

POSTED APRIL 27, 2022
REGULAR MEETING MAY 2, 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 **Monday, May 2, 2022 at 6:00 P.M. Executive Session; 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, 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: 876 4256 4997 or on the web at <https://us02web.zoom.us/j/87642564997>

If you chose to join the meeting by zoom or telephone, Council Rules allow for the Public to speak only during the Public Forum and Public Hearings. 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)

EXECUTIVE SESSION

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a), (5) Land Acquisition, (5) Land Acquisition, (5) Land Acquisition, (5) Lease (JFK School), (2) Collective Bargaining, (2) Potential Litigation, (2) Collective Bargaining (FOP), (2) Collective Bargaining (TEAMSTERS), (2) Collective Bargaining (NEARI) and (2) Collective Bargaining (NEAM – TEACHERS ASSOCIATION) - review, discussion and/or potential action and/or vote in executive session and/or open session.

PUBLIC FORUM

2. 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.

ZONING BOARD INTERVIEW

3. Emily Tessier, applicant

Zoning Board Interview Questions:

1. Why do you want to be on the Zoning Board?
2. What experience do you have that would qualify you to be a member of the Zoning Board?
3. What useful knowledge or perspective from your own personal experience would you bring to the position?
4. What do you think is the most important responsibility of a Zoning Board member?
5. What would you like Middletown to look like 5 years from now?

6. What do you believe is Middletown's most important land use issue and how should it be addressed?
7. What ideas or suggestions do you have regarding economic development in Middletown?
8. Regular Zoning Board meetings typically take place the 4th Tuesday of each month, starting at 6 P.M., and Special meetings are called on an as needed basis. Are you available to attend them?

BOARDS AND COMMITTEES

4. Appointment of one (1) member to the Zoning Board of Review, Third Alternate, term expiring April 2023.

TOWN BUSINESS UPDATE

5. Town Administrator will provide an update on Town Projects.

CONSENT

6. Approval of Minutes, re: Regular Meeting, April 4, 2022.
7. Approval of Minutes, re: Regular Meeting, April 18, 2022.
8. Approval of FY2023 Budget Schedule.

Monday, May 16, 2022 – Town Council Officially Receives Budget

Wednesday, May 18, 2022 – Budget Meeting with School Department – 6:00 pm

Saturday, June 4, 2022 – Budget Meeting all Funds – 8:00 am

Monday, June 6, 2022- Budget Review- Time to be determined

Wednesday, June 15, 2022 – 1st Public Hearing Budget – 6:00 pm

Wednesday, June 22, 2022 – 2nd Public Hearing Budget – 6:00 pm

9. Applications for the following named persons, firms or corporations for renewal of Mechanical Amusement Device License for the 2022-2023 licensing year:

Mechanical Amusement Device – Expires – May 5th, 2023:

Boston Concessions Group/Island Cinema's – 105 Chases Lane
(Four Games)

Dennis M. Crookes, Sr./Woodhookers – 238 East Main Road
(One Juke Box, One Pool Table and One Game)

Gilbert-Burton Post #4487/VFW- 52 Underwood Lane
(One Juke Box, One Pool Table and One Game)

HPK, Inc./Tickets- 15 Aquidneck Avenue
(One Juke Box)

Kempenaar Real Estate/Howard Johnson Motor Lodge- 351 West Main Road
(Four Games)

S.C.S.JR. Restaurant Corp., Inc/Scotty's Big Dawg's Sports Pub – 823 West Main Road
(One Juke Box, One Pool Tables and One Game)

Shaw's Supermarket, Inc.- 71 East Main Road
(One Game)

SK Industries, Inc./Rusty's- 44 Wave Avenue
(One Juke Box, One Pool Table, One Game)

Sonesta International Hotels Corporation/Sonesta Select Newport Middletown- 9 Commerce Drive
(Three Games)

The Pub at Two Mile Corner, Inc/The Pub at Two Mile Corner- 10 Maple Avenue
(One Juke Box, One Pool Table, Two Games)

10. Application of A&M Acquisitions, LLC dba A&M Tactical, 10 Coddington Highway for RENEWAL of a Firearms Dealers License for the 2022-2023 licensing year.
11. Application of Beach Liquors, LLC dba Beach Wine and Liquors, 43 Aquidneck Avenue for RENEWAL of a Sunday Selling License for the 2022-2023 licensing year.

LICENSE/PERMITS

12. Application of Jennifer Beirola, Portsmouth, RI for a Tattoo License for the 2022-2023 Licensing year, to be used at 554 West Main Road. (NEW)
13. Application of Mykono Pizza Pub, LLC d/b/a Mykono Pizza Pub, 59 Aquidneck Avenue, for a Mechanical Amusement Device License for the 2022-2023 licensing year. (NEW- One Juke Box, One Pool Table, One Game)
14. Application for Special Event Permit from St. George's School for Graduation/Prize Day to be held at St. George's School, 372 Purgatory Road, on Sunday, May 29, 2022, Graduation Dinner beginning at 5:30 pm until 7:30 pm and Monday, May 30, 2022 Luncheon beginning at 12:30 pm until 2:30 pm.

15. Application for Special Event Permit from St. George's School – Camp Ramleh, Camp Benefit Sale to be held at St. George's School Hockey Rink on Saturday, June 11, 2022 and Sunday, June 12, 2022 from 8:00 a.m. to 12:00 p.m., includes a request to waive permit fee.
16. Application for Special Event Permit from Wanumetonomy Golf & Country Club for Wanumetonomy 100th Anniversary Celebration to be held at 152 Brown's Lane on Saturday, August 13, 2022 from 5:30 pm to 10:30 pm.
17. Application for Special Event Permit from Aquidneck Community Table for the Aquidneck Community Table Saturday Farmer's Market to be held at Embrace Home Loans, 25 Enterprise Drive, beginning Saturday, May 7th, 2022 through Saturday, October 29, 2022 from 9:00 am to 12:00 pm, includes a request to waive permit fee.
18. Application for Special Event Permit from the Newport County YMCA for the Newport County YMCA for Camp Clark Aquatics Camp to be held June 27, 2022 to September 9, 2022, Monday thru Friday 9 am – 3 pm at Second Beach, Non-Lifeguard area of the beach.
19. Application for Special Event Permit from the Newport County YMCA- Race 4 Chase Camp to be held at Third Beach, beginning Tuesday, July 5, 2022 to Friday, August 12, 2022, Monday through Friday from 9:00 am to 12:00 pm.

OTHER COMMUNICATIONS

20. Communication of John Ceglarski, President, Middletown Athletic Boosters, re: Request for support – Middletown Athletic Boosters Senior Sports Banquet.
21. Communication of Tracey Pontes, Fundraising Committee, Looking Upwards, re: Requesting support by sponsoring a Tee sign for its 24th Annual Golf Tournament fundraiser.
22. Communication of J. Clement "Bud" Cicilline, 1st Vice President Co-Chair, NAACP Newport County Branch Golf Tournament Committee, re: Request for support by sponsoring a Tee Sign for the Golf Tournament.
23. Communication of Nancy Newbury, West House Apartments, requesting the Town Council to convene a sub-committee regarding the Church Community Housing Master Plan for the West House II project.

TOWN COUNCIL

24. Communication of Vice President Welch, re: Discussion of relocating the sports fields that will be displaced by the Middletown Center and Oliphant Housing projects.
25. Memorandum of Vice President Welch and Councillor Flynn, re: Short-Term Rental Growth Plan.
26. Memorandum of Councillor Flynn, re: Marijuana Update.

27. Memorandum of Councillor Flynn, re: Traffic Safety- Neon Gas.
28. Resolution of the Council, re: FY2023 State Budget Allocation for funding Middletown Public Library.

TOWN ADMINISTRATOR

29. Memorandum of Finance Director, thru Town Administrator, re: Intersection Improvements at Berkeley and Green End Avenues.
30. Resolution of the Council, re: Award of Contract to Fuss & O'Neill for the traffic analysis at Berkeley Avenue & Green End Avenue.
31. Memorandum of Operations & Facility Manager, thru Town Administrator, re: Recommendation to allow Surfline to install web cameras at Second Beach.
32. Memorandum of Finance Director, re: Financial Report- Nine Months Ended March 31, 2022.
33. Communication of Tax Assessor, re: Cancellation of Taxes for certain Middletown residents.
34. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

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 April 27, 2022, at Middletown Town Hall, Middletown Public Library, Middletown Web Site and Secretary of State Web Site.