



James T. Higgins, At Large
Council President

Manuel N. DaCosta District 1
Council Member

E Craig Dwyer, District 2
Council Member

Kelley Morris District 3
Council President, Pro Tem
Ordinance Subcommittee Chair

Jason B. Kirkpatrick, District 4
Finance Subcommittee Chair

Mia A. Ackerman, District 5
Board of Licensing, Vice-Chair

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

**AGENDA OF THE CUMBERLAND TOWN COUNCIL
REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, APRIL 7, 2010 AT 7:30P.M.
CUMBERLAND TOWN HALL
EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

1. Presentation of a Proclamation to the Blackstone Valley Tourism Council honoring them on their 25th Anniversary

4. UNANIMOUS CONSENT ITEMS

5. CONSENT AGENDA

- A. Acceptance of Minutes of the Regular Town Council Meeting of March 17, 2010

B. COMMUNICATIONS:

1. **C-10-16** – A request from the Town of East Greenwich seeking support for a resolution that they adopted on March 22, 2010 encouraging the Oracle to return the America's Cup challenge to Newport.
2. **C-10-17** – A request from the Town of East Greenwich seeking support for a resolution that they adopted on March 22, 2010, in opposition to mandatory binding arbitration on monetary matters for teachers
3. **C-10-18** – A request from the Town of East Greenwich seeking support for a resolution that they adopted on March 22, 2010, in opposition of RI General Assembly 2010-S2603 that mandates expired teacher contracts must continue all the existing terms and conditions of employment.
4. **C-10-19** – A request from the Town of Cranston seeking support for a resolution they adopted on March 8, 2010 regarding "Blue Alert" program in the State of Rhode Island

5. **C-10-20** – A request from the City of Cranston seeking support for a resolution they adopted on March 22, 2010 encouraging the return of the 34th America’s Cup challenge to Newport, Rhode Island.
6. **C-10-21** – A request from the Town of Tiverton seeking support for a resolution they adopted on March 29, 2010 to support proposed legislation authorizing Rhode Island’s Cities and Towns to postpone budget and financial Town meeting for Fiscal Year 2010-2011
7. **C-10-22** – A request from the Town of Foster seeking support for a resolution they adopted on March 25, 2010 encouraging the Oracle to return the America’s Cup challenge to Newport.
8. **C-10-23** – A request from the Town of Foster seeking support for a resolution they adopted on March 25, 2010 opposing Mandatory Contract Continuation Legislation

6. OLD BUSINESS:

A. ORDINANCES FOR PUBLIC HEARING:

1. **#10-01** – An ordinance in amendment of the Code Of Ordinances of the Town of Cumberland Rhode Island, as amended, amending the Ordinances and map thereof with reference to Cumberland Assessor’s Plat 58, Lot 88 & 89
2. **#10-06** – An Ordinance amending the Town’s water rates (Presented by President Higgins on behalf of the Administration)
3. **#10-07** – An ordinance relating to fees and costs associated with Parks and Recreation (Presented by President Higgins on behalf of the Administration)

7. NEW BUSINESS:

A. VICTUALLING HOUSE LICENSE:

1. An application for a transfer of a Fourth Class Victualling House License from Ahmed Choudhry of Asad Ali LLC to Aqsa Qamar of Ali LLC for Best Way Food Store located at 302 Broad Street
2. An application for a Fourth Class Victualling House License from Floresvindo V. Landim for Monte’s Deli 002 LLC located on 1754 Mendon Road
3. An application for a transfer of a Fourth Class Victualling House License from Steve Roderick to Beverly Najjar for Toadally Scoops & More located at 805 Mendon Road

B. HOLIDAY SALES LICENSE:

1. An application for a Holiday License from Ahmed Choudhry of Asad Ali LLC to Aqsa Qamar of Ali LLC for Best Way Food Store located at 302 Broad Street
2. An application for a Holiday License from Beverly Najjar for Toadally Scoops & More located at 805 Mendon Road

C. APPOINTMENTS-CONSERVATION COMMISSION TO EXPIRE ON JANUARY 31, 2011

1. Richard C. Morrissey of 8 Merrill Lane

D. RESOLUTIONS:

1. **R-10-14** – A resolution in opposition to Mandatory Contract Continuation

2. **R-10-15** – A resolution authorizing the filing of the 2010 Community Development Bock Grant Application
3. **R-10-17** – A resolution authorizing a Tax Assessment Levy for Fiscal Year 2009-2010

E. ORDINANCES -FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. **#10-08** – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the Ordinances and map thereof with reference to Cumberland Assessor's Plat 46 in the Town of Cumberland ordains
2. **#10-09** – An ordinance related to increasing the various Town Fees in the Town of Cumberland (Presented by President Higgins on behalf of the Administration)
3. **#10-10** – An ordinance related to the Either Way sewer line (Presented by President Higgins on behalf of the Administration)

8. PUBLIC COMMENTS:

9. EXECUTIVE SESSION:

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

Request from the Town Solicitor, Thomas Hefner – **R.I.G.L. 42-46-5 (a) (2).**

Discussion of Pending or Threatened Litigation

- a. RICHR NO. HHRA 035-15/15 Henry Blaine Gaffney and Charlean S. Gaffney
- b. Theresa Cartier vs. Town of Cumberland, et al PC07-5076
- c. Boyer, et als vs. Jeremiah, et als PC10-1858.

10. RECONVENE FOR EXECUTIVE SESSION:

11. ADJOURNMENT:

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired or need additional information should notify the Town Clerk's Office at (401) 728-2400 ext. 138 no less than 48 hours before the meeting.

Posted: April 2, 2010

TELEPHONE: 401-728-2400, Ext. 138 • www.cumberlandri.org