

Posted – July 30, 2009

REGULAR MEETING AUGUST 3, 2009

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, August 3, 2009 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 – Special Meeting, June 29, 2009.**
- 2. Approval of Minutes – Regular Meeting, July 6, 2009.**
- 3. Approval of Minutes – Special Meeting, July 11, 2009.**
- 4. Approval of Minutes – Special Meeting, July 23, 2009.**

- 5. Communication of Acting Tax Assessor, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.**

- 6. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.**

- 7. Communication of Town Administrator, with enclosures, re: Financial Statements for period ending June 30, 2009.**

- 8. Memorandum of Town Administrator, with enclosure, re: Contract Funding – Storm Drain portion of Miantonomi Sewer Project 2009.**

- 9. Resolution of the Council, re: Funding for Storm Drain portion of Miantonomi Sewer Project 2009.**

- 10. Memorandum of Town Administrator, with enclosures, re: MFD Application for Fire Station Construction Grant.**

- 11. Application for Special Events Permit from Beach Paint by Humphrey's, 750 Aquidneck Avenue, Open House at Beach Paint to be held on Saturday, August 22, 2009 from 10:00 am to 3:30 pm.**

TOWN COUNCIL

**1. Application of Longade, LLC dba Del's Lemonade, for a Hawker's License to include the corner of Valley Road and Green End Avenue and special events by invitation only for the 2009-2010 licensing year.
(NEW)**

2. Application of Newport Vineyards, 909 East Main Road, for an Amusement License (Shakespeare Performance) for August 14th – 16th, 2009.

3. Application of Woman to Woman Support Network, for a one day Bingo License to be held at All Saints Academy on September 13, 2009.

4. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152 Zoning Code, Article 4 Definitions, Article 22 – Senior Independent Living Facilities.

5. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152 Zoning Code, Article 4 Definitions,

Multifamily Dwelling Project and Multifamily Dwelling Structure.

6. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152 Zoning Code, Article 7 Supplemental Regulations, Section 705 Fences, Walls and Hedges.

7. Memorandum of Town Administrator, with enclosure, re: Proposed Fee for Fence Permit.

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

An Ordinance in amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 38 Construction Permit Fees.

9. Memorandum of Robert M. Silva, Chairman, Economic Development Advisory Committee, with enclosures, re: Recommendation for contract extension.

10. Resolution of the Council, re: Award of contract for a Business Development Coordinator.

11. Memorandum of Town Administrator, with enclosures, re: Amended Ordinance, Chapter 115.33 Business Regulations, Permit

Procedure.

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

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 115, Peddlers, Vendors, Solicitors, Junk Stores, Section 115.33 Permit Procedure.

13. Communication of Sarah Gill, President, Easton's Point Association, with enclosure, re: Requesting clarification of zoning regulations.

14. Memorandum of Turner C. Scott, Esquire, Assistant Town Solicitor, with enclosures, re: Margaret L. Palmer v. Thomas D. Silveira, Richard Cambra, Peter Van Steeden, Thomas R. Newman, Jr. and Melissa Massey, in their capacities as members of the Zoning Board of Review of the Town of Middletown, and Thomas Moloney and Barbara Moloney C.A. No.: NC2008-233.

15. Communication of Manuel J. Mello, Jr., Middletown, re: Request to discussion of plans for the old Police Station.

16. Communication of James and Jennifer Meyen, Middletown, with enclosure, re: Request to discuss a complaint and possible solution to close brothels in Middletown.

17. Memorandum of Town Administrator, with enclosure, re: Support

for Legislation Criminalizing Prostitution.

18. Resolution of the Council, re: Requesting General Assembly to Enact Legislation Criminalizing Prostitution.

19. Memorandum of Town Administrator, with enclosures, re: Purchase of wide area mower.

20. Resolution of the Council, re: Purchase of wide area mower.

21. Memorandum of Town Administrator, with enclosures, re: Extension of Refuse and Recycling Contract. (No Documentation)

22. Resolution of the Council, re: Extension of Refuse and Recycling contract. (No Documentation)

23. Memorandum of Councillor Silveira, re: Unfunded Mandates.

24. Communication of Ian Larcom, Chair, Middletown Safety Town 2009, re: Request for support of the Safety Town program.

25. Appointment of two (2) members to the Conservation Commission for a term expiring July 2012.

26. Appointment of one (1) member to the Library Board of Trustees to complete a term expiring September 2010.

27. Appointment of two (2) members to the Newport County Convention and Visitors Bureau for a term expiring September 2011.

28. Appointment of one (1) member to the Open Space and Fields Committee for a term expiring November 2010.

29. Appointment of one (1) member to the Personnel Board to complete a term expiring December 2009.

30. Appointment of one (1) member to the Substance Abuse Prevention Task Force, term limit must be set.

31. Appointment of one (1) member to the Census Complete Count Committee, term limit must be set.

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) collective bargaining (Town Hall) and (5) land acquisition (Valley Road), (2) litigation, tax appeal case.

**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.