

Posted – October 1, 2010

REGULAR MEETING OCTOBER 4, 2010

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, October 4, 2010 at 7:00 P.M. (EXECUTIVE SESSION AT 6:00 PM) 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) (5) Land Acquisition (The Valley), (5) lease (JFK School), (2) litigation (Key Law Suit) and (1) personnel (Town Administrator).

PRESENTATIONS

1. Memorandum of Fire Chief, re: Swearing in ceremony – Fire Marshal.

2. Memorandum of Town Administrator, re: Employee Recognition Program – Pins of Service.

3. Memorandum of Town Administrator, re: MSAPTF Volunteer of the Year Award.

ACTING AS A BOARD OF LICENSE COMMISSION

1. (Advertised for Public Hearing)

Applications received from the following named persons, firms or corporations for RENEWAL of Alcoholic Beverage Licenses for the 2010-2011 licensing year. (See attached list)

CONSENT CALENDAR

- 1. Approval of Minutes – Regular Meeting, September 20, 2010.**
- 2. Approval of Minutes – Special Meeting, September 27, 2010.**
- 3. E-mail communication from Town of Jamestown, with enclosure, re: Resolution in Opposition to Hess Weaver’s Cove LNG “Offshore” Proposal FERC Docket #CP04-36-000.**
- 4. Communication of Ian Larcom, Safety Town Coordinator 2010, re: Appreciation for support of the Safety Town program.**
- 5. Communication of Barbara Schermack, Head Start Director, re: Progress related to repairs at the Joel Peckham School.**
- 6. Communication of Donald L. Carcieri, Governor, re: Grant monies received by the Town from the RI Community Development Block Grant (CDBG) Program.**
- 7. Memorandum of Town Administrator, with enclosures, re: Tax Collector’s Report for period ending August 31, 2010.**
- 8. Memorandum of Town Administrator, with enclosure, re: Forest Avenue Gas Main Replacement Schedule.**
- 9. Memorandum of Town Administrator, re: Request to Continue**

Second Reading of Ordinance for Streets Closed to Traffic.

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

An Ordinance in amendment to the Town Code of the Town of Middletown, Title VII, Traffic Code, Chapter 71, Traffic Regulations, Section 71.08, Driving on Streets Closed to Traffic Prohibited.

11. Application of Middletown Columbus Club, Inc., 7 Valley Road, for RENEWAL of a Bingo License for the 2010-2011 licensing year.

12. Application of Laurin Enterprises dba Gold's Auto Wrecking Co., 113 Fenner Avenue, for RENEWAL of a Junk Dealer's License (Auto Wrecking) for the 2010-2011 licensing year.

13. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2010-2011 licensing year. (See attached list)

TOWN COUNCIL

1. Application of Wiame Con, Inc., dba Town Mart, 390 West Main Road, for a Holiday License for the 2010-2011 licensing year. (NEW)

2. Application of Wiame Con, Inc., dba Town Mart, 390 West Main Road, for a Victualling House License for the 2010-2011 licensing

year. (NEW)

3. (Advertised for Public Hearing)

Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, Additional Hours of Operation, for the 2010-2011 licensing year. (See attached list)

4. (Advertised for Public Hearing)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152 Zoning Code, Article 25A – Wind Energy Conversion Facilities.

5. (Continued from Regular Meeting, September 20, 2010)

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 54, Burning Permit Fee.

6. 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 34, Taxes, Section 34.86, Motor Vehicle Excise Tax.

7. Memorandum of Councillor Bozyan, re: Proposed Ordinance

amendment – Title III, Chapter 36, Section 35, Annual User Fees and Bulky Waste Pickup. (2010-15)

8. Memorandum of Town Planner, with enclosures, re: Navy surplus land (BRAC 2005) PBC application – Green Lane Park.

9. Resolution of the Council, re: Authorizing the Town Administrator to submit PBC application – Green Lane Park.

10. Memorandum of Town Administrator, with enclosures, re: Award of Contract – 2010 Catch Basin Repairs.

11. Resolution of the Council, re: Award of Contract – 2010 Catch Basin Repairs.

12. Memorandum of Town Administrator, with enclosures, re: Award of Contract – Town Hall Building Management System Installation and Controls & Condensing Units Replacement.

13. Resolution of the Council, re: Award of Contract – Town Hall Building Management System Installation and Controls & Condensing Units Replacement.

14. Memorandum of Councillor VonVillas, re: LNG Resolution.

15. Resolution of the Council, re: In Opposition to Hess Weaver's Cove LNG "Offshore" Proposal FERC Docket #CP04-36-000.

16. Memorandum of Tom Newman, re: Proposal to create Boat Ramp Improvement Sub-Committee.

17. Memorandum of Vice Chairman Cambra, with enclosure, re: Middletown Committee for the Arts Joint Application for RI Foundation Grant.

18. Communication of Barry W. Clark, re: Resignation from the Middletown Juvenile Hearing Board.

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

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.