

POSTED JUNE 15, 2022
REGULAR MEETING JUNE 20, 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, June 20, 2022; 6:00 P.M. Budget; 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: 865 1174 8592 or on the web at <https://us02web.zoom.us/j/86511748592>

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)

BUDGET

1. Review of Town of Middletown Proposed Budgets and Capital Improvement Plan, General Fund, Parks & Recreation Fund, Sewer Fund and Refuse & Recycling Fund of the Fiscal Year 2022-2023 and matter related thereto.

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.

ACTING AS A BOARD OF LICENSE COMMISSION

3. Applications five (5) from the Norman Bird Sanctuary, 583 Third Beach Road, for Class F-1 Alcoholic Beverage Licenses - (One Day Only License) for the same premises on the following dates:

Friday, July 8, 2022 – 6:30 pm to 9:00 pm
Friday, August 5, 2022 – 6:30 pm to 9:00 pm
Friday, September 16, 2022 – 6:30 pm to 9:00 pm
Saturday, October 1, 2022 – 6:00 am to 9:30 pm
Sunday, October 2, 2022 – 6:00 am to 9:30 pm

4. Application of K & E Corporation, 120 West Main Road, holder of a Class BV Alcoholic Beverage License to TRANSFER said License to Napha Thai Cuisine, LLC dba Napha Thai Cuisine, for use at the same premises. (Requires advertising for a future public hearing)

CONSENT

5. Approval of Minutes, Regular Meeting, May 16, 2022.
6. Approval of Minutes, Special Meeting, May 25, 2022.
7. Approval of Minutes, Special Meeting, June 4, 2022.
8. Approval of Minutes, Regular Meeting, June 6, 2022.

9. Communication of J. Clement Bud Cicilline, 1st Vice President, NAACP, re: Appreciation for support.
10. Applications for the following named persons for renewal of a Tattoo License for the 2022-2023 licensing year (Licenses are for Trouble Soul Tattoo Shop, 999 West Main Road):

Angel Camacho, North Kingstown, RI
India Scott, Fall River, MA
11. Application of Peabody's Beach Enterprises, LLC dba Peabody's Beach, Third Beach Road, for a RENEWAL of a Victualling House License for the 2021-2022 licensing year.

PERMITS

12. Application for Special Event Permit four (4) Events Norman Bird Sanctuary Music Series to be held at the Norman Bird Sanctuary, 583 Third Beach Road, 1) Friday, July 8, 2022 – 6:30 pm to 9:00 pm 2) Sunday, July 10, 2022 - 9:00 am to 11:00 am 3) Friday, August 5, 2022 – 6:30 pm to 9:00 pm and 4) Friday, September 16, 2022 – 6:30 pm to 9:00 pm. (Applicant respectfully requests Permit fees to be waived)
13. Application for Special Event Permit from Bradley Hierholzer, Hagerty July 4th Fireworks at Peabody's Beach, Sunday, July 3, 2022 from 6:00 pm to 10:00 pm. (Fireworks display at 9:00 pm)
14. Application for Special Event Permit from Newport Historical Society for The Newport Show – Antique Show to benefit The Boys & Girls Clubs of Newport County, Inc. to be held at AUDRAIN BUILDING – OWNER - ARC PNNEWRI001 LLC, 250 West Main Road, Middletown, RI on Friday, July 29, 2022 from 5:00 pm to 9:00 pm, Saturday, July 30, 2022 from 10:00 am to 6:00 pm and Sunday, July 31, 2022 from 10:00 am to 4:00 pm.
15. Application for Special Event Permit from Rhode Races & Events, Inc. for Newport Rhode Races (Marathon Road Race) to be held on Town roadways and Second Beach Parking Lot on Saturday, April 15, 2023 from 7:30 am to 1:30 pm.

OTHER COMMUNICATIONS

16. Communication of Robert M. Silva, Middletown Economic Development Advisory Committee, re: Atlantic Beach Tax Increment Financing (TIF) District.
17. Memorandum of Attorney Marisa Desautel, re: Ordinance Amendment Short-Term Residential Leases.

TOWN COUNCIL

18. Memorandum of Councillor Flynn, re: Regionalization.

TOWN ADMINISTRATOR

19. Memorandum of Finance Director, thru Town Administrator, re: Middletown Public Library Janitorial Services Contract.

20. Resolution of the Council, re: Award contract Middletown Public Library Janitorial Services.

21. Memorandum of Finance Director, thru Town Administrator, re: Audit Services Bid-Extension for 1 Additional Year.

22. Resolution of the Council, re: Audit Services Bid- Extension for 1 Additional Year.

BOARDS AND COMMITTEES

23. Email communication of Henry "Rick" Lombardi, re: Resignation from the Zoning Board of Review.

24. Appointment of two (2) members to the Middletown Outreach Sub-Committee, terms to be determined.

25. Appointment of one (1) member to the Middletown Prevention Coalition, other organization involved in reducing substance abuse sector, term expiring April 2024.

26. Appointment of one (1) member to the Roads and Utilities Advisory Committee, to complete a term expiring January 2023.

*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 June 15, 2022, at Middletown Town Hall, Middletown Public Library, Middletown Web Site and Secretary of State Web Site.