. Resolution of the Council, re: Authorizing the Town Administrator**

**to execute Memorandum of Understanding with (RIEDC) and Council approving creation of (AIRPA) and its proposed by-laws.**

**8. Memorandum of Town Administrator, with enclosures, re: Intersection – Green End Avenue/Valley Road.**

**9. Resolution of the Council, re: Approving change order submitted by VHB – Intersection - Green End Avenue/Valley Road.**

**10. Communication of Town Administrator, with enclosures, re: FY2009 Regional Animal Shelter Agreement.**

**11. Resolution of the Council, re: Renewing FY2009 Regional Animal Shelter Agreement.**

**12. An Ordinance of the Town of Middletown (Second Reading)  
An ordinance in amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section (33) Beach Fees.**

**13. An Ordinance of the Town of Middletown (Second Reading)  
An ordinance in amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section (34) Campground Fees.**

**14. An Ordinance of the Town of Middletown (Second Reading)**

**An ordinance in amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section (51) Public Safety Private Detail Billing Rates.**

**15. An Ordinance of the Town of Middletown (Second Reading)**

**An ordinance in amendment to the Town Code of the Town of Middletown, Title V Public Works, Chapter 50 Garbage and Refuse, Section (50.44) Obligations of Residents.**

**16. Communication of Town Solicitor Michael W. Miller, with enclosure, re: Proposed Civil Procedures & Professional Conduct.**

**17. Communication of Town Solicitor Michael W. Miller, with enclosure, re: Nomination and Appointment Guidelines.**

**18. Email communication of Melissa A. Rodrigues Massey, re: Resignation from the Middletown Zoning Board.**

**19. Memorandum of Town Administrator, re: Request - Holiday Donation.**

**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.**

## **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) and (Environment Rhode Island vs. Town of Middletown) (RIDEM – Wave Avenue Force Main NOV).**

**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.**

## **ADDENDUM TO COUNCIL AGENDA**

**POSTED – December 11, 2008**

**REGULAR MEETING – December 15, 2008**

**20. Memorandum of Town Administrator, re: Confirmation of appointment of Fire Chief.**

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

**Council Clerk**