



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, JULY 21, 2010 AT 7:30P.M.
CUMBERLAND TOWN HALL
EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION

AMENED AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

Presentation of Commendations to Detectives Michael Ride and Kevin D'Ambra for solving six robberies that occurred in five communities Cumberland, Lincoln, Smithfield, North Smithfield and Woonsocket.

4. UNANIMOUS CONSENT ITEMS

5. CONSENT AGENDA

A. Acceptance of Minutes of the Regular Town Council Meeting of June 16, 2010

B. COMMUNICATIONS:

1. C-10-62 – A request from the Cumberland School Committee seeking support for a resolution was adopted on June 3, 2010 in Support of Fair Education Funding Formula.

2. C-10-63 – A request from Cumberland School Committee seeking support for a resolution was adopted on June 10, 2010 regarding Contract Continuation and Binding Arbitration

C. DEPARTMENT REPORTS:

Parks and Recreation
Building Official
Police Department
Animal Control
Rescue Department

6. LICENSES:

A. VICTUALLING HOUSE LICENSE:

1. An application for a transfer of a Third Class Victualling House License for Cumberland Creamery, 3400 Mendon Road, Unit C from Lawrence and Janelle O'Brien to Robin and Michael Pannullo

2. An application for a transfer of a Fourth Class Victualling House License from Anthony Brahimsha to Nasim Akhtar of Kho LLC d/b/a. Khout, 3492 Mendon Road

B. HOLIDAY LICENSE:

1. An application for a Holiday License for Nasim Akhtar of Kho LLC d/b/a Khout located at 3492 Mendon Road

C. SPECIAL EVENT NON-PROFIT ENTERTAINMENT LICENSE:

1. An application from Our Lady of Fatima Church, 1 Fatima Drive, for the Annual Festival to be held on Friday, September 3, 2009, Saturday, September 4, 2009 and Sunday, September 5, 2010.

D. EXTENDED HOURS LICENSE (PRESENTATION AND PERMISSION TO ADVERTISE):

1. An application for an Extended Hours License from Nasim Akhtar of Kho LLC d/b/a. Khout located on 3492 Mendon Road for a 24 hour license.

7. FINANCE REPORTS:

1. General Fund Report as of 6/30/10 for the current FY 2009-2010 period
2. A request from the Tax Assessor to approve June's abatements and supplemental bills

8. OLD BUSINESS:

A. ORDINANCES FOR PUBLIC HEARING:

1. **#10-05** – An Ordinance for a change to the Town of Cumberland Zoning Map Assessor's Plat 35, Lot 3 (1855 Mendon Road) from R-2 Medium Density District to C-1 Limited Commercial district (table from June 16, 2010)
2. **#10-13A** – An ordinance regarding fire prevention and protection (tabled from June 16, 2010)

B. RESOLUTIONS:

1. **R-10-21** – A resolution authorizing Tax Assessment levy fiscal year 2009-2010 (tabled from June 16, 2010)
2. **R-10-29** – A resolution authorizing an additional motor vehicle tax (tabled from July 14, 2010)

C. PROPOSED CHARTER REVIEW AMENDMENTS:

1. Section 1610 Conservation Commission (tabled from July 14, 2010)
2. Article XI. Department of Public Works - 1101 Director (tabled from July 14, 2010)
3. Article IV. The Town Council – 403 Vacancies (tabled from July 14, 2010)
4. Article XVII. Miscellaneous Provisions - 1712 Board and Commissions (tabled from July 14, 2010)

9. NEW BUSINESS:

A. CLAIMS:

1. Peter O. Fiore
2. Peter O. Fiore
3. Martha Lapierre
4. Steven Copans

B. APPOINTMENTS:

1. Donna L. Sullivan, Deputy Finance Director

C. RESOLUTIONS:

1. **R-10-26** – A resolution authorizing Chief John Desmarais to sign a Mutual Aid Agreement with the Donald W. Wyatt Detention Facility
2. **R-10-27** – A resolution authorizing Mayor Daniel J. McKee and the Cumberland Police Department to purchase five (5) Apple 17” MacBook Pro, aluminum Notebook Computers for the Office of Children Youth and Learning at the price of \$2,279.00 each totaling \$11,395.00
3. **R-10-28** – A resolution Proclaiming July 1, 2010 to July 7, 2010 “Independence Week” in support of Blackstone Valley Business Alliance
4. **R-10-30** – A resolution authorizing Mayor Daniel J McKee to enter into an option agreement and memorandum of agreement with Towerco II LC
5. **R-10-31** – A resolution honoring Lucille Martin for her service to the Town of Cumberland

D. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. **#10-14** – An ordinance establishing the Operating Budget for the Town for Fiscal Year 2010-2011 (Presented by President Higgins on behalf of the Administration)
2. **#10-15** – An ordinance establishing the Sewer Department Budget for Fiscal Year 2010-2011 (Presented by President Higgins on behalf of the Administration)
3. **#10-16** – An ordinance establishing the Water Department Budget for Fiscal Year 2010-2011 (Presented by President Higgins on behalf of the Administration)
4. **#10-17** – An ordinance establishing the Recreation Department Budget for Fiscal Year 2010-2011 (Presented by President Higgins on behalf of the Administration)
5. **#10-18** – An ordinance repealing the Conveyance tax funds ordinance (Presented by the Council President on behalf of the Administration)
6. **#10-19** – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amending the Ordinances and map thereof with reference to the Cumberland Assessor’s Plat 16 Lot 455 in the Town of Cumberland ordains.
7. **#10-20** – An ordinance for a change to the map to the Town of Cumberland Zoning Map Assessor’s Plat 35 Lot 3.

10. PUBLIC COMMENTS:

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: July 19, 2010

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