

Posted – October 13, 2011

REGULAR MEETING OCTOBER 17, 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, October 17, 2011 at 7:00 P.M. (6:00 P.M.- BUDGET) 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

FY 2012- FY2013 - Budget Discussion and Schedule

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.

ACTING AS A BOARD OF LICENSE COMMISSION

1. (Public Hearing Advertised)

Applications received from the following named persons, firms or corporations for RENEWAL of Alcoholic Beverage Licenses for the 2011-2012 licensing year. (See attached list)

CONSENT

2. Approval of Minutes, re: Regular Meeting, October 3, 2011.

3. Memorandum of Town Clerk, Town of Richmond, with enclosure, re: Resolution in the Aftermath of Tropical Storm Irene.

4. Memorandum of Town Administrator, with enclosures, re: Surplus Property – Middletown Library.

5. Resolution of the Council, re: Surplus Property – Middletown Library.

6. Memorandum of Acting Tax Assessor, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

7. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

8. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2011-2012 licensing year. (See attached list)

PUBLIC HEARINGS

9. (Public Hearing Advertised)

Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, Additional Hours of Operation, for the 2011-2012 licensing year. (See attached list)

10. (Continued from Regular Meeting, September 6, 2011; Abutters Notified)

(Continued from Regular Meeting, August 15, 2011; Abutters Notified)

Public Hearing (Advertised; Abutters Notified)

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, reclassification of Lots 8, 9 and 10, TAP 111 from Light Industrial Traffic Sensitive (LIA) to General Business A (GBA) and Lot 9A on TAP 111 from Light Industrial (LI) to General Business (GB). (Planning Board recommendation attached)

11. (Public Hearing Remains Open)

(Public Hearing Advertised; Abutters Notified)

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, reclassification of Lot 758, TAP 114 from Limited Business/Traffic Sensitive (LBA) and Residential-20 (R-20) to Limited Business/Traffic Sensitive (LBA). (Planning Board recommendation attached)

12. (Public Hearing Remains Open)

(Public Hearing Advertised; Abutters Notified)

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, reclassification of Lot 7, TAP 104 from Traffic Sensitive Medium Density Residential (R-20A) to residential multi-family, traffic sensitive (RMA). (Planning Board recommendation attached)

13. (Public Hearing Remains Open)

(Public Hearing Advertised)

Transportation Improvement Program (TIP) - Prioritizing approved Town Projects for the FFY 2013-2016 submission to the State Planning Council.

14. Memorandum of Town Administrator, with enclosure, re: FY2013-2016 Transportation Improvement Program (TIP) Project Priority as amended.

OTHER COMMUNICATIONS

15. Memorandum of Senator Louis P. DiPalma, with enclosures, re: Aquidneck Island Coyote Workgroup Final Report.

16. Communication of Brian Jordan, Ph.D., Federal Preservation Officer Headquarters Archaeologist, US Department of Interior, Bureau Of Ocean Energy Management, Regulation and Enforcement, with enclosures, re: Requesting the Town to review the proposed action in the NOI and offer information related to known historic sites or cultural resources within the areas under consideration that may be affected by leasing.

COMMUNICATIONS OF TOWN COUNCIL

17. (Continued from October 3, 2011)

Memorandum of Councillor VonVillas, re: Library Facilities – Update.

18. Memorandum of Town Administrator, re: Follow-up on Condition of Library Facility.

COMMUNICATIONS TOWN ADMINISTRATOR

19. Memorandum of Town Administrator, with enclosures, re: Statewide Planning Program – 2011 Planning Challenge Grant Program.

20. Resolution of the Council, re: Authorizing the Town Planner to submit grant application for a Planning Challenge Grant.

APPOINTMENTS OF BOARDS AND COMMITTEES

21. Appointment of one (1) member to the Tax Assessment Review Board for a term expiring October 2014. (Bi-partisan Board)

22. Communication of Stanley L. Ehrlich, re: Resignation from the Conservation Commission.

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.