



**James T. Higgins, At Large**  
*Council President*

**Manuel N. DaCosta, District 1**  
*Council Member*

**E Craig Dwyer, District 2**  
*Council President, Pro-Tem*

**Jeffrey T. Kearns, District 3**  
*Council Member*

**Scott R. Schmitt, District 4**  
*Council Member*

**William S. Murray, District 5**  
*Council Member*

**Arthur Lambi, Jr., At-Large**  
*Council Member*

**AGENDA OF THE REGULAR CUMBERLAND TOWN COUNCIL  
WEDNESDAY, MARCH 6, 2013 AT 7:30 P.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**

**4. UNANIMOUS CONSENT ITEMS**

**5. CONSENT AGENDA**

A. Acceptance of Minutes of the Regular Town Council Meeting of February 20, 2013

**B. COMMUNICATIONS**

1. **C-13-06** – A communication from the City of Newport requesting support of a Resolution they adopted on February 13, 2013 regarding gun safety for the protection of all citizens
2. **C-13-07** – A communication from the City of Woonsocket requesting support of a Resolution they adopted on February 18, 2013 in opposition to House Bill 2013-H5340 relating to Labor and Labor relations – Responsible Contract Resolution Act
3. **C-13-08** – A communication from the Town of North Smithfield School Committee requesting support of Resolutions they adopted on February 12, 2013 in support moving the teacher layoff notice deadline from March 1 to June 1; in opposition to any and all binding arbitration legislation currently being considered for teacher and other school employee contracts; and in opposition to any and all legislation that would mandate that expired teacher contracts must continue at the existing terms and conditions

**6. FINANCE REPORTS**

1. A request from the Tax Assessor to approve January, 2013 abatements and supplemental bills (tabled from February 20, 2013)

**7. LICENSES:**

**A. VICTUALLING HOUSE LICENSES**

1. An application for a transfer of a Fourth Class Victualling House License from Demetrios Haseotes to Assad Nasr for Mendon Road Leasing, Inc. d/b/a Gulf Express located 1754 Mendon Road

**B. HOLIDAY LICENSE**

1. An application for a Holiday License from Assad Nasr for Mendon Road Leasing, Inc. d/b/a Gulf Express located 1754 Mendon Road

**C. EXTENDED HOURS LICENSE**

1. An application for an Extended Hours License from Assad Nasr for Mendon Road Leasing, Inc. d/b/a Gulf Express located 1754 Mendon Road for a 24 hour license

**D. 2013-2014 LICENSE RENEWALS**

**ENTERTAINMENT LICENSE**

Andrew's Bistro Destino, LLC d/b/a Andrew's Bistro - 3755 Mendon Road  
Angelo's Pizza, Inc. d/b/a Angelo's Palace Pizza-133 Mendon Road  
Blackstone River Theatre – 549 Broad Street  
Churrascaria Marques – 88 Broad Street  
Curbside, Inc.-17 Dexter Street  
Filibuster Club - 23 High Street  
Good Times Pub Restaurant Inc – 1666 Diamond Hill Road  
J. Gray's Family Tavern – 405 Mendon Road  
Jerry's Friendly Tap and Grill – 1225 Mendon Road  
JL Bruno Enterprises. d/b/a Forno Pizzeria- 2000 Mendon Road Unit 10  
MEI Cuisine, Inc. d/b/a Golden Ginger Restaurant-356 Mendon Road  
Mickey's Valley View Pub, Inc – 46 Carpenter Street  
Phantom Farms – 2922 Diamond Hill Road  
P&M Pub d/b/a Time Out Bar & Grill – 940 Mendon Road  
Seagrave & Associates, LLC d/b/a Broad Street Tap - 433 Broad Street  
Seven Cray Street Realty, Corp d/b/a Seven Cray Street – 7 Cray Street  
Slam. Inc d/b/a Third Base – 422 High Street  
Valley Park Pub Ltd d/b/a Valley Park Pub Ltd – 17 Mill Street

**FIREARMS**

J.A. Sales - 400 West Wrentham Road  
Quack Decoy Corp. - 4 Ann & Hope Way

**HAWKER LICENSE**

Adams Annex  
Big Richards  
Blaise's Holiday Shop  
David Souza d/b/a Kona Ice  
Dean's Concessions  
Duane Davis d/b/a Double D's Novelties  
Joseph Fera d/b/a Gigi's Doughboys  
Joseph Goddard LLC. d/b/a The Cornbug  
Kim & Gary's Ice Cream  
Luzitania Seafood  
Michael A. Girard d/b/a Mickey's G's Clamshack  
Pivo's Landscaping  
Route 66  
Universal Investments Inc d/b/a Del's Lemonade

**HOLIDAY LICENSE**

A. Teixeira & Company, Inc. d/b/a Pop's Liquor - 2080 Diamond Hill Road  
A.J. Seabra Supermarket IX Inc – 2000 Mendon Road  
Ann & Hope, Inc.-1 Ann & Hope Way  
Apollo Auto Sales, Inc. - 625 Broad Street  
Best Services – 232 Broad Street

Bill's Auto Parts – 70 Macondray Street  
Bread Unlimited LLC d/b/a Crugnale's Bakery – 1764 Mendon Road  
CC&ME Inc d/b/a Depault Hardware – 2000 Mendon Road, Suite 9  
Chapel Pharmacy - 2081 Diamond Hill Road  
Cheng's Mini Mart II LLC d/b/a Diamond Hill Sunoco - 2093 Diamond Hill Road  
Colbea Enterprises – 2095 Diamond Hill Road  
Cumberland Farms Inc. #1275 – 3400 Mendon Road  
Cumberland Self Storage, LLC d/b/a Cumberland Self Storage – 4120 Mendon Road  
CVS Pharmacy, Inc., Cumberland Church Pharmacy #728 – 315 Broad Street  
CVS Pharmacy, Inc., Cumberland Retailers Pharmacy #37 – 1998 Mendon Road  
CVS Pharmacy, Inc., Cumberland Bear Hill #2506 – 2125 Diamond Hill Road  
CWS Operating Co. d/b/a Mendon Wine & More - 2170 Mendon Road  
Dave's Marketplace – 2077 Diamond Hill Road  
Diamond Hill General LP d/b/a Lil General – 3782 Diamond Hill Road  
Dollar Tree, Inc. d/b/a Dollar Tree #3700 – 8 Mendon Road  
Elegance Unisex Salon – 17 Mill Street  
F& Z LLC d/b/a Gulf Express – 3 Pine Swamp Road  
High Street Market, Inc. d/b/a High Street Market - 732 High Street  
Homecare New England LLC – 45 Industrial Road  
Ice Cream Machine, Kim & Gary's Ice Cream – 4288 Diamond Hill Road  
Isha LLC d/b/a Bestway – 302 Broad Street  
JA Appliance – 380 Mendon Road  
JDJS LLC d/b/a Cumberland Wine & Spirits – 275 Broad Street  
Jorge's Auto Repair - 274 Broad Street  
Kahn & Sons, Inc. d/b/a The Cumberland Spot - 1152 Mendon Road  
KayJay Enterprises LLC d/b/a Ultimate Body Boutique – 2000 Mendon Road, Suite 4  
KD Donuts Inc d/b/a Dunkin Donuts – 4120 Mendon Road  
Mahal Inc d/b/a Cumberland Convenience Inc – 427 High Street  
Mahal Inc d/b/a Diamond Hill Convenience - 2275 Diamond Hill Road  
Maxi Drug South LP d/b/a Rite Aid # 10231 - 2136 Mendon Road  
Mendon Road Leasing Corp d/b/a Gulf Express – 1754 Mendon Road  
Nouria Energy Retail, Inc. d/b/a Cumberland Shell - 4120 Mendon Road  
P.F. Six LLC d/b/a Planet Fitness – 1800 Mendon Road  
Rebecca Plasse d/b/a Cumberland Hill Liquors – 3450 Mendon Road  
Roger's Hardware, Inc- 159 Broad Street  
Shreega, Inc d/b/a Bestway 1178 High Street  
Shubhlakshmi Corporation d/b/a Paul's Liquor – 121 Mendon Road  
Sir Charles Hallmark – 2000 Mendon Road  
Spin City Cumberland LLC, d/b/a Spin City – 3400 Mendon Road  
Supercuts Corporate Shops d/b/a Supercuts #9381 – 6 Mendon Road  
Supercuts Corporate Shops d/b/a Supercuts #90796 – 1800 Mendon Road  
Super Stop & Shop – 70 Mendon Road  
Tony's Cumberland Market, Inc. d/b/a Tony's Cumberland Market - 290 Broad Street  
U-Haul Company of Rhode Island d/b/a Cumberland Moving & Storage - 136 Mendon Road  
Universal Investments Inc d/b/a Del's Lemonade - 184 Mendon Road  
Valley Floor Covering – 144 Broad Street  
Valley Motors, Inc. - 198 Broad Street  
With Heart & Soul LLC - 3751 Mendon Road

### **JUNK CARS**

LKQ Corporation d/b/a Route 16 Used Auto Parts, Inc. – 290 Curran Road

### **KENNEL LICENSE**

Boday, Michael & Barbara  
Frampton, Elizabeth

Howe, Richard  
Kelly, Carolyn L.  
Moran, Lynn

**PAWN BROKER'S LICENSE**

The Gold Advance Inc. – 2376 Mendon Road

**PEDDLER'S LICENSE**

Bill's Tool Shack, LLC  
David Souza, d/b/a Kona Ice  
DC Enterprises d/b/a DC Grapes  
Don's Frozen Lemonade  
Jet Black, Inc. d/b/a Joedega  
K & S Novelty  
Palagi 2000, Inc. d/b/a Palagi's Ice Cream  
NEFL, Inc. d/b/a New England Frozen Lemonade

**PRIVATE DETECTIVE**

Axelband, Adam d/b/a Personal Detection  
Fitzpatrick, Christopher  
Howe, Richard W.  
Landry, Brian d/b/a Claims Bureau USA, Inc  
Lowe, Brandon d/b/a Interstate Investigations  
Maguire, Barry J. d/b/a NE Risk Management & Private Investigations Inc.  
Orchand, Michael V. d/b/a Beacon Investigative  
Williamson, Henry Joseph

**USED AUTO PARTS**

Bill's Auto Parts - 70 Macondray Street  
Jorge's Used Auto Parts – 79 Garden Street  
Centennial Leasing & Operating Co. LLC d/b/a Centennial Auto -187 Dexter Street  
Valley Motor Sales - 198 Broad Street

**8. OLD BUSINESS:**

**A. ORDINANCES FOR PUBLIC HEARING:**

1. **#13-01** – An ordinance to amend Article 4-4, entitled “Use Regulations” of the Town of Cumberland Zoning Ordinance, to amend Article 18-4 entitled, “Requirements for Specific Categories of Special Use” of the Town of Cumberland Zoning Ordinance, to amend Appendix A of the Town of Cumberland Zoning Ordinance and to amend the Town of Cumberland Zoning Map – Assessor's Plat 13, Lots 110 & 111

**9. NEW BUSINESS:**

**A. APPOINTMENTS:**

**OTHER POST EMPLOYMENT BENEFITS (OPEB) BOARD OF TRUSTEES:**

Robert Walsh  
Raymond T. Bush

**BOARD OF ASSESSMENT REVIEW – SIX YEAR TERM TO EXPIRE JANUARY 31, 2019:**

Thomas J. Walsh, Esq.

**B. CLAIMS:**

1. Fred Simon

2. DePasquale Building & Realty Company

**C. RESOLUTIONS:**

1. **R-13-13** – A resolution authorizing Mayor Daniel J. McKee to enter into an agreement with the Birchwood Design Group in an amount not to exceed \$57,830
2. **R-13-14** – A resolution requesting the authority to finance up to \$392,600 in Capital items for the Cumberland School Department and the Town of Cumberland
3. **R-13-15** – A resolution authorizing the adoption of a policy relating to spending and minimum fund balance

**D. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:**

1. **#13-03** – An ordinance relating to Promoters of Shows and Festivals (Presented by Councilor Dwyer and Murray)

**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: March 1, 2013**

TELEPHONE: 401-728-2400, Ext. 138 • [www.cumberlandri.org](http://www.cumberlandri.org)