

Posted – February 12, 2014

REGULAR MEETING FEBRUARY 18, 2014

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 Tuesday, February 18, 2014 at 7:00 P.M. (6:30 PM - EXECUTIVE SESSION) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

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)

6:30 PM - EXECUTIVE SESSION

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Collective Bargaining (IBPO Local 534, IAFF Fire, and Teamsters DPW Unions)

PUBLIC FORUM SESSION

2. 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. All items discussed during this session will not be voted upon.

ACTING AS A BOARD OF LICENSE COMMISSION

3. Application of St. Lucy's Church, 909 West Main Road, for a Class F-1 Alcoholic Beverage License for use at the same premises - Event March 29, 2014.

4. Application of Gilbert-Burton Post 4487 VFW d/b/a Captain Kenneth L. Gilbert Post 448, 52 Underwood Lane for a Retailers Class BV Alcoholic Beverage License for the 2013-2014 licensing year. (NEW: Requires Advertising for Public Hearing and notice to abutters)

CONSENT

5. Approval of Minutes, Regular Meeting, January 27, 2014.

- 6. Newport County Unified High School Exploratory Committee, re: Minutes – January 2, 2014.**

- 7. Newport County Unified High School Exploratory Committee, re: Minutes – January 23, 2014.**

- 8. Communication of Gregory C. Preston, Director, Department of Navy, re: Disposal of surplus property.**

- 9. Memorandum of Town of Middletown, re: Employee Recognition Program – Pins of Service Fourth Quarter 2013.**

- 10. Memorandum of Department of Public Works, thru Town Administrator, with enclosure, re: Beach Facility Advisory Committee.**

- 11. Memorandum of Town Administrator, re: Authorization for Municipal Road and Bridge Revolving Fund for Paving Town Roads.**

- 12. Town of Middletown OPEB Valuation Report – June 30, 2013. (The Administration requests to continue this matter to the March 17, 2014 Regular Meeting of the Council.)**

- 13. Memorandum of Finance Director, thru Town Administrator, with enclosure, re: FY2014 Municipal Financial Report – Quarter ending**

December 31, 2013.

14. Communication of Tax Assessor, dated January 13, 2014, thru Town Administrator, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

15. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

16. Communication of Tax Collector, dated January 16, 2014, thru Town Administrator, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

17. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

18. Communication of Tax Collector, dated January 27, 2014, thru Town Administrator, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

19. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

20. Communication of Tax Assessor, dated January 27, 2014, thru Town Administrator, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

21. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers

22. Communication of Tax Assessor, dated February 10, 2014, thru Town Administrator, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.

23. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

24. Resolution of the Town of Exeter, re: Requesting Support of Newport Pell Bridge Safety.

25. Resolution of the Town of Charlestown, re: In opposition to opening the Chariho Act for revision.

26. Communication of Thomas B. Gentz, President, Charlestown Town Council, re: Requesting that the Chariho School Committee request that each Chariho Town consider the referendum item outlined in the communication.

27. (Continued from Regular Meetings, June 17, 2013, July 15, 2013,

October 21, 2013, November 18, 2013, January 27, 2014)

Memorandum of Gladys B. Lavine, Chair, Middletown Planning Board, with enclosures, re: Impact Fee Schedule Recommendation. (The Administration requests to continue this matter to June 2, 2014, Regular meeting of the Council)

28. Application of Blue Plate Diner, 665 West Main Road, for RENEWAL of a Mechanical Amusement License for the 2013-2014 licensing year.

ORDINANCE

29. (Continued from the January 27, 2014 Regular Meeting)

Memorandum of Town Clerk, thru Town Administrator, with enclosure, re: Adoption of Cemetery Rules & Regulations.

30. (Continued to the January 27, 2014 Regular Meeting)

Memorandum of Town Clerk, thru Town Administrator, with enclosures, re: Approval of Cemetery forms.

31. (Continued from Regular Meetings October 7, 2013, October 21, 2013, November 4, 2013, November 18, 2013 and January 31, 2014)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule,

Section 45, Burial Lots.

OTHER COMMUNICATIONS

32. (Continued from Regular Meeting, January 27, 2014)

Memorandum of Tina Dolen, Executive Director, Aquidneck Island Planning Commission, re: Request to consider reorganization of the Aquidneck Island Planning Commission Board of Directors.

33. Communication of Tina Dolen, Executive Director, Aquidneck Island Planning Commission, with enclosures, re: Docket Item February 18th – AIPC Request for Reorganization.

34. Communication of Vincent J. Palumbo, P.E., Highway Managing Engineer, with enclosure, re: Reconstruction of Two Mile Corner (Routes 138/114) West Main Rd – Commercial St to Maplewood Road, East Main Rd – West Main Road to Bailey Brook, Middletown, RI, RI Contract No. 93116, R.I.F.A.P. NO. AF-0138(011), HHP -4858(001), Coddington Highway Taper Lane.

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

TOWN COUNCIL

36. Town of Middletown – 2014 Draft Legislative Agenda as of January 28, 2014.

**37. Discussion related to January 27, 2014 Fielding Nair Presentation.
(No documentation)**

TOWN ADMINISTRATOR

38. Town of Middletown Audit – Year Ended June 30, 2013.

39. Town of Middletown Pension Plan – Actuarial Valuation Report July 1, 2013 – June 30, 2014.

40. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award: MIDD-014-014 Services – Collection and Transport of Residential Refuse, Recyclables, Yard Waste and Bulky Wastes.

41. Resolution of the Council, re: Contract Award: MIDD-014-014 Services – Collection and Transport of Residential Refuse, Recyclables, Yard Waste and Bulky Wastes.

APPOINTMENTS TO BOARDS & COMMITTEES

42. Appointment of one (1) member to the Economic Development Advisory Committee for a term expiring January 2018.

43. Appointment of one (1) member to the Pension Trust Committee for a term expiring February 2017.

44. Appointment of one (1) member to the Prevention Coalition Committee for a term expiring March 2017.

45. Appointment of one (1) member to the Roads and Utilities Advisory Committee for a term expiring January 2017.

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 at 847-0009 not less than 48 hours before the meeting.