

POSTED MAY 11, 2022
REGULAR MEETING MAY 16, 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 16, 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: 895 0706 1277 or on the web at <https://us02web.zoom.us/j/89507061277>

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, (2) Collective Bargaining (FOP), (2) Collective Bargaining (TEAMSTERS), (2) Collective Bargaining (NEARI) and (2) Potential Litigation - 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.

BUDGET

3. Memorandum of Town Administrator, re: Budget.

CONSENT

4. Communication of Karen A. Alegria, Attorney-At-Law, on behalf of Sharon Rust, re: Claim for personal injuries. (Council action to receive and forward to the RI Interlocal Trust)
5. Application of Aspire Dermatology, LLC dba Aspire Dermatology, 102 Valley Road for RENEWAL of a Holiday Sales License for the 2022-2023 licensing year.
6. Application of The Pub at Two Mile Corner, Inc., 10 Maple Avenue for RENEWAL of an Amusement License for the 2022-2023 licensing year. (Acoustic, DJ, Small Band, Duo/Trio and Karaoke)
7. Resolution of the Council, re: Requesting amendments to Title 45, Towns and Cities, Chapter 21, Retirement of Municipal Employees, R.I. General Laws § 45-21-8 Membership in system.

PERMIT

8. Application for Special Event Permit from The Sacred Center for Community Yoga on the Beach with Reverend Shelley Dungan to be held at Third Beach, Saturdays beginning June 4th through August 27th from 8:00 am to 9:00 am and Tuesdays beginning June 14th through September 19th from 6:00 pm to 7:00 pm.

PUBLIC HEARING

9. Memorandum of Town Engineer, re: Paradise Avenue Sewage Pump Station Presentation, Public Hearing required by the Rhode Island Department of Environmental Management approval process is a public meeting (held with Roads & Utilities on February 3, 2022) and a public hearing.
10. Public Hearing (Advertised)
Improvements to the Paradise Avenue Sewage Pump Station.

OTHER COMMUNICATIONS

11. Communication of Cheryl G. Robinson, President of Turning Around Ministries, Inc., re: Request for support by placing an ad in the Souvenir Book or making a contribution to TAM.

TOWN ADMINISTRATOR

12. Communication of Tax Assessor and Finance Director dated April 25, 2022, re: Cancellation of Taxes for certain Middletown residents.
13. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.
14. Communication of Tax Assessor and Finance Director dated May 3, 2022, re: Cancellation of Taxes for certain Middletown residents.
15. Resolution of the Council, re: Cancellation of Taxes for certain Middletown residents.

TOWN COUNCIL

16. (Continued from the May 2, 2022, Regular Meeting)
Memorandum of Councillor Flynn, re: Marijuana Update.
17. To discuss enabling legislation related to Middletown/Newport Regionalized School District and matters related thereto.
18. Resolution of the Council, re: MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT LEGISLATION AUTHORIZING THE CITY OF NEWPORT AND THE TOWN OF MIDDLETOWN TO ESTABLISH A REGIONAL SCHOOL DISTRICT AND PROVIDING FOR STATE AID FOR SCHOOL HOUSING COSTS OF AT LEAST 80% OF DEBT SERVICE FOR EXPENDITURES ELIGIBLE FOR STATE AID.
19. To discuss enabling legislation for school bonds in a principal amount not to exceed \$235,000,000.

20. Resolution of the Council, re: MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT LEGISLATION AUTHORIZING THE TOWN OF MIDDLETOWN TO ISSUE NOT TO EXCEED \$235,000,000 GENERAL OBLIGATION BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS TO FINANCE THE CONSTRUCTION, RENOVATION, IMPROVEMENT, ALTERATION, REPAIR, LANDSCAPING, FURNISHING AND EQUIPPING OF NEW ELEMENTARY, MIDDLE AND HIGH SCHOOLS AND SCHOOL FACILITIES THROUGHOUT THE TOWN, AND ALL ATTENDANT EXPENSES INCLUDING, BUT NOT LIMITED TO, ENGINEERING AND ARCHITECTURAL COSTS, PROVIDED THAT THE AUTHORIZATION SHALL BE REDUCED BY THE AMOUNT OF CERTAIN GRANTS RECEIVED FROM STATE BOND PROCEEDS, FROM THE RHODE ISLAND DEPARTMENT OF EDUCATION OR FROM THE RHODE ISLAND SCHOOL BUILDING AUTHORITY.

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 May 11, 2022, at Middletown Town Hall, Middletown Public Library, Middletown Web Site and Secretary of State Web Site.