



James T. Higgins, At Large
Council President

Manuel N. DaCosta District 1
Council Member

E Craig Dwyer, District 2
Board of Licensing, Vice-Chair

Peter J. Bradley, District 3
Council Member

Charles D. Wilk, District 4
Council Member

Mia A. Ackerman, District 5
Council President, Pro-Tem

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

**AGENDA OF THE REGULAR CUMBERLAND TOWN COUNCIL
WEDNESDAY, NOVEMBER 7, 2012 AT 7:30 P.M.
CUMBERLAND TOWN HALL-EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

AMENDED AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. GENERAL ANNOUNCEMENTS

4. UNANIMOUS CONSENT ITEMS

5. CONSENT AGENDA

A. Acceptance of Minutes of the Regular Town Council Meeting of October 17, 2012

6. FINANCE REPORTS

1. A request from the Assistant Finance Director to approve October, 2012 Uncollectible Accounts

7. LICENSES

A. FIRST CLASS VICTUALLING HOUSE LICENSE:

1. An application for a transfer of a First Class Victualling House License from Lindsey Manion to Sylva Edward Barriere for Curbside Inc located at 21 Dexter Street

2. An application for a First Class Victualling House License from Richard Paolo for Pamfilio's, Inc. located at 1800 Mendon Road

B. FOURTH CLASS VICTUALLING HOUSE LICENSE:

1. An application for a Fourth Class Victualling House License from Keith and Deana Martin of Baked & Served New England d/b/a Wildflour Café located at 2000 Mendon Road, Suite 7

C. ENTERTAINMENT LICENSE:

1. An application for an Entertainment License from Sylva Edward Barriere for Curbside Inc located at 21 Dexter Street

D. 2012-2013 LICENSE RENEWALS

FIRST CLASS VICTUALLING HOUSE LICENSE:

1. ALBERT A. SHAKAN, d/b/a/ Cumberland Hillside Café, 75 Manville Hill Road

2. **ANDREW'S BISTRO DESTINO**, d/b/a Andrew's Bistro, 3755 Mendon Road
3. **ANGELO'S PIZZA, INC.**, d/b/a Angelo's Palace Pizza, 133 Mendon Road
4. **B.L. BOYNES, INC.**, d/b/a The Ice Cream Parlor & Restaurant, 4077 Mendon Road
5. **J.L. BRUNO ENTERPRISES** d/b/a Forno Pizzeria, 2000 Mendon Road
6. **CARELO'S, LLC**, d/b/a Carelo's Pizzeria, 235 Broad Street
7. **CHURRASCARIA MARQUES, LLC**, d/b/a Churrascaria Marques, 88 Broad Street
8. **CLUB JUVENTUDE LUSITANIA**, 10 Chase Street
9. **CUMBERLAND A.C.**, d/b/a Cumberland Athletic Club, 30 Hamilton Street
10. **CUMBERLAND HOUSE OF PIZZA**, d/b/a Cumberland House of Pizza, 2360 Mendon Road
11. **CUMBERLAND POST #14**, 695 Broad Street
12. **DAVENPORT'S FAMILY RESTAURANT**, d/b/a Davenport's Family Restaurant, 1070 Mendon Road
13. **FATIMA HOLY NAME SOCIETY**, 1 Fatima Drive
14. **FILIBUSTER CLUB**, 23 High Street
15. **FORE COURT RACQUET & FITNESS CLUB, INC.**, 44 Cray Street
16. **FORTUNE HOUSE INC.**, d/b/a Fortune House Restaurant, 1800 Mendon Road, Suite F
17. **FRIAR TUCK'S, INC.**, d/b/a Tuck's Food & Spirits, 2352 Mendon Road
18. **FRIENDLY SONS OF ST. PATRICK**, 135 Broad Street
19. **MEI CUISINE, INC.** d/b/a Golden Ginger Restaurant, 356 Mendon Road
20. **GOOD TIMES PUB RESTAURANT, INC.**, 1666 Diamond Hill Road
21. **INNOVATIVE FOODS LLC** d/b/a Flavours, 1762 Mendon Road
22. **J.GRAY'S FAMILY TAVERN**, 405 Mendon Road
23. **JACKY'S GALAXIE RESTAURANT, INC.**, d/b/a Jacky's Galaxie Restaurant , 1764 Mendon Rd
24. **JERRY'S FRIENDLY TAP LLC.**, d/b/a Jerry's Friendly Tap And Grill, 1225 Mendon Road
25. **MICKEY'S VALLEY VIEW PUB INC.**, 46 Carpenter Street
26. **P&M PUB, INC.**, d/b/a Time Out Bar & Grill , 940 Mendon Road
27. **RESTAURANTE SERRA DA ESTRELA**, d/b/a Serra Da Estrela Restaurant, 168 Broad Street
28. **SEAGRAVE & ASSOCIATES, LLC**, d/b/a Broad Street Tap, 433 Broad Street
29. **SEVEN CRAY STREET REALTY CORPORATION**, d/b/a Seven Cray Street, 7 Cray Street
30. **SLAM, INC.**, d/b/a Third Base, 422 High Street
31. **ST. JOSEPH'S CHURCH**, d/b/a St. Joseph's Parish Center Club, 1303 Mendon Road
32. **ST. THOMAS BUILDING ASSOCIATION**, d/b/a Knight of Columbus, 22 Broad Street
33. **THE BEER MUG, INC.**, d/b/a The Beer Mug, 960 Mendon Road
34. **VALLEY PARK PUB, LTD.**, d/b/a Valley Park Pub, 17 Mill Street

SECOND CLASS VICTUALLING HOUSE LICENSES

1. **BLACKSTONE RIVER THEATRE**, d/b/a Blackstone River Theatre, 549 Broad Street
2. **BLP, INC.**, d/b/a Subway, 2130 Mendon Road
3. **CAKLEBERRIES FAMILY RESTAURANT**, 802 High Street
4. **COMPASS GROUP/EUREST DINING (CVS Cafeteria)**, 100 Scenic View Drive
5. **COMPASS GROUP/EUREST DINING (CVS Cafeteria)**, 200 Highland Corp Drive
6. **COMPASS GROUP/EUREST DINING (CVS Cafeteria)**, 2100 Highland Corp Drive.
7. **EGGS UP FAMILY RESTAURANT INC.** d/b/a Eggs Up, 2378 Mendon Road
8. **EMANUEL STAVROULAKIS** d/b/a Paul's World Famous Pizza, 1182 High Street
9. **PAMFILIO'S, INC.**, 1800 Mendon Road
10. **GB DONUTS OF RHODE ISLAND INC.**, d/b/a Honey Dew Donuts, 2084 Diamond Hill Road
11. **GOLDEN ARCH ENTERPRISES, LLC** ,d/b/a McDonald's Of Cumberland, 100 Mendon Road
12. **GOLDEN ARCH ENTERPRISES, LLC** ,d/b/a McDonald's of Cumberland, 1754 Mendon Road
13. **GREAT TASTE CHINESE RESTAURANT**, 3404 Mendon Road
14. **HOT SPOT, LLC**, d/b/a Dunkin Donuts, 3781 Mendon Road
15. **JAN CO. CENTRAL INC.**, d/b/a Burger King #4718, 1715 Mendon Road
16. **JOHNSTON DONUTS, INC. # 20**, d/b/a Dunkin Donuts, 20 Ann & Hope Way
17. **JOHNSTON DONUTS, INC. #2069**, d/b/a Dunkin Donuts, 2069 Diamond Hill Road
18. **NICK JACK INC.**, d/b/a J's Deli, 2364 Diamond Hill Road
19. **POPPY'S FAMILY RESTAURANT INC.**, d/b/a Poppy's Family Restaurant, 3344 Mendon Road
20. **PROVIDENCE ZEN CENTER**, 99 Pound Road,

21. **RONDEAU ENTERPRISES INC.**, d/b/a Everybody's Favorite, 1370 Mendon Road
22. **SAKI'S ENTERPRISES LLC**, d/b/a Saki's Pizza, 2275 Diamond Hill Road
23. **SHER-LE-MON SWIM CLUB, INC.**, 2701 Mendon Road
24. **SUPREME PIZZA LLC**, d/b/a Supreme Pizza, 3454 Mendon Road
25. **THE COFFEE CONNECTION INC.**, d/b/a The Coffee Connection, 2364 Mendon Road

THIRD CLASS VICTUALLING HOUSE LICENSES

1. **AJ SEABRA SUPERMARKET**, 2000 Mendon Road
2. **BREAD UNLIMITED LLC** d/b/a Crugnale's Bakery, 1764 Mendon Road
3. **CUMBERLAND SEAFOOD, INC.**, 40 Macondry Street
4. **DA SILVA DESSERTS, INC.** d/b/a Zaccagnini's Pastry Shoppe, 2339 Diamond Hill Road
5. **GOLDEN PALACE CHINESE RESTAURANT**, 1165 High Street
6. **G & P DONUTS INC.** d/b/a Honey Dew Donuts, 3454 Mendon Road
7. **JMP PROMOTIONS, LLC**, d/b/a Big Flea, 1 Ann & Hope Way
8. **JOHNSTON DONUTS, INC. #1700** d/b/a Dunkin Donuts, 1700 Mendon Road
9. **JOSIE'S ICE CREAM**, 797 High Street
10. **K & A ELMASRI CORP.**, d/b/a Ronzio Pizza, 1700 Mendon Road
11. **M R BAKING INC.**, d/b/a Colonial Bakery, Inc., 185 Broad Street
12. **MICHAEL'S MEATS, INC.**, 2130 Mendon Road
13. **PIZZA MAN OF CUMBERLAND**, 87 Broad Street
14. **ALL STAR PIZZA**, 417 Broad Street
15. **THE STOP & SHOP SUPERMARKET**, d/b/a Super Stop & Shop, 70 Mendon Road
16. **TRIAD PIZZA, INC.**, d/b/a Domino's Pizza, 250 Mendon Road

FOURTH CLASS VICTUALLING HOUSE LICENSES

1. **732 HIGH STREET MARKET, INC.**, d/b/a/ High Street Market, 732 High Street
2. **CHENG'S MINI MART II, LLC**, d/b/a Diamond Hill Sunoco, 2093 Diamond Hill Road
3. **CUMBERLAND FARMS INC #1275** d/b/a Cumberland Farms, 3440 Mendon Road
4. **COLBEA ENTERPRISES, LLC**, 2095 Diamond Hill Road
5. **CVS PHARMACY INC** d/b/a CVS Store #37, 1998 Mendon Road
6. **CVS PHARMACY INC** d/b/a CVS Store #728, 315 Broad Street
7. **CVS PHARMACY INC** d/b/a CVS Store #2506, 2125 Diamond Hill Road
8. **DIAMOND HILL GENERAL, LP** d/b/a Lil' General , 3782 Diamond Hill Road
9. **DAVE'S MARKETPLACE**, 2077 Diamond Hill Road
10. **DIENE GROUP LLC**, d/b/a Domino's Pizza, 3400 Mendon Road
11. **DYANE'S SWEET TOOTH, INC.**, d/b/a Dyane's Sweet Tooth , 186 Mendon Road
12. **F & Z LLC**, d/b/a Gulf Express, 3 Pine Swamp Road
13. **KIM AND GARY'S ICE CREAM MACHINE**, 4288 Diamond Hill Road
14. **ISHA, LLC**, d/b/a Bestway Food Store, 302 Broad Street
15. **KAHN & SONS INC.**, d/b/a The Cumberland Spot, 1152 Mendon Road
16. **KD DONUTS INC.**, d/b/a Dunkin Donuts, 4120 Mendon Road
17. **MAHAL INC.**, d/b/a Diamond Hill Convenience, 2275 Diamond Hill Road
18. **MAHAL INC.**, d/b/a Cumberland Convenience Store, 427 High Street
19. **MAXI DRUG SOUTH LP** d/b/a Rite Aid #10231, 2136 Mendon Road
20. **MENDON ROAD LEASING** d/b/a Gulf Express, 1754 Mendon Road
21. **NOURIA ENERGY RETAIL INC.**, d/b/a Cumberland Shell, 4120 Mendon Road
22. **SHREEGA INC** d/b/a Bestway, 1178 High Street
23. **TONY'S CUMBERLAND MARKET INC.**, d/b/a Tony's Cumberland Market, 290 Broad Street
24. **UNIVERSAL INVESTMENT INC** d/b/a Del's Lemonade, 170 Mendon Road

FIFTH CLASS VICTUALLING HOUSE LICENSES

1. **SJC STORES LLC** d/b/a Phantom Farms, 2920 Diamond Hill Road

EXTENDED HOURS LICENSE (Between 2:00 a.m. and 6:00 a.m.)

1. **CUMBERLAND FARMS, INC.**, 3440 Mendon Road

2. **KD DONUTS INC** d/b/a Dunkin Donuts, 4120 Mendon Road
3. **GB DONUTS OF RHODE ISLAND INC** d/b/a Honey Dew Donuts, 2084 Diamond Hill Road
4. **HOT SPOT, LLC** d/b/a Dunkin Donuts, 3781 Mendon Road
5. **JOHNSTON DONUTS, INC. #20**, d/b/a Dunkin Donuts, 20 Ann & Hope Way
6. **JOHNSTON DONUTS, INC. #1700**, d/b/a Dunkin Donuts, 1700 Mendon Road
7. **JOHNSTON DONUTS, INC. #2069**, d/b/a Dunkin Donuts, 2069 Diamond Hill Road
8. **MENDON ROAD LEASING CORP.**, d/b/a Gulf Express, 1754 Mendon Road
9. **NOURIA ENERGY RETAIL INC.**, d/b/a Cumberland Shell – 4120 Mendon Road
10. **THE STOP & SHOP SUPERMARKET**, d/b/a Super Stop & Shop, 70 Mendon Road

8. OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. **#12-20** – An ordinance in amendment to the Town of Cumberland Comprehensive Community Plan Ordinance
2. **#12-21** – An ordinance in amendment to the Town of Cumberland Zoning Ordinance for Assessor’s Plat 45, Lots 7 & 8
3. **#12-22** – An ordinance to amend the Town of Cumberland’s Zoning Map for Assessor’s Plat 13, Lots 110 & 111
4. **#12-23** – An ordinance to reopen and amend the existing budget (Presented by Council President Higgins on behalf of the Administration)
5. **#12-24** – An ordinance amending the salaries of the executive staff and other positions (Presented by Council President Higgins on behalf of the Administration)

9. NEW BUSINESS

A. APPOINTMENTS-ASSISTANT ENGINEER:

James N’Tow, 71 Messenger Street, Plainville, MA

B. CLAIMS:

1. Tyler Dulmage
2. Ted Shannon
3. Joseph Santangelo

C. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. **#12-25** – An ordinance in amendment to the Town of Cumberland Zoning Map on Assessor’s Plat 12, Lot 15
2. **#12-26** – An ordinance relating to the Cumberland other post employment benefits trust agreement (Presented by Council President Higgins on behalf of the Administration)

D. RESOLUTIONS:

1. **R-12-42** – A resolution authorizing the Town Council to issue Tax Anticipation Notes
2. **R-12-43** – A resolution authorizing Mayor Daniel J. McKee and the President of the Town Council to Execute a Collective Bargaining Agreement with the International Association of Firefighters Local 2725, AFL-Cio

E. COMMUNICATIONS:

1. A request from Councilor Ackerman to have the Friends of Franklin Farm give a “State of the Farm Address”

2. Discussion of the Town of Cumberland Fire Consolidation Plan as approved by the voters in the 2010 election

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: November 2, 2012

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