

**Posted – April 27, 2011**

**REGULAR MEETING MAY 2, 2011**

**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, May 2, 2011 at 7:00 P.M. (BUDGET REVIEW 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.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to**

**reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

## **BUDGET REVIEW 6:00 PM**

**Review of FY 2011-2012 Proposed Department Budget – General Fund Review and matters related thereto.**

## **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.**

## **PRESENTATION**

**1. Resolution of the Council, re: Commendation to Residence Inn by Marriott Middletown/Newport.**

## **CONSENT**

**2. Approval of Minutes, re: Regular Meeting, April 4, 2011.**

**3. Approval of Minutes, re: Special Meeting, April 11, 2011.**

**4. Approval of Minutes, re: Special Meeting, April 12, 2011.**

**5. Approval of Minutes, re: Regular Meeting, April 18, 2011.**

**6. Communication of William G. Young, P.E., Project Manager, Chief Engineer – Land Development, Maguire Group, Inc., re: Aquidneck Corporate Park Improvements Information/Clarification.**

**7. Communication of Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council, re: Modification of CRMC Assent A 2008-09-118, 474 Sachuest Beach Road, Plat 127, Lot 18.**

**8. Memorandum of Town Administrator, with enclosure, re: Maintenance Certification M 2011-02-058, copy of recorded certification.**

**9. Results of Town of Middletown Budget Suggestion Survey FY2012.**

**10. Communication of Joanne M. Hoops, Executive Director, Boys & Girls Clubs of Newport County, with enclosure re: Appreciation for civic support.**

**11. Communication of Joseph A. Keough, Jr., Esquire, Keough & Sweeney, Ltd, Attorneys And Counselors At Law, re: Proposed Rate Increase/City of Newport Utilities Department, Water Division. (Application on file in the Office of the Town Clerk for viewing)**

**12. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation In Opposition to Binding Arbitration, School Housing Project Costs and Acts Relating to Elections. (See Attached List)**

**13. NNGC Corporation dba Newport National Golf Club, 324 Mitchell's Lane, for RENEWAL of a Holiday License for the 2011-2012 licensing**

**year.**

**14. Applications received from the following named persons, firms or corporations for RENEWAL of Amusement Licenses for the 2011-2012 licensing year. (See Attached List)**

## **LICENSES & PERMITS**

**15. Application for Special Event Permit from Middletown Education Collaborative, MEC Family Fund Night with the Duck Race Fundraiser for Middletown Public Schools to be held at Third Beach Boat ramp on Thursday, July 7, 2011 from 5:00 pm until 7:00 pm. (Attached is a request for permit fee to be waived)**

**16. Application of Gregg D. O'Neill dba Bravo Wood Fired Pizza, Inc. for a HAWKERS LICENSES for the 2011-2012 licensing year, location Aquidneck Grange, East Main Road. (Authorization letter attached) (NEW)**

## **PUBLIC HEARING**

**17. Public Hearing (Advertised)**

**Town of Middletown application for Small Cities Community Development Block Grant (CDBG) for certain projects, in an amount not to exceed \$400,000.**

**18. Resolution of the Council, re: FY2011 Small Cities Community Development Block Grant – Project priorities.**

## **OTHER COMMUNICATIONS**

**19. Petition of CVDD II, LLC, with enclosure, re: to amend the Zoning Ordinance, adopted effective October 30, 2006, by changing the classification of Lots 8, 9, 9A & 10, Tax Assessor's Plat 111 from Light Industrial Traffic Sensitive (LIA) to General Business Traffic Sensitive (GBA). (Requires Planning Board Recommendation)**

## **TOWN ADMINISTRATOR COMMUNICATIONS**

**20. Memorandum of Town Administrator, with enclosures, re: Award of Contract for Kempenaar Valley Fencing.**

**21. Resolution of the Council, re: Award of Contract for Kempenaar Valley Fencing.**

**22. Memorandum of Town Administrator, with enclosures, re: Award of Contract for Surveying & Engineering Easton's Point Watershed and Gaudet School Stormwater Retrofit.**

**23. Resolution of the Council, re: Award of Contract for Surveying & Engineering Easton's Point Watershed and Gaudet School Stormwater Retrofit.**

## **APPOINTMENTS TO BOARDS AND COMMITTEES**

**24. Appointment of two (2) members to the Committee for the Arts for terms expiring April 2014.**

**25. Appointment of four (4) members to the Zoning Board of Review, one regular member, term expiring April 2016 and three alternate members terms expiring April 2012.**

## **EXECUTIVE SESSION**

**Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4., and 42-46-5. (a)**

**(2) Collective Bargaining (Police, Public Works and Town Hall Unions, (5) lease (JFK School), (5) land acquisition (Third Beach Road) and (5) land acquisition (West Main Road).**

**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.**