

**Posted – May 13, 2011**

**REGULAR MEETING MAY 16, 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 16, 2011 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.**

**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)**

## **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. Memorandum of Chief Doire, re: Fire Department Promotional Ceremony.**

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

- 2. (Advertised for Public Hearing)**

**Application of K. Wang, Inc. dba Sakura Steak House, holder of a Class BV Alcoholic Beverage License to TRANSFER said License to Mizuyama Japanese Restaurant Corp. dba Mizu Steak House, for use at the same premises.**

## **CONSENT**

- 3. Approval of Minutes, re: Special Meeting, April 25, 2011.**
- 4. Approval of Minutes, re: Special Meeting, April 27, 2011.**
- 5. Approval of Minutes, re: Regular Meeting, May 2, 2011.**
- 6. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation In Opposition to Binding Arbitration,**

**to oppose 2011 – S413 & H5943 that mandates expired teacher contracts must continue at the existing terms and conditions and support of a June 1 Layoff Notice Date as Provided in Senate Bill 2011 – S007. (See Attached List)**

**7. Communication of Susanne Greschner, Chief, Department of Revenue, Division of Municipal Finance, re: Acknowledgement of receipt for Notice of Proposed Property Tax Rate Change.**

**8. Communication of Janet Coit, Director RIDEM, with enclosures, re: Rhode Island Cesspool Act of 2007.**

**9. Memorandum of Town Administrator, with enclosures, re: Financial Statements for period ending March 31, 2011.**

**10. Memorandum of Town Administrator, with enclosure, re: Tax Collector's report for period ending March 31, 2011.**

**11. Application for Special Event Permit from Amica Insurance and Eident Sports for the Amica 19.7 Newport Sprint Triathlon to be held at Third Beach, Town Roads and Finish at Sachuest Beach, Registration Friday, September 23, 2011 from 12 Noon to 7:00 pm and event on Saturday, September 24, 2011 beginning at 5:00 am to 11:00 am.**

## **LICENSES & PERMITS**

**12. Application of Mizuyama Japanese Restaurant Corp. dba Mizu Steak House, 250 East Main Road for a Victualling House License for the 2010-2011 licensing year. (NEW)**

**13. Application of Ruby Tuesday, Inc. dba Ruby Tuesday #7342, 593 West Main Road for an Amusement License for the 2011-2012 licensing year. (NEW; Inside Restaurant – 2 person band)**

## **OTHER COMMUNICATIONS**

**14. Communication of Richard Rodrigues, Chelsea's Restaurant, re: Request to amend Zoning Ordinance - temporary signs. (Requires Planning Board recommendation)**

**15. Request of Navy League of the United States, re: Request for support by sponsoring a table for the Annual Military Appreciation Night (Navy League) at the Atlantic Beach Club.**

**16. Communication of Joyce Williams, Victoria Johnson, Alphonsa Cook, Tournament Coordinators, Newport County NAACP, re: Request for support – NAACP Annual Golf Tournament.**

**17. Memorandum of Town Administrator, with enclosures, re: Dr. Shoemaker's communications concerning Regional District Planning Committee.**

**18. Memorandum of Councillor VonVillas, re: Regionalization.**

## **TOWN ADMINISTRATOR COMMUNICATIONS**

**19. Memorandum of Town Administrator, re: Shared Municipal Court.**

**20. Memorandum of Town Administrator, with enclosures, re: Contract Award: Development of Internet – Based GIS Mapping Service.**

**21. Resolution of the Council, re: Contract Award: Development of Internet – Based GIS Mapping Service.**

**22. Memorandum of Town Administrator, with enclosure, re: Contract Award: Drug Free Communities Grant Evaluator.**

**23. Resolution of the Council, re: Contract Award: Drug Free Communities Grant Evaluator.**

**24. Memorandum of Town Administrator, with enclosure, re: Surplus**

**Property.**

**25. Resolution of the Council, re: Surplus Property – 1997 Ford Explorer.**

**26. Memorandum of Town Administrator, with enclosure, re: Beach Vehicle Purchase.**

**27. Resolution of the Council, re: Beach Vehicle Purchase.**

**APPOINTMENTS AND RESIGNATIONS TO BOARDS AND COMMITTEES**

**28. Appointment of two (2) members to the Pension Trust Fund Investment Committee, one term expiring February 2013 and one term expiring February 2014.**

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

**30. Email communication of Chris Epperson, re: Resignation from the Middletown Substance Abuse Prevention Task Force.**

**31. Email communication of Wendy Lord Harvey, re: Resignation**

**from the Middletown Substance Abuse Prevention Task Force.**

**EXECUTIVE SESSION**

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

**(2) Collective Bargaining (Town Hall Union).**

**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.**