



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 MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, NOVEMBER 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 October 16, 2013

6. LICENSES:

A. VICTUALLING HOUSE LICENSE:

1. An application for a Fourth Class Victualling House from Abdul Meher of SNK, Inc. d/b/a Cumberland Convenience located at 427 High Street

B. 2013-2014 LICENSE RENEWAL:

FIRST CLASS VICTUALLING HOUSE LICENSE:

1. **ANDREW'S BISTRO DESTINO**, d/b/a Andrew's Bistro, 3755 Mendon Road
2. **ANGELO'S PIZZA, INC.**, d/b/a Angelo's Pizza, 133 Mendon Road
3. **PERIQUITO HOLDINGS, LLC**, d/b/a Modern Bistro, 4077 Mendon Rd
4. **JERRY'S FRIENDLY TAP LLC.**, d/b/a Jerry's Friendly Tap And Grill, 1225 Mendon Road
5. **CARELO'S, LLC**, d/b/a Carelo's Pizzeria, 235 Broad Street
6. **CHURRASCARIA MARQUES, LLC**, d/b/a Churrascaria Marques, 88 Broad Street
7. **CLUB JUVENTUDE LUSITANA, INC.**, 10 Chase Street
8. **CUMBERLAND A.C.**, d/b/a Cumberland Athletic Club, 30 Hamilton Street
9. **ALBERT A. SHAKAN**, d/b/a/ Cumberland Hillside Café, 75 Manville Hill Road
10. **CUMBERLAND HOUSE OF PIZZA**, d/b/a Cumberland House of Pizza, 2360 Mendon Road
11. **CUMBERLAND POST #14**, 695 Broad Street
12. **CURBSIDE, INC.**, 17 Dexter Street
13. **DAVENPORT'S FAMILY RESTAURANT**, d/b/a Davenport's Family Restaurant, 1070 Mendon Road
14. **FATIMA HOLY NAME SOCIETY**, 1 Fatima Drive
15. **FILIBUSTER CLUB**, 23 High Street
16. **FORE COURT RACQUET & FITNESS CLUB, INC.**, 44 Cray Street
17. **FORTUNE HOUSE INC.**, d/b/a Fortune House Restaurant, 1800 Mendon Road, Suite F

18. **FRIAR TUCK'S, INC.**, d/b/a Tuck's Food & Spirits, 2352 Mendon Road
19. **FRIENDLY SONS OF ST. PATRICK**, 135 Broad Street
20. **MEI CUISINE, INC**, d/b/a Golden Ginger, 356 Mendon Road
21. **GOOD TIMES PUB RESTAURANT, INC.**, 1666 Diamond Hill Road
22. **JACKY'S GALAXIE RESTAURANT, INC.**, d/b/a Jacky's Galaxie Restaurant , 1764 Mendon Rd
23. **MICKEY'S VALLEY VIEW PUB INC.**, 46 Carpenter Street
24. **O R VENTURES, INC.**, d/b/a Valley Cafe, Inc., 3 Dexter Street
25. **P&M PUB, INC.**, d/b/a Time Out Bar & Grill , 940 Mendon Road
26. **STEVIE D'S BAR & GRILL, LLC**, Stevie D's Bar & Grill, 80 Manville Hill Rd
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**, 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
35. **J.GRAY'S FAMILY TAVERN**, 405 Mendon Road
36. **INNOVATIVE FOOD, LLC**, d/b/a Flavours, 1764 Mendon Road
37. **PAMFILIO, INC.** d/b/a Pamfilio's Deli, 1800 Mendon Road

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 (transfer pending from High Street Diner)
4. **COMPASS GROUP/EUREST DINING (CVS Cafeteria)**, 100 Scenic View Drive
5. **COMPASS GROUP/EUREST DINING (CVS Cafeteria)**, 100 Scenic View 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. **GB DONUTS OF RHODE ISLAND INC.**, d/b/a Honey Dew Donuts, 2084 Diamond Hill Road
9. **GOLDEN ARCH ENTERPRISES, LLC** ,d/b/a McDonald's Of Cumberland, 100 Mendon Road
10. **GOLDEN ARCH ENTERPRISES, LLC** ,d/b/a McDonald's of Cumberland, 1754 Mendon Road
11. **GREAT TASTE CHINESE RESTAURANT**, 3404 Mendon Road
12. **HOT SPOT, LLC**, d/b/a Dunkin Donuts, 3781 Mendon Road
13. **J'S DELI**, d/b/a J's Deli, 2364 Diamond Hill Road
14. **JAN CO. CENTRAL INC.**, d/b/a Burger King #4718, 1715 Mendon Road
15. **JOHNSTON DONUTS, INC. # 20**, d/b/a Dunkin Donuts, 20 Ann & Hope Way
16. **JOHNSTON DONUTS, INC. #2069**, d/b/a Dunkin Donuts, 2069 Diamond Hill Road
17. **POPPY'S FAMILY RESTAURANT INC.**, d/b/a Poppy's Family Restaurant, 3344 Mendon Road
18. **RONDEAU ENTERPRISES INC.**, d/b/a Everybody's Favorite, 1370 Mendon Road
19. **SAKI'S ENTERPRISES LLC**, d/b/a Saki's Pizza, 2275 Diamond Hill Road
20. **SUPREME PIZZA LLC**, d/b/a Supreme Pizza, 3454 Mendon Road
21. **THE COFFEE CONNECTION INC.**, d/b/a The Coffee Connection, 2364 Mendon Road
22. **HAKOBYAN, INC.**, d/b/a Ani's Pizza & Seafood, 1182 High Street
23. **SHER LE MON SWIM CLUB**, d/b/a Sher Ler Mon Swim Club, 2701 Mendon Road
24. **PROVIDENCE ZEN CENTER**, d/b/a Providence Zen Center, 99 Pound Road
25. **S.P. DONUTS, INC.** d/b/a Honey Dew Donuts, 2130 Mendon Road

THIRD CLASS VICTUALLING HOUSE LICENSES

1. **AJ SEABRA SUPERMARKET**, 2000 Mendon Road
2. **M R BAKING INC.**, d/b/a Colonial Bakery, Inc., 185 Broad Street
3. **BREAD UNLIMITED LLC** d/b/a Crugnale's Bakery, 1764 Mendon Road
4. **GOLDEN PALACE CHINESE RESTAURANT**, 1165 High Street
5. **G & P DONUTS INC.** d/b/a Honey Dew Donuts, 3450 Mendon Road
6. **JMP PROMOTIONS, LLC**, d/b/a Big Flea, 1 Ann & Hope Way
7. **JOHNSTON DONUTS, INC. #1700** d/b/a Dunkin Donuts, 1700 Mendon Road
8. **JOSIE'S ICE CREAM**, 797 High Street

9. **K & A ELMASRI CORP.**, d/b/a Ronzio Pizza, 1700 Mendon Road
10. **MICHAEL'S MEATS, INC**, 2130 Mendon Road
11. **PIZZA MAN OF CUMBERLAND**, 87 Broad Street
12. **ALL STAR PIZZA**, 417 Broad Street
13. **THE STOP & SHOP SUPERMARKET**, d/b/a Super Stop & Shop, 70 Mendon Road
14. **TRIAD PIZZA, INC.**, d/b/a Domino's Pizza, 250 Mendon Road
15. **DA SILVA DESSERTS, INC.**, d/b/a Zaccagnini's Pastry, 2339 Diamond Hill Rd

FOURTH CLASS VICTUALLING HOUSE LICENSES

1. **732 HIGH STREET MARKET, INC.**, d/b/a/ High Street Market, 732 High Street
2. **IQBAL & SONS INC**, d/b/a Cumberland 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 Diamond Hill 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. **MAXI DRUG SOUTH LP** d/b/a Rite Aid #10231, 2136 Mendon Road
19. **MENDON ROAD LEASING** d/b/a Gulf Express, 1754 Mendon Road
20. **NOURIA ENERGY RETAIL INC.**, d/b/a Cumberland Shell, 4120 Mendon Road
21. **SHREEGA INC** d/b/a Bestway, 1178 High Street
22. **TONY'S CUMBERLAND MARKET INC.**, d/b/a Tony's Cumberland Market, 290 Broad Street
23. **UNIVERSAL INVESTMENT INC** d/b/a Del's Lemonade, 170 Mendon Road
24. **BAKED & SERVED NEW ENGLAND**, d/b/a Wildflour Café, 2000 Mendon Road

FIFTH CLASS VICTUALLING HOUSE LICENSES

1. **PHANTOM FARMS 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 STORE #1275**, 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 GULF INC.**, 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
11. **S.P. Donuts Inc.** d/b/a Honey Dew Donuts, 2130 Mendon Road

7. OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. **#13-16** – An ordinance relating to the Town of Cumberland Pension Fund a/k/a the Police Pension Plan (tabled from September 4, 2013)
2. **#13-23A** – An ordinance amending Article 13 of the Cumberland Zoning Ordinance entitled “Signs” (Presented by Council President Higgins on behalf of the Administration)

3. **#13-26** – 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 53, Lot 334 from Residential-1 (R-1) to Commercial-1 (C-1)
4. **#13-28** – An ordinance relating to Health Care Insurance Coverage for Police Officers (Presented by Council President on behalf of the Administration)

B. RESOLUTIONS:

1. **R-13-43** – A resolution authorizing the transfer of all presently employed Cumberland Police Officers to the State of R.I. Municipal Employees Retirement Systems (MERS)

8. NEW BUSINESS:

A. RESOLUTIONS:

1. **R-13-44** – A resolution authorizing Mayor Daniel J. McKee to enter into a contract with Gill Tank Services for the construction of the aboveground 6000 gallon concrete vaulted steel gasoline storage tank to be located at 37 Blackstone Street, Cumberland, RI 02864
2. **R-13-45** – A resolution to authorize Mayor Daniel J. McKee to enter into a contract with Gifford Design Group, Inc. in an amount not to exceed \$8900.00 for design and Project Management Services for the installation of lighting and security system at the Valley Falls Heritage Park
3. **R-13-46** – A resolution authorizing Mayor Daniel J. McKee to obtain a loan in the amount of \$405,000.00 for the Forest Avenue Roadway and Sidewalk Construction Project

B. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISEMENT:

1. **#13-29** – An ordinance relating to the appropriation of money for future expenditures at Tucker Field (Presented by Councilor Schmitt)
2. **#13-30** – An ordinance relating to the Sale of tickets to concerts held at Diamond Hill Park (Presented by Councilor Schmitt)
3. **#13-31** – An ordinance authorizing the placement of a stop sign on Mimoso Court at the intersection of Womantam Lane (Presented by Councilor Schmitt)

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):

1. Executive Session pursuant to R.I.G.L. 42-46-5 (a) 2, discussion of collective bargaining issues

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 1, 2013

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