



Lorraine A. Hynes, Dist. 4
Council President

Anthony Nobrega, District 1
Council Vice Chair

Kerri A. Giorgio, District 2
Council Member

Maureen Hanaway-Aveno, District 3
Council Member

Eugene J. Sartini, District 5
Board of Licensing Vice Chair

James T. Higgins, At-Large
Board of Licensing Chair

Charles D. Wilk, At-Large
Council Member

AGENDA OF THE CUMBERLAND TOWN COUNCIL
REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, JULY 20, 2005
AT 7:30 P.M.
COUNCIL CHAMBERS, TOWN HALL
45 BROAD STREET

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

4. UNANIMOUS CONSENT ITEMS

5. CONSENT AGENDA

A. Acceptance of Previous Minutes-Budget Board Meeting of June 6, 2005, Regular Meeting of June 15, 2005 and the Special Meeting of June 27, 2005

B. DEPARTMENT REPORTS:

Animal Control
Building Official
Police Department
Recreation Department
Rescue

C. COMMUNICATIONS:

- C-07-01** – A Letter from the City of Providence seeking support for a Resolution that they passed on May 30, 2005 regarding The Rhode Island Student Investment Initiative
- C-07-02** – A Letter from the Amy G. Rice, State Representative, District 72, Portsmouth, Middletown & Newport regarding a Resolution to Oppose the Development of State Open Space Land in Big River Management Area

3. **C-07-03** – A Letter from DEM regarding a Notice of Violation in regards to Walter and Jeanmarie Zydok
4. **C-07-04** – A Letter from the Town of Smithfield seeking support for resolutions that they passed on June 7, 2005 regarding their support of the Governor’s Pension Reforms and requiring utility and other companies who maintain infrastructure within municipal rights of ways to pay all costs to relocate their infrastructure when public works projects are constructed within those rights of way
5. **C-07-05** – A Letter from DEM regarding Freshwater Wetlands Program Application No. 05-0163, Assessor’s Plat 17, Lot 148
6. **C-07-06** - A Letter from DEM regarding Insignificant Alteration – Permit Application No. 05-0233, Assessor’s Plat 53, Lots 1002 and 1003

6. LICENSES –

A. FIRST CLASS HOUSE VICTUALLING HOUSE LICENSE:

1. An Application for a transfer of a First Class Victualling House License from Gary Livesey of 102 A. Victory Street, Cumberland to Ronald P. Mercier of 102 Stoddard Drive, North Attleboro, MA for P & M Pub, Inc. d/b/a Gary’s Bar & Grill located at 940 Mendon Road (*Needs Letter of Good Standing*)

7. FINANCE REPORTS:

1. Fiscal Year End Report as of 6/30/2005

8. OLD BUSINESS:

1. **#05-05A** – An Ordinance Establishing a Senior Residential Property Tax Service Credit Program(*tabled from May 18, 2005 and June 15, 2005*)
2. **#05-20** – An Ordinance Creating and Establishing the Position of Director of Information Technology (*tabled from June 15, 2005*)
3. **#05-23A** – An Ordinance deleting ordinance 97-23A Establishing a Municipal Court Clerk Section 2 in ARTICLE II (*tabled from June 15, 2005*)

9. NEW BUSINESS:

A. COMMUNICATIONS:

1. A letter from Assistant Engineer of Public Works, Craig Showstead to go before the Town Council to discuss the Procurement of GPS Equipment
2. A Letter from Councilor Giorgio requesting an update relating to the drainage/sewer issue on Ethier Way and surrounding areas

B. CLAIMS:

1. Kristen L. Burgoyne from Law Offices of Thomas E. Sparks representing John Battite
2. Paul & Karen Miller of 22 Woodcrest Drive
3. Guy S. Shorter of 6 Kimberly Court
4. Attorney Fred E. Joslyn Jr. for Louise I. Mancini

C. ORDINANCES – FOR PRESENTATION:

1. **#05-25** – An Ordinance Establishing the Salaries of the Executive Staff and Other Positions – Presented by Council President Hynes on behalf of the Administration (*This ordinance amends the department head salary plan by providing increases for certain positions leaving certain positions unfilled; and, funding certain positions which are presently vacant*)
2. **#05-26** – An Ordinance Relating to Historic Districts – Presented by Council President Hynes on behalf of the administration (*This Ordinance will designate portions of Cray Street, Lawrence Street, Martin Street, Mendon Road, Victory Street and Woodward Street as the Berkeley Historic District*)
3. **#05-27** – An Ordinance Amending the Enforcement of Hours of Operation for Commercial Business - Presented by Council President Hynes on behalf of the administration (*This Ordinance mandates that the Municipal Court has jurisdiction to hear violation of the hours of operation for a commercial business operating as a non-conforming use*)

D. APPOINTMENTS-

DIRECTOR OF PUBLIC WORKS:

1. Robert A. Joyal, P.E. of 34 Shirley Street, Warwick, RI

DIRECTOR OD RESCUE SERVICES:

1. James R. Galligan, Jr. of 301 Lawnacre Drive, Cranston, RI

BUILDING OFFICIAL:

1. Paul D. Santilli of 9 Albert Drive, Johnston, RI

E. RESOLUTIONS:

1. **R-05-56** – A Resolution Authorizing and Empowering Mayor David S. Iwuc to Execute a Professional Services Contract with Citiworks, Inc.
2. **R-05-57** – A Resolution Authorizing the Filing of an Application by the Cumberland Conservation Commission for Designation of a Roadway Loop in the Diamond Hill Section as a Rhode Island Scenic Roadway

3. **R-05-58** – A Resolution to Approve the Recommendation of the Public Works Department to award a Consulting Services contract to James J. Geremia & Associates, Inc., of Providence, Rhode Island in an amount not to exceed \$110.00 per hour for engineering services related to the waste-water project review, plan design and development and on-call services for on-going activities within the Town of Cumberland Public Works Department
4. **R-05-59** – A Resolution Authorizing Mayor David S. Iwuc to Purchase the Franklin Farm Property at 142 Abbott Run Valley Road, Plat 24, Lot 14
5. **R-05-60** – A Resolution Proposing the Abandonment of an Unnamed/Untitled Street off West Wrentham Road and Pine Swamp Road in the Town of Cumberland, Rhode Island (**PERMISSION TO ADVERTISE AND PLANNING BOARD APPROVAL**)

10. **PUBLIC COMMENTS:**

11. **EXECUTIVE SESSION:**

A. R.I.G.L. 42-46-5 (a) (5) - Request From the Assistant Town Solicitor, Edward McCormick

RE:

1. Discussion of Acquisition or Lease of Real Property for Public Purposes

B. R.I.G.L. 42-46-5 (a) (2) - Request From the Council President Lorraine Hynes

RE:

1. Collective Bargaining

12. **ADJOURNMENT:**

This meeting location is accessible to the handicapped for further information on the buildings accessibility feel free to contact the Clerk's Office. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office at (401) 728-2400 ext. 38 no less than 48 hours before the meeting.

Posted: July 15, 2005

TELEPHONE: 401-728-2400, Ext. 38 • www.cumberlandri.org