



James T. Higgins, At Large
Council President

Jeffrey J. Mutter, District 2
Council President Pro-tem

Antonio J. Albuquerque, District 1
Council Member

Mia A. Ackerman, District 5
Council Member

Bruce A. Lemois, At-Large
Board of Licensing Chair

Kelley Nickson-Morris, District 3
Board of Licensing Vice Chair

Jason B. Kirkpatrick, District 4
Council Member

AGENDA OF THE CUMBERLAND TOWN COUNCIL
REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, DECEMBER 6, 2006 AT 7:30 P.M.
COUNCIL CHAMBERS, TOWN HALL
45 BROAD STREET, CUMBERLAND
OPEN SESSION

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

4. UNANIMOUS CONSENT ITEMS

5. VOTE TO GO INTO EXECUTIVE SESSION TO DISCUSS ITEMS OF BUSINESS CITED IN R.I.G.L SECTION 42-46-5(a) (1)-(9):

R.I.G.L. 42-46-5 (a) (2) – Pending Litigation-Update of all pending legal matters

- a. Algonquin Gas - #04-0074
- b. SMT Real Estate Group, LLC v. O’Leary
- c. Corliss Development
- e. Ducharme - Audette v Town of Cumberland
- f. Pending Litigation - caselist

R.I.G.L. 42-46-5 (a) (5) – Acquisition or Lease of Real Property for the Public Purpose

6. CONSENT AGENDA

- A. Acceptance of Previous Minutes- Regular Meeting of November 15, 2006

7. OLD BUSINESS:

A. RESOLUTIONS:

1. **R-06-110** – A Resolution Award the Contract for the Cumberland High School Computers and Software to Dell Computers of Pittsburg, Pennsylvania in an Amount not to exceed \$107,026 as recommended by the CHS2010 Building Committee

2. **R-06-112** – A Resolution to Award the Contract for Installation of Computers and Software at Cumberland High School to Ten Corp of Kittery, Maine in an amount not to exceed \$4,200 as recommended by the CHS2010 Building Committee
3. **R-06-123** – A Resolution Proposing the Abandonment of Maple Street in the Town of Cumberland, Rhode Island
4. **R-06-138** – A Resolution Authorizing the Town of Cumberland to Pay Stewart Popovich Excavating of Gloucester, RI for Installation of a Sewer Lateral Drop Inlet
5. **R-06-139** – A Resolution Authorizing Payment to Becki A. Abilheira, Esquire for Extraordinary Legal Services in the matter of Milligan vs. Thomas Bruce, C.A. #04-1148
6. **R-06-140** – A Resolution Authorizing Payment to Edward McCormick, III, Esquire for Extraordinary Legal Services in the matter of Highland Hills vs. Zoning Board of Review

B. ORDINANCES FOR PUBLIC HEARING:

1. **#06-18** – An Ordinance Amending the use Regulations of the Zoning Ordinance (tabled from September 6, 2006 and October 18, 2006)
1. **#06-26** – An Ordinance Naming the Gymnasium at the Cumberland High School Wellness Center the “Coach Steve Gordon Gymnasium” pursuant to Chapter 2 entitled Administration Article IV. Division 8 Section 2-131 of the Cumberland Code of Ordinances (Presented by Council President Hynes and Councilor Nobrega)

C. COMMUNICATIONS:

1. Discussion regarding expanding Public Comments opportunities on the regular agenda of the Council.

8. NEW BUSINESS:

A. COMMUNICATIONS:

1. Request from Thomas Hefner to address the Town Council regarding Bio Waste, LLC

B. APPOINTMENT:

ZONING BOARD:

1. Appointment of **Edmond M. McGrath** replacing Kelly Morris due to her resignation
Term ending **December, 2011**
2. Reappointment of **Tara Capuano** as an Alternate
Term ending **December, 2007**
3. Appointment of **V. Carol Vaters** as an Alternate
Term ending **December, 2007**

PLANNING BOARD:

1. Appointment of **Richard H. Aitchison** replacement of Cynthia (Mlyniec) Mauch
Terming ending **January 31, 2008**

LIBRARY BOARD OF TRUSTEE:

1. Reappointment of **Thomas F. Conboy, Jr.** of 21 Plantation Drive
Term ending **December, 2009**

C. CLAIMS:

1. Derek J. DaSilva of 15 Smith Street
2. Attorney Thomas D. Goldeberg c/o Rosalba London

D. ORDINANCES FOR PRESENTATION:

1. **#06-27** – An Ordinance Authorizing a Handicap Parking Zone on Middle Street (Presented by Council President Higgins on behalf of the Administration)
2. **#06-28** – An Ordinance Amending the Zoning Ordinance (Presented by Council President Higgins on behalf of the Administration)

9. PUBLIC COMMENTS:

10. 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. 136 no less than 48 hours before the meeting.

Posted: December 1, 2006

TELEPHONE: 401-728-2400, Ext. 136 • www.cumberlandri.org