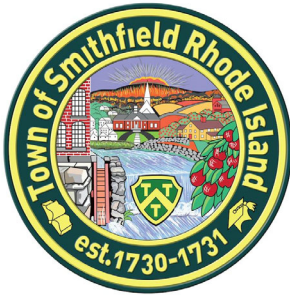


# SMITHFIELD TOWN COUNCIL MEETING

OPEN SESSION

**TUESDAY**  
**January 9, 2024**



**SMITHFIELD TOWN COUNCIL MEETING  
SMITHFIELD TOWN HALL  
COUNCIL CHAMBERS  
64 FARNUM PIKE  
TUESDAY, JANUARY 9, 2024  
6:00 P.M.**

**6:00 P.M.     EXECUTIVE SESSION**

Convene into executive session to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Samantha Kerwin, Donald L. Clarke II, and Stephen M. Bailey for possible appointment or reappointment to a Town board or commission, Section 42-46-5(a)(2); Existing Litigation, Case #PC-2019-10870 - Town of Smithfield vs. State of Rhode Island, and Section 42-46-5(a)(6); to review, consider, and discuss a prospective business to locate in the Town of Smithfield, RI.

**7:00 P.M.     AGENDA**

- I. Regular meeting reconvened at 7:00 p.m.
  - Announce any executive session votes required to be disclosed pursuant to Rhode Island General Laws, Sec. 42-46-4.
- II. Prayer
- III. Salute to the Flag
- IV. Emergency Evacuation and Health Notification
- V. Presentations:
  - A. Smithfield Home for the Holidays House and Doorway Decorating Contest Winners.
- VI. Minutes:
  - A. Move that the minutes of the December 5, 2023 executive session meeting held pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Deana M. Mills and Lisa M. Baillargeon for possible appointment to a Town board or commission and Rhode Island General Laws Section 42-46-5(a)(2); Existing Litigation, Case # PC-2019-10870 - Town of Smithfield vs. State of Rhode Island be approved as recorded and sealed.
  - B. Move that the minutes of the December 5, 2023 open session meeting be approved as recorded.
- VII. Consider, discuss and act upon the following possible appointments and reappointments:
  - A. Boyle Athletic Complex Building Committee appointment.

VIII. Public Hearings:

- A. Conduct a public hearing to consider and act upon Zoning Ordinance amendments to Section 4.4 “Supplementary Use Regulations”, Section 4.3 “Table Of Uses” to add a new use category entitled “Battery Energy Storage Facility”, and Section 9.4.8, Table 3 “Economic Growth Overlay District Land Uses” sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.
- B. Schedule a public hearing on February 6, 2024 to consider and act upon Zoning Ordinance amendments to Section 4.3 “Table of Uses” to add a new use category entitled “Wind Energy Facilities” and Section 5.10 “Inclusionary Zoning” sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.
- C. Schedule a public hearing on February 6, 2024 to consider and act upon the adoption of the Capital Improvements Program Plan for Years 2025-2044.
- D. Schedule a public hearing on February 6, 2024 to consider and act upon Code of Ordinance amendments to Section 312 “Streets and Sidewalks” to add Article IV entitled “Vehicle Impact Protection Devices” sponsored by Council Member John J. Tassoni, Jr.
- E. Conduct a public hearing to consider, discuss, and act upon approving the renewal of the Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Good Standing from the RI Division of Taxation.

**INTOXICATING BEVERAGE LICENSE RENEWALS 2023-2024**

**CLASS A RETAILER’S BEVERAGE LICENSES**

1. Smithfield Liquor Mart, Inc. d/b/a “Smithfield Liquor Mart”, 970 Douglas Pike, Bldg. B Left Side

**CLASS B-VICTUALLER BEVERAGE LICENSES**

1. 970 Douglas Pike, LLC d/b/a “Condesa Mexican Restaurant”, 970 Douglas Pike (approved for outdoor bar service)
2. Brewology, LLC d/b/a “Brewology”, 9 Cedar Swamp Road, Unit 4 (approved for outdoor bar service)
3. Douglas Eatery, LLC d/b/a “Twin River Pizzeria, Crazy Wings, Thai Café”, 55 Douglas Pike (approved for outdoor bar service)
4. Ichiraku, LLC d/b/a “Ichiraku Ramen and Fusion”, 970 Douglas Pike (approved for outdoor bar service)
5. LJD, LLC d/b/a “Laura’s Bar and Grill”, 943 Douglas Pike (approved for outdoor bar service)
6. Palio, Inc. d/b/a “Siena”, 40 Putnam Pike, Unit B4
7. Terrazza, LLC d/b/a “Terrazza”, 645 Douglas Pike (approved for outdoor bar service)

8. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, (approved for outdoor bar service)
9. Uno Restaurants, LLC d/b/a “Uno Pizzeria & Grill”, 371 Putnam Pike, Suite 200

**CLASS D-CLUB BEVERAGE LICENSES**

1. Portuguese American Social & Athletic Club, 40 Fenwood Avenue
  2. Smithfield Elks #2359, 326 Farnum Pike
- F. Consider scheduling a Show Cause Hearing on Tuesday, January 23, 2024 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Liquor Licenses due to non-renewal or non-compliance with the conditions of renewal:
1. Cedar Spill Group d/b/a “Cedar Spill”, 566 Putnam Pike, Unit 4 (Failure to produce a Certificate of Good Standing)
  2. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike (Failure to pay outstanding tangible taxes)
  3. Copperfield’s, Inc. d/b/a “Copperfield’s Bar & Grill”, 375 Putnam Pike, Unit 35 (Failure to produce a food business license)
  4. Crudo, LLC d/b/a “Crudo”, 266 Putnam Pike (Failure to produce a food business license)
  5. El Taco Loco, LLC d/b/a “Don El Diablo Taqueria Y Tequila”, 55 Douglas Pike (Failure to produce a Certificate of Good Standing)
  6. Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C (Failure to produce a Certificate of Good Standing)
  7. LeeDeg, Inc. d/b/a “Rocco’s Pub & Grub”, 55A Douglas Pike (Failure to produce a Certificate of Good Standing)
  8. Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1 (Failure to produce a Certificate of Good Standing)
- G. Consider scheduling a Show Cause hearing on Tuesday, January 23, 2024 to consider, discuss, and act upon the possible suspension, revocation, or other sanction regarding the listed Victualling Only Licenses due to non-renewal or non-compliance with the conditions of renewal:
1. The Sevigny Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike (Failure to produce necessary paperwork required for renewal)
- H. Conduct a public hearing to consider, discuss, and act upon approving the renewal of the following one (1) Victualling Only License to include renewal of the Extended Hours of Operation, as applied, subject to compliance with all State Regulations and local ordinances:
1. Marylou’s News, Inc. d/b/a “Marylou’s Coffee”, 368 Putnam Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**

XI. Licenses:

- A. Consider, discuss, and act upon approving the renewal of seven (7) of Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. 970 Douglas Pike, LLC d/b/a “Condesa Mexican Restaurant”, 970 Douglas Pike
  2. Brewology, LLC d/b/a “Brewology”, 9 Cedar Swamp Road, Unit 4
  3. LJD, LLC d/b/a “Laura’s Bar and Grill”, 943 Douglas Pike
  4. Palio, Inc. d/b/a “Siena”, 400 Putnam Pike, Unit B4
  5. Terrazza, LLC d/b/a “Terrazza”, 645 Douglas Pike
  6. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, 45 Cedar Swamp Road
  7. TMG Trap North d/b/a “The Trap North Brew Pub & Grill”, 10 Smith Avenue
- B. Consider, discuss, and act upon approving the renewal of four (4) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. 970 Douglas Pike, LLC d/b/a “Condesa Mexican Restaurant”, 970 Douglas Pike
  2. Brewology, LLC d/b/a “Brewology”, 9 Cedar Swamp Road, Unit 4
  3. LJD, LLC d/b/a “Laura’s Bar and Grill”, 943 Douglas Pike
  4. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, 45 Cedar Swamp Road
- C. Consider, discuss, and act upon approving the renewal of five (5) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:
1. Chipotle Mexican Grill of Colorado, LLC d/b/a “Chipotle Mexican Grill”, 473 Putnam Pike
  2. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
  3. Ivy and Lace Bakeshop, LLC d/b/a “The Ivy and Lace Bake Shop”, 592 Putnam Pike
  4. J’s Delicatessen, Inc. d/b/a “J’s Delicatessen”, 285 George Washington Highway
  5. Target Corporation d/b/a “Target T-1404”, 371 Putnam Pike
- D. Consider, discuss, and act upon approving a new Holiday Sales License for James’ Fine Cigars, LLC d/b/a “James’ Fine Cigars” located at 20 Cedar Swamp Road, as applied, subject to compliance with all State regulations and local ordinances.
- E. Consider, discuss, and act upon approving one (1) One-Day Beer/Wine License for the Smithfield Senior Center as follows:
- New Year’s Party to be held on Thursday, January 18, 2024 from 12:00 p.m. to 3:00 p.m.

The party will take place at the Smithfield Senior Center, 1 William J. Hawkins,

Jr. Trail from 12:00 p.m. to 3:00 p.m., as applied, subject to all State regulations and local ordinances.

IX. Old Business:

- A. Consider, discuss, and act upon authorizing the Fire Department to purchase Ballistic Protective Equipment from Triage Training Group in an amount not to exceed forty-nine thousand, eight hundred sixty-four dollars and twenty-five cents (\$49,864.25) to be funded from the Bryant University billing account.
- B. Sitting as the Smithfield Water Supply Board, consider, discuss, and act upon a request for waiver of water main extension based on the Code of Ordinances, Chapter 350 Water Line Extensions, Article 1 Construction of Waterlines and Other Water Capital Equipment by Private Developers, Section 350-1 Extension of Water Service Article 1.C.

X. New Business:

- A. Consider, discuss, and act upon authorizing the Fire Department to purchase a resource management software from Tablet Command, Inc. in the amount of thirty-eight thousand, five hundred dollars and zero cents (\$38,500.00) to be funded by RIEMA Grant 34-02-2022 HSGP.
- B. Consider, discuss, and act upon authorizing the Fire Department to submit a Municipal Public Safety Infrastructure Grant in the amount of \$1 million to be used to assist in financing a new fire station.
- C. Sitting as the Smithfield Water Supply Board, consider, discuss, and act upon a bid award for the North Providence Pressure Reducing Project.
- D. Sitting as the Smithfield Water Supply Board, consider, discuss, and act upon authorizing the Town Manager to enter into contract with Pare Corporation in an amount not to exceed fifty-five thousand, five hundred dollars and zero cents (\$55,500.00) for contract and engineering services for the North Providence Pressure Reducing Project.
- E. Consider, discuss, and act upon awarding a contract to Lake Shore Environmental in an amount not to exceed thirteen thousand, five hundred fifty dollars and zero cents (\$13,550.00) for installation of three test wells onsite at the Gallagher Middle School.
- F. Consider, discuss, and act upon approving tax abatements in the amount of four thousand, three hundred, thirty-two dollars and seventy-eight cents (\$4,332.78).

XI. Public Comment.

XIII. Adjournment.

**AGENDA POSTED: FRIDAY, JANUARY 5, 2024**

The public is welcome to any meeting of the Town Council or its sub-committees. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager's office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

**1<sup>st</sup> PLACE:**

6 Carltons Trail The Storti Family





**2<sup>nd</sup> PLACE:**

8 West Prospect Street    The Souve Family



**3<sup>rd</sup> PLACE:**

18 Lincoln Street The Collins Family



**DOORWAY WINNER:**

5 Josephine Drive

The Marsella Family



**PLEASE SEE EXECUTIVE**  
**SESSION ENVELOPE**

**MINUTES OF SMITHFIELD TOWN COUNCIL MEETING**

**Date: Tuesday, December 5, 2023**

**Place: Smithfield Town Hall**

**Time: 6:10 P.M.**

**Present:**

Town Council President T. Michael Lawton  
Town Council Member Sean M. Kilduff  
Town Council Member Michael P. Iannotti  
Town Council Member Rachel S. Toppi  
Town Council Member John J. Tassoni, Jr.  
Town Manager Randy R. Rossi  
Town Solicitor Anthony Gallone  
Town Clerk Lyn M. Antonuccio

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**I. President Lawton calls the Tuesday, December 7, 2023 Smithfield Town Council Meeting to order at 7:00 p.m.**

At 6:10 p.m., a motion was made by Member Toppi, seconded by Member Kilduff, to convene into executive session to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Deana M. Mills and Lisa M. Baillargeon for possible appointment to a Town board or commission and Rhode Island General Laws Section 42-46-5(a)(2); Existing Litigation, Case #PC-2019-10870 - Town of Smithfield vs. State of Rhode Island. The motion was approved by a 5/0 vote.

President Lawton reported that no votes were taken in executive session that are required to be reported pursuant to RIGL§ 42-46-4.

**II. President Lawton offers a prayer.**

**III. Salute to the flag.**

**IV. Emergency Evacuation and Health Notification**

**V. Presentations:**

**A. Smithfield Youth Council Update**

The Youth Council give the members an update on the success of their “Haunted Hallways” event held on October 24, 2023 and their upcoming events (see attached documentation).

**VI. Minutes:**

**A. Move that the minutes of the November 21, 2023 executive session meeting held pursuant to Rhode Island General Laws Section 42-46-5(a)(1) Personnel; to interview Louis Marchetti for possible appointment to a Town board or commission and Town Manager Annual Review be approved as recorded and sealed.**

**Motion** is made by Vice President Iannotti, seconded by Member Toppi, that the minutes of the November 21, 2023 executive session meeting minutes be approved as recorded and sealed. **Motion is approved by a unanimous 5/0 vote.**

- A. **Move that the minutes of the November 21, 2023 open session meeting be approved as recorded.**

**Motion** is made by Vice President Iannotti, seconded by Member Toppi, that the minutes of the November 21, 2023 open session meeting minutes be approved as recorded. **Motion is approved by a unanimous 5/0 vote.**

**VII. Consider, discuss and act upon the following possible appointments and reappointments:**

- A. **Water Supply Board reappointment with a term expiring in December 2026**

Member Tassoni feels that the council is “treading on dangerous water” by picking and choosing who is interviewed and when. Member Tassoni feels that the council has to interview everyone or they don’t interview everyone. Member Tassoni also feels the council is setting a bad precedent by doing what “we” are doing.

**Motion** is made by Vice President Iannotti, seconded by Member Toppi, that the Smithfield Town Council hereby reappoints Paul Santucci to the Water Supply Advisory Board Commission with a term expiring in December 2026. **Motion is approved by a 4/1 vote. Member Tassoni votes nay.**

**VIII. Public Hearings:**

- A. **Conduct a public hearing to consider and act upon amendments to the Code of Ordinances Chapter 118 entitled “Alcoholic Beverages” sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.**

President Lawton declares the public hearing open.

Vice President Iannotti explains the following: There are changes to what was published originally. § 118-4 was re-lettered because it was incorrect. In the same section, what is now “E” is being stricken. Letter “D” within this section will now read, *“The Town Council may refuse to renew any license for reasons to include, but not be limited to”*, and the items listed below that will remain the same.

Member Kilduff questions who is responsible for maintaining a log of written violations. Town Manager Rossi states that the violations are kept in the Clerk’s Office.

Member Tassoni expresses his concerns about “habitual problem people”, and using the resources of the Town (mail, phone calls) to ensure someone is doing the right thing. Member Tassoni feels there should be a penalty. Member Tassoni also feels the first mistake could be waived, however, there have been longstanding problems in Town and taken up a great deal of resources.

Member Toppi questions the word mistake and its meaning. Member Tassoni explains that their paperwork is not received, is late, or received the night before.

Solicitor Gallone explains that administratively the applications are due at a certain point,

and if not received in a timely manner, the establishments can return at the next scheduled meeting. Solicitor Gallone further explains that there are establishments that appear before the council numerous times. Member Toppi feels that is excessive.

Town Manager Rossi explains that § 118-4, B, refers to submitting the paperwork by October 1<sup>st</sup>, and there is a mandatory fine of \$100 for the first offense, \$250 for the second offense, and \$350 for the third offense listed under § 118-4.

Member Tassoni suggests adding a fourth offense allowing for the license to be suspended. Vice President Iannotti questions if the council has the authority to suspend any license. Solicitor Gallone explains that this board is the Licensing Authority. Town Manager Rossi confirms that the council has the authority to suspend a license based on the ordinance.

Member Kilduff states that under § 118-5, the Town Council shall have broad discretionary authority to impose restrictions which are generally applied to all liquor licenses. Member Kilduff feels that § 118-5 (B1), “no loud noise, music, or other nuisance shall be permitted to annoy nearby residents, persons on adjoining properties, street, or sidewalk” sounds reasonable, however, how will that be enforced.

Town Manager Rossi explains that this would tie into the Noise Ordinance, and is the council’s discretion to determine if it rises to the level to affect their license. Member Kilduff questions if specifics should be added. Solicitor Gallone explains that if language is going to be added, it must be consistent with decibel levels as set by the Municipal Code in the relative section.

Member Kilduff questions § 118-5 (2), “The applicant acknowledges that the Town of Smithfield assumes no responsibility by granting the license” and who the resident calls if there is a complaint. Vice President Iannotti states the council is the Licensing Authority, therefore, the Town would have to intervene to remedy the issue, and if the Town is unable to remedy it, the business would be asked to appear before the council. Vice President Iannotti further states the council would take the necessary action they deem appropriate.

Solicitor Gallone explains the show-cause hearing process with the members.

Member Kilduff questions if the Zoning Board would have input. Solicitor Gallone explains that the Zoning Board would only have input if the business was granted a Special Use Permit and the conditions were not being complied with. Solicitor Gallone further explains that would be another ground for the council to take action and revoke the license.

President Lawton references § 118-13 (B5) which states “the licensee assumes responsibility for preventing its patrons from disturbing the surrounding neighborhood” and questions how this will be enforced. Town Manager Rossi explains that this would be a case of ensuring people behave, and if people were unruly, residents would call the police department.

Hearing no further comments, President Lawton closes the public hearing.

**Motion** is made by Vice President Iannotti, seconded by Member Toppi, that the Smithfield Town Council hereby adopts amendments to the Code of Ordinances Chapter 118 entitled “Alcoholic Beverages”, as amended. **Motion is approved by a unanimous 5/0 vote.**

**B. Conduct a public hearing to consider and act upon amendments to the Code of Ordinances Chapter 122 entitled “Amusements, Coin-Operated” sponsored by Council Member Sean M. Kilduff.**

President Lawton declares the public hearing open.

Member Kilduff explains that after having a discussion with Vice President Iannotti, he believes it would be in the best interest of everyone to repeal the whole chapter.

Vice President Iannotti explains the following: council may want to repeal these two (2) sections of the chapter because this ordinance follows the state law, and state law does not require the Town to issue any license for these machines unless there are three (3) or more in an establishment. In Town’s ordinance, two (2) or more machines are considered an arcade, a series of regulations, a \$200 fee, and there is provision for a \$10 fee for each additional machine. He feels that having an ordinance for one (1) machine is “overkill”.

Hearing no further comments, President Lawton closes the public hearing.

**Motion** is made by Vice President Iannotti, seconded by Member Kilduff, that the Smithfield Town Council repeals Sections 122-10 and 122-11 of the Code of Ordinances entitled “Amusements, Coin-Operated”. **Motion is approved by a unanimous 5/0 vote**

**C. Conduct a public hearing to consider and act upon amendments to the Code of Ordinances Chapter 268 entitled “Peddling and Soliciting” sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.**

President Lawton declares the public hearing open.

Vice President Iannotti references § 118-13 (D) which states time limitation is “to prevent crime and ensure the peacefulness of the citizens of Smithfield’s homes, no person shall engage in door-to-door solicitations before the hour of 9:00 a.m. to no later than 6:00 p.m.” or dusk, whichever comes first. Vice President Iannotti asks for the council’s feedback on what they consider dusk should be, 6:00 p.m. or 7:00 p.m.

Member Toppi thinks 7:00 p.m. will allow people to get home from work. Vice President Iannotti suggests 7:00 p.m. or dusk, whichever comes first because it gets darker earlier in the winter months.

Vice President Iannotti references § 118-13 (E), and he feels that the fine of \$500 is excessive and should be reduced to \$150. Vice President Iannotti also feels that imprisoning someone for thirty (30) days is excessive and there are legal issues with trying to enforce a criminal penalty on an ordinance like this. Vice President Iannotti suggest eliminating “penalty of imprisonment”.

Solicitor Gallone suggests eliminating any language that denotes imprisonment.

Member Tassoni questions if the “dusk” should be used because it is ambiguous. Solicitor Gallone



feels that at some point there will be an interpretation or enforcement issue by using the word “dusk”.

Member Toppi suggests using the word “sunset”. Member Tassoni feels that using the word “sunset” is open to interpretation. Solicitor Gallone suggests sticking to an hour.

Member Tassoni suggests 6:00 p.m. in the winter and 7:00 p.m. in the summer. Member Toppi states she would not like someone coming to her door when it is dark out.

Hearing no further comments, President Lawton closes the public hearing.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, to approve the ordinance amendments, with the hours of 6:00 p.m. in the winter and 7:00 p.m. in the summer. **Motion is approved by a 4/1 vote. Member Tassoni votes nay.**

Members Tassoni and Toppi are in favor of the amendments but not the times.

Vice President Iannotti would like to reconsider.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, to approve the ordinance amendments, with the hours of 5:00 p.m. in the winter, and 6:00 p.m. in the summer. **Motion is approved by a unanimous 5/0 vote.**

**D. Schedule a public hearing on January 9, 2024 to consider and act upon Zoning Ordinance amendments to Section 4.3 “Table of Uses”, Section 4.4 “Supplementary Use Regulations”, and Section 9.4.8, Table 3 “Economic Growth Overlay District Land Uses”.**

**Motion** is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council schedules a Public Hearing on January 9, 2024 to consider adopting amendments to the Sections 4.3 Table of Uses, 4.4 Supplementary Use Regulations and Article 9, Section 9.4.8, Table 3-Ego-Land Uses. **Motion is approved by a unanimous 5.0 vote.**

- E.** Conduct a public hearing to consider, discuss, and act upon approving the renewal of the Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Good Standing from the RI Division of Taxation.

**INTOXICATING BEVERAGE LICENSE RENEWALS**

**2023-2024**

**CLASS B-VICTUALLER BEVERAGE LICENSES**

- 1. BKH, LLC d/b/a “Jack’s Pizza Pub”, 970 Douglas Pike, Building A, Unit 2 (approved for outdoor bar service)**
- 2. Richard J. Conti d/b/a “Café Centro”, 566 Putnam Pike**

3. **RNL Enterprises, LLC d/b/a “Coach’s Pub”, 329 Waterman Avenue (approved for outdoor bar service)**
4. **TMG Trap North d/b/a “The Trap North Brew Pub & Grill”, 10 Smith Avenue (approved for outdoor bar service)**

President Lawton declares the public hearing open.

Hearing no further comments, President Lawton closes the public hearing.

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of the following Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all state regulations, local ordinances, and a Certificate of Good Standing from the RI Division of Taxation. **Motion is approved by a unanimous 5/0 vote.**

**IX. Licenses:**

- A. **Consider, discuss, and act upon approving the renewal of two (2) of Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:**

1. **RNL Enterprises, LLC d/b/a “Coach’s Pub”, 329 Waterman Avenue**
2. **TMG Trap North d/b/a “The Trap North Brew Pub & Grill”, 10 Smith Ave.**

Vice President Iannotti would like to consider these licenses separately.

**Motion** is made by Member Tassoni, seconded by Member Kilduff, to approve the annual renewal of an Entertainment License for RNL Enterprises, LLC d/b/a “Coach’s Pub”, 329 Waterman Avenue. **Motion is approved by a unanimous 5/0 vote.**

Jessica Ogram of 7 West Cottage Avenue explains the following: She thanks the council for responding to her email regarding the Trap. Ms. Ogram would like the council to consider having their outdoor entertainment time limited on weeknights. She is aware that they are open until 1:00 a.m. every night, however, the noise from their entertainment is excessive, and the noise bounces off the water. They are unable to keep their windows open on warm days and her children are unable to sleep. Ms. Ogram would like this establishment to keep it down on weeknights or bring it inside at a certain hour. She is fine with “whatever” on Fridays and Saturdays. Her family is not trying to “take the business down” and supports local businesses; she just wants to be comfortable in her home.

Vice President Iannotti questions Ms. Ogram about what would be the latest hour to have entertainment on a weekday. Ms. Ogram suggests 10:00 p.m. because that’s a reasonable time people to enjoy their time at this establishment and also for families to get sleep to go to work or school.

Member Toppi questions if the noise has gotten better since she first reached out to the council. Ms. Ogram states it has gotten better, and they have made an effort, however, it can still be heard.

Steve Leoni the General Manager for the “Trap” explains the following: Once that complaint was received, they took measures to keep the volume down and took the speakers indoors. During the week they do not normally have live entertainment going past 10:00 p.m. They reached out to the police department to schedule a meeting with them to have a decibel reading taken. He has driven around the neighborhoods to see where the volume level is, but he is not sure exactly where Ms. Ogram lives. He is glad that the steps they have taken has helped because they want to be a “good neighbor”.

Vice President Iannotti questions what steps were taken. Mr. Leoni explains that he keeps the outdoor speakers extremely low during weekdays and on weekends when it hits an unreasonable hour, and during the summer they do not schedule full live bands (with drums). Mr. Leoni feels that the base of the drums that travels. Mr. Leoni further explains he keeps the doors closed when it is a later hour, which helps with the sound coming out of the building.

Vice President Iannotti questions having entertainment past 10:00 p.m. on the weekdays. Mr. Leoni states they do not normally have entertainment past 10:00 p.m. on the weekdays.

Vice President Iannotti states that if the council restricts the entertainment to 10:00 p.m., Sunday through Thursday, it should not be a problem. Mr. Leoni reminds the members that there are holidays that fall on weekdays. Mr. Leoni states that he does not want to be the one to agree to anything because the owner should be here for that.

Member Tassoni suggests rescheduling the renewal approval until the owner is available.

Vice President Iannotti states that based on the information the council has, he would grant the Entertainment License and on weeknights, Sunday through Thursday, the license would be in effect until 10:00 p.m., except on the nights before holidays. Vice President Iannotti feels this is a reasonable solution to this problem.

President Lawton also feels that the owner should have the opportunity to be present.

Member Kilduff suggests continuing this matter to January 9, 2024, and in the meantime, allow them to proceed with their current license. Vice President Iannotti reminds the members that the license continues unless the council were to take action on it. Town Manager Rossi reminds the members that they are in compliance with all of their paperwork.

Member Toppi questions if during this whole time, there has not been entertainment after 10:00 p.m. on weekdays. Mr. Leoni states there has been a couple of times when it has been busy, he has kept the entertainment going for an additional thirty (30) minutes.

Ms. Ogram explains that their live music is usually indoors and not really an issue. Ms. Ogram further explains that it is the speakers outside when they are playing music, and while the live music can be heard, it is much more muffled.

Member Toppi questions if speakers constitute entertainment. Town Manager Rossi explains that speakers are included, and they have agreed to adjust them during those days.

Vice President Iannotti states that whether it is live music or if you play it, it is entertainment.

Dennis Woisard of 141 Old County Road questions if all establishment will be addressed as soon as a noise complaint is received. Mr. Woisard also questions if legally this can be done. Mr. Woisard feels that there are complaints about other establishments, and the Town does not limit their license. Mr. Woisard questions where you draw the line, and if you limit this license, you must limit everyone.

Vice President Iannotti feels it also depends where an establishment is located, and this establishment is located across from a lake and there will be a problem. Vice President Iannotti states that the residents must come first.

Mr. Woisard does not dispute who comes first, however, you cannot limit people's livelihoods based on a radio. Mr. Woisard suggests that the council be "pro-business".

Member Toppi states she is pro-business, but perhaps a compromise can be reached that does not affect the business in a large way.

Mr. Leoni questions if there have been many complaints because this is the only one he is aware of. Town Manager Rossi states that there have been other complaints, and the owner is aware and numerous discussion have taken place.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council continue this matter to the January 9, 2024 Town Council meeting. **Motion is approved by a unanimous 5/0 vote.**

**B. Consider, discuss, and act upon approving the renewal of two (2) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:**

- 1. RNL Enterprises, LLC d/b/a "Coach's Pub", 329 Waterman Avenue**
- 2. TMG Trap North d/b/a "The Trap North Brew Pub & Grill", 10 Smith Ave.**

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of two (2) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

- 1.RNL Enterprises, LLC d/b/a "Coach's Pub", 329 Waterman Avenue
- 2.TMG Trap North d/b/a "The Trap North Brew Pub & Grill", 10 Smith Ave.

**Motion is approved by a unanimous 5/0 vote.**

**C. Consider, discuss and act upon approving the renewal of five (5) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:**

- 1. Addie & Colts Bagels, LLC d/b/a "Café Such a Bagel Too", 285 George Washington Highway**

2. **Smithfield Cookies, LLC d/b/a “Crumbl Cookies”, 371 Putnam Pike, Suite 915**
3. **Smithfield Foods, LLC d/b/a “Sonic Drive In”, 393 Putnam Pike**
4. **Smithfield Hospitality, LLC d/b/a “Holiday Inn Express & Suites”, 1010 Douglas Pike**
5. **The Level 10 Nutrition Club, LLC d/b/a “The Level 10 Nutrition Club”, 10C Cedar Swamp Road**

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of five (5) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Addie & Colts Bagels, LLC d/b/a “Café Such a Bagel Too”, 285 George Washington Highway
2. Smithfield Cookies, LLC d/b/a “Crumbl Cookies”, 371 Putnam Pike, Suite 915
3. Smithfield Foods, LLC d/b/a “Sonic Drive In”, 393 Putnam Pike
4. Smithfield Hospitality, LLC d/b/a “Holiday Inn Express & Suites”, 1010 Douglas Pike
5. The Level 10 Nutrition Club, LLC d/b/a “The Level 10 Nutrition Club”, 10C Cedar Swamp Road

**Motion is approved by a unanimous 5/0 vote.**

- D. **Consider, discuss and act upon approving a new Victualling Only License for The Sandwich Shack, LLC d/b/a “The Sandwich Shack”, 9 Cedar Swamp Road, Unit 10, as applied subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health, a Certificate of Occupancy, permit and plans approved by the Building/Zoning Department.**

**Motion** is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve a new Victualling Only License for The Sandwich Shack, LLC d/b/a “The Sandwich Shack”, 9 Cedar Swamp Road, Unit 10, as applied subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health, a Certificate of Occupancy, permit and plans approved by the Building/Zoning Department. **Motion is approved by a unanimous 5/0 vote.**

- E. **Consider approving a new Holiday Sales License for Five Below, Inc. d/b/a “Five Below #8032”, located at 371 Putnam Pike, Suite A440, as applied, subject to compliance with all State regulations and local ordinances.**

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve a new Holiday Sales License for Five Below, Inc. d/b/a “Five Below #8032”, located at 371 Putnam Pike, Suite A440, as applied, subject to compliance with all State regulations and local ordinances. **Motion is approved by a unanimous 5/0 vote.**

**X. Old Business:**

- A. Sitting as the Smithfield Water Supply Board, consider, discuss and act upon a request for waiver of water main extension based on the Code of Ordinances, Chapter 350 Water Line Extensions, Article 1 Construction of Waterlines and Other Water Capital Equipment by Private Developers, Section 350-1 Extension of Water Service Article 1.C.**

Town Manager Rossi asks that this matter be tabled until the January 23, 2024 Town Council meeting.

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby tables authorizing a request for waiver of water main extension to the January 23, 2024 meeting. **Motion is approved by a unanimous 5/0 vote.**

- B. Consider, discuss, and act upon authorizing the Fire Department to purchase Ballistic Protective Equipment in an amount not to exceed forty-five thousand dollars and zero cents (\$45,000.00) to be funded from the Bryant University billing account.**

Town Manager Rossi asks that this matter be tabled until the January 9, 2024 Town Council meeting.

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby tables authorizing the Fire Department to purchase ballistic protective equipment to the January 9, 2024 meeting. **Motion is approved by a unanimous 5/0 vote.**

**I. New Business:**

- A. Consider, discuss, and act upon a bid award for the structural-civil design services of the Mountindale Road culvert at Stillwater River.**

Town Engineer Kevin Cleary explains the following: Qualification reports were received in February and after the negotiation/selection process with perspective consultants, and negotiating fee proposals with the most qualified firm, the Selection Committee recommends authorizing Al Engineers, Inc. for the engineering design phase of this project. There is a funding discrepancy with what is available and programming funds into the next budget to supplement and complete this part of the project. There is a gap of \$74,000, and he has negotiated this fee down considerably with the selected consultant.

Vice President Iannotti questions the \$74,000 payment being paid until FY2025. Engineer Cleary confirms this and explains that he has timed this so that the sequence of their services and the value of their contract services won't exceed what is presently available until July of the upcoming year. Engineer Cleary explains if sufficient funds are awarded in the upcoming budget for this as a capital improvement item, the task can be completed.

Vice President Iannotti questions the total cost for the entire project. Engineer Cleary reviews the

budget analysis with the members. Vice President Iannotti states that in the Capital Improvements submission this was listed as \$805,000. Vice President Iannotti questions financing this project over a two year period.

Engineer Cleary states that the Capital Improvement Plan is a plan, and depending on what the opinion of probable costs are coming back once we get through the design phase, it may not come in at \$805,000. Engineer Cleary further states it may come in at a slightly higher cost given the scale of economies that we have all been realizing. Engineer Cleary also states that we can build this budget over the course of three (3) fiscal years, and he can seek infrastructure grants that may be available to supplement project funds and lessen the burden on the tax base.

Vice President Iannotti questions if this project has already begun. Engineer Cleary states that this project has not yet started, other than a preliminary inspection report.

Vice President Iannotti states that based on the capital project, money will be taken from impact fees, and the Town expects a state grant. Vice President Iannotti further states that the Town will need to come up with approximately \$585,000. Engineer Cleary states that would be a reasonable figure, and if the project can be planned out appropriately in two (2) to three (3) fiscal budgets and with supplemental funding, the Town can build that budget over the course of several fiscal seasons so it is not an impactful burden all in one (1) budget. Engineer Cleary reminds the members this was how the Mountindale Road culvert was done.

Vice President Iannotti questions if the funds will be available for this. Town Manager Rossi explains that it is about prioritizing and a great deal of infrastructure dollars will become available over the next few years. Town Manager Rossi feels that having this “shovel ready” will allow a great opportunity for the Town to get funded by outside dollars. Town Manager Rossi further explains that this is definitely a priority to maintain the structure and the drivability of that roadway.

Member Toppi questions the design timeframe. Engineer Cleary estimates that in November 2024 he will have a firm design which will be on the 90% order.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby authorizes a Design Service Contract to AI Engineers, Inc. in the amount not to exceed \$169,250 for the engineering design phase services of the Mountindale Road 72” double culvert replacement project #23-0117. **Motion is approved by a 5/0 vote.**

**B. Consider, discuss, and act upon adopting a resolution authorizing the Town Manager to submit a RIDEM Recreation Acquisition and Development Large Grant to fund development of pickleball courts at Willow Field.**

Town Manager Rossi explains that the best opportunity to get the funding to complete the project would be to focus on the small grant. Town Manager Rossi requests that the members take no action on this agenda item.

*The council takes no action on this agenda item.*

**C. Consider, discuss, and act upon adopting a resolution authorizing the Town Manager to submit a RIDEM Recreation Acquisition and Development Small Grant to fund development of pickleball courts at Willow Field.**

Town Planner Michael Phillips explains the following: This is a Recreation Development Grant in the Small Grant category which will require a 20% match by the Town with a maximum contribution from the state of \$100,000. In this particular case the application is for the development of four (4) pickleball courts at Willow Field including new paved and painted surfaces, nets, fencing, benches trash receptacles and landscaping.

Planner Phillips explains that there is a requirement to have public input on the project application and asks that the council hear input from the residents on the application.

Vice President Iannotti questions the total amount of the grant. Planner Phillips explains that the funding application is in the amount of \$265,160.

Vice President Iannotti questions the matching portion of the budget and mentions that the Town will be contributing cash and in-kind services with around \$75,852.00 in cash and \$89,000 in in-kind services.

Vice President Iannotti questions if the Town can change the cash amount \$75,852.00 if it is determined more work can be done by us. Town Manager Rossi explains that there is a certain match the Town can do in in-kind versus cash. Town Manager Rossi suggests keeping the amount of \$75,852.00 into the project and if the Town is able to more in-kind services, the Town will look to go beyond four (4) courts. Town Manager Rossi further explains that the funds have been set aside for this project.

Vice President Iannotti questions the current status of the property. Planner Phillips explains that the little league field is there, however, the courts are in very bad condition and have not been used since the mid-nineties. Planner Phillips further explains that the pavement is displaced.

Vice President Iannotti questions if this is a “blighted” area. Planner Phillips explains it is not a “blighted” area in a housing sense, however, the field is nicely maintained, but the tennis courts are in bad condition. Vice President Iannotti states that this is not just about adding pickleball to the Town’s repertoire, it is about restoring an area that is in bad condition.

President Lawton asks if anyone from the public would like to comment on the application.

Lucille Borrelli of 14 Hawthorne Road speaks on behalf of a group of about thirty-five (35) pickleballers and explains the following: The group is present to show their support to apply for this grant. The group currently utilize the tennis courts at Deerfield Park, however, their time spots are extremely limited. She explains that they have very little in the way of playing time because they need to share the courts with youth tennis leagues that have priority. There is a group of approximately fifty (50) pickleballers that play every Sunday morning and all six (6) courts are being used, and there are approximately twenty (20) people waiting to play.



She expresses her concerns about the proposed area, as it is in deplorable condition, and the addition of pickleball courts would be a huge improvement to that neighborhood.

There are currently one hundred thirty (130) active players and courts are needed because they have nowhere to play. She wishes that there were more courts being proposed, however, any number of new courts would be good and certainly will be used.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council adopts a resolution authorizing the Town Manger to submit a Small Grant application for the development of pickleball courts at Willow Field for \$265,160 under the RIDEM Recreation Acquisition and Development Grant round as detailed above. **Motion is approved by a unanimous 5/0 vote.**

**D. Consider, discuss, and act upon authorizing a request for proposals for the Department of Public Work's Garage roof replacement.**

DPW Director Gene Allen explains the following: The main garage at the DPW is from approximately 1950, and he believes that the roof has been repaired once, and is in desperate need of repair again. The funds were approved at the last budget meeting.

Vice President Iannotti questions the total cost of the roof replacement, as it was listed as \$100,000 in the Capital Improvement Program. Director Allen explains that he is estimating the cost will come in at \$125,000, but he is estimating it will come in just "north" of \$100,000. Director Allen further explains that the variable is seeing how much of the existing deck has to be replaced.

**Motion** is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council authorize the Public Works Director to advertise a Request for Proposals for roof replacement services at 3 Spragueville Road subject to legal counsel review. **Motion is approved by a unanimous 5/0 vote.**

**E. Sitting as the Water Supply Board, consider, discuss, and act upon awarding a design contract to Beta Group of Lincoln, RI, in an amount not to exceed one hundred sixteen thousand dollars and zero cents (\$116,000.00) for the design of a 12-inch water main from Appian Way to Pleasant View Drive along Route 116.**

Director Allen explains the following: This project is one of the capital projects. The pipe was installed several years ago underneath the Rt. 116 viaduct. Two (2) grants have been applied for (Municipal Resilience Grant and the Congressional Discretionary Fund Grant). The total for this project would be close to \$6M. The Municipal Resilience Grant requires a Town match of 25%. The Town is currently in the third round of the Congressional Discretionary Fund Grant, and if the Town is awarded those funds, they can be used towards the 25% match. This would mean the Town would have to take \$202,000 out the Enterprise Reserve Fund to fund what would be potentially be \$6M worth of work. If the Town is not awarded the Congressional Discretionary Fund Grant, it would be \$1.1M, which is the 25% match, and the funds are in the reserves if needed.

**Motion** is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council, sitting as the Smithfield Water Supply Board, award the design of the 12-inch water main from Appian Way to Pleasant View Drive along Rte. 116, for alignment A, in the amount not to exceed \$160,000.00 to Beta Group, Inc. of 701 George Washington Highway, Lincoln, RI 02865. **Motion is approved by a unanimous 5/0 vote.**

- F. Sitting as the Water Supply Board, consider, discuss, and act upon awarding a contract to Beta Group of Lincoln, RI, in an amount not to exceed eighteen thousand dollars (\$18,000.00) for water service GPS location and GIS layer development.**

Director Allen explains the following: The water gates that turn the water on/off to homes, this is the location of those water gates. Currently there are two (2) copies of tie cards, and are relatively old. Each one of the field personnel has one, and they are getting worn and faded, therefore, they are difficult to read. SWSB goes out to locate each one, and then GPS each location and create a layer in the GIS. This is the last asset of the water system that has not been identified in the GIS layer.

**Motion** is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council, sitting as the Smithfield Water Supply Board, award the Water Service GPS Location and GIS Layer Development in the amount not to exceed \$18,000.00, to Beta Group, Inc., of 701 George Washington Highway, Lincoln, RI 02865. **Motion is approved by a unanimous 5/0 vote.**

- G. Consider, discuss, and act upon authorizing a request for proposals for cafeteria equipment at multiple school building locations.**

Town Manager Rossi explains the following: The funding is set to be from multiple grants as well as the Nutrition Fund pending the approval from RIDE. The cafeteria is considered a “side fund” which is funded by the actual selling of the meals, therefore, it is a self-sustaining fund.

Member Toppi feels it would be helpful to know the amount of the grants the next time. Member Toppi would like the School Department to provide this information the next time. Town Manager Rossi states that when the bid is awarded, he will ensure they provide that information.

Member Toppi questions if they received the grants. Town Manager Rossi believes they received some of the grants, but the last piece is pending approval from RIDE.

**Motion** is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council hereby approve the Purchasing Agent to advertise the request for proposal for cafeteria equipment at the multiple school building locations as outlined on the RFP. **Motion is approved by a unanimous 5/0 vote.**

- H. Consider, discuss, and act upon a recommendation for Change Order #2 with Green Acres Landscaping and Construction Company, Inc. in the amount of eighty-one thousand, one hundred sixty-six dollars and sixty cents (\$81,166.60) for work associated with the Boyle Athletic Field Complex.**

Town Manager Rossi explains the following: Of the two (2) items, this one has to do with the underground work, however, the bigger part is PCO #9. This has to do with the additional throwing circle, which the Town was under the impression this was included in the original design, however, the architect shaved this off as part of the proposal that went out to bid. This would create an adverse effect for the Town's ability to host meets without having this additional circle for discuss and hammer at the same time. The School Committee approved this last night and will go before the Boyle Athletic Complex Committee on December 9, 2023.

Vice President Iannotti questions if there will be enough money in the fund now that this has to be included. Town Manager Rossi explains that the Town was under the impression the drawings included this, and the Town thinks they are accomplishing everything in the bid, and we do have a bit of fluctuation of money. Town Manager Rossi further explains that the bigger problem is finding the funding when this goes back out to bid for the concession stand.

Vice President Iannotti states that there are no funds for the concession stand or bathroom facility. Town Manager Rossi states that it is one (1) building that is 900 sq. ft. and costs over \$1M which makes no sense. Town Manager Rossi further states that and on Thursday, December 9, 2023 he will get it presented from the OPM and the architect what the options are and the best approach to achieve this.

Member Toppi questions what "shaved off" means. Town Manager Rossi explains that they did not include it in the drawing, therefore, it was not a part of what the company was asked to do. Town Manager Rossi further explains that the architect left this off, and when they walked the site, this is when they realized it was not included.

Member Tassoni questions if there is water where the grass is. Town Manager Rossi states there is water at the facility. Mr. Woisard states there is no sprinklers where the grass is. Member Tassoni states that there will be nice, beautiful turf, and the grass will be brown in the summer. Mr. Woisard feels this is the most "piecemeal" project the Town has ever done. Mr. Woisard also feels that the Town should have had all of the money before going out to bid.

Member Toppi feels that there appears to be a great deal of "add-ons". Town Manager agrees with Member Toppi and states that these two (2) items were an issue, and it was deliberately set to pull those out two (2) items get the better pricing.

Edward DeMayo of 75 Whipple Road questions if the Town sits with the engineer for a big project like this to know there has to be sprinklers because this project should encompass everything.

**Motion** is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby authorizes the Boyle Building Committee and the Smithfield School Department to approve processing Change Order #2/PCO #8 & PCO #9 for materials and labor to Green Acres Landscaping & Construction in the amount not to exceed \$81,166.60. Subject to approval by the Boyle Building Committee at their next meeting and the School Committee at their December 4, 2023 meeting. **Motion is approved by a unanimous 5/0 vote.**

- I. Consider, discuss, and act upon a recommendation for Change Order #3 with Coyne Mechanical, Inc. in the amount twenty-three thousand, five hundred eighty-five dollars and twenty-five cents (\$23,585.25) for reconnections of control wiring work and sensors installation associated with the rooftop units replacement project at the Smithfield High School subject to approval by the Boyle Athletic Complex Building Committee.**

Town Manager Rossi explains the following: This item went before the School Committee last night and will go before the Boyle Athletic Complex Building Committee on Thursday, December 9, 2023. This is associated with the other piece that was changed on the controls that were added to the building for both systems. Because of two (2) different contractors doing work (Honeywell and the rooftop units), in order to reconnect and make everything communicate with each other, this item needs to be added to the project.

Vice President Iannotti questions if the Town knew this had to be added. Town Manager Rossi expresses his frustration, and he cannot understand that with all of the design professionals and oversight, that these things are realized in the field.

Member Tassoni questions if a project manager was hired. Town Manager Rossi confirms that a project manager was hired for this project.

Member Toppi questions if it is the School Department or the engineer that is making these errors. Town Manager Rossi explains that there architects, engineers, and the OPM that are on this project, and he feels that it is a combination of all three (3) of them.

Town Manager Rossi assures the members that he will be addressing these issues with them on Thursday, December 7, 2023, because much of this happened when he was out sick.

Vice President Iannotti suggests that a member of the School Department or the project manager should attend these meetings when a change order is on the agenda to explain why they are needed and not in the original contract.

Member Kilduff agrees with this and feels it is an expectation that should be expressed to everyone.

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the Boyle Building Committee and the School Department to approve processing of Change Order #3 for an amount not to exceed twenty-three thousand five hundred eighty-five dollars and twenty-five cents (\$23, 585.25), to Coyne Mechanical, Inc. Subject to approval by the Boyle Athletic Committee at their next meeting and the School Committee at their December 4, 2023 meeting. **Motion is approved by a unanimous 5/0 vote.**

- J. Consider, discuss, and act upon cancelling the December 19, 2023 Town Council meeting.**

- K.** Consider, discuss, and act upon approving tax abatements in the amount of three thousand, four hundred, eighty-three dollars and forty-three cents (\$3,483.43).

**Motion** is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve the tax abatements in the amount of \$3,483.43. **Motion is approved by a unanimous 5/0 vote.**

**XII. Public Comment:**

Joseph O'Connor of 6 Apple Tree Lane thanks the members and Town Manager Rossi for their assistance with the parking situation at insurance company on Pleasant View Avenue.

Mr. O'Connor feels that Donald Brown, who recently passed away, was a company activist in several different endeavors and deserving of special recognition by the Town that he serviced for so many years. Mr. O'Connor reads Mr. Brown's resume. Mr. O'Connor suggests naming a ballfield in his honor or a plaque in the town hall.

Mr. O'Connor states that regardless of the issues that are going on with the field, he thanks the members for the Boyle Athletic Complex. Mr. O'Connor thinks this is great and will be a tremendous benefit to the children. He has been to every Division 1 sports complex, and this will rival any of them.

Vice President Iannotti agrees with Mr. O'Connor. He feels that Mr. Brown represented the best that Smithfield has to offer, and he should be recognized, along with his contributions to the Town.

**XIII. Adjournment:**

**Motion** is made by Member Tassoni, seconded by Member Kilduff, to adjourn the meeting. **Motion is approved by a unanimous 5/0 vote.**

Meeting adjourns at 8:34 p.m.

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Town Clerk



# Town of Smithfield

64 FARNUM PIKE  
SMITHFIELD, RHODE ISLAND 02917

**PLANNING DEPARTMENT**

Telephone (401) 233-1017  
Fax (401) 233-1091

**DATE:** January 3, 2024  
**TO:** Honorable Town Council  
**FROM:** Michael Phillips, Town Planner  
**RE:** Proposed Zoning Ordinance Amendments

Attached are a number of proposed amendments to the Zoning Ordinance including, an amendment that adds a new use category and review criteria for “Battery Energy Storage Facilities”. Additional amendments are proposed in response to Legislative changes that took effect on January 1, 2024. You might recall that among the slate of changes to the enabling Acts, was an amendment that requires a zoning ordinance to provide for specific and objective criteria for the issuance of each category of special use permit. This change also had a clause that would penalize communities that did not have objective criteria for each category of special use, by converting those uses to uses to “By-Right” uses.

We have been advised by technical assistance advisors that we should analyze our use regulations to determine which use categories do not have objective criteria and, as a stop gap measure, convert those uses to “Prohibited” uses for a period of time until objective criteria can be developed. The Smithfield Zoning Ordinance contains objective criteria for most of the use categories listed. However, there are a number of uses that we will need to converted to “Prohibited” uses to protect the Town.

In addition, we are also proposing to add objective criteria for other uses including: *G-22. Retail Sales, under 5,000 s.f. GFA*, *G-23. Retail Sales, 5,000-40,000 s.f. GFA* and *G-24. Shopping Centers, over 40,000 s.f. GFA*.

The public notice that ran for the proposed amendments mistakenly included amendments to the Inclusionary Zoning section and added wind energy facility provisions. These amendments cannot be considered at the January 9th public hearing but will be introduced on the 9th and we will request that a public hearing be scheduled for February 6<sup>th</sup> to consider these amendments.

**Recommended Motion:** That the Smithfield Town Council adopt the proposed amendments to section 4.3 *Table of Uses*, 4.4 *Supplementary Use Regulations* and *Article 9, Section 9.4.8, Table 3-Ego-Land Uses* as recommended by the Planning Board.

**SECTION 1- AN ORDINANCE AMENDING SECTIONS 4.4 SUPPLEMENTARY USE REGULATIONS, 4.3 TABLE OF USES AND SECTION 9.4.8, TABLE 3-EGO-LAND USES OF THE SMITHFIELD ZONING ORDINANCE.**

**IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:**

Section 1. Amend Section 4.4 *Supplementary Use Regulations* is hereby amended by adding the following new section:

**4.4 Supplementary Use Regulations**

**D-21. Battery Energy Storage Facility** - *Energy storage systems (ESS) are electrical (e.g., capacitors), electrochemical (e.g., lithium - ion batteries), mechanical (e.g., pumped hydro), or hybrid technologies leveraging the products of other processes (e.g. combined heat and power plants) which store energy for later use.*

- A. *No battery energy storage facility shall be located with 500 feet of a residential structure.*
- B. *Non-climbable fences approved by the Board shall be installed and maintained around the plant and all its facilities, equipment and operations.*
- C. *The use shall be screened from public view and any adjoining residential, commercial, office and/or industrial districts with a durable masonry wall, fence or hedge or other natural planting of comparable opacity, as ordered by the Board.*
- D. *All facilities shall be designed, constructed and operated so as to have a minimum deleterious effect on the health, safety and general welfare of the community.*
- E. *The applicant must provide an Emergency Response Plan that provides information and instructions to guide first responders in preparing for, and safely responding to, an incident, fire, or other emergency associated with the energy storage facility.*
- F. *The applicant must provide a Quantitative Risk Analysis addressing the risks associated with battery energy storage site facilities and the barriers and best practices in place to address those. The assessment shall discuss the likelihoods of incidents based on statistical analysis and reliability data while considering the safeguards, industry standards, and best practices that are currently in place.*
- G. *The applicant must provide a decommissioning plan including descriptions of the steps that will be taken, a cost estimate, and a funding plan that includes some form of financial assurance such as a bond or letter of credit*
- H. *The applicant must provide an environmental assessment that includes any effects on wildlife habitats and groundwater caused by both normal operations and in the event of a chemical leak or fire. No storage facility may be constructed in the absence of public water availability for both the site and abutting parcels.*

Section 2. Amend Section 4.3 *Table of Uses* is hereby amended by changing the district use designation of the following uses from Special Use Permit (“S”) to Prohibited (“N”) in all zoning districts:

*A-9. Greenhouses or Nursery, Commercial; B-3. Boarders; B-9. Dwelling, Single Family Detached - Single family detached residence; B-10. Dwelling, Two Family - Two family residence; C-2. Office, Governmental, Business, Professional; C-3. Office Park - Office park, C-5. Office, Real Estate, Temporary; C-7 Health Management Organization (HMO); D-4. Cultural Activities, Libraries, Museums - Cultural activities, including libraries and museums; D-9. Municipal Building, Except Penal Facility; D-10. Municipal Fire, Police, or Rescue Station; D-11. Penal Facility or Prison - Penal facility, prison, detention center, training school, or correctional institution; D-12. School, Public and Private - Pre-school, Elementary through High School; D-13. Trade School, not utilizing heavy equipment; D-16. Waste Management Facility; E-4. Outdoor Movie Theater, Commercial Amusement Park or Racetrack; E-5. Public Park or Playground; E-6. Public Swimming Pool or Beach, E-7. Riding Academy or Stable, Commercial; I-2. Trade Establishment; I-3. Machine Shop (Metal Works); I-4. Personal Service Establishments; I-5. Tattoo Parlor; I-6. J-4. General Industrial – Manufacturing, and J-5. Heavy Industrial.*

Section 3. Amend Article 9, Section 9.4.8, *Table 3-EGO-Land Uses* by changing the district use designation of the following uses from Special Use Permit (“S”) to Prohibited (“N”) in all zoning districts:

*Dwelling, Two Family; Life Care Facility- >120 beds; Nursing Home - >120 beds; Hospital, Health Services Facility; Restaurant, Restaurant with Window Service, Restaurant with Entertainment/Alcohol ->7,500 sq.ft.; Hotel >100 rooms; Health & Fitness Center - >20,000 sq.ft.; Sports Facility (Indoor) - >50,000 sq.ft.; Sports Facility (Indoor) on parcels ≤ 30 Acres - 40,000 sq.ft.; Retail - >45,000 sq.ft.; Retail on parcels ≤ 30 Acres - > 40,000 sq.ft.; Supermarket - >50,000 sq.ft.; Supermarket on parcels ≤ 30 Acres - > 40,000 sq.ft.; Shopping Centers - >50,000 sq.ft.; Shopping Centers on parcels ≤ 30 Acres - > 40,000 sq.ft.; Colleges; Radio or Television Studio; Flex Space Building - >40,000 sq.ft.; Performing Arts Theater - >320 Seats; Cinema (Up to 3 screens)*

Section 4. – Amend Section 4.4 Supplementary Use Regulations by adding the following language as criteria in the following use categories: *G-22. Retail Sales, Under 5,000 s.f. GFA, G-23. Retail Sales, 5,000 to 40,000 s.f. GFA and G-24. Shopping Centers, over 40,000 s.f. GFA:*

- A. Ingress and egress driveways shall be located at least one hundred fifty (150) linear feet from any corner when said property abuts an intersection of two (2) streets to provide adequate sight distance for both vehicles and pedestrians.*
- B. Ingress and egress shall be arranged so that vehicles need not back on or across any sidewalk or street.*
- C. All ingress and egress driveways shall cross a sidewalk only in such a manner that its width at the inner edge of the sidewalk is not greater than its width at the curb, excluding any curbed or tapered section known as a curb return.*



- D. *Any portion of a parking or loading area abutting a sidewalk at a point other than a permitted driveway shall be provided with wheel stops, bumper guards, bollards or other devices to prevent encroachment of parked, standing or moving vehicles upon any sidewalk area not contained within a permitted driveway.*
- E. *All curb cuts, widths, and other specifications shall comply with the standards established by the Smithfield Land Development and Subdivision Review Regulations.*

Section 5. Amend Section 4.3 *Table of Uses* by adding the following new use category:

**4.3 TABLE OF USES**

Zoning Uses													
Zoning Uses	ZONING DISTRICTS												
D. PUBLIC & SEMI-PUBLIC USES (cont'd.)	R-200	R-80	R-Med	R-20	R-20M	MU	V	C	HC	LI	I	PC	PD
<u>21. Battery Energy Storage Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>S</u>	<u>S</u>	<u>N</u>

Section 3. These Ordinance Amendments shall take effect Thirty (30) days after their adoption by the Smithfield Town Council.

**APPROVED AS TO FORM AND LEGAILITY:**

\_\_\_\_\_  
 Anthony M. Gallone, Jr.  
 TOWN SOLICITOR

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
 T. Michael Lawton  
 TOWN COUNCIL PRESIDENT

\_\_\_\_\_  
 Lyn M. Antonuccio  
 TOWN CLERK

# TOWN OF SMITHFIELD, RHODE ISLAND

## PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Smithfield Town Council will hold a Public Hearing at the Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI on **Tuesday, January 9, 2023 at 7:00 PM.** The purpose of the Public Hearing is to consider and act upon proposed amendments to the following Articles and Section(s) of the Smithfield Zoning Ordinance:

Summary of Amendments: amendments generally include adding new use categories entitled “D-21. Battery Energy Storage Facility”, and D-22. Wind Energy Facilities; amendments that change the use designation of certain uses that do not have objective review criteria from special use permit uses to uses that are prohibited in certain zoning districts; amendments that add review criteria to other use categories allowed by special use permit, and amendments to Section 5.10 *Inclusionary Zoning* by eliminating the fee in –lieu of housing production option, increasing the percentage of affordable units required from 20% to 40% and increasing the density bonus from one (1), to two (2) market rate units for every affordable housing unit built.

The above summarized amendments involve changes to the following article and sections of the ordinance including: Section 4.3 *Table of Uses* shall be amended by adding a two (2) new use categories entitled “D-21. Battery Energy Storage Facility” that will be allowed by Special Use Permit in the Industrial (I) and Planned Corporate (PC) districts by Special Use Permit and will be Prohibited in all other districts, and “D-22. Wind Energy Facilities” a use that will be prohibited in all zoning districts;

Section 4.4 Supplementary Use Regulations will be amended by adding new use category “D-21. Battery Energy Storage Facility” with subsections A-H and by adding new use category “D-22. Wind Energy Facilities”.

Amendments to Sections 4.4 Supplementary Use Regulations and Sections 4.3 Table of Uses are proposed by changing the district use designation of the following uses from Special Use Permit (“S”) to Prohibited (“N”) in all zoning districts: A-9. *Greenhouses or Nursery, Commercial*; B-3. *Boarders*; B-9. *Dwelling, Single Family Detached - Single family detached residence*; B-10. *Dwelling, Two Family - Two family residence*; C-2. *Office, Governmental, Business, Professional*; C-3. *Office Park - Office park*, C-5. *Office, Real Estate, Temporary*; C-7 *Health Management Organization (HMO)*; D-4. *Cultural Activities, Libraries, Museums - Cultural activities, including libraries and museums*; D-9. *Municipal Building, Except Penal Facility*; D-10. *Municipal Fire, Police, or Rescue Station*; D-11. *Penal Facility or Prison - Penal facility, prison, detention center, training school, or correctional institution*; D-12. *School, Public and Private - Pre-school, Elementary through High School*; D-13. *Trade School, not utilizing heavy equipment*; D-16. *Waste Management Facility*; E-4. *Outdoor Movie Theater, Commercial Amusement Park or Racetrack*; E-5. *Public Park or Playground*; E-6. *Public Swimming Pool or Beach*, E-7. *Riding Academy or Stable, Commercial*; I-2. *Trade Establishment*; I-3. *Machine Shop (Metal Works)*; I-4. *Personal Service Establishments*; I-5. *Tattoo Parlor*; I-6. *J-4. General Industrial – Manufacturing, and J-5. Heavy Industrial.*

Amendments to Article 9, Section 9.4.8, Table 3-EGO-Land Uses are proposed by changing the district use designation of the following uses from Special Use Permit (“S”) to Prohibited (“N”) in the EGO district: *Dwelling, Two Family; Life Care Facility- >120 beds; Nursing Home - >120 beds; Hospital, Health Services Facility; Restaurant, Restaurant with Window Service, Restaurant with Entertainment/Alcohol ->7,500 sq.ft.; Hotel >100 rooms; Health & Fitness Center - >20,000 sq.ft.; Sports Facility (Indoor) - >50,000 sq.ft.; Sports Facility (Indoor) on parcels ≤ 30 Acres - 40,000 sq.ft.; Retail - >45,000 sq.ft.; Retail on parcels ≤ 30 Acres - > 40,000 sq.ft.; Supermarket - >50,000 sq.ft.; Supermarket on parcels*

*≤ 30 Acres - > 40,000 sq.ft.; Shopping Centers - >50,000 sq.ft.; Shopping Centers on parcels ≤ 30 Acres - > 40,000 sq.ft.; Colleges; Radio or Television Studio; Flex Space Building - >40,000 sq.ft.; Performing Arts Theater - >320 Seats; Cinema (Up to 3 screens)*

Amendments are proposed to Sections 4.4 Supplementary Use Regulations by adding review criteria A-E in the following use categories: *G-22. Retail Sales, Under 5,000 s.f. GFA, G-23. Retail Sales, 5,000 to 40,000 s.f. GFA and G-24. Shopping Centers, over 40,000 s.f. GFA*

Amendments are proposed to Section 5.10. *Inclusionary Zoning that change and add language in subsections E. Required Percentage of Affordable Units; F. Density Bonus; J. Inclusionary Housing Agreement at Preliminary Plan; K. Timing of Construction and Assurance; L. Off-site Construction of Inclusionary Units and, by eliminating subsections M. In-Lieu of Fees, and N. Donation of Land In-lieu of Housing Production.*

These amendments are proposed to be made in accordance with the provisions of 45-24-53 of the General Laws of the State of Rhode Island (1956, as amended).

At said Hearing opportunity will be given to all interested persons to be heard upon the proposed amendments. The proposed amendments may be altered or amended prior to the close of the Public Hearing, without further advertising, as a result of further study or because of the views expressed at the Public Hearing. Any alteration or amendment must be presented for comment in the course of the Hearing.

A complete copy of the proposed amendments and map are available for inspection or copying at the Smithfield Planning Office, Town Hall, 64 Farnum Pike, Smithfield, Rhode Island during regular business hours (8:30 AM – 4:30 PM, Monday – Friday). Interested persons requiring special accommodations or assistance are requested to notify the Town Manager's Office (401-233-1010) at least 48 hours in advance of the Hearing.

BY ORDER OF THE TOWN COUNCIL.

T. Michael Lawton, President

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Please publish as a display ad in the December 21<sup>st</sup>, December 28<sup>th</sup> and January 4<sup>th</sup> editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.



# Town of Smithfield

64 FARNUM PIKE  
SMITHFIELD, RHODE ISLAND 02917

**PLANNING DEPARTMENT**

Telephone (401) 233-1017  
Fax (401) 233-1091

**DATE:** January 2, 2024  
**TO:** Honorable Town Council  
**FROM:** Michael Phillips, Town Planner  
**RE:** Proposed Zoning Ordinance Amendments

Attached are proposed amendments to the Zoning Ordinance pertaining to Wind Energy Facilities and Inclusionary Zoning. Specific amendments proposed would add a new use category in Section 4.3 *Table of Uses* entitled “*Wind Energy Facilities*”. The use would be prohibited in all zones until such time as Special Use Permit criteria are developed. Other amendments include changes to Section 5.10 *Inclusionary Zoning* that eliminate the fee in –lieu option, increase the percentage of affordable units required from 20% to 40% and increase the density bonus from one (1), to two (2) market rate units for every affordable housing unit built. The density bonus increase was mandated in the recent changes to the enabling acts that went into effect on January 1, 2024. The Planning Board reviewed the proposed amendments at their December 21<sup>st</sup> meeting and have recommended that the Town Council adopt the amendments.

**Recommended Motion:** That the Smithfield Town Council schedule a Public Hearing on February 6, 2024 to consider adopting amendments to the Smithfield Zoning Ordinance pertaining to Wind Energy Facilities and Inclusionary Zoning.

**Attachments:**  
Zoning Amendments  
Public Notice

**AN ORDINANCE AMENDING SECTION 5.10 INCLUSIONARY ZONING AND SECTION 4.3 TABLE OF USES**

**IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:**

Section 1. Section 5.10 Inclusionary Zoning and Section 4.3 Table of Uses of the Town of Smithfield Zoning Ordinance are hereby amended and as follows:

**Section 5.10 Inclusionary Zoning**

**E. Required Percentage of Affordable Units:** ~~Twenty~~ **Forty** percent (20%) **(40%)** of the allowable unit yield as provided in Section 6.8 herein to be created in every residential or mixed use covered project, as defined in Sec. 11.4, must qualify as an Inclusionary Unit.

~~*Inclusionary Units or In-Lieu-Of-Fee Required*~~

...

~~*Number of Inclusionary Units:*~~ Any proposed residential development containing six or more dwelling units is required to include at least ~~twenty~~ **forty** percent (20%) **(40%)** of the unit yield

...

However, developers who satisfactorily demonstrate to the Planning Board that building the inclusionary units on-site is infeasible may request to ~~make a payment in lieu of fee or to build the inclusionary units off-site.~~

...

Developers, in calculating the number of inclusionary units, must round up to the next highest number for fractional units. ~~As an alternative, an in-lieu-of-fee may be paid for the fractional unit in accordance with paragraph M hereof.~~

**F. Density Bonus:** All projects shall be two (2) additional market rate units for every low and moderate income unit constructed as part of the development. ~~entitled to an increase in the number of market rate units equal to the number of low and moderate income units constructed as part of the development.~~ In calculating the density bonus, the Town shall round up to the next highest number for fractional units.

**J. Inclusionary Housing Agreement at Preliminary Plan:** (1) Approval: The Inclusionary Housing Agreement including a signed agreement with a Monitoring Agent as described herein must be approved before the developer receives preliminary plan approval. (2) Agreements Required: Applications for residential development projects seeking preliminary plan approval shall be approved only concurrently with the approval of an Inclusionary Housing Agreement pursuant to this Article. ~~This section shall not apply should the developer choose to pay an in-lieu-of-fee. ...~~

**K. Timing of Construction and Assurance:**

(1) Phasing of Construction: The Inclusionary Housing Agreement shall include a phasing plan (if ...

(2) Assurance of Completion of Inclusionary Units: It is the responsibility of the original developer to ensure development of any required Inclusionary Units prior to the assigning or conveying of any subdivided lot and/or dwelling unit. A developer must ~~either~~ construct the required Inclusionary Units prior to **or concurrent with** construction of any market rate units. ~~or obtain a surety bond in an amount not less than 1.5 times the amount of the established cash in-lieu of fee to cover the cost of construction for each required Inclusionary Unit. The surety bond shall be held in escrow by the Town until such time as the Inclusionary Units are constructed. The Town of Smithfield prefers that Inclusionary Units be built prior to or concurrent with the market rate units.~~

**L. Off-site Construction of Inclusionary Units:** Inclusionary Units may be constructed off-site only upon a determination by the Planning Board that on-site construction is infeasible.

...

If subdivision or land development project approval of the proposed off-site location is not required, no Certificate of Occupancy will be issued for any corresponding market rate units prior to the Inclusionary Unit construction completion ~~or payment of the required in-lieu-of fees.~~ Planning Board approval of the agreement to build off-site Inclusionary Units is required. a) Off-site

...

**M. In-Lieu-of Fees:** ~~The Town of Smithfield prefers that Inclusionary Units be constructed on site. However, the fee in lieu of the construction or provision of affordable housing shall be the choice of the developer or builder applied on a per unit basis and may be used for new developments, purchasing property and/or homes, rehabilitating properties, or any other manner that creates additional low-ormoderate income housing as defined in § 45-53-3(9). (1) The amount of the fee in lieu of providing Inclusionary Units shall be determined by Rhode Island Housing in accordance with R.I.G.L. § 45-24-46.1.,(e ), (1) & (2). (2) For projects to be developed on subdivided lots, in-lieu-of fees shall be paid by the Developer prior to issuance of final subdivision approval or in such cases where subdivision approval is not required, prior to issuance of a building permit for the project or as determined by the project's adopted Conditions of Approval. (3) All in-lieu fees shall be deposited into the Smithfield Affordable Housing Fund to be managed by the Town's Finance Director. Such funds may be expended or utilized only on the production of affordable housing in accordance with R.I.G.L. § 45-24-46.1., (d) & (e).~~

**N. Donation of Land In-lieu of Housing Production:** ~~In accordance with R.I.G.L. 45-24-46.1 the Planning Board may accept a donation of land suitable for the development of affordable housing in-lieu of housing production. The developer shall provide evidence that the land to be donated is suitable by designing and obtaining the necessary approvals and permits for a potential affordable housing development containing the required number of affordable units as required under Section E herein. Additionally, the developer must prove that a proposed site would be a~~

likely candidate for funding under Rhode Island Housing's Keep Space Program as evidenced by a site score of 10 or higher on the LMI Site Rating form included below. LMI Site

**LMI Site Rating Form:** 1 point each

		<b>Score</b>
1	<del>Development site offers opportunities for a mix of housing types or increase of housing diversity.</del>	
2	<del>Development site is integrated within a neighborhood revitalization strategy.</del>	
3	<del>Development site incorporates community space, proposed programming, green space and play areas.</del>	
4	<del>Site allows for buildings to be clustered/preserves open space.</del>	
5	<del>Site provides for redevelopment and/or adaptive re-use of existing structures.</del>	
6	<del>Development site includes preservation of historic structures.</del>	
7	<del>Development site is proximate to employment opportunities.</del>	-
8	<del>Development site is within 1/2 mi of residents retail needs.</del>	
9	<del>Development site is within 1/2 mi of public transit.</del>	
10	<del>Development site is located within an existing or new neighborhood center.</del>	
11	<del>Development site is or will be served by public water and utilities.</del>	
12	<del>Development site is located in an area targeted for investment/reinvestment.</del>	
13	<del>Development site is listed in the Comprehensive Community Plan as a potential LMI Site</del>	
14	<del>Development site is within 1/2 mi of recreational/cultural/entertainment facilities.</del>	
15	<del>Opportunities for community education, arts and recreation are incorporated into the development.</del>	

~~**Project Site Score**~~  
**Total Possible Score 15**

Rating Form: 1 point each





# TOWN OF SMITHFIELD, RHODE ISLAND

## PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Smithfield Town Council will hold a Public Hearing at the Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI on **Tuesday, February 6, 2024 at 7:00 PM.** The purpose of the Public Hearing is to consider and act upon proposed amendments to the following Articles and Section(s) of the Smithfield Zoning Ordinance:

Summary of Amendments: amendments generally include adding a new use category entitled “ *D-22. Wind Energy Facilities* and amendments to Section 5.10 *Inclusionary Zoning* by eliminating the fee in –lieu of housing production option, increasing the percentage of affordable units required from 20% to 40% and increasing the density bonus from one (1), to two (2) market rate units for every affordable housing unit built.

The above summarized amendments involve changes to the following article and sections of the ordinance including: Section 4.3 *Table of Uses* shall be amended by adding a new use category entitled “*D-22. Wind Energy Facility*” that will be prohibited in all zoning districts;

Amendments are proposed to Section 5.10 *Inclusionary Zoning* by amending subsections *E. Required Percentage of Affordable Units*, *F. Density Bonus*, *J. Inclusionary Housing Agreement at Preliminary Plan*, *K. Timing of Construction and Assurance*, *L. Off-site Construction of Inclusionary Units* and by eliminating subsections *M. In-Lieu of Fees* and *N. Donation of Land In-lieu of Housing Production*.

These amendments are proposed to be made in accordance with the provisions of 45-24-53 of the General Laws of the State of Rhode Island (1956, as amended).

At said Hearing opportunity will be given to all interested persons to be heard upon the proposed amendments. The proposed amendments may be altered or amended prior to the close of the Public Hearing, without further advertising, as a result of further study or because of the views expressed at the Public Hearing. Any alteration or amendment must be presented for comment in the course of the Hearing.

A complete copy of the proposed amendments and map are available for inspection or copying at the Smithfield Planning Office, Town Hall, 64 Farnum Pike, Smithfield, Rhode Island during regular business hours (8:30 AM – 4:30 PM, Monday – Friday). Interested persons requiring special accommodations or assistance are requested to notify the Town Manager's Office (401-233-1010) at least 48 hours in advance of the Hearing.

BY ORDER OF THE TOWN COUNCIL.

T. Michael Lawton, President

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Please publish as a display ad in the January 18<sup>th</sup>, January 25<sup>th</sup> and February 1<sup>st</sup> editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.



# Town of Smithfield

OFFICE OF FINANCE DIRECTOR/TAX COLLECTOR  
64 FARNUM PIKE  
SMITHFIELD, RHODE ISLAND 02917  
TELEPHONE: (401) 233-1072 FACSIMILE: (401) 233-1060  
EMAIL: CCHOINIERE@SMITHFIELDRI.GOV

CAITLYN CHOINIÈRE, RICC  
FINANCE DIRECTOR

January 2, 2024

TO: Smithfield Town Council

FROM: Caitlyn Choiniere, Finance Director

SUBJECT: Schedule a Public Hearing for the Capital Improvements Program Plan for 2025-2044, Twenty (20) Year Plan.

As stated in Section 5.14 of the Town Charter, the Capital Improvements Program Plan for FY 2025-2044 has been submitted by the various Town Departments and has been analyzed by the Capital Committee, which consists of eleven (11) members. Three (3) members of the School Department (One member of the School Committee, the School Superintendent, and School Department's Facilities Director). Additionally, there will be two (2) members of the Budget and Financial Review Board, one (1) member of the Asset Management Commission, the Town Finance Director, the Town Planner, two (2) Town Council Members (selected by the Town Council President) and the Town Manager.

A copy of this proposal will be provided for your review prior to the public hearing date.

The Town Manager and myself will be available for any questions that you may have prior to the meeting and during the Public Hearing.

**I must emphasize that this CIP Plan is just that – A PLAN - and is in no way binding or obligatory on the Council for future considerations.**

## MOTION:

That the Smithfield Town Council authorizes the scheduling of a Public Hearing for the Capital Improvements Program Plan for 2025-2044 for the February 6, 2024 Town Council Meeting.



**Recommended Motion:**

That the Smithfield Town Council hereby schedules a public hearing on February 6, 2024 to consider and act upon Code of Ordinance amendments to Section 312 “Streets and Sidewalks” to add Article IV entitled “Vehicle Impact Protection Devices”.

**AN ORDINANCE AMENDING CHAPTER 312 AND ADDING SECTIONS 312-34 THROUGH 312-40 OF THE TOWN OF SMITHFIELD MUNICIPAL CODE ENTITLED “STREETS AND SIDEWALKS”**

**IT IS HEREBY ORDAINED BY THE TOWN OF SMITHFIELD AS FOLLOWS:**

Section 1. Sections 312-34 through 312-40 of the Smithfield Municipal Code are hereby amended to read as follows:

Chapter 312 Streets and Sidewalks

Article IV Vehicle Impact Protection Devices

§312-34 Purpose.

The purpose of this article is to have in place a logical process for installation of Vehicle Impact Protection Devices relative to new and existing business construction, pedestrian travel, and outdoor seating, in the interest of public safety.

§312-35 Definitions.

- A. BARRIER - An object, natural or man-made, other than a bollard, which is used to obstruct the passage of motor vehicles and separate customers, pedestrian, and adjacent storefronts from vehicular traffic.
- B. BOLLARD - A vertical post designed and used to obstruct the passage of motor vehicles and separate customers, pedestrian, and adjacent storefronts from vehicular traffic.
- C. Vehicle Impact Protection Devices - A device that is designed, engineered, and sited so as to effectively separate areas of pedestrian and vehicular travel and prevent automobiles from encroaching into areas which are solely intended for customer and pedestrian use and travel; vehicle impact protection devices shall be comprised of bollards or barriers, or a combination of both.
- D. Retail - The act of selling goods or products directly to the end consumer.

§312-36 Performance Standards.

- A. Compliance: All vehicle impact protection devices shall be engineered and determined to be in compliance with low-speed vehicle impact testing standards prescribed by the American Society of Testing and Materials ASTM F3016. Compliance with ASTM F3016 shall be confirmed and certified by a bollard manufacturer or structural engineer and reviewed for conformance by the Building and Zoning Official.

B. Spacing: One barrier device or bollard shall be placed at the head of each parking space in the middle. Bollards shall be fixed embedded and a minimum of three feet in height. Exception: Emergency vehicle access may require installation of removal bollards in specific instances. Spacing between barrier devices or bollards in accordance with current State Accessibility Code shall be maintained to allow access by persons with mobility challenges whichever is greater.

C. Design:

- a. Bollards shall be set with the top of the device not less than three (3) feet and not greater than four (4) feet in height as measured from the finished grade immediately adjacent to the perimeter of the bollard.
- b. Barriers shall be set with the top of the device not less than three (3) feet in height as measured from the finished grade adjacent to the perimeter of the barrier.
- c. The scale of the bollard or barrier shall be proportional to the size of the building so as not to detract from the appearance of the building. Note: Adherence to a. and b. above must be maintained.
- d. Devices designed to be temporary concrete or plastic traffic barricades shall be prohibited for use as a permanent Vehicle Impact Protection Device.
- e. All vehicle protection devices shall be vertical relative to the finished grade. All vehicle protection devices shall have a non-reflective brushed stainless steel finish or be painted or covered with a plastic sleeve. The color of the surface finish or plastic sleeve must be determined to be appropriate by the Planning Board or Town Planner. Finishes may not be prone to tarnish, corrode, oxidize, rust or include any mirror finishes unless determined appropriate by the Planning Board or Town Planner. Vehicle protection device surface finish determinations shall be enforced by the Building and Zoning Official.

D. Installation:

- a. All vehicle protection devices shall be installed in a manner consistent with the most recently accepted Rhode Island building code.
- b. Bollards or barriers shall be set with the bottom of the device at least forty-two inches (42") below the finished grade immediately adjacent to the perimeter of the bollard, or otherwise below the frost line where possible. Alternative shallow mount installations may be approved by the Building and Zoning Official as dictated by site conditions.

- c. The devices shall be maintained, repaired and replaced as needed to prevent rust, corrosion or damage and to maintain structural integrity.
- d. Use and replacement of protective or decorative sleeves as bollard covers is encouraged consistent with all provisions in this section.

#### §312-37 Applicability.

- A. This article shall apply to any newly constructed structures suitable for retail uses with parking areas lying within seventy-five (75) feet of the location's store front.
- B. This article shall apply to any parking areas lying within seventy-five (75) feet of outdoor pedestrian seating area unless in the opinion of the Town Building and Zoning Official, adequate grade separation exists between the parking area and the outdoor pedestrian seating area requiring protection; however, in no event shall the grade separation be less than thirty-six (36) inches, nor shall the area of grade separation be comprised of a non-vertical wall, a ramp or stairs.
- C. This article shall apply to any building or structure suitable for retail uses that is sold or otherwise has any change in the deed holder(s) or is modified or renovated so that it must be brought into conformance with the currently applicable fire safety and building code. Such a building or structure will be brought into compliance with this article prior to issuance of a Certificate of Occupancy or Letter of Conformance.
- D. This article shall apply to existing developed properties after a phase-in period of at least three (3) years and up to five (5) years. Length of phase-in period shall be determined at the discretion the Building and Zoning Official and shall be based among other factors on the number of vehicle impact protection devices required.

#### §312-38 Compliance.

- A. No certificate of occupancy or letter of completion shall be issued for any building or structure that does not meet the requirements of this article when it is applicable as determined by the Building and Zoning Official.
- B. The Building and Zoning Official, when issuing an order requiring the installation of vehicle impact protection devices for a building or structure, shall also serve on the owner thereof written notice of the following:
  - a. The right of the owner to appeal the installation order to the Smithfield Zoning Board of Review. The notice shall include details as to where, when and how such an appeal may be filed.

- b. The right of the owner, at his or her own expense, to provide to the Building Official the report of a professional engineer or architect concerning the imperviousness from vehicle impact of the subject building or structure. The Building Official shall consider the professional engineer's or architect's report and, in his or her discretion, may reconsider the decision to issue the vehicle impact protection order.

§312-39 Modification.

The Planning Board may approve minor modifications to any of the vehicle impact protection standards contained in this section to accommodate for the location of above-ground or underground utilities, other existing or planned features of the development, or any other constraints or limitations towards compliance with the provisions established by this section; provided, that the modifications achieve protections which are functionally equivalent to those intended by this section; the Building and Zoning Official shall have the sole discretion and authority to modify the vehicle impact protection standards herein for administrative permit applications.

§312-40 Enforcement

The vehicle impact protection code shall be enforced mutually by the Building and Zoning Official.

Section 3. These Ordinance Amendments shall take effect Thirty (30) days after their adoption by the Smithfield Town Council.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_

TOWN SOLICITOR

ADOPTED: \_\_\_\_\_

\_\_\_\_\_

TOWN COUNCIL PRESIDENT

\_\_\_\_\_

TOWN CLERK





# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Annual Renewal of Intoxicating Beverage Licenses for the January 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

Intoxicating Beverage Licenses are due for renewal. There are several more businesses that have submitted completed paperwork, but have not yet received their Certificate of Good Standing.

## **TOWN REVENUE:**

The cost to renew a Class A Retailer's Beverage License is \$1,000.00. The cost to renew a Class B-Victualler and Class BV-Limited License is \$600.00. The cost to renew the C-Bar License is \$600.00. The cost to renew a Class D Club License is \$200.00.

## **APPROVAL STATUS:**

All paperwork is complete for renewal by the Town Council.

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve the annual renewal of the following Intoxicating Beverage Licenses, as listed, as applied, subject to compliance with all State regulations, local ordinances, and a Certificate of Good Standing from the RI Division of Taxation.

### **CLASS A RETAILER'S BEVERAGE LICENSES**

1. Smithfield Liquor Mart, Inc. d/b/a "Smithfield Liquor Mart", 970 Douglas Pike, Bldg. B left side

### **CLASS B-VICTUALLER BEVERAGE LICENSES**

1. 970 Douglas Pike, LLC d/b/a "Condesa Mexican Restaurant", 970 Douglas Pike (approved for outdoor bar service)
2. Brewology, LLC d/b/a "Brewology", 9 Cedar Swamp Road, Unit 4 (approved for outdoor bar service)
3. Douglas Eatery, LLC d/b/a "Twin River Pizzeria, Crazy Wings, Thai Café", 55 Douglas Pike (approved for outdoor bar service)
4. Ichiraku, LLC d/b/a "Ichiraku Ramen and Fusion", 970 Douglas Pike (approved for outdoor bar service)
5. LJD, LLC d/b/a "Laura's Bar and Grill", 943 Douglas Pike (approved for outdoor bar service)
6. Palio, Inc. d/b/a "Siena", 400 Putnam Pike, Unit B4
7. Terrazza, LLC d/b/a "Terrazza", 645 Douglas Pike (approved for outdoor bar service)
8. Thirsty Beaver Smithfield, LLC d/b/a "Thirsty Beaver Pub & Grub", 45 Cedar Swamp Road (approved for outdoor bar service)
9. Uno Restaurants, LLC d/b/a "Uno Pizzeria & Grill", 371 Putnam Pike, Suite 200

### **CLASS D-CLUB BEVERAGE LICENSES**

1. Portuguese American Social & Athletic Club, 40 Fenwood Avenue
2. Smithfield Elks #2359, 326 Farnum Pike



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Schedule a Show-Cause Hearing for the January 9<sup>th</sup> Town Council Meeting

---

## **RECOMMENDED MOTION:**

Motion to authorize a Show-Cause Hearing for Tuesday, January 23, 2024, to consider the possible suspension, revocation, or other sanction regarding the Liquor Licenses on the following listed establishments due to non-compliance with the conditions of renewal:

1. Cedar Spill Group d/b/a “Cedar Spill”, 566 Putnam Pike, Unit 4 (Failure to produce a Certificate of Good Standing)
2. Chacon Restaurant, LLC d/b/a “Frank & John from Italy on the Water”, 743 Putnam Pike (Failure to pay outstanding tangible taxes)
3. Copperfield’s, Inc. d/b/a “Copperfield’s Bar & Grill”, 375 Putnam Pike, Unit 35 (Failure to produce a food business license)
4. Crudo, LLC d/b/a “Crudo”, 266 Putnam Pike (Failure to produce a food business license)
5. El Taco Loco, LLC d/b/a “Don El Diablo Taqueria Y Tequila”, 55 Douglas Pike (Failure to produce a Certificate of Good Standing )
6. Rogue Squadron Group, LLC d/b/a “Tavolo Wine Bar & Tuscan Grille”, 970 Douglas Pike, Building C (Failure to produce a Certificate of Good Standing)
7. LeeDeg, Inc. d/b/a “Rocco’s Pub & Grub”, 55A Douglas Pike (Failure to produce a Certificate of Good Standing)
8. Val’s English Tea & Pie Shop, LLC d/b/a “Val’s English Tea & Pie Shop”, 466 Putnam Pike, Unit 1 (Failure to produce a Certificate of Good standing)



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Schedule a Show-Cause Hearing for the January 9<sup>th</sup> Town Council Meeting

---

**RECOMMENDED MOTION:**

Motion to authorize a Show-Cause Hearing for Tuesday, January 23, 2024, to consider the possible suspension, revocation, or other sanction regarding the Victualling Only Licenses on the following listed establishments due to non-compliance with the conditions of renewal:

1. The Sevigny Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike (Failure to produce necessary paperwork required for renewal)



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Public Hearing to consider the annual renewal of a Victualling License to include the renewal of previously-approved extended hours of operation for the December 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

Town Council to conduct a Public Hearing to consider the annual renewal of the following Victualling License to include the renewal of previously-approved extended hours of operation.

## **TOWN REVENUE:**

The cost to renew a Victualling License is \$50.00

## **APPROVAL STATUS:**

All paperwork is complete for Town Council approval.

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve the annual renewal of one (1) Victualling License to include renewal of the extended hours of operation, as applied, subject to compliance with all State regulations and local ordinances.

1. Marylou's News, Inc. d/b/a "Marylou's Coffee", 368 Putnam Pike to extend hours of operation to **4:30 a.m. to 2:00 a.m.**



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Annual renewal of Entertainment Licenses for the January 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

Entertainment Licenses are due for renewal. The businesses listed below have filed their applications for renewal.

## **TOWN REVENUE:**

The cost to renew an Entertainment License is \$50.00

## **APPROVAL STATUS:**

All paperwork is complete for renewal by the Town Council

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve the renewal of seven (7) Entertainment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. 970 Douglas Pike, LLC d/b/a “Condesa Mexican Restaurant”, 970 Douglas Pike
2. Brewology, LLC d/b/a “Brewology”, 9 Cedar Swamp Road, Unit 4
3. LJD, LLC d/b/a “Laura’s Bar and Grill”, 943 Douglas Pike
4. Palio, Inc. d/b/a “Siena”, 400 Putnam Pike, Unit B4
5. Terrazza, LLC d/b/a “Terrazza”, 645 Douglas Pike

6. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, 45 Cedar Swamp Road
7. TMG Trap North d/b/a “The Trap North Brew Pub & Grill”, 10 Smith Avenue





# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Annual renewal of Special Dance License for the January 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

Special Dance Licenses are due for renewal. The businesses listed below have filed their applications for renewal.

## **TOWN REVENUE:**

The cost of a Special Dance License is \$1.00

## **SUPPORTING DOCUMENTS:**

All paperwork is complete for renewal for the Town Council

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve the annual renewal of four (4) Special Dance Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. 970 Douglas Pike, LLC d/b/a “Condesa Mexican Restaurant”, 970 Douglas Pike
2. Brewology, LLC d/b/a “Brewology”, 9 Cedar Swamp Road, Unit 4
3. LJD, LLC d/b/a “Laura’s Bar and Grill”, 943 Douglas Pike
4. Thirsty Beaver Smithfield, LLC d/b/a “Thirsty Beaver Pub & Grub”, 45 Cedar Swamp Road



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** Annual renewal of five (5) Victualling Only Licenses for the January 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

Victualling Licenses are due for renewal the first week in December. The businesses listed below have filed their applications for renewal.

## **TOWN REVENUE:**

The cost to renew the Victualling Only License is \$50.00 per year.

## **APPROVAL STATUS:**

Applications are complete for approval by the Town Council.

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve the annual renewal of five (5) Victualling Only Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. Chipotle Mexican Grill of Colorado, LLC d/b/a “Chipotle Mexican Grill”, 473 Putnam Pike
2. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3

3. Ivy and Lace Bakeshop, LLC d/b/a “The Ivy and Lace Bakeshop”, 592 Putnam Pike
4. J’s Delicatessen, Inc., d/b/a “J’s Delicatessen”, 285 George Washington Highway
5. Target Corporation d/b/a “Target T-1404”, 371 Putnam Pike



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** New Holiday Sales License for James’ Fine Cigars, LLC d/b/a “James’ Fine Cigars”, 20 Cedar Swamp Road for the January 9<sup>th</sup> Town Council Meeting

---

## **BACKGROUND:**

James’ Fine Cigars, LLC d/b/a “James’ Fine Cigars”, has applied for a new Holiday Sales License for their business located at 20 Cedar Swamp Road.

## **TOWN REVENUE:**

The cost of a new Holiday Sales License is \$50.00 per year.

## **SUPPORTING DOCUMENTS:**

Copy of License Application  
Copy of BCI – No Record  
Copy of Retail Sales Permit

## **RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve a new Holiday Sales License for James’ Fine Cigars, LLC d/b/a “James’ Fine Cigars”, 20 Cedar Swamp Road, as applied, subject to compliance with all State regulations and local ordinances.

TOWN OF SMITHFIELD  
OFFICE OF THE TOWN CLERK  
LICENSE APPLICATION

FEE: \$50.00

PLEASE COMPLETE APPLICATION AND RETURN  
WITH FEE TO THE OFFICE OF THE TOWN CLERK BY:

PLEASE PRINT:

Note: Please fill in ALL the necessary information.

Date of Application: 11/21/23

Type of License: HOLIDAY SALES Check One: New () Renewal () Transfer ()

Name of Applicant: DAVID Villiard + ~~James Fine Cigars~~ Laurie Villiard Date of Birth: 6/11/1963

Resident Address: 648 Douglas Pike Business Address: 20 Cedar Swamp Rd Plat Lot

Trade Name of: James Fine Cigars, LLC Resident Telephone: 401 339 3301 Business Telephone: 401 231-3909

aka "James" Fine Cigars

If incorporated, fill in necessary information: State: Title, Date of Birth, Partner's/Owner's (Other than person applying) (Pres., Vice Pres., Sec., Treas.)

Name: DAVID Villiard Address: 648 Douglas Pike Title: President DOB: 12/14/69

Name: Laurie Villiard Address: 648 Douglas Pike 5Rd Title: Vice President DOB: 6/11/63

Name: \_\_\_\_\_ Address: 02896 Title: \_\_\_\_\_ DOB: \_\_\_\_\_

Describe operation of business: Selling of fine cigars tattude1@verizon.net

Hours of Operation: Monday - Friday 9:00 AM - 8:00 PM Sat 10:00 am - 6:00 pm

Signature of Applicant: Laurie Villiard Title: Vice President

Applies to business establishments only:

In case of emergency/person to contact

Name: Laurie Villiard Address: 648 Douglas Pike Phone: 401 339 3301

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

For Official Use Only

SIGNATURE NOT REQUIRED

Police Chief: X [Signature]

Fire Chief: X \_\_\_\_\_

Building Official: X Only if permits are pulled

Owner of premises: X [Signature] Paul Rouci

RI Dept. of Health: SIGNATURE NOT REQUIRED

At a meeting of the Smithfield Town Council, held on 11/9/24

the above stated application was:

( ) Approved ( ) Denied

License #: 135 Date Issued: \_\_\_\_\_

**NO Criminal Record**

**SMITHFIELD POLICE DEPARTMENT**  
 215 Pleasant View Avenue, Smithfield, RI 02917  
 (401-231-2500)

**POLICE CLEARANCE REPORT FOR LICENSE APPLICATION**

DATE: 11/21/23

1. NAME OF CANDIDATE: (PRINT) DAVID John Villiard  
Villiard Laurie Ann  
 LAST FIRST MIDDLE

MAIDEN NAME Soucy  
6/11/1963

2. DATE OF BIRTH  
648 Douglas Pk  
 4. CURRENT ADDRESS  
cigar shop NS Rd  
 6. TYPE OF BUSINESS  
11/21/23

3. PLACE OF BIRTH Woonsocket RI  
 5. NAME OF BUSINESS James Fine Cigars  
 7. BUSINESS ADDRESS 20 Cedar Swamp Rd Smithfield

8. IS BUSINESS INCORPORATED  IF SO, LIST OFFICERS  
DAVID VILLIARD, President Laurie Villiard, V. president  
 9. BUSINESS PHONE 401 231 3909 10. HOME PHONE 401 339 3301

11. List below each address which you have maintained beginning with your current address:

From Mo./Yr.	To: Mo./Year	St. No. & Name	City & State
<u>5/1998</u>	<u>Current</u>	<u>648 Douglas Pk</u>	<u>NS Rd RI LV + DV</u>
<u>? 1991</u>	<u>5/1998</u>	<u>44 Virginia Ave</u>	<u>Woon. RI LV</u>
<u>?</u>	<u>1991</u>	<u>77 Adams St</u>	<u>Woon. RI LV</u>

12. Have you ever been arrested or detained by any police agency?  YES  NO

If the answer to question 12 is yes, give details below. Include date, place and charge or reason for detention.

13. List below two (2) character references

- Lori Dumas 2176 Mendon Rd. Woonsocket 356-6980  
 NAME ADDRESS PHONE
- Ellen Jordan 133 Avenue B Woonsocket RI 286-9558  
 NAME ADDRESS PHONE

CANDIDATE'S SIGNATURE: Laurie Villiard Witness: [Signature]

State of Rhode Island  
DIVISION OF TAXATION



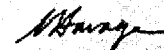
RETAIL SALES PERMIT  
Valid From: 07/01/2023 to 06/30/2024

ID: 2-5467-2328

ISSUED TO:  
JAMES FINE CIGARS  
20 CEDAR SWAMP RD  
SMITHFIELD, RI 02917-2449

This permit, which authorizes the holder to collect the sales/use tax, is not assignable and is valid only for the person in whose name it is issued and for the transaction of business at the place designated. When the holder of this permit ceases to conduct the business for which it is issued at the place named, the permit must be returned to the Tax Administrator for cancellation. **The ID number, which appears in the upper left-hand corner of this permit is your licensed number for this class of business. Do not use this number to file returns.** Every holder of a Retail Sales Permit issued pursuant to R.I. Gen. Laws § 44-19-1 shall keep complete and accurate records of every sales transaction. These records shall be made available for examination, inspection, and copying by agents of the Division of Taxation as required by R.I. Gen. Laws § 44-19-27 and 2804RICK 20-70-12. **The failure to maintain or produce required records can result in the estimated determination of sales tax liabilities based on the best available information, the imposition of penalties and interest, and the revocation of this permit.**

THIS PERMIT MUST AT ALL  
TIMES BE PROMINENTLY  
DISPLAYED AT THE LOCATION  
FOR WHICH IT IS ISSUED.

  
NEENA S. SAVAGE  
TAX ADMINISTRATOR

DATE ISSUED: 11/22/2023



# Memorandum

**DATE:** January 3, 2024

**TO:** Smithfield Town Council

**FROM:** Carol Banville – License Coordinator

**SUBJECT:** One (1) One-Day Beer/Wine License for the Smithfield Senior Center for the January 9<sup>th</sup>  
Town Council Meeting

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**BACKGROUND:**

The Smithfield Senior Center has applied for one (1) One-Day Beer/Wine License.

**TOWN REVENUE:**

The fee for a Beer/Wine License is \$15.00 per day. Under State Law this fee cannot be waived.

**SUPPORTING DOCUMENTS:**

Copy of License Application  
Copy of BCI – No record  
TIP Cards  
Letter of explanation

**RECOMMENDED MOTION:**

Move that the Smithfield Town Council approve one (1) One-Day Beer/Wine License as follows:

- New Year’s Party to be held on Thursday, January 18, 2024 from 12:00 p.m. to 3:00 p.m.

The party will take place at the Smithfield Senior Center, One William J. Hawkins, Jr. Trail from 12:00 p.m. to 3:00 p.m., as applied, subject to compliance with all State regulations and local ordinances.



**TOWN OF SMITHFIELD  
OFFICE OF THE TOWN CLERK  
LICENSE APPLICATION**

**FEE: \$15.00  
Per Day**

PLEASE COMPLETE APPLICATION AND RETURN  
WITH FEE TO THE OFFICE OF THE TOWN CLERK BY:

**PLEASE PRINT:**  
Note: Please fill in ALL the necessary information.

Date of Application: 12/14/23

Type of License: CLASS-F (BEER & WINE) Check One: New  Renewal  Transfer

Name of Applicant: [Signature]

Date of Birth: 8/25/75

Resident Address: [Signature]  
Operating Under Trade Name of: \_\_\_\_\_

Business Address: 1 William J. Harkins Jr. Dr Plat \_\_\_\_\_ Lot \_\_\_\_\_  
Resident Telephone: \_\_\_\_\_ Business Telephone: 949-450

If incorporated, fill in necessary information: State: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Partner's/Owner's (Other than person applying) (Pres., Vice Pres., Sec., Treas.) \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Title: \_\_\_\_\_ DOB: \_\_\_\_\_  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ Title: \_\_\_\_\_ DOB: \_\_\_\_\_  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ Title: \_\_\_\_\_ DOB: \_\_\_\_\_

Describe operation of business: \_\_\_\_\_

Hours of Operation: \_\_\_\_\_

Signature of Applicant: [Signature]

Title: Acting Coordinator

Applies to business establishments only:

In case of emergency/person to contact

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Police Chief: \_\_\_\_\_  
Building Official: \_\_\_\_\_  
RI Dept. of Health: \_\_\_\_\_

SIGNATURE NOT REQUIRED

For Official Use Only

Fire Chief: \_\_\_\_\_  
Owner of premises: \_\_\_\_\_

SIGNATURE NOT REQUIRED

At a meeting of the Smithfield Town Council, held on 1/9/24 the above stated application was:

( ) Approved ( ) Denied

License #: 1 Date Issued: \_\_\_\_\_

SMITHFIELD POLICE DEPARTMENT  
 215 Pleasant View Avenue, Smithfield, RI 02917  
 (401-231-2500)

**NO Criminal  
 Record**

**POLICE CLEARANCE REPORT FOR  
 LICENSE APPLICATION**

DATE: 12/14/23

1. NAME OF CANDIDATE: (PRINT)

McAdam-Prickett      Kathleen      Elizabeth  
 LAST                                      FIRST                                      MIDDLE  
McAdam

MAIDEN NAME

8-25-75

2. DATE OF BIRTH

94 Waterman Ave

4. CURRENT ADDRESS

Senior Center

6. TYPE OF BUSINESS

Providence RI

3. PLACE OF BIRTH

Smithfield Senior Center

5. NAME OF BUSINESS

William J. Hankins Jr. Tel

7. BUSINESS ADDRESS

8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

949-4590

9. BUSINESS PHONE

349-2495

10. HOME PHONE

11. List below each address which you have maintained beginning with your current address:

From Mo./Yr.	To: Mo./Year	St. No. & Name	City & State

12. Have you ever been arrested or detained by any police agency? \_\_\_\_\_  YES  NO

If the answer to question 12 is yes, give details below. Include date, place and charge or reason for detention.

13. List below two (2) character references

1. Karen Armstrong      Senior Center      949-4590  
 NAME                                      ADDRESS                                      PHONE  
 2. Ann St. Laurent      Senior Center      949-4590  
 NAME                                      ADDRESS                                      PHONE

CANDIDATE'S SIGNATURE:

Witness: \_\_\_\_\_



RI On-Premise

**CERTIFIED**

Issued: 02/16/2023 Expires: 02/15/2026  
ID #: 28431000

**STEVEN BEAULIEU**  
1395 ATWOOD AVE #207-208  
JOHNSTON, RI 02919

For service visit us online at [www.gettips.com](http://www.gettips.com)  
TIPS Trainer: Rae Desrosiers, 59028



RI On-Premise

**CERTIFIED**

Issued: 02/16/2023 Expires: 02/15/2026  
ID #: 28430997

**KAREN ARMSTRONG**  
1395 ATWOOD AVE #207-208  
JOHNSTON, RI 02919

For service visit us online at [www.gettips.com](http://www.gettips.com)  
TIPS Trainer: Rae Desrosiers, 59028

It with you as proof of your TIPS certification.

ID #: 28430996 Name: ANNE MARIE ST LAURENT  
Exam Date: 02/16/2023 Expiration Date: 02/15/2026



RI On-Premise

**CERTIFIED**

Issued: 02/16/2023 Expires: 02/15/2026  
ID #: 28430996

**ANNE MARIE ST LAURENT**  
1395 ATWOOD AVE #207-208  
JOHNSTON, RI 02919

For service visit us online at [www.gettips.com](http://www.gettips.com)  
TIPS Trainer: Rae Desrosiers, 59028



*Town of Smithfield*

*Smithfield Senior Center*

One William J. Hawkins Jr. Trail, Smithfield, RI 02828  
Telephone (401) 949-4590 Fax (401) 949-4593

December 14, 2023

Town of Smithfield  
Office of the Town Clerk  
64 Farnum Pike  
Smithfield, RI 02917

Members of the Town Council:

The Smithfield Senior Center will be hosting a New Year's party on Thursday, January 18<sup>th</sup> from 12-3. Complimentary wine and beer will be served.

I am asking for your approval for a permit for this function. Thank you.

Sincerely,

Kate McAdam-Prickett  
Assistant Director/Activity and Program Coordinator



ROBERT W. SELTZER  
CHIEF OF DEPARTMENT

## SMITHFIELD FIRE DEPARTMENT

*"To Help People"*  
HEADQUARTERS, STATION NO. 1  
607 PUTNAM PIKE  
SMITHFIELD, RHODE ISLAND 02828  
www.smithfieldfire.com



TEL. (401) 949-1330  
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: December 29, 2023

Re: Request Purchase of Ballistic Protective Equipment from the Bryant Billing Account

Dear Town Council Members,

The Fire Department had purchased ballistic protective equipment, helmets and vests, for all apparatus riding positions. This was done to conform to our Active Shooter Hostile Environment Response (ASHER) standard operating procedure to protect our members working at such an incident. The equipment was purchased from a company named Bulletproof-it, LLC out of Vancouver, WA.

Subsequent to the purchase, about 18 months later, we were notified that the owner of Bulletproof-it was being charged with fraudulent sales. We were contacted by Special Agent Ryan Gregg of GSA, Office of Inspector General, Investigations Unit. We were advised that the equipment we purchased was fraudulently certified and was proven NOT to provide the stated ballistic protection. Therefore, our ballistic equipment does not meet the required ballistic standards testing. That being said, our equipment must be replaced.

The owner of the company has been charged and was found guilty at trial. He is going to be serving a jail sentence. He has also been ordered to pay restitution by liquidating his property holdings, which he did own a fair amount of real estate. How the restitution will be divided is unclear. This company did business with the federal government and many municipalities around the country. We were told straight out that if we are lucky to receive any payment, it most likely be a fraction of our original purchase. Our total investment with Bulletproof-it, LLC was \$30,000.

Therefore, for the safety of our members, I am requesting, with agreement from the Town Manager and the Police Chief, to use the Bryant Billing account money to replace our ballistic equipment.

The complete replacement of all of our equipment and a robust training for all of our members comes to \$49,864.25 from the Triage Training Group located in Cranston, Rhode Island. The Triage Training Group is a sole source vendor for Executive Defense International, Inc. which is the manufacturer of the ballistic equipment selected by our review committee.

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*"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."*

The purchase includes replacement of all of our previously purchased items with properly certified equipment. It also includes a training for all department personnel for proper use and maintenance of the equipment. The second piece to the training component is "Rescue Task Force" training which is tactical training for interfacing with the police response to ASHER events. The City of Cranston and the Town of North Providence have already purchased similar packages from Triage Training Group and are satisfied with the experience they had with the company as well as the quality of the equipment.

Thank you for your consideration.

Sincerely,



Robert W. Seltzer  
Chief of Department

Included items:

- 1) Triage Training Group Quote
- 2) Sole Source Letter
- 3) Training Information Sheet

Motion: To authorize the Smithfield Fire Department to purchase Ballistic Protective Equipment and associated training from the Triage Training Group in the amount of \$49,864.25, funded from the Bryant Billing account.

QUOTE #311

# Triage Training Group

Cranston RI 02920

[www.triagetraininggroup.com](http://www.triagetraininggroup.com)

401-219-1364



**BILL TO**

Smithfield Fire Department

**SHIP TO**

Smithfield Fire Department

**Quote Date:** 10/07/2023

**Valid For:** 30 days

DESCRIPTION	QTY	UNIT PRICE	TOTAL
<b>RTF RIDING POSITIONS</b>			
Plate Carrier w/ Quick Release System - (Black)	27	\$129.45	\$3,495.15
High-Cut Ballistic Helmet - (Black)	27	\$360.25	\$9,726.75
Hard Armor Plate 10" X 12" Level III+ Multi Hit	54	\$130.95	\$7,071.30
"Fire" Patches 4" X 10"	54	\$12.00	\$648.00
"SFD" Patch	54	\$12.00	\$648.00
Rescue Task Force Bags	27	\$21.65	\$584.55
<b>TACTICAL TEAM</b>			
Plate Carrier w/ Speed Release System (ODG)	18	\$135.45	\$2,438.10
High-Cut Ballistic Helmet - (ODG)	18	\$360.25	\$6,484.50
Hard Armor Plate 10" X 12" Level III+ Multi Hit	36	\$130.95	\$4,714.20
"SFD" Patch	36	\$12.00	\$432.00
"Medic" Patches 4" X 10"	36	\$12.00	\$432.00
Rescue Task Force Bags	18	\$21.65	\$389.70
<b>BODY ARMOR AND RESCUE TASK FORCE TRAINING</b>			
8 Days / 8 Hours Per Day / 64 Hours Total	80	\$160.00	\$12,800.00
<b>SUBTOTAL</b>			<b>\$49,864.25</b>
<b>DISCOUNT</b>			<b>\$0.00</b>
<b>SUBTOTAL LESS DISCOUNT</b>			<b>\$49,864.25</b>
<b>TAX RATE</b>			<b>\$0.00</b>
<b>TOTAL TAX</b>			<b>\$0.00</b>
<b>SHIPPING/HANDLING</b>			<b>\$0.00</b>
<b>Quote Total</b>			<b>\$ 49,864.25</b>

Thank you for your business!



**EDI-USA**  
Executive Defense International, Inc  
Tel: (215) 235-4301  
www.ExecDistributors.com  
**UNITED STATES OF AMERICA**

**SECURE | EFFECTIVE | SUCCESSFUL**

**SOLE SOURCE LETTER**

Dec 28, 2023

To Whom It May Concern,

This official statement serves to formally announce and confirm that Triage Training Group has been recognized as the Sole Source vendor for Executive Defense body armor within the state of Rhode Island at the time of this letter. This exclusive designation is a testament to the exceptional quality, reliability, and specialized nature of the products offered by Triage Training Group in the realm of personal defense and security.

The decision to appoint Triage Training Group as the Sole Source vendor was made after thorough consideration of various factors including product quality, supply chain reliability, and the unique capability of the company to meet the specific needs of our security apparatus in Rhode Island. This agreement signifies a strategic partnership aimed at enhancing the safety and protection of individuals who require the highest standard of personal defense equipment and is valid for one year.

We hereby confirm that no other vendor or supplier within the state of Rhode Island offers a comparable product or service that meets the specific requirements and standards set forth for Executive Defense body armor and the needs of the Smithfield Fire Department, as provided by Triage Training Group. This distinction underscores the company's unparalleled position in the market and its commitment to delivering excellence in body armor solutions.

We look forward to a productive and secure collaboration with Triage Training Group and are confident that this partnership will greatly contribute to the enhanced safety and security within the Smithfield Fire Department.

Sincerely,

Signed:

**Christopher W. Sfedu**

Director, Government Sales

716 North 24th Street | Suite 300 | Philadelphia, PA, 19130 | USA

Tel Direct: +1 215-235-4301 | Mobile +1 610 608-1664

Email: [Chris@ExecDefense.com](mailto:Chris@ExecDefense.com)





Police departments, elementary schools, hospitals, airports, military bases, court buildings, casinos, movie theaters, shopping centers, universities, and nightclubs are all locations of recent active shooter/hostile events (ASHE) or mass casualty incidents (MCIs), and they are becoming increasingly common. Assailants pose a threat to all hard and soft targets. They may attack on any day of the week and any time of day.

Monterey, Las Vegas, Washington D.C., Newtown, Orlando, San Bernardino, Fort Lauderdale, Clackamas County, Aurora, and Seattle are just some of the jurisdictions in which an ASHE or MCI has occurred. These events can occur in small, medium, or large municipalities. Population density is often a consideration among assailants; however, this does not always drive their motive. Vehicles, fire, knives, assault rifles, and handguns are some of the weaponry involved in dynamic ASHEs/MCIs. The events evolve rapidly, and an assailant can have one or multiple weapons on their person.

Integrating first responders (EMS/Fire) alongside law enforcement officers during these events is critical to mitigating such incidents effectively. First responders must be prepared to respond to these incidents effectively, timely, and safely to render aid and save lives. Given the complexity and wide range of possible scenarios, first responders need new resources, tools/equipment, education, and training emphasizing an integrated response to any ASHE/MCI.

To be fully prepared for any ASHE/MCI, any jurisdiction must have a comprehensive, integrated response and recovery plan with allied emergency responders. A truly integrated response means that law enforcement, Fire/EMS, and 911 telecommunications must increase their opportunities to cross-train and debrief with all stakeholders. These opportunities are not currently widely available.

This training aims to establish guidelines, procedures, and tactics that will assist law enforcement and EMS/Fire in working as a team to respond to these situations and provide lifesaving to maximize patient survivability.

The purpose of the Rescue Task Force (RTF) is to mitigate provider risk while rapidly forward deploying first responders to provide "point of injury care" and evacuating the wounded casualties from the warm zone despite hazardous conditions that might otherwise delay treatment, causing unnecessary, preventable deaths in the ASHE environment.

If all first responders are trained in Rescue Task Force Response and Stop the Bleed, they can better assist one another during their response. Although law enforcement's role is to provide security during an MCI, all first responders can be trained in lifesaving techniques, and rescue carries and carry lifesaving equipment that can be shared among personnel.

## **Triage Training Group's Rescue Task Force & Active Shooter Hostile Event Response (ASHER)**

### **Key Course Features:**

- 1. Cutting-edge Training:** Our expert instructors, with extensive experience in combat medicine, emergency response, and tactical operations, deliver dynamic and hands-on training sessions. We combine real-world experience with practical exercises to simulate realistic scenarios. This approach allows participants to develop critical thinking, decision-making, and communication skills under pressure.
- 2. Multi-Disciplinary Approach:** The Rescue Task Force Course emphasizes collaboration and coordination among various first responder agencies. Fire departments, law enforcement, EMS, and other relevant entities work together in a unified approach. This interdisciplinary training fosters effective communication, resource management, and seamless integration of efforts during high-stress incidents.
- 3. Active Shooter and Mass Casualty Incidents:** Responding to active shooter incidents and mass casualty events requires a specialized skill set. Our Rescue Task Force program equips your team with the necessary tactics and strategies to mitigate risks, provide immediate medical care, and safely extract casualties. Participants learn techniques for casualty assessment, tactical movement, casualty evacuation, and care.
- 4. Medical Training:** Our program includes hemorrhage control, airway management, and triage techniques. Your personnel will gain proficiency in "Point of Injury Care," lifesaving interventions, ensuring rapid and efficient medical care for victims using "Speed Saves" as the mission focus of effecting the most amount of good for the most amount of people.
- 5. Scenario-based Exercises:** Our course culminates in realistic scenario-based exercises, allowing participants to apply their newly acquired knowledge and skills. These exercises replicate high-pressure situations, challenging individuals and teams to make sound decisions, prioritize actions, and adapt to evolving circumstances. Debriefings and feedback sessions enhance learning outcomes and foster continuous improvement.
- 6. Customizable Training Solutions:** We understand that every agency has unique requirements, and our real-world experience allows TTG to tailor the RTF training to your agency's specific needs. Whether you are a small fire department or a large metropolitan agency, we will work closely with you to create a training program that aligns with your objectives and budget.



# memorandum

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**DATE:** January 3, 2024  
**TO:** Smithfield Town Council  
**FROM:** Randy R. Rossi, Town Manager  
**RE: Request for Waiver of Water Main Extension**

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On December 17<sup>th</sup>, the Town received correspondence from the applicant, Whipple Farms, indicating that they are withdrawing their request for waiver of the requirement for a water main extension.

There is no action required to be taken by the Town Council at this time.



ROBERT W. SELTZER  
CHIEF OF DEPARTMENT

## SMITHFIELD FIRE DEPARTMENT

*"To Help People"*  
HEADQUARTERS, STATION NO. 1  
607 PUTNAM PIKE  
SMITHFIELD, RHODE ISLAND 02828  
www.smithfieldfire.com



TEL. (401) 949-1330  
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: December 29, 2023

Re: RIEMA Grant 34-02-2022 HSGP, Mutual-Aid Resource Management Application

Dear Town Council Members,

The Town of Smithfield has received a Rhode Island Emergency Management (RIEMA) Homeland Security Grant, 34-02-2022 HSGP, for the purchase of a mutual-aid resource management application for our "Northern Control" Dispatch function as well as day-to-day Smithfield Fire Dispatch.

The grant award is \$38,500.00 with no local co-share requirement.

The Tablet Command resource management application/software will track apparatus assignments for Smithfield alarms and mutual-aid apparatus assignments in the northern region of RI. The information will display on an Ipad in the field with the incident commander who can then track and assign incoming apparatus as they arrive on scene.

The grant award expires on December 31, 2023, but we are being granted an extension into 2024 due to an unresolved interface issue with Tablet Command and our computer-aided dispatch software.


The Tablet Command vendor is the only vendor currently on the market offering the application we are looking for and has been approved for purchase by RIEMA.

Supporting Documents:

- Quote from Tablet Command, Inc.
- Award letter from RIEMA

Thank you for your consideration.

Sincerely,

  
Robert W. Seltzer  
Chief of Department

Motion: To authorization the Smithfield Fire Department to purchase Tablet Command, in the amount of \$38,500.00, utilizing RIEMA Grant 34-02-2022 HSGP.

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*"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."*



# INVOICE

Smithfield Fire Department  
Attention: Robert Seltzer  
607 Putnam Pike  
SMITHFIELD RI 02828  
UNITED STATES

**Invoice Date**  
Oct 24, 2023

**Invoice Number**  
INV-0939

**Reference**  
Smithfield Fire Department -  
Multi Agency QU-0486

Tablet Command, Inc.  
822 Hartz Way, Suite 235  
Danville, CA 94526-3473

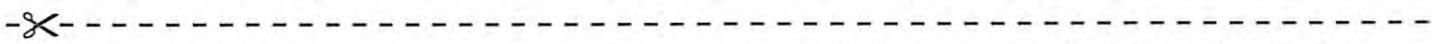
Description	Quantity	Unit Price	Amount USD
Service Term: December 1, 2023 - November 30, 2024			
ENTERPRISE SERVICES - ONE TIME COSTS			
CAD Integration Install/Configure (2-Way)	1.00	6,000.00	6,000.00
TC Customer Onboarding and Account Configuration - Single Agency	1.00	2,000.00	2,000.00
TC Customer Onboarding and Account Configuration - Per Additional Agency	1.00	2,000.00	2,000.00
User Training - Web Based (per Day)	10.00	750.00	7,500.00
ENTERPRISE SERVICES - RECURRING COSTS			
Agency License (2-Way)	1.00	2,500.00	2,500.00
TC Mobile - Unlimited	1.00	3,000.00	3,000.00
SMITHFIELD FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
BURRILLVILLE FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
CUMBERLAND FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
FOSTER FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
GLOCESTER FIRE DEPARTMENT - RECURRING COST			

Description	Quantity	Unit Price	Amount USD
Pro License (Tablet)	3.00	500.00	1,500.00
LINCOLN FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	5.00	500.00	2,500.00
NORTH SMITHFIELD FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
SCITUATE FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	4.00	500.00	2,000.00
WOON SOCKET FIRE DEPARTMENT - RECURRING COST			
Pro License (Tablet)	3.00	500.00	1,500.00
NORTHERN CONTROL			
Pro License (Tablet)	1.00	500.00	500.00
		Subtotal	38,500.00
		TOTAL TAX	0.00
		<b>TOTAL USD</b>	<b>38,500.00</b>

**Due Date: Nov 23, 2023**



[View and pay online now](#)



## PAYMENT ADVICE

To: Tablet Command, Inc.  
822 Hartz Way, Suite 235  
Danville, CA 94526-3473

Customer	Smithfield Fire Department
Invoice Number	INV-0939
Amount Due	<b>38,500.00</b>
Due Date	Nov 23, 2023
Amount Enclosed	

Enter the amount you are paying above

## Rhode Island Emergency Management Agency

### STATEMENT OF SUBGRANT AWARD

U.S. Department of Homeland Security - FEMA Grants Program Directorate (GPD)

Fiscal Year (FY) 2022 Homeland Security Grant Program (HSGP)

#### Federal Award Project Description

<b>Project and Budget</b>	<b>Start Date:</b>	<b>End Date:</b>	<b>Federal Grant Number:</b>
<b>Period of Performance:</b>	10/1/2022	to 12/31/2023	<b>EMW-2022-SS-00007-S01</b>
<b>Federal Award Date:</b>	8/26/2022		<b>CFDA Number: 97.067</b>
<b>Sub-Grant Award #:</b>	34-02-2022 HSGP		<b>Unique Entity ID (UEI) #:</b> HXMENTTLF2D1
<b>Awarded to:</b>	Smithfield Fire Department		<b>Research &amp; Development:</b> NO
<b>Authorized Official:</b>	Randy R. Rossi, Town Manager		<b>Federal Cost Share:</b> 100%
<b>Point of Contact:</b>	Robert Seltzer, Fire Chief		<b>Local Cost Share (Match):</b> 0%
<b>Project Location:</b>	66 Farnum Pike, Smithfield, RI 02917		

*\*All reimbursements will be made via electronic transfer*

<b>Project Title:</b>	Smithfield Fire Department - Mutual Aid Resource Management			
<b>Solution</b>	<b>Item Description</b>	<b>Federal</b>	<b>Local Match</b>	<b>Total Cost</b>
<b>Planning</b>	N/A	\$ -	\$ -	\$ -
AEL Code(s) (if applicable):				
<b>Organization</b>	N/A	\$ -	\$ -	\$ -
AEL Codes (if applicable):				
<b>Equipment</b>	Mutual Aid Resource Management	\$ 38,500.00	\$ -	\$ 38,500.00
AEL Codes (if applicable):				
<b>Training</b>	N/A	\$ -	\$ -	\$ -
AEL Codes (if applicable):				
<b>Exercise</b>	N/A	\$ -	\$ -	\$ -
AEL Codes (if applicable):				
<b>Total for Project A</b>				<b>\$ 38,500.00</b>
<b>Total Grant Award</b>				<b>\$ 38,500.00</b>
Federal share				\$ 38,500.00
Sub-recipient share				\$ -

**Standard Conditions:**

- RIEMA *Special Grant Conditions and Reporting Requirement Guidelines* and 2 CFR §200.0 - 200.521 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

**Special Conditions:**

- The procurement of equipment and/or services, related to information technologies, must comply with the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (2 CFR §200.216) to prevent the use of "covered technologies".
- EMA Directors / Local Governments who have not completed the required National Cyber Security Review (NCSR) survey will have all HSGP grants suspended.
- Environmental & Historic Preservation (EHP) approval is/may be required for potential training and/or exercise activities associated with this project.



ROBERT W. SELTZER  
CHIEF OF DEPARTMENT

## SMITHFIELD FIRE DEPARTMENT

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HEADQUARTERS, STATION NO. 1  
607 PUTNAM PIKE  
SMITHFIELD, RHODE ISLAND 02828  
www.smithfieldfire.com



TEL. (401) 949-1330  
FAX (401) 949-1192

To: Honorable Town Council

From: Chief Robert Seltzer

Date: January 3, 2024

Re: Approval to Submit an Application for Funding through the Municipal Public Safety Infrastructure Grant Program

Dear Town Council Members,

This memo is a request to submit an application for grant funding through the Municipal Public Safety Infrastructure grant program as established in the Rhode Island Fiscal Year 2024 enacted budget.

We will be submitting a grant application to the Rhode Island Department of Administration, Pandemic Recovery Office, for funds to assist in financing our north-end fire station.

We will be asking for the maximum allowed request to local municipalities of \$1.0 million. The grant program requires a local match for the project. Our local match will be the approved \$4.5 million bond for the north-end fire station construction.

The description of the Municipal Public Safety Infrastructure grant program is included in the press release from Governor McKee, dated December 21, 2023. A copy of the press release is included with this memo.

We are working with Lisa Andoscia, the Town's grant writer, who is assisting us in completing the application.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Seltzer".

Robert W. Seltzer  
Chief of Department

Motion: To approve the submittal of an application for Funding through the Municipal Public Safety Infrastructure grant program in the amount of \$1.0 million, to be used to assist in financing our north-end fire station.

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*"We will be the most effective and proactive emergency service and disaster mitigation organization to make Smithfield the safest community to live, work and play."*





# GOVERNOR DANIEL J. MCKEE

FOR IMMEDIATE RELEASE  
Thursday, December 21, 2023

CONTACT  
Olivia DaRocha  
Press Secretary  
[Olivia.DaRocha@governor.ri.gov](mailto:Olivia.DaRocha@governor.ri.gov)  
(978) 854-2191

## PRESS RELEASE

### Governor McKee Announces \$11 Million in Matching Funds Available for Municipal Public Safety Infrastructure Projects

PROVIDENCE, RI – Governor Dan McKee announced today that the Department of Administration is accepting applications from cities and towns to access state matching funds to complete significant public safety facility infrastructure improvements, including new construction. The Municipal Public Safety Infrastructure grant program, which was established in the Fiscal Year 2024 enacted budget, is funded with \$11 million in State Fiscal Recovery Funds (SFRF) through the American Rescue Plan Act (ARPA). The maximum award amount is \$5.0 million for regional projects and \$1.0 million for local projects.

"Investing in the men and women who keep Rhode Islanders safe is vital, and this program is one way we're doing that," said Governor Dan McKee. "I encourage our 39 municipalities to apply for this program to assist in updating, upgrading and enhancing the first-class public safety services our state offers."

As specified in the enacted budget, funding priority is based on project readiness, including the availability of local funds to satisfy the matching requirement and the anticipated start and completion dates to assess whether projects will meet U.S. Treasury's SFRF obligation deadline of December 31, 2024, and expenditure deadline of December 31, 2026.

Eligible expenses include design, predevelopment, construction, and direct administrative costs related to a public safety facilities infrastructure project. The application, which is available on the [Pandemic Recovery Office's website](#), is due by Friday, January 26, 2024. Award decisions are expected to be announced the following month.

*This project was supported, in whole or in part, by federal award number SLFRP0136 awarded to the State of Rhode Island by the U.S. Department of Treasury.*



# TOWN OF SMITHFIELD

## DEPARTMENT OF PUBLIC WORKS

PHONE: (401) 233-1034

FAX: (401) 233-1075

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### MEMORANDUM

Date: January 9, 2024  
To: Honorable Town Council Sitting as the Smithfield Water Supply Board  
Through: Randy R. Rossi, Town Manager  
From: Gene Allen, Public Works Director / Water Commissioner 

RE: Recommendation to Award the North Providence Pressure Reducing Project to Boyle and Fogarty Construction Company, Inc.

### BACKGROUND:

The North Providence Pressure Reducing Project will install two, possibly three, pressure reducing valves (PRV's), and associated equipment, in Forestwood Drive and Riverview Drive in North Providence. Bicentennial Way was listed as an Alternative to be considered later on, if we choose, based on ongoing discussions with Providence Water Supply.

These PRV's will protect the AC pipes installed in the adjoining neighborhoods in North Providence and will allow for our transmission main in Smithfield Road to carry additional water to our storage tanks, without negatively impacting those neighborhoods. A 12-inch water main will be also be installed in Cavalry Drive, connecting the water mains in Noto Drive and Douglas Pike. This will provide additional system redundancy, improve water quality and improve the overall system reliability.

On November 16, 2023 we received three (3) bids for the project. The apparent low bidder for the project was Boyle and Fogarty Construction Company Inc., with a base bid price of \$826,960.00. Boyle and Fogarty Construction Company Inc., is also the low-bidder should we decide to pursue Add Alternate 1 (Bicentennial Way), which would be a total of \$1,226,515.00.

Pare Corporation, who designed the project, has reviewed the three bids received for completeness, consistency with other bids, company safety records and references.

Pare Corporation has determined that Boyle and Fogarty Construction Company, Inc. is qualified to complete the project and finds no reason not to award the project to them, contingent upon the following items being provided.

1. A detailed discussion on the violations noted in their safety review and how they have addressed the safety violations and improved worker safety.
2. A site-specific Health and Safety Plan (HASP) be submitted on this project.

3. Confirmation that the HASP will be followed in accordance with OSHA requirements, including providing daily safety briefings, proper PPE (Personal Protective Equipment), and fall/trench protection training and equipment.

Additionally the SWSB and the DPW, along with Pare Corporation, have worked with Boyle and Fogarty Construction Company, Inc. on many projects successfully.

The RI Department of Health has this project on their Project Priority List and the RI Infrastructure Bank has indicated this project qualifies for a Drinking Water SRF Loan, which has been secured.

This project was discussed with the Advisory Commission at their December 4, 2023 meeting. The Advisory Commission voted unanimously to support the recommendation before you this evening.

**FINANCIAL IMPACT:**

Funding for this contract will be through a Drinking Water SRF loan with the RI Infrastructure Bank.

The project base bid costs are anticipated to be \$826,960.00.

RIIB available SRF funds: \$790,012.56

SWSB Enterprise Fund Reserves (ERF): \$36,947.44

The current ERF balance is \$2,240,925.00. Balance after will be \$2,203,977.60.

If Add Alternate 1 (Bicentennial Way) is awarded:

The project costs are anticipated to be \$1,226,515.00.

RIIB available funds: \$790,012.56

SWSB Enterprise Fund Reserves: \$436,502.50

This will leave a balance of \$1,804,422.50 in the SWSB Enterprise Fund Reserves.

**RECOMMENDATION:**

That the Smithfield Town Council, sitting as the Smithfield Water Supply Board, award the construction for the Base Bid, for the North Providence Pressure Reducing Project, to Boyle and Fogarty Construction Company, Inc. of 2 Industrial Drive South, Unit 1, Smithfield, RI 02917 in the amount of \$826,960.00, subject to the acceptable submission of the three safety items noted in Pare Corporations bid review dated November 27, 2023. Further, the funding for this project shall be \$790,012.56 from the RI Infrastructure Bank SRF Loan, and \$36,947.44 from the Water Supply Boards retained earnings account.

**MOVED:** *That the Smithfield Town Council, sitting as the Smithfield Water Supply Board, award the construction of the North Providence Pressure Reducing Project to Boyle and Fogarty Construction Company, Inc. of 2 Industrial Drive South, Unit 1, Smithfield, RI 02917 in the amount of \$826,960.00 subject to the acceptable submission of the three safety items noted in Pare Corporations bid review dated November 27, 2023. Further, the funding for this project shall be \$790,012.56 from the RI Infrastructure Bank SRF Loan, and \$36,947.44 from the Water Supply Boards retained earnings account.*

November 27, 2023

Mr. Gene Allen, Director  
Department of Public Works  
Town of Smithfield  
3 Spragueville Road  
Smithfield, RI 02917

Re: **Smithfield Water Supply Board**  
**Bid Review – Boyle & Fogarty Construction Company, Inc.**  
**North Providence Pressure Control Project**  
**North Providence and Smithfield, Rhode Island**  
Pare Project No.: 03066.62

Dear Mr. Allen:

On November 16, 2023, Smithfield Water Supply Board (SWSB) received three (3) bids for the above-referenced project. The apparent low bidder for the project was Boyle and Fogarty, Construction Company Inc. (B&F), with a base bid price of \$826,960.00. B&F was also the low-bidder should SWSB decide to pursue Add Alternate 1, which would be a total of \$1,226,515.00

### **BID CONSISTENCY**

Pare prepared a bid tabulation for the three bids using the bid unit prices provided in the bid and compared the calculated totals to the totals provided on the bid forms. There were no inconsistencies noted.

Based on our review, **B&F** appears to be the low bidder. See the attached Bid Tabulation.

### **BID EVALUATION – B&F**

Pare reviewed B&F's bid packages for completeness, and reviewed their publicly available violation file with OSHA.

#### ***Completeness***

Bidders were requested to provide the following documents with their bid:

1. 00 40 00 Supplements to Bid Form 3 pages – Received with DBE Forms.
2. 00 41 43 Bid Form – Received with acknowledgement of the 2 addenda.
3. Bid Bond 5% of bid – Received.

Based on our review, it appears as though B&F's bid is generally complete.

▼



Mr. Gene Allen

(2)

November 27, 2023

### *Safety Violations*

Pare reviewed **B&F's** publicly available online OSHA inspection file using OSHA's online inspection database for the period between the years 2013 and 2023. As shown on the attached forms and summarized in the following table, there have been two (2) safety violations reported. As a result of the two violations, **B&F** paid approximately \$12,000 in penalties. **B&F** also had two other inspections that did not result in any violations during this time period.

<b>Boyle and Fogarty Construction Co., Inc. OSHA Record for the period of ten years ending November 27, 2023</b>					
<b>Opened</b>	<b>Type</b>	<b>Scope</b>	<b>Initial Penalty</b>	<b>Current Penalty</b>	<b>Violation</b>
11/30/2018	Complaint	Partial	\$11,382	\$9,106	Requirements for protective systems.
03/29/2018	Referral	Partial	\$5,174	\$2,587	Requirements for protective systems.

Overall, we do not see **B&F's** OSHA record as cause to deny their bid; however, Pare recommends that, should SWSB choose to award the contract to **B&F**, the award should be contingent upon **B&F** providing the following:

- A detailed discussion on the violations noted above and how **B&F** has addressed the safety violations and improved worker safety.
- A site-specific Health and Safety Plan (HASP).
- Confirmation that the HASP will be followed in accordance with OSHA requirements, including providing daily safety briefings, proper PPE, and fall/trench protection training and equipment.

### *Previous Project References*

Pare has worked directly with **B&F** on three recent water main projects. Pare had a positive experience with **B&F** on the Diamond Hill Road Project for Cumberland Water, and the Winchester Drive and Ocean Road Water Main Replacement Projects for Suez (Veolia).

Based on our prior experience working with **B&F**, it appears that they have sufficient equipment and staffing to perform the work in a timely manner.



Mr. Gene Allen

(3)

November 27, 2023

*Summary*

At this time and based on our review of their bid, it appears as though **B&F** is qualified and able to perform the work associated with this project. Pare sees no reason why **B&F** could not be awarded the **North Providence Pressure Control Project**, as noted herein, should SWSB choose to award the project to them.

Please note that, since this is a State Revolving Fund (SRF) funded project, a copy of the letter of Intent to Award the contract needs to be submitted to the Rhode Island Department of Health.

If you have any questions or comments, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

Peter Georgetti, P.E.  
Managing Engineer

PBG/kji

Attachments:

1. Bid Tabulation
2. OSHA violation print-out

**SMITHFIELD WATER SUPPLY BOARD**  
**North Providence Pressure Control Project**



**BIDS RECEIVED AND OPENED NOVEMBER 16, 2023**

ITEM	ACTIVITY	QUANTITY	UNITS	Ferreira		Boyle & Fogarty		CB Utility	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Site Mobilization and Demobilization (up to 5% of base bid)	1	LS	\$47,574.00	\$47,574.00	\$39,950.00	\$39,950.00	\$40,000.00	\$40,000.00
2	Filter Socks	430	LF	\$11.00	\$4,730.00	\$9.00	\$3,870.00	\$7.00	\$3,010.00
3	Silt Sacks	3	EA	\$157.00	\$471.00	\$150.00	\$450.00	\$50.00	\$150.00
4	Remove and Dispose AC Pipe	50	LF	\$37.00	\$1,850.00	\$85.00	\$4,250.00	\$75.00	\$3,750.00
5	AC Pipe Abandonment	70	LF	\$27.00	\$1,890.00	\$70.00	\$4,900.00	\$50.00	\$3,500.00
6	Utility Scanning	1	ALLOW	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
7	Test Pits	80	CY	\$28.00	\$2,240.00	\$110.00	\$8,800.00	\$240.00	\$19,200.00
8	Rock Removal	120	CY	\$494.00	\$59,280.00	\$200.00	\$24,000.00	\$0.01	\$1.20
9a.	Remove and Dispose Contaminated Soils (Category 1)	80	TON	\$87.00	\$6,960.00	\$74.00	\$5,920.00	\$240.00	\$19,200.00
9b.	Remove and Dispose Contaminated Soils (Category 2)	80	TON	\$167.00	\$13,360.00	\$149.00	\$11,920.00	\$360.00	\$28,800.00
10a.	Furnish and Install 12" DI Water Main	190	LF	\$230.00	\$43,700.00	\$371.00	\$70,490.00	\$300.00	\$57,000.00
10b.	Furnish and Install 8" DI Water Main	330	LF	\$143.00	\$47,190.00	\$295.00	\$97,350.00	\$250.00	\$82,500.00
11a.	Furnish and Install 12" Gate Valve and Box	2	EA	\$4,671.00	\$9,342.00	\$5,600.00	\$11,200.00	\$6,000.00	\$12,000.00
11b.	Furnish and Install 8" Gate Valve and Box	6	EA	\$2,563.00	\$15,378.00	\$3,350.00	\$20,100.00	\$5,000.00	\$30,000.00
11c.	Furnish and Install Tapping Sleeve and Valve	2	EA	\$8,124.00	\$16,248.00	\$10,700.00	\$21,400.00	\$20,000.00	\$40,000.00
12	Furnish and Install Fire Hydrant Assembly	1	EA	\$11,253.00	\$11,253.00	\$10,300.00	\$10,300.00	\$15,000.00	\$15,000.00
13	Reconnect Existing Copper Service to New Water Main	1	EA	\$4,596.00	\$4,596.00	\$3,100.00	\$3,100.00	\$2,000.00	\$2,000.00
14	Furnish and Install Four-Conduit Duct Bank	170	LF	\$176.00	\$29,920.00	\$70.00	\$11,900.00	\$43.00	\$7,310.00
15a.	Furnish and Install Forestwood Drive PRV Vault	1	LS	\$233,600.00	\$233,600.00	\$140,000.00	\$140,000.00	\$135,000.00	\$135,000.00
15b.	Furnish and Install Forestwood Drive PRV Vault	1	LS	\$281,418.00	\$281,418.00	\$208,500.00	\$208,500.00	\$254,000.00	\$254,000.00
16	Utility Company Allowance	1	ALLOW	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
17	Full Depth Trench Pavement	100	TONS	\$279.00	\$27,900.00	\$210.00	\$21,000.00	\$370.00	\$37,000.00
18	Temporary Trench Pavement	50	TONS	\$375.00	\$18,750.00	\$180.00	\$9,000.00	\$410.00	\$20,500.00
19	4" Loam and Seed	280	SY	\$11.00	\$3,080.00	\$12.00	\$3,360.00	\$35.00	\$9,800.00
20	1.5" Micro-Mill & Overlay	1,200	SY	\$41.00	\$49,200.00	\$28.50	\$34,200.00	\$37.00	\$44,400.00
21	Flagger	480	MH	\$1.00	\$480.00	\$75.00	\$36,000.00	\$81.00	\$38,880.00
<b>SUBTOTAL BASE BID</b>				<b>\$955,410.00</b>		<b>\$826,960.00</b>		<b>\$928,001.20</b>	

ITEM	ACTIVITY	QUANTITY	UNITS	Ferreira		Boyle & Fogarty		CB Utility	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
22	Filter Socks	150	LF	\$11.00	\$1,650.00	\$10.00	\$1,500.00	\$7.00	\$1,050.00
23	Silt Sacks	3	EA	\$501.00	\$501.00	\$150.00	\$450.00	\$50.00	\$150.00
24	Remove and Dispose AC Pipe	10	LF	\$186.00	\$1,860.00	\$85.00	\$850.00	\$1.00	\$10.00
25	AC Pipe Abandonment	60	LF	\$29.00	\$1,740.00	\$90.00	\$5,400.00	\$25.00	\$1,500.00
26	Test Pits	30	CY	\$28.00	\$840.00	\$110.00	\$3,300.00	\$240.00	\$7,200.00
27	Rock Removal	40	CY	\$494.00	\$19,760.00	\$200.00	\$8,000.00	\$0.01	\$0.40
28	Furnish and Install 8" DI Water Main	100	LF	\$263.00	\$26,300.00	\$430.00	\$43,000.00	\$365.00	\$36,500.00
29a.	Furnish and Install 8" Gate Valve and Box	3	EA	\$2,003.00	\$6,009.00	\$3,350.00	\$10,050.00	\$3,000.00	\$9,000.00
29b.	Furnish and Install Tapping Sleeve and Valve	1	EA	\$7,923.00	\$7,923.00	\$11,700.00	\$11,700.00	\$18,000.00	\$18,000.00
30a.	Furnish and Install One-Conduit Duct Bank	60	LF	\$63.00	\$3,780.00	\$70.00	\$4,200.00	\$30.00	\$1,800.00
30b.	Furnish and Install Two-Conduit Duct Bank	110	LF	\$78.00	\$8,580.00	\$70.00	\$7,700.00	\$29.00	\$3,190.00
30c.	Furnish and Install Four-Conduit Duct Bank	20	LF	\$65.00	\$1,300.00	\$140.00	\$2,800.00	\$75.00	\$1,500.00
31	Furnish and Install Signal Antenna Pole	1	EA	\$10,361.00	\$10,361.00	\$11,900.00	\$11,900.00	\$4,000.00	\$4,000.00
32	Furnish and Install Bicentennial Way PRV Vault	1	LS	\$265,517.00	\$265,517.00	\$250,500.00	\$250,500.00	\$225,000.00	\$225,000.00
33	Full Depth Trench Pavement	30	TONS	\$275.00	\$8,250.00	\$210.00	\$6,300.00	\$370.00	\$11,100.00
34	Temporary Trench Pavement	20	TONS	\$370.00	\$7,400.00	\$180.00	\$3,600.00	\$420.00	\$8,400.00
35	4" Loam and Seed	100	SY	\$22.00	\$2,200.00	\$12.00	\$1,200.00	\$30.00	\$3,000.00
36	1.5" Micro-Mill & Overlay	530	SY	\$42.00	\$22,260.00	\$28.50	\$15,105.00	\$37.00	\$19,610.00
37	Flagger	160	MH	\$1.00	\$160.00	\$75.00	\$12,000.00	\$81.00	\$12,960.00
<b>SUBTOTAL ADD ALT 1</b>				<b>\$396,391.00</b>		<b>\$399,555.00</b>		<b>\$363,970.40</b>	
<b>TOTAL BID</b>				<b>\$1,351,801.00</b>		<b>\$1,226,515.00</b>		<b>\$1,291,971.60</b>	





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# Inspection Detail

### Quick Link Reference

1363038.015 | 1305126.015 | 1106944.015 | 963620.015

**Case Status:** CLOSED

## Inspection: 1363038.015 - Boyle & Fogarty Construction Company, Inc.

**Inspection Information - Office:** Providence

**Inspection Nr:** 1363038.015

**Report ID:** 0112300

**Date Opened:** 11/30/2018

**Site Address:**

Boyle & Fogarty Construction Company, Inc.  
2778 Diamond Hill Rd.  
Cumberland, RI 02864

**Union Status:** Union

**SIC:**

**NAICS:** 237110/Water and Sewer Line and Related Structures Construction

**Mailing Address:**

2 Industrial Drive South Unit 1,  
Smithfield, RI 02917

**Inspection Type:** Complaint

**Safety/Health:** Safety

**Scope:** Partial

**Close Conference:** 11/30/2018

**Advanced Notice:** N

**Emphasis:** N:Trench

**Ownership:** Private

**Case Closed:** 04/11/2019

**Related Activity**

Type	Activity Nr	Safety	Health
Complaint	1404902	Yes	

Case Status: CLOSED

**Violation Summary**

Violations/Penalties	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations			1			1
Current Violations	1					1
Initial Penalty	\$0	\$0	\$11,382	\$0	\$0	\$11,382
Current Penalty	\$9,106	\$0	\$0	\$0	\$0	\$9,106
FTA Penalty	\$0	\$0	\$0	\$0	\$0	\$0

**Violation Items**

#	Citation ID	Citation Type	Standard Cited	Issuance Date	Abatement Due Date	Current Penalty	Initial Penalty	FTA Penalty	Contest	Latest Event
1.	01001	Serious	19260652 A01	01/10/2019		\$9,106	\$11,382	\$0		I - Informal Settlement

Case Status: CLOSED

# Inspection: 1305126.015 – Boyle & Fogarty Construction Company, Inc.

Inspection Information - Office: Providence

Inspection Nr: 1305126.015

Report ID: 0112300

Date Opened: 03/29/2018

**Site Address:**

Boyle & Fogarty Construction  
Company, Inc.  
385 Greenville Ave.  
Johnston, RI 02919

Union Status: Union

**SIC:**

**NAICS:** 237110/Water and Sewer Line  
and Related Structures Construction

**Mailing Address:**

2 Industrial Drive South Unit 1,  
Smithfield, RI 02917

Inspection Type: Referral

Safety/Health: Safety

Scope: Partial

Close Conference: 03/29/2018

Advanced Notice: N

Emphasis: P:Trench, N:Trench

Ownership: Private

Case Closed: 05/03/2018

**Related Activity**

Type	Activity Nr	Safety	Health
Referral	1323297	Yes	

Case Status: CLOSED

**Violation Summary**

Violations/Penalties	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	1					1
Current Violations	1					1
Initial Penalty	\$5,174	\$0	\$0	\$0	\$0	\$5,174
Current Penalty	\$2,587	\$0	\$0	\$0	\$0	\$2,587
FTA Penalty	\$0	\$0	\$0	\$0	\$0	\$0

**Violation Items**

#	Citation ID	Citation Type	Standard Cited	Issuance Date	Abatement Due Date	Current Penalty	Initial Penalty	FTA Penalty	Contest	Latest Event
1.	01001	Serious	19260652 A01	04/10/2018		\$2,587	\$5,174	\$0		I - Informal Settlement

Case Status: CLOSED

# Inspection: 1106944.015 - Boyle & Fogarty Construction Co., Inc.

Inspection Information - Office: Providence

Inspection Nr: 1106944.015

Report ID: 0112300

Date Opened: 11/19/2015

**Site Address:**

Boyle & Fogarty Construction Co., Inc.  
101 Toll Gate Road  
Warwick, RI 02886

Union Status: Union

**SIC:**

NAICS: 237110/Water and Sewer Line and Related Structures Construction

**Mailing Address:**

2 Industrial Drive South, Unit 1,  
Smithfield, RI 02917

Inspection Type: Complaint

Safety/Health: Safety

Scope: Partial

Close Conference: 11/19/2015

Advanced Notice: N

Emphasis: N:Trench

Ownership: Private

Case Closed: 11/24/2015

**Related Activity**

Type	Activity Nr	Safety	Health
Complaint	1039805	Yes	

Case Status: CLOSED

Case Status: CLOSED

# Inspection: 963620.015 - Boyle & Fogarty Construction

Inspection Information - Office: Providence

Inspection Nr: 963620.015

Report ID: 0112300

Date Opened: 03/05/2014

**Site Address:**

Boyle & Fogarty Construction  
2 Industrial Dr. S Unit 1  
Smithfield, RI 02917

Union Status: NonUnion

**SIC:**

NAICS: 237110/Water and Sewer Line  
and Related Structures Construction

**Mailing Address:**

2 Industrial Dr. S Unit 1, Smithfield, RI  
02917

Inspection Type: Planned

Safety/Health: Safety

Scope: Partial

Close Conference: 03/05/2014

Advanced Notice: N

Emphasis: P:Ctarget, N:Ctarget

Ownership: Private

Case Closed: 03/10/2014

Case Status: CLOSED



## U.S. DEPARTMENT OF LABOR

Occupational Safety and Health  
Administration  
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Washington, DC 20210  
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1-800-321-6742  
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**TOWN OF SMITHFIELD  
BID TABULATION**



**Project:** SWSB-North Providence Pressure Control Project  
**Project No.:** RFP# 231005  
**Bid Date:** November 16, 2023  
**Bid Prepared by:** Carlos Santos, Purchasing Agent

ITEM NO.	BID ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	C. B. Utility Co., Inc.		Boyle & Fogarty Const. Co.		Ferreira Const. Co. Inc		UNIT BID PRICE	AMOUNT
				UNIT BID PRICE	AMOUNT	UNIT BID PRICE	AMOUNT	UNIT BID PRICE	AMOUNT		
1	LUMP SUM				\$ 928,001.20		\$ 826,960.00		\$ 955,410.00		
2											
3											
4											
5											
6											
7											
8											
<b>TOTAL BID AMOUNT</b>					<b>\$ 928,001.20</b>		<b>\$ 826,960.00</b>		<b>\$ 955,410.00</b>		<b>\$ -</b>

\*REFERRED TO THE EVALUATION COMMITTEE AND FUTURE RECOMMENDATION WILL BE FORWARDED TO THE TOWN COUNCIL FOR APPROVAL

**SECTION 00 41 43 – BID FORM**

To: Attn: Purchasing Agent  
Smithfield Town Hall  
64 Farnum Pike  
Smithfield, Rhode Island 02917

Project: North Providence Pressure Control Project  
October 2023  
Pare Project No. 03066.62

Date: 11/16/2023

Submitted by: Boyle & Fogarty Construction Co., Inc.  
(Full name)

(Full address) 2 Industrial Drive South, Unit 1, Smithfield, RI 02917

1.00 OFFER

Having examined the Place of the Work and all matters referred to in the Instructions to Bidders and Special Instruction to Bidders and the Contract Documents prepared by Pare Corporation, Engineer for the above-mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work in the **Base Bid (Items 1 through 37)** for the Price of:

\$ 826,960.00

(Figures)

Eight hundred twenty six thousand nine hundred sixty dollars and zero cents  
(Total price in words) dollars, in lawful money of the United States of America.

The Owner hereby reserves the right to reject any or all bids and to select the bid that best serves the interest of the Smithfield Water Supply Board.

Attention is called to information contained in Section 01 20 00 - Measurement and Payment, for information concerning Bid Items.

We have included herewith, the required security deposit, Bid Bond as required by the Instruction to Bidders.

2.00 EXPERIENCE/SUBMITTALS

- A. The Owner may make such investigations as deemed necessary to determine the ability of the Bidder to perform the Work, and the Bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Owner that such bidder is properly qualified to carry out the obligations of the Contract and to complete the Work contemplated therein.

- B. It is the intention of the Owner to obtain bids only from Contractors with experience on similar PRV and water main projects. To be considered for this project the successful bidder shall meet the following conditions:
  - 1. The successful Bidder shall use only thoroughly trained and experienced workers completely familiar with the work required.
- C. Contractors shall submit with bid proposal the following, which shall become an integral part of the Bid Submission.
  - 1. Section 00 40 00 - Supplements to the Bid Form
    - Appendix A - Subcontractors
    - Appendix B - Qualifications of Bidder
- D. It shall be noted that the quantities on the bid form shall in no way constitute a minimum or maximum quantity to be expected. The Owner reserves the right to remove items from the bid and to add or subtract quantities from the bid after awarding of the contract has been completed
- E. Unbalanced bidding (i.e. "pennying" of a bid item or items) shall not be allowed and may be cause for rejection of the bid, at the discretion of the Smithfield Water Supply Board. Should the bidder believe that their bid prices provided in the bid form, constitute full compensation for each particular bid item, and the bid price for a particular bid item may be construed as an unbalanced bid, the bidder shall submit to the Engineer and Owner information supporting their proposed bid price for that particular bid item along with their bid. The submission of supporting documentation on bid items shall in no way constitute acceptance of that bid item as balanced. The Owner reserves the right to make the final determination of balanced or unbalanced bids.



3.0 Schedule of Prices

BID FORM

North Providence Pressure Control Project

Bid Item	Description	Quantity	Unit	Unit Bid Price (Numbers)	Unit Bid Price (Words)	Total Bid Item Cost (Numbers)
<p><b>NOTE: THE UNIT PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.</b></p>						
1	Site Mobilization and Demobilization (up to 5% of base bid)	1	LS	\$ 39,950.00	Thirty nine thousand nine hundred fifty dollars and zero cents	\$ 39,950.00
2	Filter Socks	430	LF	\$ 9.00	Nine dollars and zero cents	\$ 3,870.00
3	Silt Sacks	3	EA	\$ 150.00	One hundred fifty dollars and zero cents	\$ 450.00
4	Remove and Dispose AC Pipe	50	LF	\$ 85.00	Eighty five dollars and zero cents	\$ 4,250.00
5	AC Pipe Abandonment	70	LF	\$ 70.00	Seventy dollars and zero cents	\$ 4,900.00
6	Utility Scanning	1	ALLOW	\$ 5,000.00	Five Thousand Dollars and Zero Cents	\$ 5,000.00
7	Test Pits	80	CY	\$ 110.00	One hundred ten dollars and zero cents	\$ 8,800.00
8	Rock Removal	120	CY	\$ 200.00	Two hundred dollars and zero cents	\$ 24,000.00
9a.	Remove and Dispose Contaminated Soils (Category 1)	80	TON	\$ 74.00	Seventy four dollars and zero cents	\$ 5,920.00
9b.	Remove and Dispose Contaminated Soils (Category 2)	80	TON	\$ 149.00	One hundred forty nine dollars and zero cents	\$ 11,920.00
10a.	Furnish and Install 12" DI Water Main	190	LF	\$ 371.00	Three hundred seventy one dollars and zero cents	\$ 70,490.00
10b.	Furnish and Install 8" DI Water Main	330	LF	\$ 295.00	Two hundred ninety five dollars and zero cents	\$ 97,350.00
11a.	Furnish and Install 12" Gate Valve and Box	2	EA	\$ 5,600.00	Five thousand six hundred dollars and zero cents	\$ 11,200.00
11b.	Furnish and Install 8" Gate Valve and Box	6	EA	\$ 3,350.00	Three thousand three hundred fifty dollars and zero cents	\$ 20,100.00

3.0 Schedule of Prices

BID FORM

North Providence Pressure Control Project

Bid Item	Description	Quantity	Unit	Unit Bid Price (Numbers)	Unit Bid Price (Words)	Total Bid Item Cost (Numbers)
<b>NOTE: THE UNIT PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.</b>						
11c.	Furnish and Install Tapping Sleeve and Valve	2	EA	\$ 10,700.00	Ten thousand seven hundred dollars and zero cents	\$ 21,400.00
12	Furnish and Install Fire Hydrant Assembly	1	EA	\$ 10,300.00	Ten thousand three hundred dollars and zero cents	\$ 10,300.00
13	Reconnect Existing Copper Service to New Water Main	1	EA	\$ 3,100.00	Three thousand one hundred dollars and zero cents	\$ 3,100.00
14	Furnish and Install Four-Conduit Duct Bank	170	LF	\$ 70.00	Seventy dollars and zero cents	\$ 11,900.00
15a.	Furnish and Install Riverview Drive PRV Vault	1	LS	\$ 140,000.00	One hundred forty thousand dollars and zero cents	\$ 140,000.00
15b.	Furnish and Install Forestwood Drive PRV Vault	1	LS	\$ 208,500.00	Two hundred eight thousand five hundred dollars and zero cents	\$ 208,500.00
16	Utility Company Allowance	1	ALLOW	\$ 20,000.00	Twenty Thousand Dollars and Zero Cents	\$ 20,000.00
17	Full Depth Trench Pavement	100	TONS	\$ 210.00	two hundred ten dollars and zero cents	\$ 21,000.00
18	Temporary Trench Pavement	50	TONS	\$ 180.00	one hundred eighty dollars and zero cents	\$ 9,000.00
19	4" Loam and Seed	280	SY	\$ 12.00	Twelve dollars and zero cents	\$ 3,360.00
20	1.5" Micro-Mill & Overlay	1,200	SY	\$ 28.50	Twenty eight dollars and fifty cents	\$ 34,200.00
21	Flagger	480	MH	\$ 75.00	Seventy five dollars and zero cents	\$ 36,000.00
	<b>TOTAL BASE BID</b>				\$ Eight hundred twenty six thousand nine hundred sixty dollars and zero cents	\$ 826,960.00

3.0 Schedule of Prices

BID FORM

North Providence Pressure Control Project

Bid Item	Description	Quantity	Unit	Unit Bid Price (Numbers)	Unit Bid Price (Words)	Total Bid Item Cost (Numbers)
NOTE: THE UNIT PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.						
ADD ALTERNATE 1 - BICENTENNIAL WAY PRV						
22	Filter Socks	150	LF	10.00	Ten dollars and zero cents	1,500.00
23	Silt Sacks	3	EA	150.00	One hundred fifty dollars and zero cents	450.00
24	Remove and Dispose AC Pipe	10	LF	85.00	Eighty five dollars and zero cents	850.00
25	AC Pipe Abandonment	60	LF	90.00	Ninety dollars and zero cents	5,400.00
26	Test Pits	30	CY	110.00	One hundred ten dollars and zero cents	3,300.00
27	Rock Removal	40	CY	200.00	Two hundred dollars and zero cents	8,000.00
28	Furnish and Install 8" DI Water Main	100	LF	430.00	Four hundred thirty dollars and zero cents	43,000.00
29a.	Furnish and Install 8" Gate Valve and Box	3	EA	3350.00	Three thousand three hundred fifty dollars and zero cents	10,050.00
29b.	Furnish and Install Tapping Sleeve and Valve	1	EA	11,700.00	Eleven thousand seven hundred dollars and zero cents	11,700.00
30a.	Furnish and Install One-Conduit Duct Bank	60	LF	70.00	Seventy dollars and zero cents	4,200.00
30b.	Furnish and Install Two-Conduit Duct Bank	110	LF	70.00	Seventy dollars and zero cents	7,700.00
30c.	Furnish and Install Four-Conduit Duct Bank	20	LF	140.00	One hundred forty dollars and zero cents	2,800.00
31	Furnish and Install Signal Antenna Pole	1	EA	11,900.00	Eleven thousand nine hundred dollars and zero cents	11,900.00

3.0 Schedule of Prices

BID FORM

North Providence Pressure Control Project

Bid Item	Description	Quantity	Unit	Unit Bid Price (Numbers)	Unit Bid Price (Words)	Total Bid Item Cost (Numbers)
<b>NOTE: THE UNIT PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.</b>						
32	Furnish and Install Bicentennial Way PRV Vault	1	LS	\$250,500.00	Two hundred fifty thousand five hundred dollars and zero cents	\$250,500.00
33	Full Depth Trench Pavement	30	TONS	\$110.00	Two hundred ten dollars and zero cents	\$6,300.00
34	Temporary Trench Pavement	20	TONS	\$180.00	one hundred eighty dollars and zero cents	\$3,600.00
35	4" Loam and Seed	100	SY	\$12.00	Twelve dollars and zero cents	\$1,200.00
36	1.5" Micro-Mill & Overlay	530	SY	\$28.50	Twenty eight dollars and fifty cents	\$15,105.00
37	Flagger	160	MH	\$75.00	seventy five dollars and zero cents	\$12,000.00
	<b>TOTAL ADD ALTERNATE 1</b>				\$Three hundred nintynine thousand five hundred fifty five dollars and zero cents	\$399,555.00

#### 4.00 ACCEPTANCE

This offer shall be open to acceptance and is irrevocable for sixty (60) days from the Bid closing date.

If this Bid is accepted by the Owner within the time period stated above, we will:

Execute the Agreement within ten (10) days of receipt of Notice of Award.

Furnish the required bonds within ten (10) days of receipt of Notice of Award in the form described in Information to Bidders.

Commence work within ten (10) days after written Notice to Proceed.

If this Bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to the Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this Bid and the Bid upon which the Contract is signed.

In the event our Bid is not accepted within the time stated above, the required security deposit shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

#### 5.00 CONTRACT TIME

If this Bid is accepted, the Bidder hereby agrees to commence WORK under this Contract on or before a date to be specified in the NOTICE TO PROCEED and to substantially complete the PROJECT **within 200 calendar days**.

#### 6.00 RETAINAGE

If this bid is accepted, the retainage shall be an amount equal to 5% of completed Work until 75% of the Work has been completed. At 75% completion, if recommended by the ENGINEER and with the concurrence of the OWNER, the retainage may be reduced to 2.5% by the ENGINEER and acceptable to the OWNER, unless the ENGINEER certifies that the job is not proceeding satisfactorily, but in any event the amounts previously retained shall not be paid to the CONTRACTOR until the Work is completed. At 75% completion, or any time thereafter when the progress of the Work, in the opinion of the ENGINEER is not satisfactory, additional amounts may be retained, but in no event shall the total retainage be more than 5% of the value of the Work completed. Upon satisfactory completion of the Work, any amount retained will be paid to the CONTRACTOR.

7.00 ADDENDA

The following Addenda have been received. The modifications to the Bid Documents noted therein have been considered and all costs thereto are included in the Bid Price.

Addendum #   #1 ( 11/13/2023)   Dated

Addendum #   #2 ( 11/14/2023)   Dated

Addendum # \_\_\_\_\_ Dated

Addendum # \_\_\_\_\_ Dated

8.00 APPENDICES

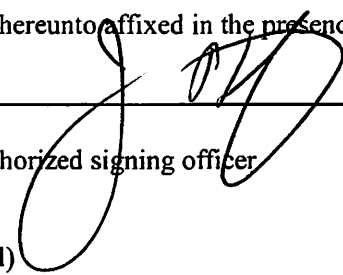
Submit Documents 00 40 00 - Supplements to Bid Forms with Bid Submission.

9.00 BID FORM SIGNATURE(S)

Boyle & Fogarty Construction Co., Inc.

The Corporate Seal of (Bidder - please print the full name of your Proprietorship, Partnership, or Corporation)

was hereunto affixed in the presence of:


Vice President  
 \_\_\_\_\_  
 (Authorized signing officer) Title)  
 (Seal)

\_\_\_\_\_

(Authorized signing officer) Title)

If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.

END OF SECTION

**SECTION 00 40 00 – SUPPLEMENTS TO BID FORM**

To:     ATTN: Purchasing Agent  
          Smithfield Town Hall  
          64 Farnum Pike  
          Smithfield, Rhode Island 02917

Project: North Providence Pressure Control Project  
          October 2023  
          Pare Project No. 03066.62

Date: 11/16/2023

Submitted by:

Boyle & Fogarty Construction Co., Inc.

(full name)

2 Industrial Drive South, Unit 1, Smithfield, RI 02917

(full address)

In accordance with Document 00 21 13 - Instructions to Bidders, and Document 00 41 43 - Bid Form, we include the Supplements to Bid Form appendices listed below. The information provided shall be considered an integral part of the Bid Form. These appendices are as follows:

Appendix A:       Subcontractors: Include the names of all subcontractors, including qualifications and experience and the portions of the work they will perform.

Appendix B:       Qualifications of Bidder

APPENDIX A

Herewith is the list of Subcontractors referenced in the Bid submitted by:

Boyle & Fogarty Construction Co., Inc.  
(Bidder)

The Town of Smithfield/Smithfield Water Supply Board  
(Owner)

dated 11/16/2023 and, which is an integral part of the Bid Form.

The following work will be performed (or provided) by the following Subcontractors, and coordinated by us:

SECTION OF WORK	NAME
<u>Instrumentation/ Controls/ Testing</u>	<u>Harbor Controls Inc.</u>
<u>Electrician</u>	<u>Electro-Tec Systems, Inc,</u>
<u>Certified Flagpersons</u>	<u>IDS Highway Safety, Inc.</u>
<u>Mill/overlay restoration</u>	<u>Hartford Paving</u>

Attach a listing of relevant qualifications and experience on similar projects.



APPENDIX B

- a) List additional Relevant Experience of firm bidding the project as it relates to projects of similar nature and complexities as that proposed by the Smithfield Water Supply Board. Include: project time frame, contact personnel, description, bid cost, final project cost (minimum 10 projects).
- b) List all equipment that will be dedicated to this project. The successful bidder will be required to dedicate the listed equipment to this project for the duration of work. No removal or substitutions of equipment will be allowed without the express written consent of the Smithfield Water Supply Board. Failure to abide by this requirement shall be cause for termination of the Contract by the Smithfield Water Supply Board.
- c) List all personnel, in particular the Project Manager(s), Project Superintendent(s), and Foreman(s), who shall be directly involved and responsible for this project. The bidder also shall provide the relevant experience of those listed. The successful bidder shall be required to dedicate the listed personnel to this project for the duration of work. No removal or substitution of personnel shall be allowed without the express written consent of the Smithfield Water Supply Board. Failure to abide by this requirement shall be cause for termination of the Contract by the Smithfield Water Supply Board.

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\*\*\* See attached bidder's experience, list of equipment owned,  
company overview/ list of key personnel.

Include additional sheets if necessary.



## **Company Overview**

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**Project:** North Providence Pressure Control Project  
**Owner:** Town of Smithfield/ Smithfield Water Supply Board  
**Engineer:** Pare Engineering

### ***Company Ownership***

Boyle & Fogarty Construction Co., Inc. - Type "C" Corporation, Incorporated in January 1985

Russell J. Boyle – President & Secretary

John P. Fogarty – Vice President & Treasurer

### ***Location of Company Office***

2 Industrial Drive South, #1 Smithfield, RI 02917

### ***Number of Employees***

28 employees

### ***Location From Which Employees Will Be Assigned***

Smithfield, Rhode Island

### ***Bidder's Point of Contact***

Pete Fogarty, Estimator/Project Manager

2 Industrial Drive South, #1, Smithfield, RI 02917

(401) 231-0007

[Pete@boyleandfogarty.com](mailto:Pete@boyleandfogarty.com)

### ***Company Background/History***

In business since 1978, Boyle & Fogarty Construction has been providing underground utility installations for a wide array of customers including residential homeowners, commercial businesses, municipal and private water and sewer organizations, and government agencies. Boyle & Fogarty is a licensed general contractor and underground utility contractor with the State of Rhode Island. Please see the attached project references showing Boyle & Fogarty's qualifications to complete utility installations required in the bid. We specialize in water, sewer, and drainage distribution systems.

### ***Length of Time Providing Services Listed in Bid***

Boyle & Fogarty has provided water main installation services for 45 years, since 1978.

### ***Management Team***

Russell J. Boyle - President

John P. Fogarty – Vice President

Peter J. Fogarty – Project Manager

Eric Boyle – Superintendent – 20 years construction experience

Nelson Morais – Superintendent – 17 years construction experience

Dan Adam – Foreman – 15 years construction experience

George Philbin – Foreman – 15 years construction experience



## **LIST OF MAJOR EQUIPMENT OWNED**

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**Boyle & Fogarty Construction Co., Inc.**

**Project:**

**Town of Smithfield/ Smithfield Water Supply Board**

**North Providence Pressure Control Project Bid #231005**

## **MAJOR EQUIPMENT AVAILABLE FOR THIS CONTRACT**

- Doosan 300 Excavator (2) - owned
- Doosan Rubber Tire Excavator - owned
- Kubota Mini Excavator (2) - owned
- Bobcat Mini-Excavator - owned
- John Deere 410 Backhoe (2) - owned
- Volvo Tri-Axle Dump Truck (3) - owned
- Ford F550 6-Wheel Dump Truck - owned
- Ford Stakebody Tool Truck (2) - owned
- Ford Utility Truck - owned
- Doosan Loader (2) – owned
- Bobcat Mini Hydraulic Hammer - owned
- Gorilla Hydraulic Hammer - owned
- Wacker Neuson/Bomag Roller - owned
- Wacker Neuson Double Drum Compactor - owned
- Wacker Neuson Reversible Compactor - owned
- Wacker Neuson 3” Trash Pump - owned
- 2” Submersible Pumps - owned
- 12x5 Trench Box for Temporary Excavation Support - owned
- 12x8 Trench Box for Temporary Excavation Support - owned



**RELEVANT PROJECT EXPERIENCE**

<b><u>Owner</u></b>	<b><u>Project Name</u></b>	<b><u>Description</u></b>	<b><u>Project Dates</u></b>	<b><u>Project Manager &amp; Contact Info</u></b>	<b><u>Project Cost</u></b>
Veolia Rhode Island	Ocean Rd. Water Main Replacement – Phase 2	Installation of new water mains, services, etc.	Nov. 2022- Dec. 2022	Patrick Grant Veolia Rhode Island 401-228-5912	\$141,560.05
Providence Water Supply Board	Lead Service Line Replacements – 2021-2022	Replacement of public and private side residential lead services in Providence East area	May 2022 – Dec. 2022	Gina Palano Project Manager 401-521-6300, ext. 7246	\$1,239,277
North Tiverton Fire District	Hobson Ave. Water Main Replacement	Installation of new water main, services, including temporary bypass	Sept. 2022 – June 2023	Bob Oullette Water Superintendent 401-624-8432	\$456,665
Bristol County Water Authority	BCWA Water Improvements 2022	Installation of new water mains, services, CIPP lining, including temporary bypass (permanent restoration to be completed)	May 2022 – August 2022	Sue Rabideau BCWA 401-245-2022	\$1,405,469
Suez Water/ Veolia Rhode Island	Bonnet Point Rd. Water Main Replacement	Installation of new water mains, services, including temporary bypass	Sept. 2021 – December 2021	Patrick Grant Veolia Rhode Island 401-228-5912	\$550,000
Providence Water Supply Board	Old County Road Water Main Replacement – Phase 2	Installation of new water mains, services, including temporary bypass	April 2021 – May 2022	Norm Ripstein Providence Water Engineering 401-521-6300	\$1,902,964
North Tiverton Fire District	Dewey Ave. Water Main Replacement	Installation of new water main, services, including temporary bypass	May 2021 – July 2022	Bob Oullette Water Superintendent 401-624-8432	\$356,779

Providence Water Supply Board	Atwood Ave. Water Main Extension – Phase 2	Installation of new water mains, services, etc.	October 2020 – July 2021	Norm Ripstein Providence Water Engineering 401-521-6300	\$784,195
Town of New Shoreham – Block Island	High St. and Payne Rd. Water Main Replacement	Installation of new water mains, services, etc.	March 2021 – October 2021	Jim Geremia James J. Geremia & Assoc. 401-454-7000	\$1,780,487
Cumberland Water Department	Diamond Hill Road Water Main Replacement Phase 2	Installation of new water mains, services, and temporary bypass	July 2020 – July 2021	Pete Georgetti Pare Engineering (401) 334-4100	\$2,057,350
Pascoag Utility District	Lead Service Replacements - 2021	Replacement of lead services in Pascoag, including plumbing and final restoration	June 2021 – July 2021	Michael Kirkwood, General Manager of PUD 401-568-6222, ext. 1266	\$148,666.40
Town of North Smithfield	Mechanic St. and Old Great Rd.	Installation of new water main and services	June 2020 – December 2020	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$1,330,886
Suez Water/ Veolia Rhode Island	Winchester Drive Water Main Replacement	Installation of new water main and services, including temporary bypass	June 2020 – September 2020	Patrick Grant Veolia Rhode Island 401-228-5912	\$1,016,653
City of Woonsocket	Logee St. Water Main Replacement	Installation of new water mains and services	March 2020 – May 2020	Jonathan Pratt City of Woonsocket Engineering 401-767-9213	\$229,000
Greenville Water District	Commerce St Water Main Replacement	Installation of new water mains & services	October 2019	Dave Powers Greenville Water District Superintendent 401-231-1433	\$200,000
Greenville Water District	Greenville Avenue Water Main Replacement	Installation of new water mains & services	October 2019 – Dec 2019	Dave Powers Greenville Water District Superintendent 401-231-1433	\$665,000
Providence Water Supply Board	Old County Road Water Main Replacement Phase 1	Installation of new water mains, services, and temporary bypass	June 2019 – May 2020	Norm Ripstein Providence Water Engineering 401-521-6300	\$1,450,000

Kent County Water Authority	2018 Infrastructure Improvements	Installation of new water mains, services, and temporary bypass	Apr 2019 – May 2020	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$2,978,000
Town of Westerly	Canal Street Water Main Replacement	Installation of new water mains, services, and temporary bypass	April 2019 – July 2019	Bill Beaugard Town of Westerly Public Works 401-348-2559	\$1,162,000
Cumberland Water Department	Diamond Hill Road Water Main Replacement	Installation of new water mains, services, and temporary bypass	June 2018 – June 2019	Cumberland Water Department 401-658-0666	\$4,667,000
Kent County Water Authority	2015B Infrastructure Improvements	Installation of new water mains, services, and temporary bypass	July 2016 – August 2019	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$6,368,000
Providence Water Supply Board	Greenville Avenue Water Main	Installation of a new water main and services	Oct 2017 – June 2018	Norm Ripstein Providence Water Supply Board 401-521-6300	\$750,000
Greenville Water District	Various projects annually	Installation of new water mains, services, appurtenances & emergency repairs	Jan 2018 – Present	Dave Powers Greenville Water District 401-231-1443	n/a
Kent County Water Authority	2014B Infrastructure Improvements	Installation of new water mains, services, temporary bypass, and crossing Rt 4 Bridge	May 2015 – Sept 2017	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$7,000,000
Kent County Water Authority	2014A Infrastructure Improvements	Installation of new water mains, services, and temporary bypass	Nov 2014 – Sept 2017	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$5,339,000
Kent County Water Authority	Mishnock Area Transmission Main	Installation of a new transmission water main	Sept 2016 – Dec 2017	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$2,010,000
City of Woonsocket	Mt. St. Charles Avenue Water Main	Installation of a new water main, services, and temporary bypass	May 2017 – Aug 2017	Jonathan Pratt City of Woonsocket Engineering 401-767-9213	\$465,000

Rhode Island Resource Recovery Corp	Central Avenue Pump Station	Installation of a new water main, services, and a pump station	Apr 2015 – Dec 2016	Dan Szetala RI Resource Recovery Corporation 401-942-1430	\$1,397,000
Kent County Water Authority	2010B Infrastructure Improvements	Installation of new water mains, services, and temporary bypass	Apr 2013 – July 2015	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$6,785,000
Kent County Water Authority	2010A Infrastructure Improvements	Installation of new water mains, services, and temporary bypass	June 2012 – June 2013	Richard Hencler James J. Geremia & Assoc. 401-454-7000	\$3,687,000

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form**

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>IDS Highway Safety, Inc.</b>		Project Name <b>North Providence Pressure Control</b>	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact <b>Kristen Ray</b>	
Address <b>1730 Mendon Road, Cumberland, RI 02864</b>			
Telephone No. <b>(401) 425-2205</b>		Email Address <b>kristena@idshighwaysafety.com</b>	
Prime Contractor Name <b>Boyle &amp; Fogarty Construction Co.</b>		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<b>Flag persons</b>	<b>\$36,000.-</b>

DBE Certified By: <input type="checkbox"/> DOT <input type="checkbox"/> SBA <input checked="" type="checkbox"/> other: <b>RI Minority Business</b>	Meets/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown
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**Enterprise Compliance Office**

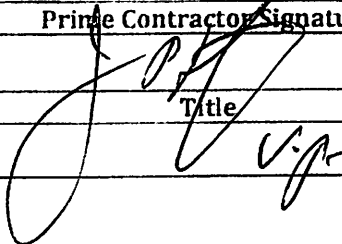
<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

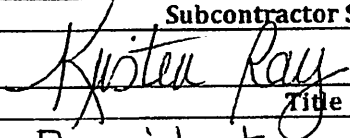
<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<b>Prime Contractor Signature</b>	<b>Print Name</b>
	Julian P. Fox
<b>Title</b>	<b>Date</b>
V.P.	11/16/23

<b>Subcontractor Signature</b>	<b>Print Name</b>
	Kristen Ray
<b>Title</b>	<b>Date</b>
President	11/13/23

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE<sup>1</sup> subcontractors<sup>2</sup> and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name Boyle & Fogarty Construction Co., Inc.		Project Name North Providence Pressure Control Project - Smithfield Water Supply Board	
Bid/ Proposal No. RFP #231005	Assistance Agreement ID No. (if known)	Point of Contact Pete Fogarty	
Address 2 Industrial Drive South, Unit 1, Smithfield, RI 02917			
Telephone No. (401) 231-0007		Email Address Pete@BoyleandFogarty.com	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
IDS Highway Safety Inc.	1230 Mendon Rd., Cumberland, RI 02864 (401) 425-2205; Kristen@IDShighwaysafety.com	\$36,000	Yes

Continue on back if needed

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

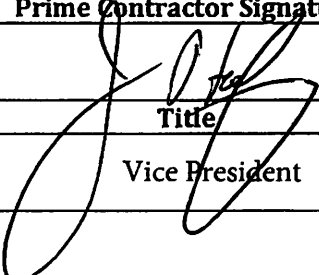
<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



OMB Control No: 2090-0030  
Approved: 8/13/2013  
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program  
DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

<b>Prime Contractor Signature</b>	<b>Print Name</b>
	John P. Fogarty
<b>Title</b>	<b>Date</b>
Vice President	11/14/2023

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**BOYLE & FOGARTY CONSTRUCTION CO., INC.**

2 Industrial Drive South, Unit 1 • Smithfield, Rhode Island 02917

Telephone (401) 231-0007 • Fax (401) 231-4410

Site Work • Utility Construction

Certificate of Vote

I, Russell Boyle hereby certify that I am the duly qualified and acting Secretary of Boyle & Fogarty Construction Co., Inc. and I further certify that a meeting of the Directors of Boyle & Fogarty Construction Co., Inc., duly called and held on January 25, 2021, at which all members were present and voting, that the following vote was unanimously passed:

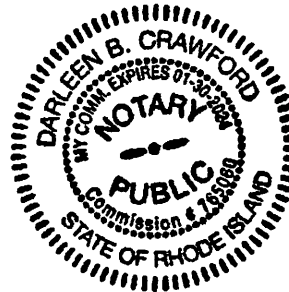
VOTED: To authorize and empower:

John P. Fogarty  
Russell J. Boyle

Anyone acting singly, to execute Forms of General Bid, Contracts or Bonds on behalf of the Corporation.

I further certify that the above vote is still in effect and has not been changed or modified in any respect.

By: Russell J. Boyle  
Russell J. Boyle, Secretary



A True Copy:  
Attest: Darleen B. Crawford  
Notary Public  
My Commission Expires: 01/30/2024



# AIA<sup>®</sup> Document A310<sup>™</sup> – 2010

## Bid Bond

**CONTRACTOR:**

*(Name, legal status and address)*

Boyle and Fogarty Construction Co., Inc.  
Two Industrial Drive South, Unit One  
Smithfield, RI 02917

**SURETY:**

*(Name, legal status and principal place of business)*

Hartford Casualty Insurance Company  
100 River Ridge Drive, Ste. 106  
Norwood, Massachusetts

**OWNER:**

*(Name, legal status and address)*

Town of Smithfield/Smithfield Water Supply Board  
Department of Public Works  
3 Spragueville Rd.  
Smithfield, RI 02917

**BOND AMOUNT:** \$ Five Percent of the Amount of the Attached Bid (5% of Bid)

**PROJECT:**

*(Name, location or address, and Project number, if any)*

North Providence Pressure Control Project, RFP #231005

**ADDITIONS AND DELETIONS:**

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

**When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.**

Init.

Signed and sealed this 16th day of November, 2023

Genna Taratuta  
(Witness)

Jessica Henderson  
(Witness)

Boyle and Fogarty Construction Co., Inc.  
(Contractor as Principal) (Seal)

[Signature]  
(Title)

Hartford Casualty Insurance Company  
(Surety)

[Signature]  
(Title) Attorney-in-Fact



Init.

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User Notes:

(1177638241)

# POWER OF ATTORNEY

**Direct Inquiries/Claims to:**  
**THE HARTFORD**  
 BOND, T-11  
 One Hartford Plaza  
 Hartford, Connecticut 06155  
 Bond.Claims@thehartford.com  
 call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: STARKWEATHER & SHEPLEY INS BRK INC  
 Agency Code: 08-089016

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of Unlimited :**

Andrew Fotopulos, Denise A. Chianese, Russell C. Corner, II of EAST PROVIDENCE, Rhode Island

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Shelby Wiggins*

Shelby Wiggins, Assistant Secretary

*Joelle L. LaPierre*

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



*Jessica Ciccone*

Jessica Ciccone  
 My Commission HH 122280  
 Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of November 16, 2023.

Signed and sealed in Lake Mary, Florida.



*Keith D. Dozois*

Keith D. Dozois, Assistant Vice President



# TOWN OF SMITHFIELD DEPARTMENT OF PUBLIC WORKS

PHONE: (401) 233-1034

FAX: (401) 233-1075

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## MEMORANDUM

Date: January 9, 2024

To: Honorable Town Council sitting as the Smithfield Water Supply Board

Through: Randy R. Rossi, Town Manager

From: Gene Allen, Public Works Director/Water Commissioner

A handwritten signature in black ink, appearing to be "Gene Allen", is written over the "From:" line.

**RE: North Providence Pressure Reducing Project – Contract Administration and Engineering Services, Pare Corporation**

### BACKGROUND:

The North Providence Pressure Reducing Project will install two, possibly three, pressure reducing valves (PRV's), and associated equipment, in Forestwood Drive and Riverview Drive in North Providence. Bicentennial Way was listed as an alternative to be considered later on, if we choose, based on ongoing discussions with Providence Water Supply. The contract for construction of this project is pending award to Boyle and Fogarty Construction Company, Inc.

The construction contract administration and engineering support services is normally conducted by the designing engineer, in this case, Pare Corporation. The daily field inspections for this project will be conducted by the SWSB staff.

This project was discussed with the Advisory Commission at their December 4, 2023 meeting. The Advisory Commission voted unanimously to support the recommendation before you this evening.

### FINANCIAL IMPACT:

Funding for this contract will be through the Smithfield Water Supply Board enterprise fund retained earnings account.

### RECOMMENDATION:

That the Smithfield Town Council, sitting as the Smithfield Water Supply Board, authorizes the Town Manager to enter into contract for the Contract Administration and Engineering Services for the North Providence Pressure Reducing Project, with Pare Corporation, for a total price not to exceed of \$55,500.00. Further, the funding for this project shall be from the Water Supply Boards retained earnings account.



**MOVED:** *That the Smithfield Town Council, sitting as the Smithfield Water Supply Board, authorizes the Town Manager to enter into contract for the Contract Administration and Engineering Services for the North Providence Pressure Reducing Project, with Pare Corporation, for a total price not to exceed of \$55,500.00. Further, the funding for this project shall be from the Water Supply Boards retained earnings account.*

December 1, 2023

Gene Allen, Director  
Department of Public Works  
Town of Smithfield  
3 Spragueville Road  
Smithfield, Rhode Island 02917

Re: **Smithfield Water Supply Board  
Smithfield, Rhode Island  
North Providence Pressure Control Project  
Contract Amendment: Construction Administration  
Revision 1  
Pare project No.: 03066.62**

Dear Mr. Allen:

Pare Corporation (Pare) is requesting a Contract Amendment for Professional Services for your project. Outlined herein is the Description of your Project, our Scope of Services, and the Method and Basis of Compensation for our services. The Terms and Conditions of the engagement shall be in accordance with the State of Rhode Island's Master Price Agreement CR-45 (formerly MPA 494).

### **PROJECT DESCRIPTION**

It is our understanding that the Smithfield Water Supply Board (SWSB) would like assistance during the construction phase of this project involving the installation of three (3) Pressure-Reducing Valves (PRVs) in North Providence to protect the existing Asbestos Cement (AC) pipe and the installation of 500 feet of new 12-inch pipe in Calvary Drive to complete a loop between Noto Drive and Douglas Pike.

### **SCOPE OF SERVICES**

This section provides a detailed description of the services that Pare proposes for the completion of this project (Basic Services) and services to be provided by others under contract to Pare (Outside Services).

#### **Basic Services**

##### Task 1 – Construction Administration

Pare will assist SWSB with the execution of the construction contract and the administration of the construction phase of this project.

Contract administration services will be required during the project's construction phase, which is anticipated to occur during the **spring/summer of 2024 for a total of thirty (30) weeks.**

Throughout the construction phase, our participation is anticipated to be as follows:

- Assemble a set of Conformed Documents;
- Attend and administer a pre-construction meeting;
- Attend project meetings;



Gene Allen, Director  
Department of Public Works

(2)

December 1, 2023

- Attend weekly site visits to review the project and coordinate with SWSB's onsite inspector;
- Review and respond to Contractor Requests for Information;
- Review shop drawings, change orders, and payment requests;
- Monitor project schedule;
- Administer project closeout (generate punch-list items, review retainage reduction, etc.);
- Assist with final SRF documentation and coordination;
- Issue Notice of Substantial Completion; and
- Issue letter of Final Completion.

Pare assumes that SWSB will prepare and issue the project Notice of Award and Notice to Proceed and review the Contractor's Certificates of Insurance and Bonding paperwork.

### **Outside Services**

Pare will procure the services of an electrical engineering subconsultant, SMR Engineering PC of Merrimack, New Hampshire, to review the electrical and instrumentation components of the PRVs.

### **SERVICES PROVIDED BY SWSB**

The SWSB shall provide access to the Site or related facilities as needed to perform the work.

### **LIMITATIONS**

This proposal is subject to the following limitations:

1. The construction phase is anticipated to occur during the **spring/summer of 2024 for a total of thirty (30) weeks.**
2. Construction observation, inspection, testing, and calculation of quantities will be performed by others.
3. The preparation of record drawings will be performed by the Contractor and SWSB.

### **PERIOD OF SERVICE**

The time period for the performance of services for Task 1 shall be approximately **thirty (30) weeks** from receipt of written authorization to proceed and commencement of the project. Additional Services may materially add to the time required to complete the work of the Project. Pare Corporation will be entitled to an equitable adjustment in the Period of Service as a result of services added.



Gene Allen, Director  
Department of Public Works

(3)

December 1, 2023

**BASIS OF COMPENSATION AND METHOD OF PAYMENT**

The Smithfield Water Supply Board shall pay Pare Corporation for Basic Services rendered, as described above, a **Not-to-Exceed Fee of Fifty-Five Thousand Five-Hundred Dollars and Zero Cents (\$55,500.00)**. A breakdown of Pare’s fee is provided below.

Task 1 – Construction Administration	\$ 45,500.00
<b><u>TOTAL FEE</u></b>	<b><u>\$ 45,500.00</u></b>
Allowance A – Electrical/SCADA	\$ 10,000.00
<b><u>TOTAL ALLOWANCES</u></b>	<b><u>\$ 10,000.00</u></b>
<b><u>TOTAL FEE AND ALLOWANCES</u></b>	<b><u>\$ 55,500.00</u></b>

**ADDITIONAL SERVICES**

Services required by the SWSB, which are not part of the Scope of Services as described above, shall be considered Additional Services. Additional Services shall be furnished by Pare or obtained from others by Pare if requested in writing by the SWSB. The SWSB shall pay Pare for Additional Services in accordance with rates and charges agreed to in writing prior to authorization by Pare.

Oral directives by the SWSB authorizing Additional Services will be confirmed in writing by Pare. The SWSB shall pay Pare for orally directed Additional Services furnished by Pare in accordance with rates and charges agreed to in writing subsequent to the completion of authorized Additional Services.

Pare Corporation reserves the right to renegotiate or adjust the fee accordingly if its Proposal for Service is not accepted within a sixty (60) day period.

This represents our best judgement at this time as to the effort required to achieve the stated objectives. It should be recognized that should the Scope of Services or corresponding level of effort upon which this Proposal is based change, an increase or decrease in charges may result. You will be notified of any change regarding an increase in charges, and we will not exceed the recommended budget without your approval, nor will we be required to work beyond the approved budget.



Gene Allen, Director  
Department of Public Works

(4)

December 1, 2023

**ACCEPTANCE**

This Proposal may be accepted by signing in the appropriate spaces below and returning one copy to us. Your signing of this letter constitutes your acceptance of all of the paragraphs included within the Statement of Terms and Conditions of CR-45.

Thank you for the opportunity to submit this Proposal. If you have any questions, please contact us at your convenience.

Sincerely,

Timothy P. Thies, P.E.  
Senior Vice President

TPT/PBG/kji

This Proposal for Services and Statement of Terms and Conditions are hereby accepted and executed by a duly authorized signatory who, by execution hereof, warrants that he/she has full authority to act for, in the name of, and on behalf of the Smithfield Water Supply Board.

**SMITHFIELD WATER SUPPLY BOARD**

By \_\_\_\_\_

Title \_\_\_\_\_

Typed Name \_\_\_\_\_

Date \_\_\_\_\_



SMITHFIELD  
PUBLIC SCHOOLS

# TOWN OF SMITHFIELD

## SMITHFIELD SCHOOL DEPARTMENT

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### INTEROFFICE MEMORANDUM

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**TO:** HONORABLE SMITHFIELD TOWN COUNCIL

**FROM:** CARLOS SANTOS, PURCHASING AGENT

**SUBJECT:** THE SCHOOL DEPARTMENT IS ASKING THE TOWN COUNCIL TO CONSIDER/APPROVE AWARDING A CONTRACT TO LAKE SHORE ENVIRONMENTAL FOR THEIR ENVIRONMENTAL SERVICES.

**DATE:** DECEMBER 22, 2023

**CC:** RANDY R. ROSSI, TOWN MANAGER  
DAWN BARTZ, SCHOOL DPT. SUPERINTENDENT  
MELISSA DEVINE, DIRECTOR OF FINANCIAL OPERATIONS  
ANGELO MENCUCCI, DIRECTOR OF BUILDINGS & GROUNDS

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#### **Background:**

This project is related to the removal of the two underground fuel storage tanks at Gallagher Middle School. The Purchasing Agent communicated with contractors listed on the State of RI Master Pricing Agreement (MPA) 584D for Environmental Engineering Services, three (3) contractors replied: Verdantas, located in Pawtucket, RI; Sage, located in Providence, RI and Lake Shore, located in Smithfield, RI.

At the December 7, 2023, Boyle Athletic Field Complex Committee Meeting, the committee voted to award to Lake Shore Environmental the two identified tasks:

**Task 1.** Drilling, field sampling, laboratory testing, data review, report writing, and senior review for SIR. For an amount not to exceed eight thousand six-hundred and fifty dollars (\$8,650.00).

**Task 2.** Three (3) supplemental ground water monitoring events in accordance with RIDEM requirements and to fully characterize the groundwater conditions at the site for an amount not to exceed four thousand nine-hundred dollars (\$4,900.00).

The total of the two tasks is for an amount not to exceed, thirteen thousand five-hundred and fifty dollars (\$13,550.00).

This request is subject to School Committee approval at their Tuesday, January 2, 2024 School Committee meeting.

**Discussion:**

That the Town Council consider awarding to Lake Shore Environmental the two (2) Tasks as outlined in this memo and attachments for an amount not to exceed, thirteen thousand five-hundred and fifty dollars (\$13,550.00).

**Financial Impact:**

Through the Boyle Athletic Project Funds

**Attachment/s:**

Letter from DEM, Bid Tabulation, proposal documents.

**Motion:**

That the Smithfield Town Council hereby award to Lake Shore Environmental the contract for the two (2) Tasks as described for a total not to exceed thirteen thousand five-hundred and fifty dollars (\$13,550.00).

Subject to School Committee approval at their Tuesday, January 2, 2024 School Committee meeting.



STATE OF RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF LAND REVITALIZATION AND SUSTAINABLE MATERIALS  
MANAGEMENT UNDERGROUND STORAGE TANK PROGRAM  
235 Promenade Street, Providence, Rhode Island 02908

SEP 27 2023

September 27, 2023

Angelo Mencucci  
Smithfield Public Schools  
49 Farnum Pike  
Smithfield, RI 02917

RE: Gallagher Middle School – Updated SIR Monitoring Well and Sampling Requirements  
(UST-18231, 3147-ST)

Dear Mr. Mencucci,

This letter is to outline the required work as part of the ongoing site investigation and in response to the virtual meeting held on 9/13/2023. The requirements set forth in DEM's letter (dated 8/31/2023) requiring site investigation at the subject property remain, with the following modifications:

- A map prepared by Lake Shore Environmental, to be approved by DEM, with proposed locations for the installation of **3 monitoring wells**:
  - One in the area of the release/exceedance as close to the building as possible.
  - One within 20 feet of release/exceedance in area of tank grave.
  - One well upgradient of area of release/exceedance.
- All wells must be sampled for heating oil #2 (EPA Method 8260 and TPH 8100) and at least one soil sample from each boring must be analyzed for MA EPH/VPH.
- **Additional wells, including downgradient wells inside building footprint may be required at a later time.**

In addition, to fully characterize the groundwater conditions at the site, three quarters of consecutive groundwater monitoring following the completion of the SIR, for four quarters of consecutive data total will be required, at a minimum. These groundwater sampling reports should be submitted in accordance with the [Guidelines for the Submission of Groundwater Monitoring Reports](#).

This is a long-term requirement and remains in effect until changed by this office in writing. All monitoring wells are to be sampled, analyzed and a groundwater monitoring report submitted to this office within 60 days of the sampling date. Please note that any changes in sampling methodology must be preapproved by this office.



**TOWN OF SMITHFIELD  
BID TABULATION**



**Project:** Vincent J. Gallagher Middle School - Environmental Services & Review  
**Project No.:** MPA 584D  
**Bid Date:** November 28, 2023  
**Bid Prepared by:** Carlos Santos, Purchasing Agent

				VERDANTAS 1005 Main Street Suite 8120 Pawtucket, RI 02860 p: 401-728-6860 Attn: Tom Sneesby		Sage Environmental Inc. 301 Friendship Street Providence, RI 02903 p: 401-723-9900 Attn: Rick Mandile		Lake Shore Environmental 359 Putnam Pike Suite 105 Smithfield, RI 02917 p: 401-658-1880 Attn: David Hazebrouck			
ITEM NO.	BID ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY	UNIT BID PRICE	AMOUNT	UNIT BID PRICE	AMOUNT	UNIT BID PRICE	AMOUNT	UNIT BID PRICE	AMOUNT
1	Task 1 - Completion of UST SIR				\$ 14,181.00		\$ 10,300.00		\$ 8,650.00		
2	Task 2-Quarterly Groundwater Monitoring				\$ 10,759.00		\$ 9,000.00		\$ 4,900.00		
3											
4											
5											
6											
7											
8											
<b>TOTAL BID AMOUNT</b>					\$ 24,940.00		\$ 19,300.00		\$ 13,550.00		\$ -

\*REFERRED TO THE EVALUTION COMMITTEE AND FUTURE RECOMMENDATION WILL BE FOWARDED TO THE TOWN COUNCIL FOR APPROVAL



**Town of Smithfield Public Schools  
Smithfield, Rhode Island  
Vincent J. Gallagher Middle School**

**Proposal for Environmental Services and Review**

**Submitted by:**



1005 Main Street, Suite 8120  
Pawtucket, RI 02860  
P: 401-728-6860

## PROJECT BUDGET AND ANTICIPATED SCHEDULE

Verdantas proposes to conduct the Environmental Services and Review Activities billed Time and Materials per the attached hourly rate fee schedule. The project will be invoiced monthly with payment due to Verdantas within 30 days after receipt of an invoice. This cost estimate is valid for 90 days from the date of this proposal.

### Environmental Services and Review Activities

- |   |              |
|---|--------------|
| • Task 1 – Completion of UST SIR            | \$ 14,181.00 |
| • Task 2 – Quarterly Groundwater Monitoring | \$ 10,759.00 |

**TOTAL            \$ 24,940.00**

Verdantas is prepared to initiate activities for this project immediately upon receipt of written authorization to proceed.

### Tentative Schedule

#### Task 1:

- Bid Award – December 8, 2023
- Mark-out, Dig Safe, Health and Safety Plan – December 15, 2023
- Drilling, Soil Screening, Soil Sampling, Well Development – December 21, 2023
- Soil Analysis (NetLabs) – December 22, 2023 to January 4, 2024
- Groundwater Gauge, Sample and Survey – January 3, 2024
- Groundwater Analysis (NetLabs) – January 4 to January 12, 2024
- UST SIR Reporting – January 15 to February 2, 2024

#### Task 2:

- Quarterly Groundwater Sampling Event #1 – April 2, 2024
- Groundwater Analysis (NetLabs) – April 3 to April 12, 2024
- Groundwater Monitoring Report – April 15 to May 3, 2024
- Quarterly Groundwater Sampling Event #2 – July 9, 2024
- Groundwater Analysis (NetLabs) – July 10 to July 19, 2024
- Groundwater Monitoring Report – July 22 to August 9, 2024
- Quarterly Groundwater Sampling Event #3 – October 1, 2024
- Groundwater Analysis (NetLabs) – October 2 to October 11, 2024
- Groundwater Monitoring Report – October 14 to November 1, 2024

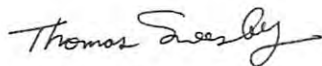
Our timeline for completing the work assumes we can proceed with activities without being adversely affected by access, weather, agency delay, or other issues out of our control.

## AUTHORIZATION AND TERMS

The work performed under this Scope of Work will be governed by the enclosed Standard Terms and Conditions. If the proposed Scope of Work, project costs, schedule, and contractual terms are acceptable to you, we request that you return a signed copy of this letter to us as written authorization to proceed.

We look forward to working with you on this project and appreciate the opportunity to be of service to you. If you have questions or comments regarding the contents of this letter or the enclosed materials, please feel free to contact us.

VERDANTAS LLC



Tom Sneesby  
Senior Project Manager



Mark House  
Program Manager

**CLIENT: Mr. Carlos Santos, Town of Smithfield, Rhode Island**  
**Project Site Location: 10 Indian Run Trail, Smithfield, Rhode Island 02917**  
**Environmental Services and Review**

### CLIENT AUTHORIZATION:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**VERDANTAS LLC  
NORTHEAST AREA  
2023-2024 STANDARD BILLING RATE SCHEDULE**

<u>Professional Services</u>	<u>Hourly Rate</u>	<u>Support</u>	<u>Hourly Rate</u>
Program Manager	\$215.00	Project Administrator	\$86.00
Senior Program Manager	\$225.00	Technician I	\$83.00
Senior Consultant	\$226.00	Technician II	\$93.00
Senior Consultant, Engineering	\$236.00	Technician III	\$103.00
		Senior/Master Technician	\$113.00
 <u>Geologists, Hydrogeologists, Scientists, Compliance Specialists</u>		 <u>CAD/GIS/Data Management</u>	
Staff Scientist I	\$108.00	Senior Project Designer	\$150.00
Staff Scientist II	\$118.00	Project Designer	\$135.00
Staff Scientist III	\$137.00	CAD Designer I-II	\$120.00 -130.00
Project Manager I	\$147.00	CAD Technician I-III	\$100.00 -120.00
Project Manager II	\$162.00	Senior GIS Analyst	\$150.00
Senior Project Manager	\$182.00	GIS Analyst I-II	\$120.00 -130.00
Senior Scientist	\$182.00	GIS Technician I-II	\$100.00 -115.00
		Senior Data Manager	\$150.00
		Data Manager	\$135.00
 <u>Engineering</u>			
Staff Engineer I	\$130.00		
Staff Engineer II	\$141.00		
Staff Engineer III	\$163.00		
Professional Engineer	\$179.00		
Project Manager I, Engineering	\$179.00		
Project Manager II, Engineering	\$182.00		
Senior Engineer	\$203.00		
Senior Project Manager, Engineering	\$203.00		

**NOTES:**

1. Expert testimony at trial or depositions will be billed at two times the standard fee schedule rate.
2. Standard billing rates are reviewed no less than annually and may be adjusted at those times.
3. A separate fee schedule for field equipment and in-house supplies is available. Please note that the field equipment and supplies schedule will be updated periodically
4. Subcontractors and other project expenses are billed in accordance with the specific project agreement. Mileage, for personal vehicles, will be billed at the current United States Internal Revenue Service reimbursement rate.



November 27, 2023

Carlos A. Santos, Purchasing Agent  
Town of Smithfield – Office of Purchasing Agent  
64 Farnum Pike  
Smithfield, RI 02917  
Sent via Email: [csantos@smithfieldri.gov](mailto:csantos@smithfieldri.gov)



**RE: Environmental Engineering Services  
Vincent J. Gallagher Middle School  
10 Indian Run Trail  
Smithfield, Rhode Island  
SAGE Proposal No. P9038**

Dear Mr. Santos:

Please consider this correspondence prepared by SAGE Environmental, Inc. (SAGE), a proposal, and assuming your acceptance, an agreement to provide Environmental Engineering Services associated with the referenced location (hereinafter, "Site").

This correspondence is organized as follows:

- Background & Reason for Services
- Scope of Services
- Cost Opinion & Terms
- Authorization to Proceed

### **BACKGROUND & REASON FOR SERVICES**

It is SAGE's understanding that an underground storage tank (UST) closure assessment associated with the removal of two (2) 10,000-gallon USTs located at 10 Indian Run Trail in Smithfield, Rhode Island was completed in accordance with the RIDEM's *Rules and Regulations for Underground Storage Facilities Used for Regulated Substances and Hazardous Materials* using RIDEM *Guidelines for Closure of UST Systems*. Subsequently, on May 3, 2023, the Department issued an approval of a UST Closure Application for the Site, for the UST closure to be completed on May 16, 2023.

Prior to UST closure, a total of approximately 875 gallons of No.2 fuel oil and water were removed from these USTs. The USTs were then cleaned, and all liquid waste was transported to NBW's Johnston facility for reuse as energy recovery under a RIDEM permit. Upon removal of these USTs, corrosion and pitting was observed in both tanks although only the South Tank had two small visible holes. UST grave soils contained a petroleum odor indicating that a release had occurred.

Accessible impacted soils were excavated at the time of UST closure. In total, 26.36 tons of petroleum contaminated soils were removed from the UST grave and transported to RIRRC for disposal. Following impacted soil excavation, compliance soil samples collected from the UST grave base and sidewalls were field screened for VOCs and a subset were submitted for laboratory analysis using VPH analyses. Analytical results found no petroleum constituents above any applicable DEC standards, and the two samples from soils that remained in the tank grave with GA-LC exceedances could not be excavated due to the proximity of the tank grave to the school building.

SAGE understands that, at this time, the Town of Smithfield is soliciting proposals for the performance of supplemental environmental assessment in the area of the tank release which will include drilling, field sampling, laboratory testing, data review, report writing (Site Investigation Report {SIR}), senior review and three supplemental groundwater monitoring events.

## **SCOPE OF SERVICES**

### **Task 1 – Subsurface Investigation Report**

#### *Task 1.1 – Pre-SIR Investigation Public Notice*

In accordance with the *Remediation Regulations*, it is required that pre-investigation public notices be prepared and submitted in-draft to RIDEM for review and approval prior to performing an SIR. The notices are required to be sent to the abutters and Town to inform them of upcoming investigation activities. Once approved by the Department, SAGE will send the notices.

#### *Task 1.2 – Subsurface Investigation in Support of the SIR*

As noted above, the subsurface investigation discussed with RIDEM included the advancement of soil borings and monitoring wells for purposes of collecting soils and groundwater for laboratory analysis. To that end the below scope will be performed:

1. *Utility Marking* – Prior to drilling, SAGE will mark proposed boring and/or monitoring well locations. SAGE will then contact DigSafe and the local municipality to have underground utilities marked prior to drilling. However, these agencies will not mark utilities on private property. Therefore, any existing Site plans showing underground utilities must be made available prior to initiating drilling activities. SAGE will take reasonable care not to disturb any subsurface utilities.
2. *Geoprobng* – SAGE will advance three (3) soil borings at the Site using Geoprobe® direct-push technology. Borings will be advanced to an approximately depth of 15 feet below surface grade (BSG) or refusal; however, the actual depths will be determined based on data obtained in the field during the installation of the borings.

Three (3) of the borings will be completed as two-inch groundwater monitoring wells if groundwater is present within the top 15' BSG. Drill cuttings will be spread on the ground surface near the boring(s) or returned to the bore hole(s) in accordance with the state-appropriate Investigation Derived Waste (IDW) Policy if one applies. SAGE does not anticipate the need to containerize IDW. We will inform you should grossly contaminated soil be encountered that requires containerization per the IDW Policy. One day of drilling is budgeted.



3. *Subsurface Soil Sample Collection and Screening* – During boring advancement, soil samples will be collected using Geoprobe® Macro-Core samplers. Subsurface soil samples will be screened in the field for the presence of total photoionizable compounds using a photoionization detector (PID) and the jar headspace technique. Photoionizable compounds that might typically be detected include volatile organic compounds (VOCs) present in petroleum hydrocarbons and many common solvents.
4. *Soil Laboratory Analysis* – To evaluate potential objectionable impacts to soil at the Site, three (3) soil samples will be selected for laboratory analysis from the newly-advanced borings. Samples will be selected from the boring interval with the highest PID headspace response and/or other evidence of impact (i.e., staining, odors).

The selected soil samples will be transported, utilizing proper chain-of-custody protocol, to be analyzed for: Extractable Petroleum Hydrocarbons (EPH) and Volatile Petroleum Hydrocarbons (VPH).

5. *Monitor Well Gauging* – SAGE will gauge each monitoring well utilizing a Geotech® Electronic Interface Probe to determine depth to groundwater and to assess the groundwater surface for the potential presence of non-aqueous phase liquid (NAPL). SAGE will then purge each well using a low-flow peristaltic pump.
6. *Groundwater Sampling and Laboratory Analysis* – Six (6) groundwater samples will be collected from the monitoring wells. The groundwater samples will be transported, utilizing proper chain-of-custody protocol, and analyzed for Volatile Organic Compounds (VOCs) *via* EPA Method 8260 and Total Petroleum Hydrocarbons (TPH) *via* EPA Method 8100.
7. *Elevation Survey* – To evaluate the apparent groundwater flow direction beneath the Site, a survey will be performed to determine monitor well casing elevations. Survey data will be utilized in conjunction with groundwater gauging data to assess groundwater elevations and direction at the Site.
8. *Sensitive Receptor Survey* – SAGE will assemble existing maps available online to identify potential sensitive receptors.

#### *Task 1.3 – SIR Preparation*

Concurrent with the subsurface investigation activities, SAGE will collect additional historical data for the preparation of a Site Investigation Report (SIR) for RIDEM submission. The SIR will incorporate findings of available previous investigation(s) and will further characterize and delineate the extent of soil and/or groundwater impacts.

The intent of the SIR is to provide subsurface investigation data that defines the nature and extent of subsurface conditions in order to evaluate potential remedial measures. At the conclusion of the SIR, a minimum of three remedial options will be evaluated and one option selected for implementation.





#### *Task 1.4 – Post-SIR Public Notice*

Assuming the SIR has been approved by RIDEM, public notice will be required informing the abutters of the completed investigation and the selected, preliminary remedy. SAGE will prepare a draft of such notice and submit it to RIDEM for review and approval. Once approved, SAGE will disseminate the required notices. Copies of the sent notices will also be sent to RIDEM for documentation.

### **Task 2 – Quarterly Groundwater Monitoring & Reporting**

#### *Task 2.1 – Quarterly Groundwater Monitoring*

In accordance with RIDEM requirements and to fully characterize the groundwater conditions at the site, three consecutive quarters of groundwater monitoring/sampling will be completed following the completion of the SIR.

On a quarterly basis, SAGE will conduct groundwater sampling of the groundwater monitoring wells.

Before sampling, SAGE will measure the depth to groundwater in Site wells and evaluate for the presence/absence of separate-phase petroleum (SPP) using an interface probe. Each monitoring well targeted for sampling will first be gauged using an oil/water interface probe to evaluate for the potential presence of light non-aqueous phase liquid (LNAPL) and depth to groundwater.

Collected samples will be transported, utilizing chain-of-custody protocol, for analysis of VOCs *via* EPA Method 8260 and TPH *via* EPA Method 8100.

#### *Task 2.2 – Quarterly Groundwater Reporting*

SAGE will prepare and submit to Rhode Island Department of Environmental Management (RIDEM) a status report for each quarterly groundwater monitoring event.

**All reports will be certified by a licensed professional geologist and/or Professional Engineer (PE) as required by the RIDEM.**

**COST OPINION AND TERMS**

SAGE proposes to complete the outlined scope of work for a time and materials estimated cost as indicated below.

Task	Description	Estimated Cost	Estimated Total
<b>Task 1 – Subsurface Investigation Report</b>			
1.1	Pre-SIR Investigation Public Notice	\$500.00	\$500.00
1.2	Subsurface Investigation in Support of the SIR	\$5,800.00	\$5,800.00
1.3	SIR Preparation	\$3,500.00	\$3,500.00
1.4	Post-SIR Public Notice	\$500.00	\$500.00
<b>Task 2 – Quarterly Groundwater Monitoring &amp; Reporting</b>			
2.1	Quarterly Monitoring (per event)	\$1,650.00	\$4,950.00
2.2	Quarterly Reporting (per report)	\$1,350.00	\$4,050.00
<b>Estimated Total:</b>			<b>\$19,300.00</b>

**Work will begin once Authorization to Proceed has been received.**

The above noted costs are believed to be reasonable to accomplish the proposed services; however, actual services will be provided on a time and materials (T&M) basis in accordance with the attached General Terms and Conditions which are hereby confirmed by your authorization to proceed.

Specifically, but not exclusively, this proposal does not include costs associated with:

- Any work performed outside of that described herein;
- Any state or federal filing fees; and
- Disposal of investigation derived waste(s).

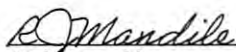
**AUTHORIZATION TO PROCEED**

Should you wish to authorize SAGE to perform the proposed scope of work, **please return one executed copy of this proposal to our office.** SAGE will begin work promptly upon receiving your authorization to proceed.

Please note that this proposal is valid for 30 days from the date of issue.

Thank you for the opportunity to provide our services. Should you have any questions regarding this proposal, please do not hesitate to contact me.

Sincerely,  
SAGE Environmental, Inc.

  
Rick Mandile  
Principal

RM;ajw



**AUTHORIZATION TO PROCEED AND FEE AGREEMENT  
(SAGE PROPOSAL NO. P9038)**

Print Name	Signature, Title	Date
Telephone No.	Fax No.	E-mail Address

**ADDRESS INVOICES TO:**

(Please provide contact information for the individual/entity responsible for receiving invoices and remitting payment)

**SAME AS ADDRESSED PROPOSAL**

Company & Contact Name: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**ONSITE/PROJECT CONTACT (IF DIFFERENT FROM AUTHORIZER):**

Print Name	Telephone No.	E-mail Address
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**2023- SCHEDULE OF RATES, FEES AND CHARGES AND EXPENSE REIMBURSEMENT POLICY**

a. Professional Services	Hourly Rate
Principal	\$250.00
Certified Industrial Hygienist	\$250.00
Licensed Site Professional (MA)	\$220.00
Licensed Environmental Professional (CT)	\$220.00
Regulatory Specialist	\$205.00
Senior Project Manager	\$190.00
Project Manager	\$150.00
Senior Environmental Scientist	\$135.00
Asbestos Project Designer	\$140.00
Environmental Scientist II	\$120.00
Environmental Scientist I	\$110.00
Asbestos Inspector/ Asbestos Monitor	\$120.00
Reimbursement Specialist	\$105.00
Technical Writer	\$105.00
Radon Inspector	\$100.00
Environmental Technician III	\$95.00
Environmental Technician II	\$85.00
Admin. Assistant/Word Processor	\$80.00
CAD/Draftsperson	\$80.00
Environmental Technician I	\$70.00
<b>b. Equipment</b>	
Air Purifier Units	\$250.00
Air Sampling Pump	\$40.00
Air Sampling Tripods (per day)	\$25.00
Asbestos Sampling Equipment	\$55.00
Asphalt Patch (per bag) (taxable)	\$35.00
Bentonite Granular 50 lbs (per bag) (taxable)	\$35.00
Boat Rental	\$200.00
Chop Saw	\$55.00
Concrete Mixer	\$110.00
Confined Space Entry Equipment	\$185.00
Core Drill	\$220.00
Coring Machine	\$385.00
Demolition Hammer/Hammer Drill	\$120.00
Demolition Saw	\$120.00
Drain Inspection Camera	\$330.00
Drone	\$275.00
Drum (55 Gallon)	\$75.00
Elevation Survey Equipment (Auto/Laser)	\$65.00
Ferromagnetic Detector	\$40.00
Field Filters	\$27.50
Filter Sand 50 lbs (per bag) (taxable)	\$22.00
GPS Equipment	\$195.00
Groundwater Gauging Equipment	\$65.00
Groundwater Sampling Equipment	\$220.00
Groundwater Sampling Equipment/GPS	\$415.00
Groundwater Sampling/Elevation Survey Equipment	\$285.00
Groundwater Sampling/YSI Equipment	\$360.00
Hand Augering Equipment	\$35.00
Hand Tool Liners	\$2.00
HAPSITE (per day)	\$575.00
HAPSITE (per week)	\$1,450.00
HAPSITE Sample (1L Tedlar)	\$45.00
HAPSITE Sample (3L Tedlar)	\$55.00
Honeywell Generator (Large)	\$130.00
Indoor Air & Soil Vapor Vacuum Sampler	\$55.00
Interface Probe/Water Level Indicator	\$55.00
Job Supplies	\$50.00
Landfill Gas Meter	\$195.00
Magnahelic Gauges	\$35.00



Manometer	\$30.00
Mileage	\$0.75
Mold Air-O-Cell Cassettes	\$7.00
Mold Sampling Equipment	\$45.00
Oil Absorbent Pads (taxable)	\$1.10
Oil Absorbent Socks (taxable)	\$8.25
Peristaltic Pump	\$40.00
Photoionization Detector	\$110.00
Pilot Test Equipment	\$935.00
Poly Sheeting -10 feet	\$11.00
Portland Concrete 50 lbs (per bag) (taxable)	\$20.00
Pressure Washer	\$30.00
Product Recovery Bailer	\$11.00
Rotometer	\$12.00
Ryobi Generator (small)	\$65.00
Slug Test Equipment	\$175.00
Soil Gas Installation Package	\$140.00
Soil Gas Points (Permanent)	\$110.00
Soil Gas Points (Temporary)	\$60.00
Soil Sampling Equipment	\$120.00
Surface Water/Sediment Sampling Equipment (per day)	\$40.00
SVE/Soil Gas Monitoring Equipment	\$140.00
Thermal Imager	\$165.00
TSI DustTrak	\$165.00
TSI DustTrak with Enclosure	\$195.00
Tubing for Peristaltic Pump (Flexible) (per foot)	\$2.25
Tubing for Peristaltic Pump (Rigid) (per foot)	\$0.25
Turbidity Meter	\$35.00
Tyvek Suit	\$25.00
Vehicle Charge (0-100 Miles)	\$65.00
Vehicle Charge (100+ Miles)	\$80.00
Video Borescope	\$40.00
Wetland Flagging Equipment	\$85.00
YSI Meter	\$140.00





Environmental Assessment, Remediation and Compliance Solutions

October 13, 2023

Smithfield Public Schools  
49 Farnum Pike  
Smithfield, RI 02917

Attn: Angelo Mencucci, Director of Buildings & Grounds

Re: Proposal for Underground Storage Tank Site Investigation Report  
Gallagher Middle School  
10 Indian Run Trail  
Smithfield, RI  
LSE Proposal No. 23045A20

Dear Mr. Mencucci:

Lake Shore Environmental, Inc. (LSE) is pleased to submit the following proposal for environmental consulting services related to completing an underground storage tanks (UST) Site Investigation Report (SIR) in accordance with the Rhode Island Department of Environmental Management (RIDEM) Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials. (UST Regulations, 1/4/2022). The requirement for this UST-SIR was originally made in RIDEM correspondence dated August 31, 2023. Following a conference call with the Department on September 13, 2023, correspondence providing updated requirements for the UST SIR was issued by RIDEM to LSE on September 27, 2023. The following proposal includes requirements outlined in both RIDEM letters.

#### **A. PROJECT APPROACH**

The subject middle school previously used two 10,000-gallon USTs for heating purposes at the Vincent J. Gallagher Middle School. LSE completed an UST closure assessment associated with the removal of these two 10,000-gallon USTs dated July 6, 2023. Upon removal of these USTs, corrosion and pitting was observed in both tanks although only the South Tank had two small visible holes. UST grave soils contained a petroleum odor indicating that a release had occurred.

Accessible impacted soils were excavated at the time of UST closure. Excavation of fuel oil-impacted soil was limited to the south of the UST due to the nearby school building and unstable UST grave sidewalls. In total, 26.36 tons of petroleum contaminated soil were removed from the UST grave and transported to RIRRC for disposal. Following impacted soil excavation, compliance soil samples collected from the UST grave base and sidewalls were field screened for VOCs and a subset were submitted for laboratory analysis using VPH. Analytical results found no petroleum constituents above any applicable DEC standards. However, two soil samples that remained in the tank grave with GA-LC exceedances could not be excavated due to the proximity of the tank grave to the school building as noted above.

Due to the fact that a petroleum release occurred from these USTs and not all impacted UST grave soil could be removed, RIDEM is requiring that a UST SIR be completed to delineate the nature and extent of petroleum contamination in down gradient areas (if any) as well as identify the potential receptors and associated risks associated with the petroleum contaminants. The SIR must include the advancement of three soil borings and the installation of three groundwater monitoring wells.

RIDEM is also requiring that three additional quarterly groundwater monitoring events be completed using the three planned monitor wells. If no exceedances of RIDEM's GA Groundwater Standards are detected for three consecutive monitoring events, LSE will petition RIDEM to cease monitoring and issue a no further action letter for these former USTs.

## **B. SCOPE OF SERVICES**

Task 1 of this proposal includes direct costs for drilling, field sampling, laboratory testing, data review, report writing and senior review for the SIR. Task 2 includes three supplemental groundwater monitoring events. Upon completion of each of these tasks, the UST-SIR and quarterly monitoring reports will be prepared and submitted to RIDEM.

To complete these tasks, the following scope of services is proposed:

### **Task 1 Complete UST SIR**

- Complete site visit for marking, boring/MW locations & obtain dig-safe ticket,
- Coordination and mobilization for drilling tasks,
- Subcontract to drilling contractor to advance 3 direct push borings in conjunction with continuous soil sampling to 15 feet below grade (ft-bg),
- Screen soil with a PID and log Macrocore samples; select & process samples for analytical testing,
- Three soil boring samples will be analyzed for MA VPH/EPH using C.A.M. protocols,
- Install & develop three, 2-inch monitoring wells complete with flush mount road boxes. *Note that the cost of 2-inch well materials that is a RIDEM requirement is significantly greater than 1-inch well materials.*
- Gauge groundwater levels in three new wells and collect ground water quality samples using a peristaltic pump and dedicated tubing purging 3 well volumes,
- Three groundwater samples will be analyzed for VOCs using EPA 8260 and for TPH using EPH 8100 per DEM requirements
- Survey wellhead elevations and construct groundwater contour/flow map,
- Complete sensitive receptor survey and collect all collateral data required as part of an SIR,
- Prepare a final UST SIR summarizing all findings and analytical results and provide pertinent conclusions and recommendations regarding potential risks to receptors.

**Task 2 Complete Three Consecutive Quarterly Groundwater Monitoring Events**

- In accordance with RIDEM requirements and to fully characterize the groundwater conditions at the site, three quarters of consecutive groundwater monitoring will be completed following the completion of the SIR.
- During event monitoring event, groundwater levels will be gauged using an electronic water level indicator and three groundwater samples will be collected and analyzed for VOCs using EPA 8260 and for TPH using EPH 8100 per DEM requirements
- These three groundwater monitoring reports will be submitted to RIDEM in electronic and paper copy format in accordance with the Guidelines for the Submission of UST Groundwater Monitoring Reports.

All reports will be certified by a licensed professional geologist.

**C. REMUNERATION**

Based on the anticipated level of effort required to complete the UST SIR and subsequent quarterly monitoring, LSE proposes to provide the above services on a lump sum basis for the following estimated budgets:

<b><u>Task 1 Complete UST SIR</u></b> .....	<b>\$8,650</b>
<b><u>Task 2 Complete 3 Consecutive Quarterly Groundwater Monitoring Events</u></b> .....	<b>\$4,900</b>

LSE is prepared to begin work on this project immediately following receipt of your authorization to proceed.

**D. SUPPLEMENTAL SERVICES**

We recognize that the proposed services may raise questions by you, counsel, or other interested parties and that additional evaluations or discussions may be required. Additionally, if other investigations are required by RIDEM that are beyond the scope of services proposed herein, the additional services will be provided on an hourly rate basis under a supplemental agreement.

**E. PROPRIETARY NOTICE**

LSE, Inc. considers the data and information in this proposal to be proprietary. This proposal and any information contained shall not be used, duplicated or disclosed in whole or in part for any purpose other than to evaluate its content.




## F. GENERAL TERMS AND CONDITIONS

LSE will perform the scope of services listed above in accordance with the attached terms and conditions. LSE's invoice for the UST SIR will be submitted to you with the final copy of the report. Invoices for groundwater monitoring will be provided quarterly with each monitoring report.

Thank you for the opportunity to be of assistance on this project. Receipt of a signed copy of the attached authorization page will serve as our notice to proceed. A faxed or emailed version is sufficient.

Sincerely,

**Lake Shore Environmental, Inc.**



David J. Hazebrouck, P.G., LSP, LEP  
Principal

Attachment: General Terms and Conditions

**Authorization to Proceed**

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Mr. David Hazebrouck, P.G., LSP, LEP, Principal  
Lake Shore Environmental, Inc.  
359 Putnam Pike, Ste. 105  
Smithfield, RI 02917

**fax to: 401-349-5065**  
**eMail: dhazebrouck@lakeshoreenvironmentalri.com**

Re: Proposal for Underground Storage Tank Site Investigation Report  
Gallagher Middle School  
10 Indian Run Trail  
Smithfield, RI  
LSE Proposal No. 23045A20

Proposal Dated: October 13, 2023

Dear Mr. Hazebrouck:

You are authorized to proceed with the tasks described in the above-referenced proposal. The general terms and conditions attached to the proposal will apply.

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Authorized Signature



# TOWN OF SMITHFIELD ASSESSOR

## MEMO

Date: January 9, 2024  
To: Smithfield Town Council  
From: Christopher Celeste, Assessor  
Re: Tax Abatements

### BACKGROUND:

Abatements are granted by the assessor as a result of assessment appeals on real estate, motor vehicles, and personal property. Adjustments are also made to motor vehicle tax bills to correct for erroneous data received from the Rhode Island Division of Motor Vehicles, including incorrect tax town and registration data. Additionally, the tax collector may request the abatement of taxes deemed to be uncollectible.

### FINANCIAL IMPACT:

Total abatements for this period = \$4,332.78

### ATTACHMENT:

Abatement Detail Report

### MOTION:

Moved that the Smithfield Town Council approve the tax abatements in the amount of \$4,332.78

The abatements contained herein are submitted  
for your approval by:

A handwritten signature in black ink, appearing to read "Christopher Celeste".

Christopher Celeste, RICA  
Assessor



# TOWN OF SMITHFIELD

## ASSESSOR

### ABATEMENT DETAIL

January 9, 2024

ACCOUNT #	TYPE	PROPERTY OWNER	YEAR	ORIGINAL	REVISED	REASON	ABATEMENT
12-0098-56	RE	CHARRON ROBERT	2023	\$8,056.38	\$7,596.76	Appeal	\$459.62
02-1450-00	RE	HAWLEY DENISE F	2023	\$1,924.92	\$0.00	Appeal	\$1,924.92
04-2595-00	RE	DOYLE PLACE LORI L ET AL	2023	\$1,948.24	\$0.00	Appeal	\$1,948.24

Town Council Authorization:

Real Estate Subtotal: \$4,332.78  
Motor Vehicle Subtotal: \$0.00  
Personal Property Subtotal: \$0.00  
Total Abatements: \$4,332.78