

POSTED FEBRUARY 16, 2022
REGULAR MEETING FEBRUARY 22, 2022

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 22, 2022 at 6:30 P.M. Regular Meeting** at the **Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island**. Said meeting will be conducted in person, by telephone conference call/ webinar, in accordance with Executive Order 22-01 issued by Governor McKee on January 6, 2022, extended to February 21, 2022, which modifies certain provisions of the Open Meetings Act ("OMA") and the Access to Public Records Act ("APRA") as part of the State's emergency response to COVID-19. Members of the public may access and listen to the meeting in real-time by calling 1-877-853-5257 (Toll Free) or 1-888-475-4499 (Toll Free) and entering Meeting ID: 875 8075 6375 or on the web at <https://us02web.zoom.us/j/87580756375>

If calling in by telephone pressing *9 raises your hand and pressing *6 will unmute.

The items listed on the Consent portion of the agenda are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda consideration and considered in its normal sequence on the agenda. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed, and voted upon in executive session and/or open session.

Pursuant to RIGL §42-46-6(b). Notice – "Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official."

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

1. Pursuant to Rule 25 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.

PRESENTATION

2. Memorandum of Vice President Welch, re: Community Choice Aggregation (CCA) for Bulk Energy – Sara Porier and Susan Adie will present a brief powerpoint on how CCA works in other communities, how the plan is developed and implemented.
3. Resolution of the Council, re: Authorizing the Town Administrator to research and develop a plan to aggregate the retail electric loads within the Town through a CCA program in accordance with the Act; Authorizing the Town Administrator to engage a consultant with experience in developing and administering CCA programs to assist the Town in the creation and operation of an aggregation plan and CCA program provided that the Town shall not be required to draw upon the General Fund to compensate such consultant; The Town Administrator to provide regular updates to the Town Council regarding the development and administration of the aggregation plan and CCA program, including the presentation of a plan for public hearing and final approval, and Authorizing the Town Administrator to enter into contracts, consistent with state and local laws related to purchasing, implement such aggregation plan and CCA program independently, or in joint action with other municipalities in the state, and to execute all documents necessary to accomplish the same.

CONSENT

4. Approval of Minutes, re: Regular Meeting, January 18, 2022.
5. Approval of Minutes, re: Regular Meeting, February 7, 2022.
6. Application of Marc Milici dba Troubled Soul & Company, LLC, 999 West Main Road, for RENEWAL of a Tattoo License for the 2022-2023 licensing year.

7. Application of Laurin Enterprises dba Gold's Auto Wrecking Co., 113 Fenner Avenue for RENEWAL of a Junk Dealer's License for the 2022-2023 licensing year.
8. Email communication of Karen Day, re: Two (2) Memorial applications – 1) Proposal for a memorial tree and plaque for Paul G. Healy to be placed in Valley Park and 2) Proposal for a memorial tree and plaque for Kim Cataldo to be placed in Valley Park. (Approved by the Citizens' Memorial Committee)
9. (Continued from Regular Meeting February 7, 2022)
Memorandum of Finance Director, re: Financial Report – Six Months Ended December 31, 2021. (Withdrawn by the Administration at this time.)

LICENSE/PERMITS

10. Application for Special Event Permit from Elevate Fitness for Elevate Fitness Beach Boot Camp at Second Beach (Surfer's End) and/or Third Beach (Tuesdays and Thursdays) from Memorial Day 2022 to Labor Day 2022, from 5:30 am to 7:30 am.

PUBLIC HEARING

11. Memorandum of Town Planner, thru Town Administrator, re: PY2020 & 2021 CDBG Application – 2nd Public Hearing.
12. Public Hearing (Advertised; Second Reading)
Town of Middletown PY2020 & 2021 CDBG Application – Small Cities Community Development Block Grant for certain projects. Statewide approx. \$13 million available to undertake a range of activities including:
 - a) Improved housing opportunities for low and moderate-income families and individuals.
 - b) Provision of employment opportunities for low and moderate-income individuals.
 - c) Provision of community facilities and services principally benefiting low and moderate-income families and individuals.
13. Resolution of the Council, re: FY2020 & 2021 Application – Small Cities Community Development Block Grant (CDBG) – Approving the prioritized list of projects for submission with the Town's PY2020 & 2021 CDBG application.

TOWN COUNCIL

14. (Continued from Regular Meeting, February 7, 2022)
Memorandum of Councillor Flynn, re: School Building Repairs/Municipal Outreach Department - Room Fee/Tax.
15. Memorandum of Councillor Flynn, re: Public Engagement – West Main Road.

16. Communication of Councillor Turano, re: Affordable Housing - Requesting update from Frank Spinella regarding detailed drawings for Berkley Peckham and Oliphant Schools.

TOWN ADMINISTRATOR

17. Memorandum of Finance Director, Thru Town Administrator, re: Memorial Boulevard Project Change Order.
18. Resolution of the Council, re: Memorial Boulevard Change Order – Funding for the proposal is to be from the Series 2018A Rhode Island Infrastructure Bank (RIIB) bond with credit available of \$952,108.43 and \$109,391.57 from the sewer fund and authorizing the Town Administrator to execute agreements of behalf of the Town.
19. Communication of Tax Assessor, re: Cancellation of Taxes for certain Middletown residents.
20. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

BOARDS AND COMMITTEES

21. Appointment of one (1) member to the Aquidneck Island Planning Commission, to complete a term expiring July 2023.
22. Appointment of one (1) member to the Middletown Prevention Coalition, civic/volunteer sector, term expiring April 2023.
23. Appointment of one (1) member to the Middletown Prevention Coalition, business sector, term expiring April 2024.
24. Appointment of one (1) member to the Middletown Prevention Coalition, youth serving organization sector, term expiring April 2024.
25. Appointment of one (1) member to the Middletown Prevention Coalition, faith community sector, term expiring April 2024.
26. Appointment of one (1) member to the Pension Trust Fund Committee, term expiring February 2025.
27. Appointment of one (1) member to the Personnel Board, term expiring December 2024.
28. Appointment of one (1) member to the Personnel Review Board, term expiring June 2024. (Bi-partisan Board Democrat or Republic representative).

29. Appointment of three (3) members to the Planning Board, terms expiring February 2025. (Council action; Council Rule #33 – New applications to be interviewed)
30. Appointment of three (3) members to the Senior Citizens Board of Directors, term expiring January 2025.
31. Appointment of one (1) member to the Tree Commission, term expiring January 2025.
32. Appointment of one (1) member to the Zoning Board of Review (3rd Alternate), to complete a term expiring April 2022. (Council action; Council Rule #33 – New applications to be interviewed)
33. Email Communication of Dennis Soares, re: Resignation from the Middletown Prevention Coalition (School Sector).

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 this meeting.

Posted on February 16, 2022, at Middletown Town Hall, Middletown Public Library, Middletown Web Site and Secretary of State Web Site.