

POSTED JUNE 1, 2022
REGULAR MEETING JUNE 6, 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 6, 2022 at 5:30 P.M. Executive Session; Budget Immediately Following 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: 826 4955 1093 or on the web at <https://us02web.zoom.us/j/82649551093>

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, (2) Collective Bargaining (Library-NEARI), (2) Collective Bargaining (TEAMSTERS), (2) Collective Bargaining (NEARI), (2) Collective Bargaining (Middletown Association of Auxiliary Personnel/NEARI/NEA) and (2) Collective Bargaining (AFSCME – Council 94) - review, discussion and/or potential action and/or vote in executive session and/or open session.

BUDGET

2. 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

3. 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.

TOWN BUSINESS UPDATE

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

CONSENT

5. Approval of Minutes, Regular Meeting, May 2, 2022.
6. Approval of Minutes, Special Meeting, May 4, 2022.
7. Approval of Minutes, Special Meeting, May 11, 2022.
8. Memorandum of Dan Lambe, Arbor Day Foundation Chief Executive, re: Congratulating Middletown on earning recognition as a 2021 Tree City USA.
9. Communication of Joshua R. Karns, Esquire, on behalf of Crystal Sullivan, re: Notice of Injury on Public Way. (Council action is to refer to the Rhode Island Interlocal Trust)
10. Petition of National Grid & Verizon New England, Inc., re: Sachuest Drive, National Grid proposes to install new pole 10-50 for the installation of electric facilities to a proposed five lot subdivision known as Saltwood Farm. (Approval from the Roads & Utilities Advisory Committee received.)

11. Petition of National Grid & Verizon New England, Inc., re: Wave Avenue, National Grid proposes to relocate Pole 5 Wave Avenue, 20 feet South for the purpose of supplying electric to an EV Charging Station. (Approval from the Roads & Utilities Advisory Committee received.)
12. Application of Keystone Novelties Distributors, LLC dba Keystone Fireworks, 750 Aquidneck Avenue for RENEWAL of a Holiday Sales License for the 2022-2023 licensing year.
13. Application of Island Management, Inc. dba FLO's Clam Shack, 4 Aquidneck Avenue for RENEWAL of an Amusement License for the 2022-2023 licensing year. (Acoustic and Duo/Trio)

PERMITS

14. Application for Special Event Permit from Gnome Surf for Gnome Surf Therapy Lessons to be held at Second Beach Surfers End June 2022 through October 2022, Monday through Saturday. (Applicant respectfully requests all fees to be waived)
15. Application for Special Event Permit from Gnome Surf for Fab Newport Gnome Surf Therapy Day Camp to be held at Second Beach Surfers End for 6 weeks beginning Monday, July 11, 2022 (Monday through Thursday) through August 18, 2022, from 10:00 am to 12:30 p.m. (Applicant respectfully requests all fees to be waived)

OTHER COMMUNICATIONS

16. Communication of Michael Yates, MHS Girls Basketball Coach, re: Request for support for the North Kingstown Summer Basketball League.
17. Communication of Nicole H. B. Barnard, Attorney / Senior Staff Representative, AFSCME Rhode Island Council 94, American Federation of State, County & Municipal Employees, AFL-CIO, North Providence, RI, re: Request that some of the American Rescue Act funds go to the R.I. Council 94, Local 1823 members. (Members work in the Facilities and Maintenance Department at the Middletown Public Schools.)
18. Memorandum of Paul A. Croce, Chairman, Planning Board, re: ARPA Funding Requests – Determination of Comprehensive Plan Consistency.
19. Memorandum of Paul A. Croce, Chairman, Planning Board, re: Planning Board Recommendations – Middletown Center concept review.

TOWN ADMINISTRATOR

20. Memorandum of Finance Director, thru Town Administrator, re: Collection & Transport of Residential Waste Services.
21. Resolution of the Council, re: Award of contract for Collection and Transportation of Residential Refuse.

22. Communication of Will Cronin, Operations & Facility Manger, re: Maintenance & Upkeep at Demery Park.
23. Memorandum of Town Administrator, re: Appointment of Town Councillor to the Regionalization Steering Committee.
24. Memorandum of Finance Director, re: Financial Report – Ten Months Ended April 30, 2022.

*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 1, 2022, at Middletown Town Hall, Middletown Public Library, Middletown Web Site and Secretary of State Web Site.