

Posted – February 1, 2012

REGULAR MEETING FEBRUARY 6, 2012

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, February 6, 2012 at 7:00 P.M. (EXECUTIVE SESSION 6:30 P.M.) 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)

EXECUTIVE SESSION

Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4., and 42-46-5. (a) (2) Litigation (HK&S vs. Town of Middletown).

AWARDS & PROCLAMATIONS

1. Memorandum of Town Administration, re: Employee Recognition Program – Pins of Service Third and Fourth Quarters 2011.

2. Resolution of the Council, re: Commendation for Julie Oakley.

PUBLIC FORUM SESSION

3. 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.

CONSENT

4. Approval of Minutes, re: Regular Meeting, January 3, 2012.

5. Approval of Minutes, re: Special Meeting, January 9, 2012.

6. Resolution of the Town of Glocester, re: Requesting to Amend RIGL §16-7-23.

7. Resolution of the Town of Exeter, re: In support of Resolution in the Aftermath of Tropical Storm Irene.

8. Communication of Walter Elwell, Chair, Eastern Rhode Island

Conservation District, re: Request for support.

9. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: FY2011 Town of Middletown Financial Audit Report Highlights.

10. Memorandum of Finance Director, with enclosure, re: Quarterly Financial Report as of December 31, 2011.

11. Memorandum of Accounting Manager, thru Finance Director, re: Tax collector's report for the period ending December 31, 2011.

12. Communication of Finance Director, with enclosures, re: Cancellation of Taxes for certain Middletown residents.

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

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

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

16. Memorandum of Town Administrator, with enclosures, re: Wind Turbine Survey. (This item will be discussed when the State Wide

Planning Program and Renewable Energy Siting Partnership have completed their Wind Turbine Studies)

17. Memorandum of Jan Eckhart, Chairman, Middletown Planning Board, re: Proposed amendments to the Middletown Zoning Ordinance regarding signs, Article 12, sections 1202, 1203, 1208, 1209, 12010, 1211, 1212 and 1213. (Requires advertising for public hearing)

18. Communication of Robert M. Silva, Esquire, on behalf of 28 Jacome Way, LLC, re: Requesting Petition to Rezone Ground Mounted Solar Array. (Requires Planning Board Recommendation)

19. Application of Mark and Debora Conrad for a Special Event Permit for Conrad-Bickerstaffee Wedding to be held at Dunlap-Wheeler Park on August 18, 2012 from 4:00 pm until 7:00 pm.

20. Application of Middletown Senior Citizens Center, 650 Green End Avenue, for RENEWAL of the Bingo License for the 2012-2013 licensing year.

LICENSE

21. Application of Thomas A. Santilli, Narragansett, RI, for a Drain Layer's License for the 2011-2012 licensing year. (NEW)

22. Application of Newport Cakes, LLC dba Newport Cakes, 796 Aquidneck Avenue, for a Victualling House License for the 2011-2012 licensing year. (NEW)

OTHER COMMUNICATIONS

23. Memorandum of Edward Collins, Director of Facilities Management, with enclosure, re: Update on the Stage II Necessity of School Construction application.

24. Communication of Edward J. Collins, Director of Facilities Management, re: Request to re-allocate funding from the Town's CIP Special Revenue Fund.

25. Resolution of the Council, re: Re-allocation of FY2012 Approved Capital Improvement Program funding.

26. Communication of the St. Patrick's Day Parade Committee, re: Request for support by placing an ad in the Parade Bulletin or donating to the parade committee.

COMMUNICATIONS OF TOWN COUNCIL

27. Memorandum of Council President Weber and Vice President

Long, re: Proposed Wind Turbine Report.

COMMUNICATIONS OF TOWN ADMINISTRATOR

28. Memorandum of Town Administrator, re: Confirmation of Appointment – Tax Assessor.

29. Memorandum of Town Planner, thru Town Administrator, with enclosure, re: Development Impact Fees – Schedule of Fees Update.

30. Memorandum of Town Administrator, with enclosure, re: Proposal for Evaluation of Refuse & Recycling Service and Contract.

31. Resolution of the Council, re: Award of contract for Evaluation of Refuse & Recycling Service and Contract.

32. Memorandum of Police Chief, thru Town Administrator, re: Patrol Vehicle purchase.

33. Resolution of the Council, re: Authorizing the Patrol Vehicle purchase.

APPOINTMENTS TO BOARDS & COMMITTEES

34. Appointment of one (1) member to the Substance Abuse Prevention Task Force for a term expiring August 2014.

35. Appointment of Tree Warden for the 2012 calendar year.

36. Communication of Jeffrey M. Willis, Deputy Director, CRMC, re: Requesting Council to appoint a representative of the Town to serve as an alternate subcommittee member.

37. Communication of Richard Barker, re: Resignation from the Open Space and Fields Committee.

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.